City Council Meeting Agenda

Date: Monday, July 28, 2025
Time: 10:00 o'clock a.m.

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

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

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 - Vacant

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item # Item Description

1. ORDER OF BUSINESS

2. CALL TO ORDER - Playing of the National Anthem

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

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

4. ADOPTION OF THE MINUTES

5. NOTICE OF PROCLAMATIONS

6. COMMITTEE OF THE WHOLE

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

7.1. Correspondence Report for Monday, July 28, 2025 7.1.1 through 7.1.4 **(CMC 11/2025)**

7.2. Response to CQ 7-2021 – Corporate Commercial Vehicles and Related Procedures – City Wide **(CM 5/2025)** - *Author: Julie Ryckman, Occupational Health & Safety & Wellness Manager*

7.3. Auditor General Report Regarding "Investigation Results Regarding Service Delivery" dated June 5, 2025 **(SCM 229/2025)** - *Author: Christopher O'Connor, Auditor General for the Corporation of the City of Windsor*

7.4. Auditor General Investigation Results Regarding "Tendered Work Report" dated April 16, 2025 **(SCM 230/2025)** - *Author: Christopher O'Connor, Auditor General for the Corporation of the City of Windsor*

7.5. Auditor General Communication Regarding "Work Plan and Project Planning Approach" dated July 10, 2025 **(SCM 231/2025)** - *Author: Christopher O'Connor, Auditor General for the Corporation of the City of Windsor*

8. CONSENT AGENDA

8.1. Windsor-Lakeshore Transmission Line Project - City Wide **(C 90/2025)** - *Author: Matthew Johnson, Executive Director, Economic Development and Climate Change*

8.2. Windsor Canada Utilities Ltd. 1st Quarter 2025 Financial Statements - City Wide **(C 100/2025)** - *Author: Lorie Gregg, Deputy Treasurer, Taxation, Treasury and Financial Projects*

CONSENT COMMITTEE REPORTS

8.3. Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held March 12, 2025 **(SCM 209/2025) (SCM 168/2025)**

8.4. Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held April 9, 2025 **(SCM 210/2025) (SCM 169/2025)**

8.5. Report No. 122 of the Board of Directors Willistead Manor Inc. - 2024 Annual Report **(SCM 211/2025) (SCM 170/2025)**

8.6. Report No. 123 of the Willistead Manor Inc. Board of Directors **(SCM 212/2025) (SCM 194/2025)**

8.7. Notice of Intent to Partially Demolish a Heritage Listed Property – 711 Riverside Drive East, Commercial Building (Ward 4) **(SCM 218/2025) (S 83/2025)** - *Author: Tracy Tang, Planner III - Heritage (Acting)*

8.8. Rezoning – 3880 Matchett Road - Z-007/25 ZNG/7292 - Ward 2 **(SCM 219/2025) (S 75/2025)** - *Author: Adam Szymczak, Senior Planner - Development*

8.9. ZBA Application for 4641 Malden Road, Z-010/25 [ZNG-7301], Ward 1 (**SCM 220/2025) (S 80/2025)** - *Author: Brian Nagata, Planner II - Development Review*

8.10. ZBA - 0 Randolph Ave - Z-008/25 ZNG/7297 - Ward 1 **(SCM 221/2025) (S 78/2025)** - *Author: Diana Radulescu, Planner II – Development Review*

8.11. Community Improvement Plans – Extension and Rescindment of Grant Approvals (City Wide) **(SCM 222/2025) (S 73/2025)** - *Author: Simona Simion, Planner III – Economic Development (Acting)*

8.12. Closure of east/west alley located between Olive Road and Norman Road, Ward 8, SAA-7296 **(SCM 223/2025) (S 76/2025)** - *Author: Brian Nagata, Planner II - Development Review*

8.13. Ford City CIP Application - 998 Drouillard Road - Ward 5 **(SCM 224/2025) (S 84/2025)** - *Author: Kevin Alexander, Senior Planner-Special Projects*

8.14. Minutes of the Property Standards Committee of its meeting held May 20, 2025
(SCM 225/2025) (SCM 196/2025)

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS AND DELEGATIONS

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.1. Municipal Flag Policy Update - City Wide **(C 78/2025)** - *Author: Katherine Donaldson, Corporate Policy Coordinator*
Clerk's Note: Administration providing the attached additional information memo
(AI 18/2025)

11.2 Surplus Declaration and Sale Authorization – 0 Betts Avenue (abutting 3085 Betts Avenue) – Ward 1 **(C 103/2025) -** *Author: Stephanie Allen Santos Coordinator of Real Estate Services*

11.3. Surplus and Sale - 0 Wellington Avenue (abutting 1329 Wellington) – Ward 3 **(C 94/2025)** - *Author: Stephanie Allen Santos, Coordinator of Real Estate Services*

11.4. RFP No. 41-25 - Purchase and delivery of one (1) new, unused, 40 cu. yd. Front Loading Refuse Truck for use in the Environmental Division - City Wide **(C 87/2025)** - *Author: Chad Goebel, Fleet Manager*

11.5. Auditor General Report Regarding "Comparator Research and Recommendations" dated June 25, **2025 (SCM 233/2025)** - *Author: Christopher O'Connor, Auditor General for the Corporation of the City of Windsor*

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. A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR119/2025, dated April 14, 2025.

13.2. A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 28TH DAY OF JULY, 2025

14. **MOVE BACK INTO FORMAL SESSION**

15. NOTICES OF MOTION

16. THIRD AND FINAL READING OF THE BY-LAWS

By-law 131-2025 and 132-2025.

17. PETITIONS

18. QUESTION PERIOD

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

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

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

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

Transit Windsor Working Group
Wednesday, August 13, 2025
2:00 p.m., Room TBD, 350 City Hall Square West

Development & Heritage Standing Committee
Tuesday, September 2, 2025
4:30 p.m., Council Chambers

Community Services Standing Committee
Wednesday, September 3, 2025
9:00 a.m., Council Chambers

City Council Meeting
Monday, September 8, 2025
10:00 a.m., Council Chambers

21. ADJOURNMENT

Item No. 7.1

THE CITY OF WINDSOR ONTARIO, CANADA

Correspondence Report: CMC 11/2025

ATTACHMENTS

Subject: Correspondence Report for Monday, July 28, 2025 City Council Meeting

No.	Sender	Subject
7.1.1	City of Windsor / Roseland Golf Course	Notice of Public Open House to discuss the design concept for the Roseland Golf Course Clubhouse. Administrative Lead: Commissioner, Community Services SR/14629 Note & File
7.1.2	City Planner / Executive Director	Application for Zoning By-law Amendment, Windstar Homes Inc., 726 Josephine Avenue, to permit one new semi-detached dwelling as an additional permitted use, with increased maximum gross floor area, increased maximum lot coverage, and reduced rear yard setback. Administrative Lead: City Planner Z/14992 Note & File
7.1.3	City Planner / Executive Director	Application for Zoning By-law Amendment, Agbaba Holdings Corp., 2121 Riverside Drive West, to permit a three and a half storey, 46-unit multi residential dwelling as a site-specific permitted use. Administrative Lead: City Planner Z/14993 Note & File

7.1.4	Committee of Adjustment	Applications to be heard by the Committee of Adjustment / Consent Authority, Thursday, August 7, 2025. Administrative Lead: City Planner Z2025 Note & File

July 17, 2025

Roseland Golf Course Clubhouse - Public Open House

The City of Windsor is moving forward to construct the new Roseland Golf Course Clubhouse, aiming to incorporate current golfing trends into the design and construction of this future golf course amenity.

The former clubhouse building will be demolished later this year to allow for construction of a new modern golf clubhouse.

The City of Windsor invites you to attend a Public Open House to discuss the design concept for the Roseland Golf Course Clubhouse.

Public Open House Details:

- **Date:** Thursday, July 31, 2025.
- **Time:** 3:00 p.m. to 7:00 p.m.
- **Location:** Roseland Clubhouse, 455 Kennedy Dr. W., Windsor, ON N9G 1W9
- **In-person:** Drop-in format with display boards and project team members available.

2025 Roseland Golf Course Clubhouse Survey

Residents, golfers, user groups, and other stakeholders are also invited to participate in an online survey to share comments and input on the clubhouse concept. A short on-line survey can be completed using the QR code below or through the City survey page found at www.citywindsor.ca

The on-line survey will be available **starting July 31, 2025,** and responses will be accepted **until August 15, 2025**.

For more information on Roseland Golf Course, visit their website at roselandgolfclub.ca.

SCAN ME

THE CITY OF WINDSOR
ONTARIO, CANADA

PLANNING AND DEVELOPMENT SERVICES

Memo

To: City Clerk

From: City Planner/Executive Director

Date: July 4, 2025

Subject: TRANSMITTAL OF NEW FILE
Our File Number: Z-015/25 [ZNG/7309]

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

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Applicant: WINDSTAR HOMES INC.
Location: 726 JOSEPHINE AVENUE
Description: Applicant is requesting an amendment to Zoning By-law 8600 to permit one new semi-detached dwelling as an additional permitted use with increased maximum gross floor area (460 m^2), increased maximum lot coverage (48%) and reduced rear yard setback (7.3 m) within the current Residential District 1.3 (RD1.3) zone.

The ZONING BY-LAW AMENDMENT application submitted on MAY 28, 2025, by WINDSTAR HOMES INC. for 726 JOSEPHINE AVENUE was deemed complete on JUNE 3, 2025.

Enclosures:

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

Greg Atkinson, MCIP, RPP
Acting City Planner/Executive Director

GA/nm

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Commissioner of
Economic Development

Neil Robertson, MCIP, RPP
City Planner/Executive Director

June 27, 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: WINDSTAR HOMES INC.
LOCATION: 726 JOSEPHINE AVE.
FILE NO.: Z-015/25 [ZNG/7309]

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 June 3, 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 dradulescu@citywindsor.ca and aparent@citywindsor.ca

Sincerely,

Diana Radulescu
Planner II – Development Review

Averil Parent
Planner II – Development Review

DR/AP/nm

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Commissioner of
Economic Development
Planning & Development Services

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the most current application form.

Section 1: Before this application can be submitted, you must complete both Stage 1 and Stage 2 Planning Consultation Applications.

Section 2: During the Stage 2 process, any required studies must be completed and submitted for review and comment. The final studies for Stage 2 must be included with this application and the proposal must remain unchanged.

Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.

Section 4: Indicate if you are submitting other companion applications with this application. Please note that an application to amend the Official Plan or an application for Plan of Subdivision/Condominium are the only applications that will be accepted for processing concurrently with a Zoning Amendment.

Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.

Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan.

Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.

Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.

Section 9: Indicate how the property is accessed. Check all boxes that apply.

Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.

Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.

Section 12: Please refer to the Stage 2 Planning Consultation letter for details regarding the fees needing to be paid.

Section 13: Explain your proposed strategy for consulting with the public with respect to the application.

Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.

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

Submit application form 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

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

CONTACT INFORMATION

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

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

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.
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.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

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

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: 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-047/25

Staff Use Only

_____ _____

Signature of Staff Planner Date of Consultation

☐ Jim Abbs	☐ Kevin Alexander	☐ Tracy Tang	☐ Frank Garardo
☐ Brian Nagata	☐ Justina Nwaesei	☐ Simona Simion	☐ Laura Strahl
☐ Adam Szymczak	☐ _____		

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

☒ Deed or Offer to Purchase	☐ Corporation Profile Report	☒ Site Plan Conceptual *(see Section 8)*	☒ Sketch of Subject Land *(see Section 11)*
☐ Archaeological Assessment – Stage 1	☐ Built Heritage Impact Study	☐ Environmental Evaluation Report	☐ Environmental Site Assessment
☐ Floor Plan and Elevations	☐ Geotechnical Study	☐ Guideline Plan	☐ Lighting Study
☐ Market Impact Assessment	☐ Micro-Climate Study	☐ Noise Study	☐ Planning Rationale Report
☐ Record of Site Condition *(see Schedule E)*	☐ Sanitary Sewer Study	☐ Species at Risk Screening	☐ Storm Sewer Study
☐ Storm Water Retention Scheme	☐ Topographic Plan of Survey	☐ Transportation Impact Statement	☐ Transportation Impact Study
☐ Tree Preservation	☐ Tree Survey Study	☐ Urban Design Study	☐ Vibration Study
☐ 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: Ran Zhang Contact: Windstar Homes Inc (Gefu Zhu)
Name of Contact Person

Address: 1051 Stoneybrook Cres.

Address: Windsor, ON Postal Code: N9G 2R2

Phone: 519-981-6971 Fax:

Email: sunstone.international@gmail.com

Registered Owner ☒ Same as Applicant

Name: Contact:
Name of Contact Person

Address:

Address: Postal Code:

Phone: Fax:

Email:

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

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

Address: 23669 Prince Albert Rd.

Address: Chatham, ON Postal Code: N7M 5J7

Phone: 226-340-1232 Fax:

Email: tracey@pillonabbs.ca

4. COMPANION APPLICATIONS

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

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

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: 726 Josephine Ave

Legal Description: Part of Lots 17 and 18, Plan 1042, as in R317445; City of Windsor

Assessment Roll Number: 050-300-01400

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

Frontage (m): 12.5 m Depth (m): 32.84 m Area (sq m): 410.42 m2

Official Plan Designation: Residential, Schedule D, Land Use

Current Zoning: Residential District 1.3 (RD1.3) category, as shown on Map 4
City of Windsor Zoning By-law #8600

Existing Uses: Currently used for residential use (single detached dwelling, to be demolished)
as well as an accessory structure (to be demolished).

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

Previous Uses: Previous used for residential use

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

None

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

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

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

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

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

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

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

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: Residential District 1.3 (RD1.3)

to: Residential District 1.3 (RD1.3 - 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:

A new 2-storey semi-detached dwelling will be constructed with 2 additional dwelling units (1 in each semi-detached dwelling) for a total of 4 residential dwelling units.

A total of 2 parking spaces located within the front yard with access from Josephine Avenue are proposed.

The semi-detached dwelling will be severed along the common wall and divided into two separate lots

Why is this amendment or these amendments being requested?

The purpose of the amendment is to provide for more housing in the form of infill and intensification.

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report

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

☒ See Planning Rationale Report ☐ See Official Plan Amendment

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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

All existing structures are to be removed.

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:

_____

_____

_____

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,

a) the boundaries and dimensions of the subject land;

b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;

c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;

d) the current uses of all land that is adjacent to the subject land;

e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;

f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and

g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

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

Fees 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*	■ Minor Rezoning	☐ 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
Total City of Windsor Fees		**= $2,413.50**	**= $3,210.10**

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 hybrid (electronic and in person) public open house was held

February 25, 2025

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, Gefu Zhu, 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 Gefu Zhu

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 27th day of May, 2025

day *month* *year*

PLACE AN IMPRINT OF YOUR STAMP BELOW

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

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

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, Ran Zhan, 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 Ran Zhan — May 27, 2025

Signature of Registered Owner — Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, Ran Zhan,

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 Ran Zhan — May 27, 2025

Signature of Registered Owner — 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 Jefu Zhu — Signature of Applicant or Agent

May 27, 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.

Gefu Zhu

Name of Applicant (print)

X Gefu Zhu

Signature of Applicant

May 27, 2025

Date

Pillon Abbs Inc.

Name of Agent (print)

Signature of Agent

May 27, 2025

Date

END OF SCHEDULE E

THIS IS THE LAST PAGE OF THE APPLICATION FORM

THE CITY OF WINDSOR
ONTARIO, CANADA

PLANNING AND DEVELOPMENT SERVICES

Memo

To: City Clerk

From: City Planner/Executive Director

Date: July 4, 2025

Subject: TRANSMITTAL OF NEW FILE
Our File Number: Z-014/25 [ZNG/7308]

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

---

Applicant: AGBABA HOLDINGS CORP.
Location: 2121 RIVERSIDE DRIVE WEST
Description: Applicant is requesting an amendment to Zoning By-law 8600 to permit a three and a half storey, 46-unit multi residential dwelling as a site-specific permitted use within Residential District 2.2 (RD2.2) zone.

The ZONING BY-LAW AMENDMENT application submitted on MAY 28, 2025, by AGBABA HOLDINGS CORP. for 2121 RIVERSIDE DRIVE WEST was deemed complete on JUNE 13, 2025.

Enclosures:

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

Greg Atkinson, MCIP, RPP
Acting City Planner/Executive Director

GA/nm

City of Windsor • 350 City Hall Square West, Suite 210 • Windsor, ON • N9A 6S1
Phone: 519-255-6543 Fax: 519-255-6680 Email: planningdept@citywindsor.ca
www.citywindsor.ca

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Commissioner of
Economic Development

Neil Robertson, MCIP, RPP
City Planner/Executive Director

June 27, 2025

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

Dear Ms. Lassaline,

Re: ZONING BY-LAW AMENDMENT APPLICATION

APPLICANT: AGBABA HOLDINGS CORP.
LOCATION: 2121 RIVERSIDE DR. W.
FILE NO.: Z-014/25 [ZNG/7308]

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 June 12, 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 fgarardo@citywindsor.ca.

Sincerely,

Frank Garardo
Planner III – Policy & Special Studies

FG/nm

AuthentiSign ID: 9F281FFE-303B-F011-A5F1-000D3A8A9962

THE CITY OF WINDSOR
ONTARIO, CANADA

Office of the Commissioner of
Economic Development & Innovation
Planning & Development Services

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the most current application form.

Section 1: Before this application can be submitted, you must complete both Stage 1 and Stage 2 Planning Consultation Applications.

Section 2: During the Stage 2 process, any required studies must be completed and submitted for review and comment. The final studies for Stage 2 must be included with this application and the proposal must remain unchanged.

Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.

Section 4: Indicate if you are submitting other companion applications with this application. Please note that an application to amend the Official Plan or an application for Plan of Subdivision/Condominium are the only applications that will be accepted for processing concurrently with a Zoning Amendment.

Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.

Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan.

Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.

Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.

Section 9: Indicate how the property is accessed. Check all boxes that apply.

Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.

Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.

Section 12: Please refer to the Stage 2 Planning Consultation letter for details regarding the fees needing to be paid.

Section 13: Explain your proposed strategy for consulting with the public with respect to the application.

Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.

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

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

TYPE OF REZONING AMENDMENT

DATE RECEIVED STAMP

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

Minor Zoning Amendment:

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

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

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

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.
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.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

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

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

1. PLANNING CONSULTATION – Completion of Stage 2

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

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

Staff Use Only

_____ _____

Signature of Staff Planner Date of Consultation

☐ Jim Abbs	☐ Kevin Alexander	☐ Tracy Tang	☐ Frank Garardo
☐ Brian Nagata	☐ Justina Nwaesei	☐ Simona Simion	☐ Laura Strahl
☐ Adam Szymczak	☐ _____		

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

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

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

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

Staff Use Only

☒ Deed or Offer to Purchase	☐ Corporation Profile Report	☒ Site Plan Conceptual *(see Section 8)*	☒ Sketch of Subject Land *(see Section 11)*
☐ Archaeological Assessment – Stage 1	☐ Built Heritage Impact Study	☐ Environmental Evaluation Report	☐ Environmental Site Assessment
☐ Floor Plan and Elevations	☐ Geotechnical Study	☐ Guideline Plan	☐ Lighting Study
☐ Market Impact Assessment	☐ Micro-Climate Study	☐ Noise Study	☐ Planning Rationale Report
☐ Record of Site Condition *(see Schedule E)*	☐ Sanitary Sewer Study	☐ Species at Risk Screening	☐ Storm Sewer Study
☐ Storm Water Retention Scheme	☐ Topographic Plan of Survey	☐ Transportation Impact Statement	☐ Transportation Impact Study
☐ Tree Preservation	☐ Tree Survey Study	☐ Urban Design Study	☐ Vibration Study
☐ 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: Lassaline Planning Consultants Contact: Jackie Lassaline, Principal Planner
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St Joachim

Address: _____ Postal Code: N0R 1S0

Phone: 519-563-8814 Fax: _____

Email: jackie@lassalineplan.ca

Registered Owner ☐ Same as Applicant

Name: Agbaba Holdings Corporation Contact: Marko Agbaba
Name of Contact Person

Address: 2121 Riverside Drive, Windsor ON

Address: _____ Postal Code: N9B 1A8

Phone: 519=999-9425 Fax: _____

Email: agbabaholdings@gmail.com

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

Name: Lassaline Planning Consultants Contact: Jackie Lassaline, Principal Planner
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON

Address: _____ Postal Code: N0R 1S0

Phone: 519-563-8814 Fax: _____

Email: jackie@lassalineplan.ca

4. COMPANION APPLICATIONS

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

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

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

Authentisign ID: 9F281FFE-303B-F011-A5F1-000D3A8A9962

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address: 2121 Riverside Drive

Legal Description: Part Lot 1, Plan 1163 Town of Sandwich as in R940402

Assessment Roll Number: 3739 050 090 06900 0000

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

Frontage (m): 21.9 m Depth (m): _____ Area (sq m): 1,247 m2

Official Plan Designation: 'Residental'

Current Zoning: 'Resdiential District 2.2 (RD2.2)

Existing Uses: single detached residence

If known, the lengths of time that the existing uses have continued: 60 years +/-

Previous Uses: residential

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

Libro Credit Union Limited

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 2.2 (RD2.2)

to: 'Residential District 2.2-# (RD2.2-#)

Proposed uses of subject land: Residential multi-unit building with 46 residential studio, 14 parking spaces, and a 3 storey building with 11.7 m building height

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

Multiple unit building is a permitted use under the (RD2.2) zone. The requested ZBA purports to add site specific regulations applicable to the proposed multi-unit building.

Please refer to attached PRR for details on the site specific amendments.

Why is this amendment or these amendments being requested?

To provide for site specific regulations that will support the requested 46 unit, 3 storey residential building that is intended to support senior student residential accomodation

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

Authentisign ID: 9F281FFE-303B-F011-A5F1-000D3A8A9962

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

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

A new low rise 3 storey, 11.7 m high multii-unit residential building with 46 residential units in the building.

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:

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,

a) the boundaries and dimensions of the subject land;

b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;

c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;

d) the current uses of all land that is adjacent to the subject land;

e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;

f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and

g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

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

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

APPLICATION FEE

Amendment Type	*Code*	☐ Minor Rezoning	☐ Major Rezoning
Base Fee	*53001*	$4,347.00	$5,837.40
GIS Fee	*63024*	+ $50.00	+ $50.00
Essex Region Conservation Authority Fee	*53023*	+ $200.00	+ $300.00
Total Application Fee		**= $4,597.00**	**= $6,187.40**

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

OTHER FEES

Re-Notification/Deferral Fee *Code 53016* $2,258.40
Required when an applicant requests a deferral after notice of a public meeting has been given.

Legal Fee - Servicing Agreement *Code 63002* $597.64 plus $50 per unit, lot, or block
Required when the preparation of a servicing agreement is a condition of approval.

Removal of the Holding Symbol Application *Code 53001* $1,536.00
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.

Ontario Land Tribunal (OLT) Appeal Fee $1,100.00
An appeal is made through Council Services (519-255-6211 or clerks@citywindsor.ca). Fees, forms, and processes are subject to change. Visit https://olt.gov.on.ca for additional information

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

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

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

☒ Open House ☐ Website ☐ Other _____

[redacted]

completed July 31, 2024

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, Lassaline Planning Consultants, Jackie Lassaline, 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.

Jacqueline Lassaline
Signature of Applicant

Municipality of Lakeshore
Location of Applicant at time of declaration

Sign in the presence of a Commissioner For Taking Affidavits

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

Declared before me _____ at the Town of Essex
Signature of Commissioner *Location of Commissioner*

this 27th day of May, 2025
day *month* *year*

PLACE AN IMPRINT OF YOUR STAMP BELOW

AMY-LYNN HART
Notary Public
ONTARIO

AMY-LYNN HART
Barrister, Solicitor & Notary Public
In and for the Province of Ontario.
My commission is of unlimited duration.

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

Authentisign ID: 9F281FFE-303B-F011-A5F1-000D3A8A9962

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, Agbaba Holdings Inc. (c/o Marko Agbaba), 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

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

Authentisign
Marko Agbaba — May 26, 2025 — 05/27/25

Signature of Registered Owner — Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, Agbaba Holdings Inc. (c/o Marko Agbaba),
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.

Authentisign
Marko Agbaba — May 26, 2025 — 05/27/25

Signature of Registered Owner — 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:

Jacqueline Lassaline — Signature of Applicant or Agent

May 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.

Lassaline Planning Consultants, c/o Jackie Lassaline
Name of Applicant (print)

Jacqueline Lassaline
Signature of Applicant

May 26, 2025
Date

Lassaline Planning Consultants, c/o Jackie Lassaline
Name of Agent (print)

Jacqueline Lassaline
Signature of Agent

May 26, 2025
Date

END OF SCHEDULE E

Authentisign ID: 9F281FFE-303B-F011-A5F1-000D3A8A9962

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- ☐ Adam Szymczak (AS)
- ☐ Brian Nagata (BN)
- ☐ Frank Garardo (FG)
- ☐ Tracy Tang (TT)
- ☐ Jim Abbs (JA)
- ☐ Justina Nwaesei (JN)
- ☐ Kevin Alexander (KA)
- ☐ Laura Strahl (LS)
- ☐ Simona Simion (SS)
- ☐ _____

Complete Application

This application is deemed complete on _____

Date

_____

Signature of Delegated Authority

- ☐ Neil Robertson, MCIP, RPP Manager of Urban Design
- ☐ Greg Atkinson, MCIP, RPP Manager of Development
- ☐ Thom Hunt, MCIP, RPP City Planner & Executive Director

Internal Information

Fee Paid: $_____ Receipt No: _____ Date: _____

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

NEW Zoning File No. ZNG/_____ Z-_____

Previous Zoning File No. ZNG/_____ Z-_____

Related OPA File No. OPA/_____ OPA _____

Other File Numbers: _____

Notes: _____

_____

THIS IS THE LAST PAGE OF THE APPLICATION FORM

COMMITTEE OF ADJUSTMENT/CONSENT AUTHORITY AGENDA RECORD

PLEASE BE ADVISED THIS MEETING IS CONDUCTED ELECTRONICALLY.

The following applications are scheduled to be heard electronically by the Committee of Adjustment/Consent Authority on Thursday, August 7, 2025 in the order stated below commencing at 3:30 PM or shortly thereafter.

ITEM	ROLL #	FILE #	APPLICANT	LOCATION	REQUEST
1	373907022001401 0000	A-056/25	GREEK ORTHODOX COMMUNINTY OF WINDSOR	3052 WALKER RD	**RELIEF:** Proposed construction of a detached accessory building (pavilion) on the property requesting relief for increased maximum accessory building height.
2	373907056008801 0000	A-057/25	NC CAPTIAL HOLDINGS INC.	0 FERNDALE AVE	**RELIEF:** Proposed semi-detached dwelling with four internal additional dwelling units with increased maximum gross floor area – main building.
3	373904039005000 0000	A-058/25	ELOUISE & ZOHDEROCK WILLIAMS	1010 BRUCE AVE	**RELIEF:** Proposed detached additional dwelling unit at the rear of the property with increased maximum lot coverage for all accessory buildings and gross floor area for an accessory building to include an additional dwelling unit.
4	373908030016900 0000	B-048/25	LAURENZA & DOUGLAS BEDARD	3408 CHURCH ST	**CONSENT:** Lot Addition

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 email requests to 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)

Subject: Response to CQ 7-2021 – Corporate Commercial Vehicles and Related Procedures – City Wide

Reference:

Date to Council: July 28, 2025
Author: Julie Ryckman
Occupational Health & Safety & Wellness Manager
519-255-6515, ext. 6408;
jryckman@citywindsor.ca

Vincenza Mihalo
Executive Director of Human Resources
519-255-6515, ext. 6259;
vmihalo@citywindsor.ca

Human Resources
Report Date: 7/9/2025
Clerk's File #: AL2025

To: Mayor and Members of City Council

Recommendation:

THAT the report from the Human Resources Department regarding Council Question 7 -2021 **BE RECEIVED** for information and further;

THAT City Council **RECEIVE FOR INFORMATION** the procedural changes noted in this report that enhance the Corporation's Driver Training Program.

Executive Summary:

N/A

Background:

At the Monday March 29, 2021, Council meeting, Councillor Gignac asked the following question:

Assigned to Executive Director Human Resources:

Asking Administration to provide a report to Council outlining the policy that regulates procedures after an accident involving City vehicles and any amendments, they might propose to update it.

Since the above question was asked, Administration, including both the Fleet Division in Public Works and the Health and Safety Division in Human Resources, have been implementing several changes to our policies, procedures, training and practices to enhance employee safety.

Discussion:

The Ontario Ministry of Transportation (MTO) monitors the driving activity of all fleet operators in the province to ensure the safety of our roadways and compliance with applicable safety standards for commercial vehicles (trucks with a registered gross weight or actual weight exceeding 4,500 kg, in our case that includes anything from a large pick up to a sewer truck). As a result of this monitoring, fleet operators, such as the Corporation of the City of Windsor (the Corporation), receive a safety rating based on the number and characteristics of collisions that occur involving their commercial fleet vehicles. The review by the MTO encompass collisions occurring over the previous 24-month period. Attached with this Report as Appendix A is a summary chart which includes a detailed description of each of the five possible ratings the MTO can issue to a CVOR-holder.

The Corporation's rating with the MTO has fluctuated between 2021 and the present from satisfactory to conditional. The MTO has directed the Corporation to take steps to reduce the incidences of collisions involving Fleet-owned vehicles in order to improve our collision rating.

In order to respond to the MTO's direction, the Corporation has implemented and/or improved upon eight (8) control measures designed to improve our collision rating:

1. Health Workplace Policy

The Healthy Workplace Policy is an umbrella policy that includes the majority of the health and safety-related corporate procedures and includes those that govern follow up that occurs when an accident involves a collision with a city-owned vehicle. Collisions occurring in the workplace, are documented and investigated to determine what transpired and identify any changes that can be made to prevent re-occurrences. An employee's supervisor conducts the incident investigation. Directly following the supervisors' investigation, several different workplace parties review the incident report, including the:

- affected worker
- department head
- applicable Joint Health and Safety Committee, and
- Occupational Health and Safety Advisor for the employee's department.

In each instance, the party reviewing the incident can make recommendations to add to those identified by the investigating supervisor.

Recommendations can include re-training, discipline or re-instruction on a particular vehicle, as well as a review of any electrical/mechanical concerns with the vehicle. Re-training would include the Commercial Defensive Driver training and/or the Driver Simulator training, or one-on-one training with a driver trainer, as applicable to the type of vehicle.

Further to the review after a collision occurs, the Corporation has several driver-oriented programs in operation such as the Collision Review Committees, Driver's Abstract & Driver License Procedure, the Fleet Use Policy and the Corporate Driver Management Program.

2. Collision Review Committee

In addition to the noted review that occurs directly following a collision, the Corporation has three Collision Review Committees (CRC): one for Fleet-owned vehicles (hereafter referred to as the Fleet CRC), one for Windsor Fire and Rescue vehicles and one for the Transit Windsor fleet. The Fleet CRC now meets quarterly to review all driving-related incidents. The Fleet Manager chairs the Fleet CRC, and its members include representatives of Risk Management, Human Resources, Parks, Operations, Building and Environmental Services. The mandate of the Fleet CRC is to review all driving-related incidents and determine whether a collision was preventable. When trends are identified, the Fleet CRC can make recommendations, such as to enhance existing training. Recommendations from the Fleet CRC go to the Fleet Review Committee for consideration. Recommendations from the WFRS and Transit Windsor are actioned within their respective departments.

3. Drivers Abstract and Driver Licence Procedure

The Drivers Abstract and Driver Licence procedure details the use of driver abstract records. Human Resources collect drivers' abstracts from applicants for a driving-related job and for current employees on a quarterly basis through an agreement with the MTO Resources. At time of hire, in addition to verifying an applicant has a correct and valid licence, depending on the vacant position, the driving history is reviewed by Human Resources to assess the suitability of an applicant for a particular position. For our quarterly review of current drivers, abstracts enable the Corporation to verify that each employee holds the correct type of licence for their job and verify the licence is valid. The Fleet Manager also receives monthly abstracts based on the Corporation's CVOR, which identify collisions involving commercial vehicles only.

Moving forward this procedure will be updated to include an expanded use of the information in CVOR abstracts. Expanding the use of information in abstracts will include identifying when a driver has been ticketed or charged with a particular offence, such as distracted driving. When such cases are identified, a standard correspondence would be sent to the employee in the form of a letter advising that such behaviour violates corporate standards and that if we become aware of a repeat of such behaviour will lead to discipline up to and including termination.

4. Fleet Use Policy

In addition to the Healthy Workplace Policy, the Fleet Use Policy identifies the steps that must occur when a collision occurs. These steps include what types of collisions mandate a report to the Police, that a worker must report the accident to their supervisor, and that an Internal Incident Accident Report be completed to document the details of the accident. This Policy also identifies rules and responsibilities for employees who operate a Fleet-owned vehicle.

5. Corporate Driver Management Program

Both the Health Workplace Policy and the Fleet Use Policy also reference the Corporate Driver Management Program which includes the training requirements for employees assigned to drive a corporate fleet vehicle.

Current driver training standards for drivers of commercial vehicles includes:

- Commercial Vehicle Defensive Driving (eLearn format)
- Commercial Vehicle Pre-Trip Inspection (eLearn format)
- Hours of Service (eLearn format)
- Load Securement (eLearn format)
- Fueling and Emergency Spill Procedures (eLearn format)
- Load Securement (eLearn format)
- Simulator Based Driver Training (classroom format)

A five-year retraining frequency is being established for the above noted training.

All staff are required to complete four mandatory annual driving-centred video-based safety talks on the following topics:

- Winter Driving;
- General Driving Safety Tips;
- Distracted Driving; and,
- Drivers Abstract/Drivers' Licence

Additional annual video-based safety talks on the following topics have been added to our requirements for our commercial vehicle operator, enhancing existing training requirements:

- Commercial Motor Vehicle Pre-Trip Inspection
- Hours of Service
- Load Securement

Simulator-based Driver Training: Simulator-based driver training has been provided on a five-year cycle since 2007 for employees operating snowplough trucks or other types of vehicles to which plowing equipment is attached. Our current simulator-training program improves driving skills and behaviours and enhances situational awareness. The program is designed to reduce collisions through its use of cognitive based learning techniques, proven driving practices, and state of the art simulation.

6. In-Cab Driver Evaluations

In 2022, standardized in-cab evaluations were implemented for our commercial vehicle drivers using existing funding from the Human Resources Health and Safety Operating Budget. The individual evaluations provide an opportunity for a professional driver trainer from the Infrastructure Health and Safety Association (IHSA) to give individualized feedback to each driver on how to improve their driving abilities based on real-time observation of their driving habits. Since the implementation of these evaluations, 134 of our commercial vehicle drivers have been assessed and the feedback we receive from the driver trainers will be integrated into our defensive driving training.

In 2025, a management member of the Operations team will complete a Train-the-Trainer program through the IHSA enabling them to conduct the in-cab evaluations. Having a certified in-house evaluator will enable the Corporation to complete the evaluations for the remaining current commercial vehicle operators without incurring the IHSA cost per driver of $347.50 (plus HST) moving forward.

7. Establishment of Permanent Fleet Technology and Training Administrator

In the 2025 budget, City Council has approved the conversion of this position to a permanent position. This new position will play a key role in the ongoing management of the Corporation's Commercial Vehicle Operator Registration (CVOR) and Carrier Safety Rating program. Conducting compliance audits, reviewing, researching, developing, coordinating and conducting driver training programs will be central to this positions' role in our ongoing driver management program.

8. Changes to Licencing Standards for Student Lottery

In 2025, Human Resources changed the licence requirements for applicants being hired through the student lottery, increasing the number being hired who possess a Class G licence. The rationale for this decision is to increase the amount of driving experience of those being hired through the student lottery.

Risk Analysis:

Resource Risks: There is a risk to the Corporation when employees are hired without experience in driving a commercial motor vehicle as collisions are a major factor in the MTO's calculation of the City's overall violation rating and safety rating.

Timing Risks: Given that the MTO re-assesses the Corporation's safety rating at six-month intervals, taking steps to enhance our policy, training and evaluation standards in a timely manner has reduced the likelihood that our rating will decrease.

Cross Corporation Risks: Failing to take steps to lower our collision rate and enhance the skill level of our drivers may lead to continued downgrading of the Corporation's safety rating including the inability to operate commercial vehicles and increased insurance premiums.

Climate Change Risks:

Climate Change Mitigation

N/A

Climate Change Adaptation

N/A

Financial Matters:

The financial impact of the initiatives noted above are as follows:

Since 2007, the City has provided simulator-based driver training on a five-year cycle for employees operating snowplough trucks or other types of vehicles to which plowing equipment is attached. To fund this, an annual transfer of $17,100 is made to Reserve Account 1788 Driver Simulation which has a balance of $80,827 at July 3, 2025. The driver abstract training is offered every five years to a specific group of drivers based on compliance plan completed for the Ministry of Labour. Funds are set aside yearly to ensure that at the fifth year we have sufficient funding to put all employees in targeted positions through the training.

Since 2022, the City has performed standardized in-cab evaluations for our commercial vehicle drivers using existing funding from the Human Resources Health and Safety (H&S) Operating Budget (more specifically, the H&S Legislative Changes product code). As of July 3rd, $20,602 has been spent on in-cab evaluations in 2025.

To ensure ongoing dedicated resources to support these initiatives, the 2025 Operating Budget (via Budget Issue 2025-0076) approved the conversion of the temporary Fleet Technology and Training Administrator to a permanent position. This position will complete a Train-the-Trainer program through the IHSA that will certify them to complete the in-cab evaluations thus eliminating the cost [$347.50 (plus HST) per driver] of having IHSA personnel complete the evaluations moving forward. The cost of the Train-the-Trainer program course will be funded by the existing Fleet Division operating dollars. Performing the in-cab evaluations internally will allow the funds to be directed to other health and safety legislative directives received from the various ministries (i.e. Ministry of Labour, etc.) that govern the City's operations.

Consultations:

Angela Marazita, Fleet Manager
Rob Carruthers, Occupational Health and Safety Advisor
Kristen Karam Financial Planning Administrator - Human Resources

Conclusion:

The Corporation will continue to assess the efficacy of our policy standards towards the effective management of driving responsibilities. As we proceed with the implementation of the noted enhancements to our existing Driver Training Program, we will continue to monitor industry best practices and compliance with applicable regulatory requirements.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Dave Soave	Manager, Strategic Operating Budget Development and Control
Angela Marazita	Fleet Manager, Operations
Brian Lima	Executive Director, Operations
Andrew Daher	Commissioner, Corporate Services
David Simpson	Commissioner, Infrastructure Services and City Engineer
Tony Ardovini	On behalf of Commissioner, Finance and City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Commercial Motor Vehicle Ratings - Explanation

APPENDIX A

Commercial Motor Vehicle Registration Ratings - Explanation

In Ontario, CVOR (Commercial Vehicle Operator's Registration) ratings, which assess a commercial carrier's safety performance, are categorized as Excellent, Satisfactory, Satisfactory – Unaudited, Conditional, and Unsatisfactory. These ratings reflect the carrier's compliance with safety regulations and can impact their ability to secure insurance and attract customers.

Here's a breakdown of each rating:

CVOR RATING	EXPLANATION
Excellent	Indicates the highest level of safety performance, achieved through passing an audit with a high score and demonstrating strong compliance with safety regulations.
Satisfactory	A satisfactory rating demonstrates that the carrier meets the minimum safety standards but may not have undergone a formal audit.
Satisfactory – Unaudited	This rating is typically assigned to new carriers or those who haven't yet been audited.
Conditional	This rating indicates that the carrier has not met the required safety standards but is still permitted to operate with a CVOR certificate. A conditional rating can negatively impact insurance options and business opportunities.
Unsatisfactory	This is the lowest rating, signifying serious safety concerns and non-compliance with regulations. An unsatisfactory rating can lead to sanctions, including suspension or revocation of the CVOR certificate.

Item No. 7.3

Committee Matters: SCM 229/2025

Subject: Auditor General Report Regarding "Investigation Results Regarding Service Delivery" dated June 5, 2025

THAT the memo from the Office of the Municipal Auditor General dated June 5, 2025, with the subject "Auditor General Investigation Results Regarding Service Delivery " **BE RECEIVED** for information.

Memo

To: City Council

From: Christopher O'Connor

Date: Jun 5, 2025

Subject: Auditor General Investigation Results Regarding Service Delivery

---

Project Closure Memo

This memo serves to provide closure to the Inappropriate Service and Treatment Regarding Social Support Allegation. Initial discussions and further clarification indicate that the allegation investigation will be ceased given that:

- The primary source of evidence is contained in the provincial Ontario Works system, where the City of Windsor, as a local service manager, enters and manages client information. However, the system is hosted and controlled by the Province. All data remains part of the provincial social assistance system infrastructure. Provincial standards require that the investigating team obtain a signed informed consent (or waiver) from the client to access specific client data.
- Initial communications (three) with the complainant were successful; however, upon issuance of the authorization form for signature and witness the complainant could not be reached through the channels they provided (three attempts on available channels, except where a response was received that the channel was not active on two attempts). One channel was noted as no longer in existence (this was the main channel for the original submission and prior back-and-forth).
- Given that the possible channels have not resulted in (1) contact with the complainant or (2) a system response that the channel is not active, the investigation cannot proceed.

As such, any investigation into the Inappropriate Service and Treatment Regarding Social Support Allegation will cease, and this memo serves as the final report.

Sincerely,

Christopher OConnor

Auditor General for The Corporation of the City of Windsor

Item No. 7.4

Committee Matters: SCM 230/2025

Subject: Auditor General Investigation Results Regarding Tendered Work Report dated April 16, 2025

THAT the report from the Office of the Municipal Auditor General dated April 16, 2025, titled "Auditor General Investigation Results Regarding Tendered Work Report" **BE RECEIVED** for information.

THE CITY OF WINDSOR ONTARIO, CANADA

Office of the Municipal Auditor General,
The Corporation of the City of Windsor

April 16, 2025

Auditor General Investigation Results Regarding Tendered Work

REPORT

Executive Summary

Background

The complainant alleges that the City is not allocating dirty yard clean-up work equitably or fairly among contracted vendors. Specifically, they assert that one vendor is consistently favoured—despite not offering the lowest cost, receiving most work assignments and billing at inflated prices. The complainant also claims that their work is of high quality and low cost, yet they are being excluded based on complaints from a single bylaw officer. Additionally, they allege that a City employee made a false statement regarding which they, as the contractor, received the most work in a given period.

Investigation Approach

1. Acquired a listing of payments issued regarding Dirty Yards Cleanup from April 1, 2023, through July 4, 2024, and identified trends and payment dispersal.
2. Met with Administration to understand the process and discuss trends identified and considerations.
3. Developed specific procedures to consider each of the detailed allegations provided by the complainant.
4. Reviewed the Pre-Qualification document and responses by selected bidders, the RFT, and related responses to understand the governing agreements.
5. For the allegations related to the dispersion of work: Considered system information on the overall dispersion of dirty yard cleanup costs/payment and reviewed the RFT/Pre-Qual to determine what commitments the City made regarding how work would be allocated, or disclosure, or such method. Considered information for previous service providers.
6. For allegations of misrepresentation (falsehood) by Administration: Considered the notes and evidence noted in testing.
7. For the allegations related to several specific statements: Investigated if the complainant was included in the next Pre-Qual and if vendor performance records supported such an approach.
8. For the allegations related to another specific contractor: Reviewed city controls to validate the effort level reported by the contractor and reviewed invoices for the period noted in the allegation.
9. For the allegations related to City personnel behaviour (*see Scope Exclusion note below*).

Scope Exclusion & Approach Adaptation

This audit considered the majority of the allegations; however, for the specific allegation related to “Personal mistreatment at the hands of City personnel,” an exclusion was made per the Concerned Citizen and Employee Protocol. The allegation had not been fully escalated through Senior Administration or HR (a requirement before this office investigates such allegations).

However, given that the complainant submitted the concern as part of several allegations and work was conducted wherein cooperative evidence might be observed to support or refute the mistreatment allegation, the mistreatment allegation will be considered when conducting investigative work. Should evidence related to these concerns emerge in the normal course of audit procedures, the allegation will be noted for potential future review.

If this approach does not meet the needs of the complainant, then they should escalate this issue to the responsible Commissioner or Human Resources first.

Summary of Conclusion and Findings

Overall Conclusion: While the allegation may be perceived as warranted upon an initial reading, **the investigation did not find evidence to support the allegations**. However, findings were noted for Administration's consideration. Below is a summary by allegation:

Allegation #1: The complainant alleges that the City is not allocating dirty yard clean-up work equitably or fairly among contracted vendors.

> **Conclusion:** The allegation is **not supported** by the evidence. The allegation assumes that work distribution is to be more equitable or fair; however, the work allocation is based on Administration’s discretion as per the agreed to contract. A future-oriented finding for Administration was noted.

Allegation #2: Specifically, the complainant asserts that one vendor is consistently favoured—despite not offering the lowest cost, receiving most work assignments and billing at inflated prices.

> **Conclusion:** The allegation is **not supported** by the evidence. The allegation assumes that work distribution is to be more equitable or fair; however, the work allocation is based on Administration’s discretion as per the agreed to contract. A future-oriented finding for Administration was noted. Regarding

inflated costs, the specified vendor testing did not detect such concerns.

Allegation #3: The complainant also claims that their work is of high quality and low cost, yet they are being excluded based on complaints from a single bylaw officer.

Conclusion: The allegation is **not supported** by the evidence. The allegation assumes that the feedback from residents supersedes Administration's performance rating and contract compliance assessment. While residents may be pleased with the service provider's performance, the key metric of contract compliance, job completion within 1-3 days of notice and completion to by-law officer specifications are critical components given the nature of this work and its place in the Dirty Yard Clean Up cycle and performance timeline.

Allegation #4: Additionally, the complainant alleges that a City employee made a false statement regarding which they, as the contractor, received the most work in a given period.

Conclusion: The portion of the allegation which could be considered is **not supported** by the evidence.

The following recommendations are based on the investigation's findings; however, Administration has indicated that many, if not all, of these considerations have been incorporated into the current process. Administration should ensure that the recommendations are fully reflected in ongoing practices.

Recommendations for Administration regarding:

1. Administration should consider the desired intent of the Dirty Yard tender and ensure that the work allocation and funds dispersion support that strategy.
2. Where there are criteria a service provider must comply with or may be required to comply with, Administration should ensure these are included in the RFT. When criteria are added during a tender period, the rationale and advance notification should be provided.
3. Administration should consider a retrospective and a prospective evaluation of the site-specific effort.

Management has provided responses to address the findings.

Contextual Information

The City of Windsor has bylaws in place regarding yard maintenance, including requirements for grass length, weed control, and proper disposal of garbage and debris, with penalties for non-compliance.

Complaints and Enforcement:

- The city encourages residents to report concerns about dirty yards or other bylaw violations by calling 311.
- Bylaw officers conduct site inspections and issue orders to comply, with a 7-day timeframe for property owners to bring their property up to bylaw standards.
- If a property owner fails to comply, the city can conduct a clean-up with the expenses applied to the property tax bill.

In 2024, the city received 12,000 dirty yard complaints, which included long grass, nuisance shrubs and landscaping, garbage and debris, or even household items left outdoors.

The City has engaged external service providers to conduct various dirty yard clean-up activities when the property owner fails to comply with bylaw notices. These vendors generally provide towing, tree/arborist, or broader dirty yard clean-up services.

Based on a system report of invoices between April 1, 2023, and July 4, 2024, the City recorded invoices payable of $498,538.87. Of this total, $45,539.09 is related to tree and towing. The remaining $452,821.72 relates to the broader dirty yard clean-up services.

To conduct the broader dirty yard clean-up services, the City issued a Pre-Qualification and subsequent RFT, in which three specific providers entered into agreements with the City. During the early part of the tender timeframe, one of the providers indicated they wished to withdraw and would not respond to further requests. As such, only two providers were engaged and responding under the agreements for much of the tender timeframe.

To understand how work is allocated, a discussion with management was conducted. Criteria for work assignment to vendors were items such as: past performance of the vendors, job size/nature, ability to complete the job within the timeline, equipment needs, efficiency and value/cost. The timeframe for a service provider to complete the job is within one to three days of authorization of the commencement order.

Of the $498,538.87 of invoices considered between April 1, 2023, and July 4, 2024, the allocation of effort by invoice is as follows:

Vendor	Amount of Invoice in Period	% of Total
A	$403,538.87	89.12%
B	$45,671.88	10.09%
C	$3,610.97	0.8%

In the scope period, 636 orders were initiated to engage external service providers for clean-up related to the Dirty Yards Bylaws.

In evaluating the overall cost and effort associated with Dirty Yard clean up, it is important to understand that the total cost will include time and fees associated with travel to/from, waiting and tipping at the dump/landfill, onsite time waiting for police or bylaw support/intervention, etc..

In evaluating the appropriateness of the service provider invoices, the rate for the labour is defined by the RFT agreement. The variable is the hours incurred. Together, these provide the total labour cost incurred by the service provider for dirty yard clean-up before allowable expenses and taxes.

Where Health & Safety concerns or vendor performance concerns are present, and when determined by Administration, the by-law officer can require that they are present at the beginning, during and end of work or any combination thereof, requiring that work be conducted during the bylaw officer's working hours.

Below is a table of annual disbursements related to Dirty Yard Work payments over the years:

Vendor	Sum of Invoice Total					
	2020	2021	2022	2023	2024	Grand Total
A	$ 195,912.48	$ 263,695.31	$ 262,064.03	$ 306,761.68	$ 370,596.62	$ 1,399,030.12
B		$ 16,117.29	$ 20,795.46	$ 28,387.12	$ 20,354.50	$ 85,654.37
C	$ 57,690.93	$ 831.83			$ 15,725.49	$ 74,248.25
D	$ 26,595.17	$ 29,781.03	$ 5,833.90	$ 4,214.36		$ 66,424.46
E					$ 13,829.67	$ 13,829.67
	$ 280,198.58	$ 310,425.46	$ 288,693.39	$ 339,363.16	$ 420,506.28	$ 1,639,186.87

General research at the Federal, Provincial, Municipal, Case Law and Good Practices was conducted before the investigation. The following common principles were noted in that research:

In case of multi-vendor contracts where management has discretion over work allocation:

1. Discretion should be exercised in good faith: Decisions should align with the contract's purpose and not be arbitrary or capricious.
2. Impact on vendors' expectations: While adverse effects on a vendor's profits do not automatically indicate bad faith, decisions that undermine the contract's fundamental objectives may breach the duty of good faith.
3. Documentation and transparency: Maintaining records of decision-making processes can demonstrate that discretion was exercised appropriately.

In summary, while management retains discretion in allocating work under multi-vendor contracts, this discretion is bounded by the duty to act in good faith, ensuring decisions are made honestly, reasonably, and aligned with the contract's objectives.

Summary of Investigation Approach Results

#	Approach	Summary of Key Findings
1	Acquire a listing of payments issued regarding Dirty Yards Cleanup from April 1, 2023, through July 4, 2024, and identify trends and payment dispersion.	Acquired a listing of payments issued regarding Dirty Yards Cleanup from April 1, 2023, through July 4, 2024, and identified trends and payment dispersion. ● The total invoices recorded in the period was $498,538.87. Of this total, $45,539.09 is related to tree and towing. The remaining $452,821.72 relates to the broader dirty yard clean-up services. ● Of the broader dirty yard cleanup services: ○ Vendor A accounted for $403,538.87. ○ Vendor B accounted for $45,671.88. ○ Vendor C accounted for $3,610.97. *(This vendor elected not to renew in May 2023.)* ● One vendor accounted for 89.12% of all invoiced broader dirty yard cleanup services. As per the 5-year disbursement summary to each vendor, the same service provider received 85.3% of the value of work allocation in that period. *(See recommendation #1)*
2	Meet with Administration to understand the process and discuss trends identified and considerations.	Met with Administration and noted that: ● Administration was empowered to direct work allocation. ● Administration was aware of the complainant's concerns. ● Service provider performance issues had been noted and communicated to the complainant. ● No vendor performance issues were noted with the other service providers. ● Established an understanding of the process for allocating work, overseeing work, reviewing and approving invoices and providing service provider feedback.
3	Review the Pre-Qualification document and responses by selected bidders, the RFT, and related responses to understand the	Reviewed the Pre-Qualification materials, the responses of the three final bidders, and the RFT and related bidder responses to understand the agreements in the context of the cleanup of dirty yards.

<table>
<tr><td></td><td>governing agreements.</td><td></td></tr>
<tr><td>4</td><td>Develop specific procedures to consider each of the detailed allegations provided by the complainant.</td><td>Specific procedures were developed based on the allegations and the context established through steps 1, 2 and 3 above. These are specified in steps 5 through # below.</td></tr>
<tr><td>5</td><td>Select a random sample for each vendor in the scope period. For each sample selected, acquire a copy of the invoice and capture the date the invoice was received, the related bylaw officer, the work type and rate billed, the effort hours billed, and evidence of the AP approval stamp and non-labour costs. Compare labour type and rate to approved bid document rates by type.

When testing, make note of the assigned bylaw officer.</td><td>Selected a random sample for each vendor in the scope period from the 561 (count) available:

<table><tr><th></th><th>Count</th><th>Sample Size</th></tr><tr><td>Vendor A</td><td>402</td><td>25</td></tr><tr><td>Vendor B</td><td>154</td><td>15</td></tr><tr><td>Vendor C</td><td>5</td><td>1</td></tr><tr><td>Total</td><td>561</td><td>41</td></tr></table>
For each sample, we acquired a copy of the invoice and captured key data from the invoice:

● invoice receipt date
● Bylaw officer associated with the work
● work type and rate billed
● the hours billed
● the non-labour fees and
● the presence of an approved AP stamp.

Compared labour type and rate to approved bid document rates by type.

No exceptions were noted in the testing - all rates tied to bid effort, extended hours times bid rate for work type equalled invoice totals, and approvals (bylaw and AP stamp) were noted as present.

Further, we noted that, in the samples selected, Vendor A had work from 11 different bylaw officers, Vendor B had work from 7 different bylaw officers and Vendor C had work from 1 bylaw officer.</td></tr>
<tr><td>6</td><td colspan="2">For the allegations related to the dispersion of work:</td></tr>
<tr><td>6.a.</td><td>Using the report provided by City AP, indicating the total number of invoices in the reporting period and the total</td><td>See step 1 above, where these totals are noted and where it was determined that one vendor accounted for 89.12% of all invoiced broader dirty yard cleanup services. The same vendor accounted for 71.66% of all invoices.</td></tr>
</table>

	value of invoices in the period, review the total and determine if one contractor received substantially more payments and allocation of invoices than the others.	
6.b.	Leveraging the information from 6.a. and data collected in sample testing, estimate a pro-rated payout per annum to assess the allegation.	The mathematical calculation to arrive at an annualization of the values in the sample period resulted in $271,651.22 for Vendor A, $30,745.05 for Vendor B and $2,430.81 for Vendor C. Per the 5-year disbursement summary to each vendor, in 2023, Vendor A received 90.3%, Vendor B 8.3% and Vendor C 1.4%. One vendor accounts for most of the invoiced services in the period.
6.c.	Review RFT and Pre-Qualification to determine if the City is required to disclose work or payment allocation to contractors.	Neither the Pre-Qualification nor the RFT requires the City to disclose the allocation/dispersion of work.
6.d.	Review Pre-Qualification and RFT to determine if there was any commitment by the City as to how work would be allocated. Inquire of Administration about the approach to work allocation.	A reading of the Pre-Qualification and the RFT indicates that the allocation of work is at the Administration's sole discretion. When a municipality has a tender that results in multiple awarded vendors (e.g., three or more) for a service like dirty yard cleanup, the unexpressed or implied intent regarding work distribution is typically centred on fairness, efficiency, and value for taxpayers, even if not contractually required. While the distribution of work under the dirty yard clean-up contract is at the discretion of Administration, it is noted that the City entered into a Request for Tender (RFT) that engaged three specific service providers to perform this work. In practice, one vendor received over 89% of the assignments, with the remaining work divided among the other two providers. Early in the scope period, one of the service providers chose not to renew their participation in the contract, citing concerns over inequitable work allocation. Additionally, other vendors expressed dissatisfaction to the Auditor General about the distribution approach. Despite a multi-vendor contract, this

<table>
<tr><td></td><td></td><td>concentration of work with a single provider introduces a risk that future vendor engagement may decline. Such an outcome could reduce competitiveness, limit contingency options, and affect service quality or pricing over time.</td></tr>
<tr><td>7</td><td colspan="2">For allegations of misrepresentation (falsehood) by management. Given that the allegation is associated with a conversation between two parties that cannot be verified, we cannot ascertain whether the statement was made.</td></tr>
<tr><td>7.a.</td><td>Consider the notes and evidence noted in testing to see if there is evidence that Administration communicated such a statement. Review work billed in this allegation period to determine who received the bulk of the work.</td><td>Using the report provided by City AP (step 1), indicating the total number of invoices in the reporting period, a pivot table was generated to count the invoices entered. Invoice entry dates and submission dates are in the system. The entry date is earlier than or equal to the submission date. The entry date is often several to many days after the invoice date and after the work date.

The RFP requires that invoices be issued within 7 days of completing the work.

Conducted three analyses of data:

1. Invoices entered from Dec. 4 to Dec. 31
2. Invoices entered from Dec. 11 to Jan. 12
3. Invoices entered from Dec. 11 to Feb. 7 (based on the fact that from Jan. 12 to Feb. 7, only two invoices were entered)

<table>
<tr><th></th><th>Vendor B</th><th>Vendor A</th><th>Difference</th></tr>
<tr><td>Invoices entered into the system Dec. 4-Jan.8</td><td>5</td><td>60</td><td>55</td></tr>
<tr><td>Invoices entered into the system Dec. 11-Jan.12</td><td>9</td><td>58</td><td>49</td></tr>
<tr><td>Invoices entered into the system Dec. 11-Feb. 7</td><td>9</td><td>60</td><td>51</td></tr>
</table>

Assessment: We did not detect evidence of Administration communicating the alleged statement in writing and cannot independently determine if the statement was verbally communicated. However, an analysis of the invoices issued around the period of the allegation supports the latter part as it was highly unlikely that the complainant received the majority of the work.</td></tr>
</table>

8.	For the allegations related to several specific statements:	
8.a.	*Statement: City staff indicated that the complainant would not be offered a place in the new tender because they did not want the complainant to do the work.* Discuss with management whether the contractor is listed in the next RFT and/or observe the bid request issuance. If the contractor was not invited to the latest tender review, consider vendor performance process evidence to determine whether the decision is based on evidence.	Discussions with management indicated that, based on a review of the contractor's performance and service delivery, the contractor would not be included in the subsequent bid request. A review of the contractor receiving the most significant funding showed that the vendor's performance rating was satisfactory, favourable, or exceptional, with several exceptional rankings. Further, the 2024 rotational commencement tracking tool noted no performance issues or declined work regarding this service provider. A review of the complainant's performance as a service provider indicates performance ratings of poor, unfavourable, or satisfactory. Further, the 2024 rotational commencement tracking tool review noted a few performance issues and declined work associated with this service provider. In a discussion with management, it was noted that Bylaw Management and Purchasing had to get involved in assessing and managing vendor performance for vendors with performance concerns. In contrast, no such efforts have been associated with the other vendor. A review of emails and observation of calendar invites corroborated this. **Assessment:** The complainant's statement/position is valid, but additional information should be considered After discussing the matter with management and reviewing the most recent Pre-Qualification and Tenders, it was noted that the complainant was not invited to bid on the tenders. Management indicated that they knew this and that the decision was based on vendor performance. Reviewing the vendor performance scorecards, commencement rotation logs, and internal and external email communications indicated performance concerns with the complainant's services. However, the vendor performance scorecards for other associated service providers stated no performance concerns and often indicated exceptional ratings.
8.b.	*Statement: The current contract indicates a 1:1 work ratio and that the City will change it to 2:1.* Review the Tender to consider what it	The RFT specified that: ● Contractors would be engaged "to perform work on an as-and-when-required basis, as directed by the By-Law Enforcement Unit". ● "Work orders will be placed on an as-and-when-required basis as directed by the City's Bylaw Enforcement Manager."

	says about the work assignment/ distribution.	The work is not outlined in terms of distribution beyond the wording extracted above. Given the wording of the RFP, a reader might imply that the following are some of the intents of Administration in awarding the contract and related work: ● outsourcing Dirty Yard work to meet timeframes for completion ● reducing costs, given that the three lowest bidders were to be selected **Assessment:** The complainant's statement is not supported by evidence. The agreements do not outline a specific work allocation; instead, they indicate that work will be allocated as determined by the City. There is a possible implied intent to achieve timeframes and reduce total cost.
8.c.	*Statement: The complainant is the lowest contractor.* Review RFT submissions and invoices to determine if the complainant is the lowest bidder.	Reviewed the vendor submissions and subsequent invoices, which indicated that the complainant was the bidder with the lowest hourly price. As noted in the Context section of this report, Administration used other factors to aid in determining job allocation, such as past performance of the vendors, job size/nature, ability to complete the job within the timeline, equipment needs, efficiency and value/cost. **Assessment:** The complainant's statement/position is true for the final year of the contract.
8.d.	*Statement: The complainant does very good work.* Review formal internal vendor performance assessments on overall vendor performance.	Reviewed the complainant service provider records, which indicated that the City's assessment of the vendor's performance rating was poor, unfavourable, or satisfactory. Further, the 2024 rotational commencement tracking tool review noted a few performance issues and declined work associated with this service provider. In a discussion with management, it was noted that Bylaw Management and Purchasing have had to get involved in assessing and managing this specific vendor's performance. In contrast, no such efforts have been associated with the other vendor. In discussion with Administration and in reviewing emails, it was noted that there are times when a bylaw officer wants to be present at the beginning and completion of work and requires that the contractor doing the work contact them to be present at

		both points in time (business hours). The service provider did not agree with this or could not comply. While this criterion may be a helpful business activity, it is not outlined as a requirement or possible key criterion in either the Pre-Qualification or RFT. As such, evaluating a service provider on such a criterion is unexpected and can be seen as unfair. *(See recommendation #2)* While the complainant indicates that they receive strong positive feedback from residents. While this is a good metric, the key component for this tender is that of work completed as part of the overall Dirty Yard Clean Up timeframe and compliance. As such, timeline commencement and compilation of work based on a commencement order and by the quality determined by the by-law officer are essential. **Assessment:** The complainant's statement/position is not supported by evidence. City vendor performance scorecards and tracking tools indicated performance concerns regarding the complainant's work.
8.d.	*Statement: One Bylaw officer had problems with Contractors doing the cleanups because of their attitude and lack of information on orders. This officer blames everyone else for their mistakes. They tried very hard to make us look bad, but they had several issues. Other By-Law officers have had no issues with us or our work.* Review formal internal vendor performance assessments on overall vendor performance to identify if one Bylaw officer is the source of concerns and consider the	Reviewed the vendor performance scorecards, emails and commencement order tracking, which indicated more than one bylaw officer had noted vendor performance concerns. Further, management indicated (verbally) that other bylaw officers also expressed concerns regarding this specific vendor's performance. Further, sampling noted that seven different bylaw officers had dealt with this vendor across 15 specific sample invoices. **Assessment:** The complainant's statement/position is not supported by evidence.

	dispersion of vendors.	
8.e.	Consider reaching out to prior vendors. Consider if new parties are bidding on the updated RFT. Consider participants in the latest/most recent RFP.	The Auditor General reached out to prior service providers to understand why they no longer participated and if there was feedback on the process for regular engagement/work assignments. The conversations indicated: ● a concern regarding "vastly unequal" allocation of work efforts ● significant reductions in assigned work volumes from the past, with no explanation, while knowing others were getting the work ● being informed by City personnel "that work was going to other businesses where there were close relationships - i.e. friends, wedding party participants, prior business relationships Further, one former service provider shared its communication with the City, wherein after years of providing service they were electing not to renew their contract due to receiving such low volumes of work given the total dirty yard clean up efforts and given industry safety concerns with some of the other providers the City had engaged. The most recent RFP selected three vendors for contract awarding, one returning after a period of absence and one new. **Assessment:** The complainant's statement/position is supported through these discussions; however, the contract explicitly states work will be allocated as per management discretion.
9	For the allegations related to another specific contractor:	
9.a.	*Statement: The highest billing contract bills for time not worked - inflates the effort.* Review city controls to validate the effort level reported by the contractor. Consider the FTEs deployed on average per business day in	Discussions with Administration indicated that the following controls were in place to enable the City to consider if the billings/efforts per project were appropriate: 1. Bylaw officer site inspection and random, periodic oversight of the project. It often includes a kick-off on commencement and a review on completion. 2. Bylaw officer review and approval of invoice details. 3. AP approver review and approval of the invoice for payment. 4. Vendor performance reviews. 5. Budget to actual monitoring for the department. Noted the occurrence of "1" in various emails and discussions

	the period.	with management. Noted the occurrence of “2” and “3” on each invoice sample tested as part of the fieldwork. Noted “4” in testing various vendor performance elements for 2 of 3 vendors - the 3rd one opted out of the contract early on, so there was limited evidence. For control 5, we reviewed the annual budget variance analysis presented to City Council; no significant variances related to bylaws and dirty yards were noted. This implies that the completed work and cost recovered were within the expected parameters. Inflated invoices have two potential sources: (1) rate and (2) effort. Rates are set under the legal agreement. In sample testing, it was determined that the rates billed aligned with the agreement in dollar value and nature and that the bylaw officer approved the work (including the rate/type of work). For inflated hours, testing indicated that bylaw officers approved the invoice, implying acceptance of the effort as valid. Analytical procedures were used to corroborate this control and consider the whole population.. Using the information in step 1, the FTEs were calculated for those active vendors throughout the period. Two scenarios were considered: - **Scenario A - Every Calendar Day**: calculates the fees billed to the City, hours worked, and FTE equivalent, assuming the vendors/service providers provided staff every calendar day of the year for 7 hours per day. (460 days) - **Scenario B - Every Working Day:** calculates the fees billed to the City, hours worked, and FTE equivalent, assuming the vendors/service providers provided staff every available working day of the year for 7 hours per day. (removes weekends and statutory holidays. (316 days). Formula: $\frac{\text{Total Vendor Fees before HST - 15\% of Total Vendor Fees before HST}}{\text{Days in Period Considered}}$

Scenario A - Every Calendar Day	Average Daily Effort (Hrs)	Average Daily Effort (FTE @ 7hr/day	Average Daily Invocie
Vendor A	18.6	2.7	$745.67
Vendor B	2.2	0.3	$88.84
Vendor C	0.2	0.0	$8.34

Scenario B - Every Business Day	Average Daily Effort (Hrs)	Average Daily Effort (FTE @ 7hr/day	Average Daily Invocie
Vendor A	27.1	3.9	$1,083.51
Vendor B	3.2	0.5	$129.08
Vendor C	0.3	0.0	$12.12

Scenario B more closely aligns with the actual average invoice totals from the vendors than Scenario A.

Given the above analysis, the City engaged external providers for approximately $1,225 or 30 hours daily, Monday through Friday, excluding statutory holidays of services, where these costs are passed along to each specific ratepayer with the bylaw violation. Based on the service provider invoice count, there are 1.2 Dirty Yards being cleaned up every business day.

The city issued 636 orders for dirty yard and refuse removal during the scope period, an average of 1.38 every calendar day or 2 every available working day. The overall average job was, therefore, $712 and approximately 15.5 hours of effort.

Assessment: Administration has controls in place to manage and identify the appropriateness of service provider billings, and no issues were noted in the operational execution of those controls during the testing conducted for this allegation.

While the above analysis indicates that the allegation is not supported, there is room for error in an independent external party assessment. This is because an independent third party cannot accurately assess the reasonability of the costs incurred without understanding the site-by-site initial condition, effort billed, and final price. Items required to conduct such an analysis, which were not detailed on the invoices for the period under assessment, include:

- initial condition/state to clean up required (expected size/magnitude/complexity
- estimate of required effort by the initial bylaw officer (or scale of work
- waiting time incurred on the job (police support, driving time, waste yard queue, etc.)
- finished state of space

		● of the inbound dirty yard complaints in a period, how many went through violation and remediation under City direction (see Recommendation #3)
9.b.	*Statement: The December invoice from the other contractor had very high amounts and way more work received than any other contractor.* A pivot table was generated to count the invoices entered using the report provided by City AP, indicating the total number of invoices in the reporting period. Invoice entry dates and submission dates are in the system. The entry date is earlier than or equal to the submission date. The entry date is often several to many days after the invoice date and after the work date.	See work noted in step 7.a. **Assessment:** An analysis of the invoices issued around the period of the allegation supports the latter part as it was highly unlikely that the complainant received the majority of the work.
10.	For the allegations related to City personnel behaviour:	
10.a.	*Statement: City staff behaved angrily, defensively and in a bullying manner while refusing to answer questions.* See Scope Exclusions & Approach Adaptation	*As the complainant had not escalated this allegation to the Commissioner responsible for the area nor to Human Resources, as required per the Concerned Citizen and Employee Protocol, the investigation was limited to observing if such treatment was noted in the communications (emails) provided by the complainant.* No evidence of such treatment was noted in the emails provided by the complainant, nor in those from Administration.

10.b.	*Statement: One officer shares the same nationality as the contractor, getting all the work.* See Scope Exclusions & Approach Adaptation	*As the complainant had not escalated this allegation to the Commissioner responsible for the area nor to Human Resources, as required per the Concerned Citizen and Employee Protocol, the investigation was limited to observing if such treatment was noted in the communications (emails) provided by the complainant.* No evidence of this allegation was noted in testing.

Conclusion:

While the allegation may be perceived as warranted upon an initial reading, **the investigation did not find evidence to support the allegations**. However, findings were noted for Administration's consideration.

Allegation #1: The complainant alleges that the City is not allocating dirty yard clean-up work equitably or fairly among contracted vendors.

Conclusion: The allegation is **not supported** by the evidence. The allegation assumes that work distribution is to be more equitable or fair; however, the work allocation is based on Administration's discretion as per the agreed-upon contract. A future-oriented finding for Administration was noted.

While the RFT granted Administration discretion in allocating work among vendors, the resulting concentration of over 89% in 15 months of assignments to a single provider may raise concerns about fairness and transparency. It does, however, align with the terms of the contract.

When a municipality has a tender that results in multiple awarded vendors (e.g., three or more) for a service like dirty yard cleanup, the unexpressed or implied intent regarding work distribution is typically centered on (1) good faith, (2) adherence to the contract's fundamental objectives, (3) documented (or basis) for decision making (allocation approach) and (4) value for taxpayers, even if not contractually stated.

Two of the three vendors participating in this RFT expressed concerns regarding the fairness of work distribution. One of the three vendors opted not to renew their contract due to this circumstance (*this impacts overall work distribution in the period, effectively removing one vendor*). In the investigation, no issues were noted regarding (1) good faith, (2) adherence to the contract's fundamental objectives, and (4) value for taxpayers. With regards to (3) documented (or basis) for decision making (allocation approach), discussions with management identified the general approach and were supported by performance records, bid documents and timeline considerations; however, Administration should consider improvements to this process to enable increased transparency and support regarding this decision process.

Allegation #2: Specifically, the complainant asserts that one vendor is consistently favoured—despite not offering the lowest cost, receiving most work assignments and billing at inflated prices.

Conclusion: The allegation is **not supported** by the evidence. The allegation assumes that work distribution is to be more equitable or fair; however, the work allocation is based on Administration's discretion as per the agreed to contract - at the agreed to rates. A future-oriented finding for Administration was noted. Regarding inflated costs, the specified vendor testing did not detect such concerns.

One vendor, who had the highest rate for the tested samples (5.3-11.1% higher than the other vendors) received most of the work. No evidence of inflated invoices was noted in testing; however, Administrative controls could be enhanced.

The service provider who conducted the vast majority of the work in the period was the highest rate per hour provider in the RFT by 5.3-11.1% for the average type of work tested. Control testing over Administration's controls for the variable component of service provider costs (hours effort) indicated no exceptions; however, controls could be enhanced. Sample testing also considered rate billing alignment with the RFT agreements, with no exceptions noted.

Similar to allegation #1, Administration should consider improvements to the approach to allocating work, thereby enhancing transparency and documentary support regarding the decision process, as well as to the intent/objectives of the contract.

Allegation #3: The complainant also claims that their work is of high quality and low cost, yet they are being excluded based on complaints from a single bylaw officer.

Conclusion: The allegation is **not supported** by the evidence. The allegation assumes that the feedback from residents supersedes Administration's performance rating and contract compliance assessment. While residents may be pleased with the service provider's performance, the key metric of contract compliance, job completion within 1-3 days of notice and completion to by-law officer specifications are critical components given the nature of this work and its place in the Dirty Yard Clean Up cycle and performance timeline.

City records indicate performance concerns from multiple bylaw enforcement personnel with the service provider. While the provider offers a lower cost than the top billing provider, they were not the lowest cost in all areas.

The complainant referenced positive feedback from the property representatives they engaged with. However, these would generally be individuals who have received the bylaw notice. Such feedback may be helpful in the City, but it is not the most essential consideration. Administration records identified vendor performance concerns and communicated to the service provider by Bylaw Enforcement and Purchasing. Administrative records indicate that such performance concerns came from several personnel within Bylaw Enforcement who engaged with the service provider.

Allegation #4: Additionally, they allege that a City employee made a false statement regarding which they, as the contractor, received the most work in a given period.

Conclusion: The portion of the allegation which could be considered is **not supported** by the evidence.

No evidence of falsehood was detected in the evidence reviewed; however, a review of the invoice data indicates that the complainant is unlikely to have received most of the work in the given period. Individual conversations were not able to be assessed as part of the investigation.

Recommendations:

*I**mportant Note:** The investigation focused on the late 2023 and early 2024 periods. After that time, a new RFT had been issued, and high-level discussions with Administration indicate that internal controls have also been enhanced. The following recommendations are made with the evidence from the investigation in mind; however, Administration indicated that much, if not all, of the following considerations were incorporated into the current process before the investigation recommendations were made. Administration should ensure the recommendations below are sufficiently considered within the current processes.*

1. Fairness in work distribution

When a municipality has a tender that results in multiple awarded vendors (e.g., three or more) for a service like dirty yard cleanup, the unexpressed or implied intent regarding work distribution is typically centered on (1) good faith, (2) adherence to the contract's fundamental objectives, (3) documented (or basis) for decision making (allocation approach) and (4) value for taxpayers, even if not contractually required.

The investigation noted that one service provider received over 80% of the work allocation in 1 year and 3 months. Further, the main impetus for the allegations appears to have been an inequitable distribution of work, which was then validated as a concern of prior service providers. While no issues in contract compliance were noted, there is a business risk that current and future bid participants become disillusioned with the process and their perceived expectations.

Administration should consider the desired intent of the Dirty Yard tender:

a. Were the goal to be defined as having multiple bidders/parties available for tender. In that case, a more balanced distribution of work efforts will be required or a clearer outline of the intent/objectives of the contract and guiding work allocation factors. Administration should develop and communicate clear criteria or guiding principles for distributing work under multi-vendor contracts. This may include considerations such as rotation, performance, timely completion, quality of work, job size vs. bid resources, job requirements/equipment vs. contractor equipment as per bid, responsiveness, or geography, etc. The key criteria should be consistently applied and documented. Additionally, the Administration should monitor and periodically review the actual distribution of work to ensure alignment with the intent of the RFT and to support vendor confidence and long-term participation in municipal tenders (this requires pre-definition of the intent).

b. If the goal is to allocate the work to one bidder, then multiple tenders should not be sought.

Administration Response
The Department already has this initiative in place. Effective Monday, January 29, 2024, a new process was implemented by the new Management Team to ensure a more balanced distribution of work and to track vendor performance. The improved process is highlighted below.

Work is no longer assigned by the investigating officer to a particular vendor of choice. Work is now distributed by the By-law Enforcement Clerk who reports directly to the Supervisor of By-law Enforcement. The Clerk does this on behalf of each officer on a rotational basis, being tracked on an Excel spreadsheet. Should work of any kind need to be assigned outside of the rotation, Supervisory approval is required and noted why. Vendor behaviour, performance and refusal of work is also tracked and noted to the assigned job. The Supervisor and/or Manager review the distribution list on a regular basis to ensure compliance with the procedure. The Department also commenced utilizing the Vendor Performance Evaluation process through the Purchasing Department. Vendor behavior and performance is tracked in a secure location to assess and monitor performance indicators such as quality, timeliness, cost and responsiveness.

Responsible Party:	Manager of Licensing and Enforcement & Deputy Licence Commissioner	Due Date:	Completed

2. Clarity of service provider requirements

In discussion with Administration and in reviewing emails, it was noted that there are times when a bylaw officer wants to be present at the beginning and completion of work and requires that the contractor doing the work contact them to be present at both points in time (business hours). The service provider was not in agreement with this or was not able to comply.

This criterion was not noted as a requirement in the Pre-Qualification or RTF.

Where there are criteria that a service provider is required or may be required to comply with, Administration should ensure these are included in the RFT. The absence of such ongoing or reasonably anticipated requests makes it challenging to use the lack of adherence to such criteria in the negative evaluation of a service provider.

When criteria are added during a tender period, the rationale and advance notification should be provided.

Administration Response
The Department has already begun the process towards implementing the criteria as recommended. The current RFT (68-24) requires vendors to take time and date stamped photos upon arrival and departure of the property, these are in addition to the property condition and work completed photos that were previously required. The current RFT also stipulates a deadline as to when work must be completed, and that work shall only be conducted between specific hours unless otherwise directed by Administration. Administration will continue to provide clarity as to the requirements of the service provider and will consider adding additional wording and the rational to future RFTs so that the service provider is able to agree to all service advanced notice requirements (arrangements when an

officer is required to be onsite from start to finish, or work requires Police attendance due to being identified as a property at risk).			
Responsible Party:	Manager of Licensing and Enforcement & Deputy Licence Commissioner	Due Date:	Completed

3. Future Site Cleanup Efforts

While the costs of individual dirty yard cleanup services are passed along to specific ratepayers, ensuring the fees are accurate and fair for the work performed is a key Administrative oversight task on behalf of ratepayers.

Administration should consider implementing specific control over work efforts, such as (or similar):

1. Having the bylaw officer assign a rough work level or FTE assignment (or category).
2. Having the service provider execute according to this and explain significant variances or other more cost-effective oversight analytics.
3. Having bylaw officers explicitly approve the overall effort for each job as reasonable based on their judgment.
4. Acquiring time-stamped images of the before and after work, which the bylaw officer could use to support #3 above.
5. Service provider identification of # of dump runs and break-out of labour time versus waiting time.

Administration Response			
The Department already requires Officers to sign off on the contractor's invoice by logging specific information such as property information, contractor name, the contractor's invoice amounts and apply administrative penalties for officer time. Officers are required to verify all information is correct and then sign the control sheet. This has been in place since 2004. Effective May 2025, the Department has added wording on the control sheet that will show that the investigating officer verified that the contractor's invoice amount and time spent is reflective of the work that was completed.			
Responsible Party:	Manager of Licensing and Enforcement & Deputy Licence Commissioner	Due Date:	Completed

Item No. 7.5

Committee Matters: SCM 231/2025

Subject: Auditor General Communication Regarding Work Plan and Project Planning Approach dated July 10, 2025

THAT the memo from the Office of the Municipal Auditor General dated July 10, 2025, with the subject "Auditor General Communication Regarding Work Plan and Project Planning Approach" **BE RECEIVED** for information.

Memo

To: Mayor and Members of City Council

From: Christopher O'Connor

Date: Jul 10, 2025

Subject: Auditor General Communication Regarding Work Plan and Project Planning Approach

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Audit Planning and Engagement Summary
(Aligned with the International Standards for the Professional Practice of Internal Auditing – IIA Standards)

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1. Purpose and Context

This summary provides an overview of the Auditor General's (AG) approach to developing the City's annual and multi-year audit work plan. It serves as a reference for Council and Administration, outlining how audits are identified, assessed, prioritized, and scoped. The summary clarifies the roles of both Administration and Council in the planning process and reaffirms the professional standards and independence under which the Auditor General operates.

This report also seeks to provide clarity and context regarding the role and influence of Administration as it relates to audit planning. While Administration provides input to inform project timing, context, and operational insight, the work plan remains under the exclusive control of the Auditor General until it is presented to Council for approval. No projects are added, removed, or altered based on Administration's preferences. If any contentions or differing views arose during planning, these would be transparently disclosed in the plan presented to Council, with direction sought where appropriate.

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2. Foundations of the Annual Work Plan Development

The Office of the Auditor General (OAG) prepares its audit plan in alignment with:

- Section 223.19 of the Municipal Act, 2001
- IIA International Standards for the Professional Practice of Internal Auditing (IPPF)
- Principles of municipal accountability, transparency, and value-for-money

The OAG operates independently of Administration and retains full authority over the development and execution of the audit plan. Input from Council and Administration is welcomed as part of the planning process, but does not influence final decisions of what is contained in the plan proposed to Council.

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3. Annual Work Plan Development Process

Audit planning follows a structured, repeatable methodology centred on a five-year rolling perspective: reviewing two years of prior activity, establishing a current-year plan, and considering needs for the next two years. This approach enables informed decision-making, balanced audit coverage, and responsiveness to emerging risks.

Step 1: Risk Assessment and Environmental Scan

- Audit results and coverage from the past 3–5 years
- Complaints and allegations (investigated, referred, or closed)
- Operational or structural changes within the City
- Sectoral trends, professional publications, and peer AG reports
- Considerations submitted by Citizens
- Council discussions regarding prior year plans and topics raised throughout the year

Step 2: Audit Universe and Project Prioritization

- Comprehensive list of auditable entities updated annually
- Projects scored on materiality, risk, control complexity, and past coverage

- More projects considered than can be executed within the annual budget
- Forward-looking projection over two years to ensure balanced coverage

Step 3: Acquire Input from Administration

- Determine if other internal or external work overlaps with proposed audits
- Understand timing and impact of changes or enhancements in audit areas
- Consider Administration's views on audit value (input only, not determinative)

Step 4: Finalization and Submission of the Workplan Plan

- Work plan submitted to Council for approval
- Capacity reserved for unplanned issues, investigations, and urgent risks

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4. Individual Project Scoping and Engagement

Each audit begins with a defined scope and objectives drawn from the approved work plan.

Planning includes:

- Reviewing internal documentation and prior audit findings
- Research using professional knowledge bases, sector guidance, benchmarking and professional experience
- Confirming process structure and key controls
- Clarifying materiality and audit boundaries

Once the scope and objectives are drafted, the Auditor General considers whether any original workplan insights from Administration regarding audit value can be addressed within the defined scope. Adjustments may be made to ensure practical relevance while preserving the independence and risk-driven nature of audit objectives, and ensuring that budgetary considerations are not negatively impacted.

Administration does not define or influence the audit scope or objectives. The Auditor General maintains professional discretion and independence throughout.

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5. Role of Administration in Planning

Administration provides operational and contextual input during planning. This includes:

- Highlighting internal risks or changes
- Identifying potential audit overlaps
- Offering suggestions on areas of interest or improvement

However:

- Administration does not approve, modify, or remove projects
- Only the Auditor General determines the final work plan proposed to City Council, as well as the initial and final project audit objectives and scope within the bounds of the annual work plan

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6. Professional Standards and Oversight

All work by the OAG adheres to:

- IIA Global Internal Audit Standards (IPPF)
- IIA Code of Ethics
- Internal Quality Assurance and Improvement Program (QAIP)

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7. Considerations

1. Council Involvement Timing – Direction Recommended

Currently, Council is only formally engaged when the work plan is presented for approval. While earlier engagement could support broader input, it would also require additional

effort and cost to implement. The following measures are already in place to support transparency:

- A list of projects considered but not included is shared for potential revision
- Budget constraints have limited execution to one small project per year in recent cycles
- Planning is informed by independent research into risks and trends

If budget increases are either unknown or not planned, maintaining the current process is recommended.

If budget increases are anticipated, an adjusted timeline that incorporates earlier Council consultation is recommended:

- Planning would begin in mid-to-late August
- The draft Audit Universe and prioritization would be presented to Council in late September
- Administration input would be gathered in October (by the 20s)

Planned approach to moving forward: Given the time and cost implications of enhanced planning efforts, as well as ongoing budget constraints, the Office of the Auditor General for the Corporation of the City of Windsor will continue to operate under the current audit planning and work plan development process unless otherwise directed by Council.

Should the departmental operating budget increase in the future by more than 33% above the approved 2025 level ($300,000) — indexed annually using the Consumer Price Index (CPI) — a revised planning framework will be introduced. This will include earlier Council engagement and expanded consultation activities, reflecting the Office's enhanced capacity to undertake multiple audit projects.

2. Input into Individual Project Scope

The Auditor General retains full responsibility for determining project-level scope and objectives. Neither Administration nor Council currently provides input at this level.

A jurisdictional review of peer municipalities found no evidence of project-level scoping being brought to Council or Audit Committee for input or approval.

In rare exceptions, scope consultations have occurred in large-scale enterprise transformations where Council involvement was necessary for strategic decisions. These were where the following conditions were present:

- Enterprise-wide initiatives tied to major budget commitments
- Strategic risks were significant and numerous, wherein several key ones were identified, but they could not all be covered, given both the available time and effort
- Instances where Council, or Audit Committee, input on citywide risk prioritization was needed due to limited audit capacity and budgetary constraints

Routine scoping consultations with Council are not recommended because:

- They would require extensive technical briefings on audit objectives, risk frameworks, and process design
- They would compromise confidentiality and timeliness
- They would increase project effort and extend timelines by approximately five weeks per audit

Therefore, no change is recommended to the current scoping process. If the AG were to require Council input, or if the risk profile/coverage warranted it, the AG would seek Council input.

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8. Summary

The OAG applies a structured, independent, and professional process to audit planning. This approach:

- Prioritizes high-risk and high-value areas
- Preserves the independence and integrity of the audit function
- Enables timely, practical, and constructive recommendations

The OAG welcomes Council's input on proposed changes to planning timing and engagement, as outlined in Section 7.

Sincerely,

Christopher OConnor

Auditor General for The Corporation of the City of Windsor

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 90/2025

Subject: Windsor-Lakeshore Transmission Line Project - City Wide

Reference:

Date to Council: July 28, 2025
Author: Matthew Johnson
Executive Director, Economic Development and Climate Change
519-255-6100 ext. 6495
majohnson@citywindsor.ca

Co-Author: Michelle Moxley-Peltier
Community Energy Plan Project Administrator
Environmental Sustainability and Climate Change
519-255-6100 ext. 6109
mmoxleypeltier@citywindsor.ca

Economic Development & Climate Change
Report Date: 6/18/2025
Clerk's File #: MU/14999

To: Mayor and Members of City Council

Recommendation:

THAT Council **SUPPORT** in principle the ERO 025-0659 Supporting Critical Transmission Infrastructure in Southwestern Ontario – The Windsor to Lakeshore Transmission Project; and,

THAT Council **DELEGATE** the issuance of a letter of support to the Chief Administrative Officer, satisfactory in technical content to the Deputy CAO & Commissioner of Economic Development; and,

THAT Council **DIRECT** Administration to submit the attached letter to the Environmental Registry of Ontario (ERO Posting #025-0659 – Supporting Critical Transmission Infrastructure in Southwestern Ontario – The Windsor to Lakeshore Transmission Project) by the comment deadline of August 15, 2025.

Executive Summary:

N/A

Background:

The Government of Ontario has recently published its Integrated Energy Plan, **Energy For Generations: Ontario's Integrated Plan to Power the Strongest Economy in**

the G7 (the Plan), outlining actions being proposed or taken by the provincial government to meet the challenge of generating and delivering the affordable, secure, reliable and clean energy Ontarians need. The Plan highlights electricity transmission projects that should proceed with early planning and development work to alleviate existing transmission bottlenecks identified by the Independent Electricity System Operator (IESO) in their ongoing regional and bulk planning studies.

ERO 025-0659 – Supporting Critical Transmission Infrastructure in Southwestern Ontario: The Windsor to Lakeshore Transmission Project, was published by Ontario's Ministry of Energy and Mines on June 16, 2025, outlines a proposal to develop a new transmission line between Windsor and Lakeshore:

- A double circuit 230-kiloVolt transmission line from **Lauzon Transformer Station in Windsor** and **Lakeshore Transformer Station** in Lakeshore, and associated station facilities.

The proposal emphasizes the importance of this infrastructure for supporting **agricultural and industrial growth** in the region, while also advancing **reconciliation goals** by creating economic and partnership opportunities for Indigenous communities.

IESO completed its **Windsor-Essex Integrated Regional Resource Planning (IRRP)** process, with the publication of the latest IRRP report on April 3, 2025. This study confirmed the need for the Windsor to Lakeshore Transmission Project, concluding that the most cost-effective solution is to connect at the Lauzon TS to meet regional capacity needs that will emerge in 2032.

Discussion:

On June 16, 2025, Ministry of Energy and Mines released ERO 025-0659 Supporting Critical Transmission Infrastructure in Southwestern Ontario – The Windsor to Lakeshore Transmission Project. To support the anticipated growth demand in the region the ministry is proposing to bring forward an Order in Council that would, subject to fulfillment of applicable consultation obligations, including Duty to Consult and receiving required approvals, declare the Windsor to Lakeshore Transmission Project, recommended to be in-service by 2032, a priority project under s. 96.1 (1) of the Ontario Energy Board Act, 1998 (OEBA):

a) The Windsor to Lakeshore Transmission Line – a double circuit 230-kiloVolt transmission line from Lauzon TS in Windsor to Lakeshore TS in Lakeshore, and associated station facilities.

The Province is seeking public and stakeholder input on this proposal during a 60-day comment period, which closes on August 15, 2025. In response, the Economic Development and Climate Change department has worked with multiple city departments to collect feedback and prepare the attached letter. The letter has been reviewed by several departments, including Engineering, Planning, Energy Initiatives, Asset Planning, Finance, Economic Development, and Environment, Sustainability & Climate Change.

This project supports economic development by ensuring the region has the reliable electricity infrastructure needed to accommodate future employment and residential growth. A stable and expanded power supply is essential for attracting new investment, supporting job creation, and enabling business expansion in the city of Windsor.

From an environmental sustainability standpoint, the project aligns with Ontario's clean energy goals by facilitating the delivery of affordable, secure, and low-emission electricity. It also supports long-term planning for energy efficiency and climate resilience, helping the region transition toward a more sustainable energy future.

It is recommended that Council approve the submission of the attached letter to the Province through the Environmental Registry of Ontario before the deadline of August 15th 2025.

After the ERO comment period closes on August 15, 2025, the Province will review all submissions and continue consultations with Indigenous communities. Based on the feedback received, the Ministry of Energy and Mines may move forward with a decision to designate the Windsor to Lakeshore Transmission Project as a priority. If approved, Hydro One will proceed with the necessary regulatory approvals and project development activities (additional community consultation, design, route planning, etc.). Administration will continue to work collaboratively with Hydro One to support route planning and necessary approvals, while also advancing negotiations related to community benefits.

Risk Analysis:

Failure to submit the City's comments through the Environmental Registry of Ontario may result in a missed opportunity to formally contribute to a significant infrastructure project that will directly impact the City's energy capacity and long-term growth. Without a submission, the City may have limited influence on key aspects of the project, including planning, environmental considerations, and alignment with local development priorities. Additionally, the absence of a formal response could be perceived as a lack of engagement, potentially diminishing the City's role in future provincial infrastructure planning and collaboration.

Despite efforts to expedite the development of the proposed Windsor to Lakeshore Transmission Line project, the proposed transmission lines are not expected to be in-service for several years (i.e.,2032+). The timelines required to develop and construct new transmission lines poses a risk to Windsor and surrounding areas as the connection capability for new load customers will be constrained, limiting investment opportunities unless alternative bridging solutions can be implemented. Having said that, the recent Chatham to Lakeshore TS line was completed ahead of schedule.

Climate Change Risks

Climate Change Mitigation:

The Community Energy Plan's vision and associated strategies were developed to ensure that climate change mitigation efforts complement economic development

initiatives. Increasing transmission capacity benefits the Windsor-Essex region in providing abundant and reliable power, positioning the region for continued growth.

Projects expanding Ontario's electrical grid infrastructure include inherent climate change mitigation risks. In order to effectively manage these projects, constructors may consider using low-emission equipment, sourcing local materials, and minimizing land disturbance. Attempt to avoid sensitive areas through early environmental assessments and restoring or offsetting any affected habitats, including preserving nearby carbon sinks. Finally, ensure long-term alignment with climate goals, transmission upgrades should support renewable energy integration, promote clean technology adoption among industrial users, and be designed for flexibility to accommodate future low-carbon energy sources.

Climate Change Adaptation:

The City's 2020 Climate Change Adaptation Plan highlights Windsor Essex's exposure to extreme heat, heavy rain, and flooding. By expanding transmission capacity with climate smart design, this project can become a key part of the region's adaptation toolkit.

A stronger, modern grid ensures reliable power during heatwaves—supporting cooling centres, health facilities, and vulnerable residents—while its renewable ready architecture accelerates the shift away from diesel or coal back up systems.

Thoughtful site planning that protects natural drainage, incorporates green infrastructure, and limits impervious surfaces can also help manage stormwater and reduce flood risk.

Should the project be paired with strong environmental oversight and supports renewable energy integration, it may enhance Windsor-Essex's climate resilience by improving grid reliability and reducing reliance on diesel or coal-based backup systems.

Financial Matters:

There are no financial obligations associated with this request to submit comments to the Environmental Registry of Ontario. However, the proposed Windsor to Lakeshore Transmission Project may necessitate future infrastructure planning and servicing needs in areas targeted for growth. Should any specific financial implications arise as the project progresses, Administration will report back to Council with appropriate updates and recommendations.

Consultations:

- Sokol Aliko, Manager Energy Initiatives
- Branislava Cesljarov, Supervisor, Environment Sustainability & Climate Change
- Natasha Gabbana, Senior Manager Asset Planning
- Stacey McGuire, Executive Director Engineering
- Michael Okanlawon, Financial Planning Analyst
- Neil Robertson, City Planner

- John Revell, Chief Building Official

Conclusion:

The Windsor to Lakeshore Transmission Project represents a critical investment in the region's energy infrastructure, supporting both economic growth and environmental sustainability. By submitting the City's comments through the Environmental Registry of Ontario, Windsor can help shape the development of this project to reflect local priorities and ensure alignment with long-term planning goals. Council's support in authorizing this submission will reinforce the City's commitment to proactive engagement in regional infrastructure planning.

Planning Act Matters:

N/A

Approvals:

Name	Title
Matthew Johnson	Executive Director, Economic Development & Climate Change
Jelena Payne	Deputy CAO & Commissioner, Economic Development
Emilie Dunnigan	Manager Development Revenue & Financial Administration
Janice Guthrie	Commissioner, Finance & City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

CW Feedback Proposal Windsor to Lakeshore Transmission Project

City of Windsor
Office of the Chief Administrative Officer
350 City Hall Square West
Windsor, ON N9A 6S1

Ministry of Energy and Mines
Energy Policy and Analytics Division
77 Grenville Street, 6th Floor
Toronto, ON M7A 2C1

RE: Feedback on Proposal to Declare Windsor to Lakeshore Transmission Project a Priority under the Ontario Energy Board Act, 1998

To Whom It May Concern:

On behalf of the City of Windsor, thank you for the opportunity to provide comments on the Ministry's proposal to declare the Windsor to Lakeshore Transmission Project a priority project under Section 96.1(1) of the *Ontario Energy Board Act, 1998*.

We recognize the significant growth occurring across the Windsor-Essex region, particularly in the electric vehicle (EV) and battery supply chain, agri-business, and advanced manufacturing sectors. Without strategic investment in expanded capacity, all forms of development—residential, commercial, and industrial—face significant risk. Industrial stakeholders have already identified electrical capacity as a potential constraint to investment. Furthermore, the City's commitment to supporting residential electric vehicle (EV) charging infrastructure, as endorsed by Council, cannot be realized without enhanced electrical supply.

The timely development of robust energy transmission infrastructure is vital to support this expansion, and the City of Windsor is broadly supportive of this proposal. Please accept the following feedback across key areas of municipal interest:

Economic Development Alignment

Windsor is in a transformative phase of economic renewal. With substantial investments such as the NextStar Energy EV battery plant, the region is experiencing a sharp rise in energy demand. The proposed transmission project will:

- Provide essential grid capacity to serve both new and existing industrial users, while enabling growth across the Canadian supply chain;
- Support energy reliability and cost predictability, key factors in attracting and retaining businesses;
- Reinforce regional competitiveness in securing investment;
- Advance the objectives of Windsor's Economic Development Strategy.

Infrastructure, Planning, and Asset Management

From a municipal infrastructure standpoint, we encourage early and ongoing coordination between Hydro One and the City's engineering, planning, and asset management teams. Early engagement will:

- Prevent conflicts with existing and future public infrastructure;
- Facilitate alignment with Official Plans, master servicing plans and long-term growth areas;
- Allow for potential collaboration between infrastructure projects;
- Ensure that municipal infrastructure projects can proceed with minimal disruption.

We also note that rights-of-way, substation locations, and related infrastructure should be evaluated in the context of existing and planned road networks, utility corridors, and future development lands.

Energy and Environmental Goals

As a municipality committed to climate action, Windsor is advancing both corporate and community-wide efforts to reduce emissions and promote energy efficiency. This project aligns with our broader energy transition objectives. In this context, we encourage:

- Strong environmental protections and proactive mitigation for impacts on farmland, watersheds, and natural features;
- Exploration of complementary solutions, including local energy storage and renewable generation;
- Continued coordination with municipalities on siting, design, and environmental considerations.

Indigenous Reconciliation and Inclusion

The City fully supports the Ministry's commitment to reconciliation and the inclusion of Indigenous communities through equity partnerships and workforce opportunities. The Hydro One First Nation Equity Partnership Model is an important step forward. We encourage transparent reporting on outcomes and invite opportunities for municipalities to support these efforts in a complementary fashion.

Project Timeliness and Coordination

Given the IESO's recommendation that the transmission line be in-service by 2032, the declaration of priority status is prudent. That said, timely execution will require:

- Coordination across municipal and provincial regulatory processes;
- Adequate resourcing to support expedited approvals;
- Clear communication and engagement with local stakeholders throughout the project lifecycle.

The City of Windsor supports, in principle, the designation of the Windsor to Lakeshore Transmission Line as a priority infrastructure project. Administration will continue to work collaboratively with Ministry of Energy and Mines and Hydro One to support route planning and necessary approvals, while also advancing negotiations related to community benefits.

Please do not hesitate to reach out to our office for further discussion or clarification.

Sincerely,

Ray Mansour
Chief Administrative Officer
City of Windsor

Subject: Windsor Canada Utilities Ltd. 1st Quarter 2025 Financial Statements - City Wide

Reference:

Date to Council: July 28, 2025
Author: Lorie Gregg
Deputy Treasurer, Taxation, Treasury and Financial Projects
(519) 255-6100 Ext. 6522
lgregg@citywindor.ca
Taxation & Financial Projects
Report Date: July 2, 2025
Clerk's File #: AF2025

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE** for information, the Windsor Canada Utilities Ltd. 1st Quarter 2025 Financial Statements attached as Appendix A.

Background:

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

Discussion:

In compliance with this requirement, WCU has provided consolidated financial statements as at March 31, 2025, with comparatives as at March 31, 2024.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

See attached Appendix A, which includes the following as at March 31, 2025:

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

Consultations:

N/A

Conclusion:

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

Approvals:

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

Notifications:

Name	Address	Email

Appendices:

1 Appendix A – WCU – 2025 Q1 Financial Statements

To: Mayor and Members of City Council

2025 06 26

From: Matt Carlini

Re: Windsor Canada Utilities Ltd. March 2025 Quarterly Financial Statements

BACKGROUND AND BASIS OF REPORTING

Enclosed are the financial reports for Windsor Canada Utilities Ltd. ("WCU") as at March 31, 2025.

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

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

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

DISCUSSION

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

RISK ANALYSIS

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

FINANCIAL MATTERS

Financial Highlights

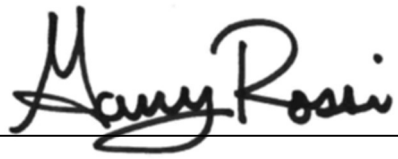
Overall, the performance of the group was consistent with budget in the first quarter of the year and is projected to outperform the budget by the end of the year. Net Income however is highly sensitive to changes in electricity pricing as well as other regulatory rate adjustments and those are currently increasing reported earnings on an IFRS basis.

As of the quarter-ended March 31, 2025, WCU is reporting Total Revenue of $16.0 million, Operating Income of $6.9 million, and Net Income of $7.8 million under IFRS. The 2025 forecast shows revenue consistent with budget and operating expenses slightly greater than budget. Regulatory adjustments are expected to increase overall net income. These regulatory adjustments are often impacted by market conditions and could change throughout the year. Management will continue to monitor financial performance and liquidity throughout the year.

Liquidity and Financial Strength

As at March 31, 2025, WCU is in a positive cash flow position. Cash is expected to slowly decrease throughout 2025 due to over $27 million in anticipated capital investment, however WCU continues to experience a strong balance sheet and consistent credit profile.

Matt Carlini
Chief Financial Officer



Garry Rossi
President and CEO

encls Appendix A – WCU Q1 2025 Consolidated Financial Review Statements

Windsor Canada Utilities Ltd.

Board Financial Review Statements

March 31, 2025

Unaudited

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Windsor Canada Utilities Ltd.

Consolidated Balance Sheet
(In thousands of Canadian dollars)

March 31, 2025, with comparative information for 2024

	March 2025	March 2024	December 2024
Assets			
Current assets:			
Cash and cash equivalents	$ 15,364	$ 21,909	$ 16,073
Investment	-	3,584	-
Accounts receivable	55,516	49,779	57,519
Due from related parties	7,872	4,141	3,926
Inventory	8,941	8,758	8,191
Other assets	4,028	2,547	1,987
	91,721	**90,718**	**87,696**
Non-current assets:			
Property, plant and equipment	275,587	262,437	273,747
Intangible assets	1,291	1,115	1,402
Investment, sinking fund	19,653	17,441	19,568
Investment in joint venture	232	180	234
Due from related parties - debentures and post-retirement	52,000	52,000	52,000
Deferred income taxes	1,388	2,687	1,388
	350,151	**335,860**	**348,339**
Total assets	**$ 441,872**	**$ 426,578**	**$ 436,035**
Liabilities			
Current liabilities:			
Accounts payable and accruals	$ 29,707	$ 25,427	$ 31,910
Payments in lieu of income taxes payable	2,066	2,074	2,749
Due to related parties	11,874	10,341	10,787
Current portion of customer deposits	1,459	1,350	1,591
Deferred revenue	472	4,117	-
	45,578	**43,309**	**47,037**
Non-current liabilities:			
Customer deposits	7,636	7,055	7,156
Deferred revenue - customer contributions	21,157	19,266	21,109
Long-term debt	102,563	102,546	102,558
Employee future benefits	49,049	48,500	48,876
	180,405	**177,367**	**179,699**
Total liabilities	**225,983**	**220,676**	**226,736**
Equity			
Common shares	81,842	81,842	81,842
Contributed surplus	516	516	516
Retained earnings	133,531	123,544	126,941
	215,889	**205,902**	**209,299**
Total liabilities and equity	**$ 441,872**	**$ 426,578**	**$ 436,035**

Windsor Canada Utilities Ltd.

Consolidated Statement of Income
(In thousands of Canadian dollars)

March 31, 2025, with comparative information for 2024

	YTD - March 31, 2025			YTD - March 30, 2024		2025 Annual	2025
	Actuals	Budget	Variance	Actuals	Variance	Budget	Forecast
Distribution revenue:							
Residential	$ 7,753	$ 7,741	$ 12	$ 7,342	$ 411	$ 30,964	$ 30,976
General service - small	5,316	5,142	174	4,814	502	21,166	21,341
General service - large	1,120	1,203	(83)	1,022	98	4,943	4,860
Street lighting	469	466	3	449	20	1,865	1,867
	14,658	**14,552**	**106**	**13,627**	**1,031**	**58,938**	**59,044**
Net service revenue							
Services provided to WUC	5,271	5,695	(424)	5,151	120	22,780	22,292
Services provided to City	719	778	(59)	642	77	3,113	3,102
	5,990	6,473	(483)	5,793	197	25,893	25,394
Cost of services - MSA	(5,689)	(6,126)	437	(5,483)	(206)	(24,505)	(24,166)
Cost of services - depreciation - MSA	(182)	(209)	27	(200)	18	(834)	(694)
	119	**138**	**(19)**	**110**	**9**	**554**	**534**
Other income	1,262	1,301	(39)	239	1,023	5,386	5,385
Total revenue	**16,039**	**15,991**	**48**	**13,976**	**2,063**	**64,878**	**64,963**
Operating expenses:							
Distribution operation and maintenance	3,055	3,422	367	3,143	88	14,234	14,024
Billing and collection	1,184	971	(213)	888	(296)	3,986	4,305
Community relations	65	99	34	59	(6)	429	432
Administration and general	1,468	1,005	(463)	820	(648)	4,351	4,577
Property and tools and maintenance	677	564	(113)	541	(136)	2,081	2,231
Salaries and benefits	2,045	2,135	90	1,889	(156)	8,399	8,116
Regulatory	142	154	12	123	(19)	617	605
Employee future benefits	471	474	3	449	(22)	1,896	1,908
	9,107	**8,824**	**(283)**	**7,912**	**(1,195)**	**35,993**	**36,198**
Operating income / EBITDA	**6,932**	**7,167**	**(235)**	**6,064**	**868**	**28,885**	**28,765**
Other income/expenses:							
Share of joint venture's net loss (gain)	2	14	12	37	35	(63)	(65)
Depreciation and amortization	2,994	2,835	(159)	1,812	(1,182)	12,733	12,173
Net finance expense	305	210	(95)	(885)	(1,190)	847	1,130
Loss (gain) on sale of PP&E	28	-	(28)	72	44	-	25
	3,329	**3,059**	**(270)**	**1,036**	**(2,293)**	**13,517**	**13,263**
Income before tax	**3,603**	**4,108**	**(505)**	**5,028**	**(1,425)**	**15,368**	**15,502**
Provision for PILs of corporate taxes	939	1,216	277	1,613	674	4,457	3,939
Deferred income taxes	-	-	-	(10)	(10)	13	13
	939	**1,216**	**277**	**1,603**	**664**	**4,470**	**3,952**
Net income - MIFRS	**2,664**	**2,892**	**(228)**	**3,425**	**(761)**	**10,898**	**11,550**
Regulatory adjustment (IFRS)	5,177	713	4,464	1,150	4,027	2,852	7,316
Net income - IFRS	**$ 7,841**	**$ 3,605**	**$ 4,236**	**$ 4,575**	**$ 3,266**	**$ 13,750**	**$ 18,866**

Windsor Canada Utilities Ltd.

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

March 31, 2025, with comparative information for 2024

	March 2025	March 2024	December 2024	Forecast 2025
Cash flows from operating activities:				
Total IFRS net income (loss) for the year	$ 7,841	$ 4,575	$ 10,971	$ 18,866
Adjustments for:				
Depreciation and amortization	3,171	3,080	12,604	12,852
Amortization of deferred revenue customer contribution	(153)	(140)	(565)	(654)
Remeasurement of employee future benefits	-	-	(275)	-
Gain on investment	(85)	(892)	(1,976)	(284)
Loss on sale of property, plant and equipment	25	72	670	22
Amortization of debt issuance costs	4	4	16	17
Share in joint venture's net loss (gain)	2	37	(17)	(65)
Net finance expense	263	(876)	(1,230)	1,088
Income tax expense	939	1,613	2,671	6,576
	12,007	7,473	22,869	38,418
Changes in:				
Accounts receivable	2,003	(869)	(8,611)	1,884
Due from related parties	(3,946)	866	1,082	(5,122)
Inventory	(750)	69	637	(750)
Other assets	(2,043)	(762)	(200)	(2,042)
Deferred income taxes	-	(10)	1,290	-
Accounts payable and accruals	(2,205)	(4,693)	1,791	(2,204)
PIL of income taxes	(1,443)	(419)	380	(1,634)
Due to related parties	1,087	950	1,396	685
Deferred revenue	472	-	(4,118)	-
Customer deposits	350	1,128	1,467	350
Employee future benefits	173	201	852	-
	(6,302)	(3,539)	(4,034)	(8,833)
Interest paid	(1,108)	(1,116)	(4,468)	(4,393)
Interest received	846	1,992	5,698	3,305
Income taxes paid	(179)	(201)	(1,383)	(6,576)
	5,264	**4,609**	**18,682**	**21,921**
Cash flows from investing activities:				
Acquisition of PP&E and intangible assets	(5,098)	(4,091)	(26,498)	(27,653)
Acquisition of investments	-	-	(1,200)	-
Deferred revenue - customer contributions	201	30	2,526	2,908
Proceeds from investments	-	-	3,740	-
Proceeds on sale of PP&E	174	127	589	171
	(4,723)	**(3,934)**	**(20,843)**	**(24,574)**
Cash flows from financing activities:				
Dividends paid	(1,250)	(1,000)	(4,000)	(5,000)
	(1,250)	**(1,000)**	**(4,000)**	**(5,000)**
Net decrease in cash and cash equivalents	**(709)**	**(325)**	**(6,161)**	**(7,653)**
Cash and cash equivalents, beginning of period	16,073	22,234	22,234	16,073
Cash and cash equivalents, end of period	**$ 15,364**	**$ 21,909**	**$ 16,073**	**$ 8,420**

Item No. 8.3

Committee Matters: SCM 209/2025

Subject: Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held March 12, 2025

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 282**
THAT the minutes of the Executive Committee and Board of Directors, Willistead Manor Inc. meeting held March 12, 2025 **BE RECEIVED**.
Carried.

Report Number: SCM 168/2025
Clerk's File: ACO2025

Clerk's Note:

1. Please refer to Item 7.1 from the Community Services Standing Committee held on July 2, 2025

2. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250702/-1/10565

Committee Matters: SCM 168/2025

Subject: Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held March 12, 2025

A meeting of the **Executive Committee Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:00 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn, Chair
J. Evans
C. Gaudette
R. Gauthier

Also in attendance are the following Resource Personnel:

M. Staadegaard, Manager, Culture & Events
S. Gebauer, Council Assistant & Executive Secretary to the Board of Directors, Willistead Manor Inc.

1. CALL TO ORDER

The Chairperson calls the meeting to order at 4:11 o'clock p.m. and the Executive Committee considers the Agenda being Schedule "A" ***attached*** hereto, matters, which are dealt with as follows:

2. ADOPTION OF THE MINUTES

Moved by R. Gauthier, seconded by J. Evans,
That the minutes of the Executive Committee Board of Directors Willistead Manor Inc. meeting held November 13, 2024, **BE ADOPTED** as presented.

Carried.

3. BUSINESS ARISING FROM THE MINUTES

None.

4. REPORTS

4.1 Chairperson

D. Sanborn discusses the Mayor's reception, noting that a total of $129,218.24 in donations were presented, which included $89,218.24 from the Rotary Club of

Windsor (1918). $25,000 from the Merinoff Family, $10,000 from Martha Henkel and $5,000 from the Friends of Willistead.

.

4.2 Administration

M. Staadegaard, Manager, Culture & Events provides the following updates:

Priority Projects for Willistead Manor:

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- The lighting project in the Manor is currently paused, pending time for next steps.
- C. Menard will continue to search for files containing information about items donated to Willistead Manor.

R. Gauthier suggests bringing in a framing specialist to handle any lighting attached to the art frames. M. Staadegaard notes that the staff carpenters may also be able to assist with the lighting.

Facilities:

- Material options are being considered for the Coach House ceiling. An update may be provided at the April 2025 meeting.
- Funding for the fence repair/refinish will be available in 2029/2030. There is some cracking in the concrete pillars within the fencing that needs to be addressed immediately. Supports have been placed on the pillars temporarily but should be removed before Art in the Park.
- Funding for the replacement of the parking lot will be available in 2029.

Culture & Events Updates:

- Updates to the Room Guide for tours as well as the Willistead Manor brochure, will be completed in 2025.
- The Mayor's Reception, which took place on January 19, 2025, was a wonderful celebration with combined donations of approximately $129,000. presented.
- The Portrait of Mary Walker was very well received by the public and received great media coverage.
- 2024 attendance at the Manor was over 50,000 guests across rentals, programs, events etc.
- The Holiday Tours saw approximately 3,000 guests and brought in approximately $13,000.
- At the Manor events include Easter Brunch on Sunday April 20th, 2025, and Mother's Day Brunch on Sunday May 11, 2025.

Filming Request for Board Consideration

- YourTV-Cogeco has asked to feature Willistead Manor in a special that they will be filming.

- It will be a 28-minute episode highlighting various points of interest for Windsor history.
- The Host will introduce the show.
- The Friends of Willistead would lead a tour and participate in an interview, with the potential involvement of another board member. Perhaps Robert could discuss the portraits.
- The Host will take a guided tour of the manor.
- They hope to film in June 2025, and air on YourTV (Channel 11 and 700), YouTube, Twitter, etc...
- The goal is to share local history and heritage; it is a great feature for Willistead.
- Once the Board approves the filming, scheduling will proceed.

Documentary Updates:

- There are no new updates concerning the Willistead documentary currently.

4.3 Treasurer

None.

5. NEW BUSINESS

R. Gauthier informs the Committee members that the drapes have been installed in the Great Hall and look great.

J. Evans inquiries about the status of the donor wall, which the Committee discussed some time ago. R. Gauthier shares that he has spoken with Chris Renaud from HCA Mindbox about the project and that it remains on their radar.

D. Sanborn asks the Committee members review the draft copy of the recruitment application, which will go live once approved. They are informed that the call for applicants to join the Board of Directors will be shared on the City of Windsor website and social media, and that a news release will be prepared. The Committee members opt to forgo the add in the Windsor Star.

D. Sanborn informs the members that applications will be reviewed by the Executive Committee members and that consideration will be given to applicants who may want to join sub-committees but cannot commit to being on the Board of Directors.

6. DATE OF NEXT MEETING

The next meeting of the Executive Committee Board of Directors, Willistead Manor Inc. will be on Wednesday, April 9, 2025.

7. ADJOURNMENT

There being no further business, the meeting is adjourned at 4:38 o'clock p.m.

_____
CHAIRPERSON

_____
EXECUTIVE SECRETARY

SG
March 12, 2025

A meeting of the **Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:30 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn - Chair
A. Abu-Zahra
MJ. Dettinger
J. Evans
C. Gaudette
R. Gauthier
D. Langstone
E. Morasset
C. Pitman

Regrets from Board Members:

M. McKenzie

Also in attendance are the following resource personnel:

M. Staadegaard, Manager, Culture & Events
S. Gebauer, Council Assistant & Executive Secretary to the Board of Directors, Willistead Manor Inc.

1. CALL TO ORDER

The Chairperson calls the meeting to order at 4:44 o'clock p.m. and the Board considers the Agenda being Schedule "A" attached hereto, matters, which are dealt with as follows:

2. ADOPTION OF THE MINUTES

Moved by MJ Dettinger, seconded by J. Evans,
That the minutes of the Board of Directors, Willistead Manor Inc. meeting held November 13, 2024, **BE ADOPTED** as presented.

Carried.

3. BUSINESS ARISING FROM THE MINUTES

None.

4. CHAIRPERSON'S REPORT

D. Sanborn thanks J. Evans for giving remarks at the Mayor's reception on his behalf and notes that a total of $129,218.24 in donations were presented, which included $89,218.24 from the Rotary Club of Windsor (1918). $25,000 from the Merinoff Family, $10,000 from Martha Henkel and $5,000 from the Friends of Willistead.

D. Sanborn informs the Board members that recruitment for new members will proceed and a copy of the application, which will be available on the City of Windsor website and through social media has been provided for reference. Board members are encouraged to share the opportunity with anyone who may be interested in applying.

The Chair notes that as a pilot project the meeting day for the Executive and Board of Directors meetings was changed from Thursdays to Wednesdays. However, due to scheduling conflicts for some members it is recommended that meetings return to Thursdays.

Moved by D. Langstone, seconded by A. Abu-Zahra,
That the Board of Directors, Willistead Manor Inc., **APPROVE** changing the meeting days back to Thursdays, effective Thursday May 8, 2025.

Carried.

D. Sanborn also informs that Wednesday April 9th, 2025 will be the Board of Directors Annual General Meeting, which will be followed by a dinner in the Manor. Details regarding the menu options and costs for guests will be shared via e-mail.

5. REPORTS

5.1 Management

M. Staadegaard, Manager, Culture & Events provides the following updates:

Priority Projects for Willistead Manor:

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- The lighting project in the Manor is currently paused, pending time for next steps.

Facilities:

- Material options are being considered for the Coach House ceiling. An update may be provided at the April 2025 meeting.

- Funding for the fence repair/refinish will be available in 2029/2030. There is some cracking in the concrete pillars within the fencing that needs to be addressed immediately. Supports have been placed on the pillars temporarily but should be removed before Art in the Park.
- Funding for the replacement of the parking lot will be available in 2029.

Culture & Events Updates:

- Updates to the Room Guide for tours as well as the Willistead Manor brochure, will be completed in 2025.
- The Mayor's Reception, which took place on January 19, 2025, was a wonderful celebration with combined donations of approximately $129,000. presented.
- The Portrait of Mary Walker was very well received by the public and received great media coverage.
- 2024 attendance at the Manor was over 50,000 guests across rentals, programs, events etc.
- The Holiday Tours saw approximately 3,000 guests and brought in approximately $13,000.
- At the Manor events include Easter Brunch on Sunday April 20th, 2025, and Mother's Day Brunch on Sunday May 11, 2025.

Filming Request for Board Consideration

- YourTV-Cogeco (Channel 11) has asked to feature Willistead Manor in a special that they will be filming.
- It will be a 28-minute episode highlighting various points of interest for Windsor history.
- They hope to film in June 2025, and air on YourTV (Channel 11 and 700), YouTube, Twitter, etc...
- The goal is to share local history and heritage; it is a great feature for Willistead.
- Once the Board approves the filming, scheduling will proceed.
- Administration will work with YourTV to ensure accuracy and to ensure that Willistead Manor is seen in its most positive light.

Moved by J. Evans, seconded by MJ Dettinger,
THAT the Board of Directors, Willistead Manor Inc. **APPROVE** the filming of a YourTV-Cogeco show featuring Willistead Manor in June 2025.

Carried.

Documentary Updates:

- There are no new updates concerning the Willistead documentary at this time.

M. Staadegaard informs that Willistead Manor has received 3 nominations in the annual Best of Windsor-Essex Awards, hosted by Tourism Windsor Essex Pelee Island (TWEPI). The nominations are for: Best Historical Attraction, Best Tour Experience and Best City Photo Op.

5.2 Treasurer

None.

6. COMMITTEES

6.1 Fundraising

None.

6.2 Community Relations and Promotion

None.

6.3 Acquisitions

R. Gauthier informs the Board members the drapery replacement project in the Great Hall is complete and that the new drapes look wonderful. He states that the next focus will be on improving the lighting above the portraits in the Manor, noting that the Library is especially dark. R. Gauthier indicates that a framing specialist will be contacted for any lighting that will be attached directly to the art frames.

R. Gauthier shares that the Detroit Historical society has a portrait of Hiram Walker that may be available for loan. Additionally, he indicates that Charles Merinoff, has been in discussions with the CEO of Beam Suntory regarding the possibility of gaining access to the building.

R. Gauthier presents a card sent by artist Michele Van Maurik, which includes a QR code explaining her process for painting the portrait of Mary Walker. The card will be displayed on the table in the Great Hall. Board members suggest asking Michele if she would be willing to donate the blouse she made while painting the portrait so it can be displayed in the dressing room.

C. Gaudette notes that there is water damage on the ceiling above the right-hand side in the Great Hall. M. Staadegaard confirms that it will be assessed.

R. Gauthier informs the Board members that Michael Evans, formerly of Suede Productions, has created a new documentary entitled "*It Happened in Walkerville*". In the film he talks about the Walkerville Queen Victoria Fountain, now located in Willistead Park, and notes that the crown topper that at one time adorned the fountain, is no longer there. R. Gauthier suggests that a replica of the crown be created and displayed in the Manor. D. Langstone proposes that it could potentially be made using a 3D printer.

Finally, R. Gauthier informs the Board members that the artwork donated by Rita Sanborn, will be displayed on the 2nd floor landing.

6.4 Friends of Willistead (FOW)

C. Pitman, provides the following updates:

- 54 Friends of Willistead, some members of the Board and 6 St. Clair College students helped with the holiday decorating.
- The holiday tours were successful with over fifty volunteers over 8 tours.
- Sales of Willistead Manor merchandise were strong during the tours.
- The new portrait of Mary Walker was very well received.
- The recently acquired table in the Billiard Room was showcased during the holiday tours.
- All decorations were taken down and put away in 3 days.
- The decorating team has met and decorating proposals are due by the end of April.
- In February, the FOW began working on the third floor.
- The FOW had a strong turnout at the Mayor's Reception, where they enjoyed meeting the descendants and the artist who painted the portrait of Mary Walker.
- FOW were pleased to contribute $2,500 toward portrait lighting and $2,500 to the restoration fund.
- FOW welcomed new members and will resume docent training soon.
- The guidebook has been reviewed and made corrections to portrait placements and added new information.
- A group of 30 St. Clair College students, many of which were from Panama, recently toured the Manor.
- A group from Lola's Round Table in Essex will be coming soon.

C. Pitman thanks the Board members that took part in the holiday decorating.

6.5 Education

None.

6.6 Historical

None.

6.7 Event Planning

None.

7. NEW BUSINESS

None.

8. DATE OF NEXT MEETING

The next meeting of the Board of Directors, Willistead Manor Inc., will be held Wednesday April 9, 2025 at 4:30 o'clock p.m. and will serve as the Annual General Meeting and dinner.

9. ADJOURNMENT

There being no further business, the meeting is adjourned at 5:38 o'clock p.m.

_____
CHAIRPERSON

_____
EXECUTIVE SECRETARY

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 210/2025

Subject: Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held April 9, 2025

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 283**
THAT the minutes of the Executive Committee and Board of Directors, Willistead Manor Inc. meeting held April 9, 2025 **BE RECEIVED**.
Carried.

Report Number: SCM 169/2025
Clerk's File: ACO2025

Clerk's Note:

1. Please refer to Item 7.2 from the Community Services Standing Committee held on July 2, 2025

2. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250702/-1/10565

Committee Matters: SCM 169/2025

Subject: Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held April 9, 2025

A meeting of the **Executive Committee Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:00 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn, Chair
J. Evans
C. Gaudette
R. Gauthier

Also in attendance are the following Resource Personnel:

J. Knights, CEO Windsor Public Library and Executive Director, Culture
D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls
M. Staadegaard, Manager, Culture & Events
C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator
S. Gebauer, Council Assistant & Executive Secretary to the Board of Directors, Willistead Manor Inc.

1. CALL TO ORDER

The Chairperson calls the meeting to order at 4:09 o'clock p.m. and the Executive Committee considers the Agenda being Schedule "A" ***attached*** hereto, matters, which are dealt with as follows:

2. ADOPTION OF THE MINUTES

Moved by R. Gauthier, seconded by C. Gaudette,
That the minutes of the Executive Committee Board of Directors Willistead Manor Inc. meeting held March 12, 2025, **BE ADOPTED** as presented.

Carried.

3. BUSINESS ARISING FROM THE MINUTES

4. REPORTS

4.1 Chairperson

Doug Sanborn notes that several applications have been received for the vacant Board of Directors positions and shared with the committee members for review and consideration. As the process remains open, any new submissions will also be forwarded. The Chair suggests that the committee members meet at a later date to discuss.

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4.2 Administration

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

Facilities Updates:

- Facilities has confirmed that the fire-resistant barrier in the Coach House ceiling must remain and therefore the existing drop ceiling cannot be removed to expose the original wood.
- Options would include matching the existing ceiling and installing a new drop ceiling or removing the existing drop ceiling, installing gypsum board underneath and installing a new drop ceiling with decorative panels. This option would reduce the room ceiling height.

Culture & Events Updates:

- Easter Brunch is currently half sold.
- Mother's Day Brunch will take place on May 11, 2025, and will go on sale on Monday, April 14, 2025.

C. Menard provides a verbal staffing update.

4.3 Treasurer

D. Seguin, Deputy Treasurer – Financial Accounting & Corporate Controls, will provide an overview of the 2024 Financial Reports and Statements contained in the Annual Report at the regular meeting.

5. NEW BUSINESS

R. Gauthier informs the Committee members he and C. Gaudette will identify and prioritize artworks that require lighting. R. Gauthier notes that 2 pieces of art may have to be raised, and one piece hung. C. Menard indicates that once all needs are confirmed, he will submit a request to have the work completed.

6. DATE OF NEXT MEETING

The next meeting of the Executive Committee Board of Directors, Willistead Manor Inc. will be on Thursday, May 15, 2025.

7. ADJOURNMENT

There being no further business, the meeting is adjourned at 4:39 o'clock p.m.

_____
CHAIRPERSON

_____
EXECUTIVE SECRETARY

SG
April 9, 2025

A meeting of the **Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:30 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn - Chair
A. Abu-Zahra
MJ. Dettinger
J. Evans
C. Gaudette
R. Gauthier
R. Jasey
D. Langstone
E. Morasset
C. Pitman

Regrets from Board Members:

M. McKenzie

Also in attendance are the following resource personnel:

J. Knights, CEO Windsor Public Library and Executive Director, Culture
D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls
M. Staadegaard, Manager, Culture & Events
C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator
S. Gebauer, Council Assistant & Executive Secretary to the Board of Directors, Willistead Manor Inc.

1. CALL TO ORDER

The Chairperson calls the meeting to order at 4:42 o'clock p.m. and the Board considers the Agenda being Schedule "A" attached hereto, matters, which are dealt with as follows:

2. ADOPTION OF THE MINUTES

Moved by J. Evans, seconded by R. Gauthier,

That the minutes of the Board of Directors, Willistead Manor Inc. meeting held November 13, 2024, **BE ADOPTED** as presented.

Carried.

3. BUSINESS ARISING FROM THE MINUTES

None.

4. CHAIRPERSON'S REPORT

D. Sanborn provides the Board members with an update on the recruitment process for new members, noting that several applications have already been received. He adds that the opportunity to apply remains open for anyone still interested.

5. REPORTS

5.1 Management

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

Priority Projects for Willistead Manor:

- The lighting project at the Manor will be moving forward beginning with the Great Hall and then moving on to other areas. It will be carried out in phases and updates will be shared with the board as the work advances.

Facilities:

- Facilities has confirmed that because of legal requirements relating to fire protection removing the existing drop ceiling to expose the wood in the Coach House is not possible as a safety barrier is required.
- Options will be reviewed, and updates will be provided at future meetings.

Culture & Events Updates:

- The Room Guide is missing information on the Coach House and will be updated once the ceiling project is completed.
- Easter Brunch (April 20) is currently half sold
- Mother's Day Brunch (May 11) will go on sale on Monday April 14, 2025.
- They are currently considering a Tea event with princesses and story time in the Fall to replace the Harvest Dinner.
- The 28-minute episode by YourTV/Cogeco, highlighting Windsor's history and heritage, including Willistead Manor, will be filmed in the Manor in June.

- Willistead Manor has once again been awarded the “Best Historical Attraction” in Tourism Windsor Essex Pelee Island (TWEPI)’s Best of Windsor-Essex Awards.

C. Menard provides a verbal staffing update.

5.2 Treasurer

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls, provides an overview of the Annual Report Financial Documents.

Moved by R. Jasey, seconded by MJ. Dettinger,
That the Annual Report and Financial Statements on the affairs and operations of Willistead Manor Inc. for the year 2024, attached as *Appendix A*, **BE ACCEPTED** as presented.
Carried.

Moved by R. Gauthier, seconded by J. Evans,
That upon acceptance of the Willistead Manor Inc. 2024 Annual Report by City Council, copies **BE FORWARDED** to a list of appropriate parties as approved by the Board.
Carried.

Moved by Colleen Gaudette, seconded by Erica Morasset,
That in accordance with Sections 6 (c) of *the City of Windsor Act, 1981,* an amount of $ 61,657. **BE PAID OVER** to the City of Windsor Willistead Capital Restoration Reserve Fund.
Carried.

6. COMMITTEES

6.1 Fundraising

None.

6.2 Community Relations and Promotion

None.

6.3 Acquisitions

R. Gauthier encourages the Board members to take a moment to admire the beautiful new drapes in the Great Hall when they attend the dinner at the Manor this evening. C. Gaudette notes water damage on the ceiling in the Great Hall, however, C. Menard confirms that a work order has already been submitted and the issue is being addressed.

6.4 Friends of Willistead (FOW)

C. Pitman, provides the following updates:

- A screening of *"Walkerville's Willistead Manor: The Home That Shaped A Community"* was held in the Coach House for new FOW members and some older members.
- Docent training will begin on May 5th, 2025
- The Docent guide has been updated to include the relocation of paintings in the Manor.
- A group from Lola's Round Table in Essex visited the Manor and thoroughly enjoyed it.
- Decorating proposals are due at the end of April. Some have already been submitted.
- Art in the Park inventory has been completed, and the sponsors have been secured.

6.5 Education

R. Jasey informs the Board members that last year, several school groups visited the Manor and took part in contextualized learning activities. The students were put into groups and tasked with brainstorming creative ways to promote the Manor. These activities were very well received by both students and teachers, offering unique and memorable experiences and the students' ideas have been highlighted in the 2024 Annual Report. R. Jasey adds that he hopes to continue expanding these educational opportunities.

D. Sanborn refers to a discussion regarding the possibility of providing funding to help schools visit the facility as a way of expanding the educational program.

R. Jasey indicates that post-COVID busing costs have made it difficult for some schools to participate, adding that there are currently three student trips scheduled but with additional funding for transportation, estimated at approximately $180 per trip, more visits may be possible.

R. Gauthier emphasizes the importance of acting immediately in order to continue promoting Willistead Manor.

MJ. Dettinger, who for many years chaired the Education Committee, asks that the donation made to Willistead Manor, in honour of Carl Dettinger, who was a former Board Member and longtime supporter of the Manor, be used to support educational initiatives.

Moved by R. Jasey, seconded by MJ. Dettinger,
That the Board of Directors, Willistead Manor Inc. **APPROVE** funding to an upset limit of $1,000 to support bussing for student programs at the Manor; and,

That the $1,000 donation made by MJ Dettinger, in honour of the late Carl Dettinger, **BE ALLOCATED** for this purpose.

Carried.

R. Jasey suggests that creating a coffee table book and selling it online alongside other Willistead merchandise would be a great way to promote the Manor. He notes that a coffee table book could help bring the Manor into people's homes and spark broader public interest.

6.6 Historical

D. Langstone inquires about the status of Art Jahns' historical collection. C. Menard explains that the collection is currently with Museum Windsor and that there is the potential for some of the collection to come to Willistead Manor. C. Menard suggests moveable display cases be considered for the Coach House to accommodate any future items. He indicates that once it is clear what will be donated, they will be better positioned to assess the collections requirements. He notes that all items will be digitized as part of the process.

Moved by J. Evans, seconded by C. Gaudette,

That the Board of Directors, Willistead Manor Inc. **APPOINT** David Langstone as chairperson of the Historical sub-committee.

Carried.

6.7 Event Planning

None.

7. NEW BUSINESS

Moved by R. Gauthier, seconded by C. Gaudette,

That the Board of Directors, Willistead Manor Inc. **AUTHORIZE** a donation in the amount of $100 to the Willistead Manor Endowment Fund in memory of former member Carl Dettinger, who passed away on March 26,2025.

Carried.

D. Sanborn informs the Board members of the passing of Tony Morse, husband of Pam Morse, the great-great-granddaughter of Hiram Walker. A memorial service in honour of Tony's life will be held on May 31st, 2025 in Grosse Pointe Farms, Michigan.

Moved by D. Langstone, seconded by MJ. Dettinger,

That the Board of Directors, Willistead Manor Inc. **APPROVE** a donation to the Belle Isle Conservancy, in the amount of $100. CAD, in memory of Tony Morse.

Carried.

8. DATE OF NEXT MEETING

The next meeting of the Board of Directors, Willistead Manor Inc., will be held Thursday, May 15, 2025 at 4:30 o'clock p.m.

9. ADJOURNMENT

There being no further business, the meeting is adjourned at 5:46 o'clock p.m.

_____
CHAIRPERSON

_____
EXECUTIVE SECRETARY

Committee Matters: SCM 211/2025

Subject: Report No. 122 of the Board of Directors Willistead Manor Inc. - 2024 Annual Report

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 284**
THAT Report No. 122 of the Board of Directors Willistead Manor Inc. indicating:

THAT the Annual Report and Financial Statements on the affairs and operations of Willistead Manor Inc. for the year 2024, attached as Appendix A, BE ACCEPTED as presented; and,

THAT upon acceptance of the Willistead Manor Inc. 2024 Annual Report by City Council, copies BE FORWARDED to a list of appropriate parties as approved by the Board; and,

THAT in accordance with Sections 6 (c) of the *City of Windsor Act, 1981*, an amount of $61,657 BE PAID OVER to the City of Windsor Willistead Capital Restoration Reserve Fund.

BE APPROVED.
Carried.

Report Number: SCM 170/2025
Clerk's File: ACO2025

Clerk's Note:

1. Please refer to Item 7.3 from the Community Services Standing Committee held on July 2, 2025

2. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250702/-1/10565

Committee Matters: SCM 170/2025

Subject: Report No. 122 of the Board of Directors Willistead Manor Inc. - 2024 Annual Report

REPORT NO. 122
of the
BOARD OF DIRECTORS,
WILLISTEAD MANOR INC.
of its meeting held April 9, 2025

Present: D. Sanborn – Chair
A. Abu-Zahra
MJ. Dettinger
J. Evans
C. Gaudette
R. Gauthier
R. Jasey
D. Langstone
E. Morasset
C. Pitman

Your Board submits the following recommendations:

Moved by R. Jasey, seconded by MJ. Dettinger,
That the Annual Report and Financial Statements on the affairs and operations of Willistead Manor Inc. for the year 2024, attached as *Appendix A*, **BE ACCEPTED** as presented.
Carried.

Moved by R. Gauthier, seconded by J. Evans,
That upon acceptance of the Willistead Manor Inc. 2024 Annual Report by City Council, copies **BE FORWARDED** to a list of appropriate parties as approved by the Board.
Carried.

Moved by Colleen Gaudette, seconded by Erica Morasset,
That in accordance with Sections 6 (c) of *the City of Windsor Act, 1981,* an amount of $ 61,657. **BE PAID OVER** to the City of Windsor Willistead Capital Restoration Reserve Fund.
Carried.

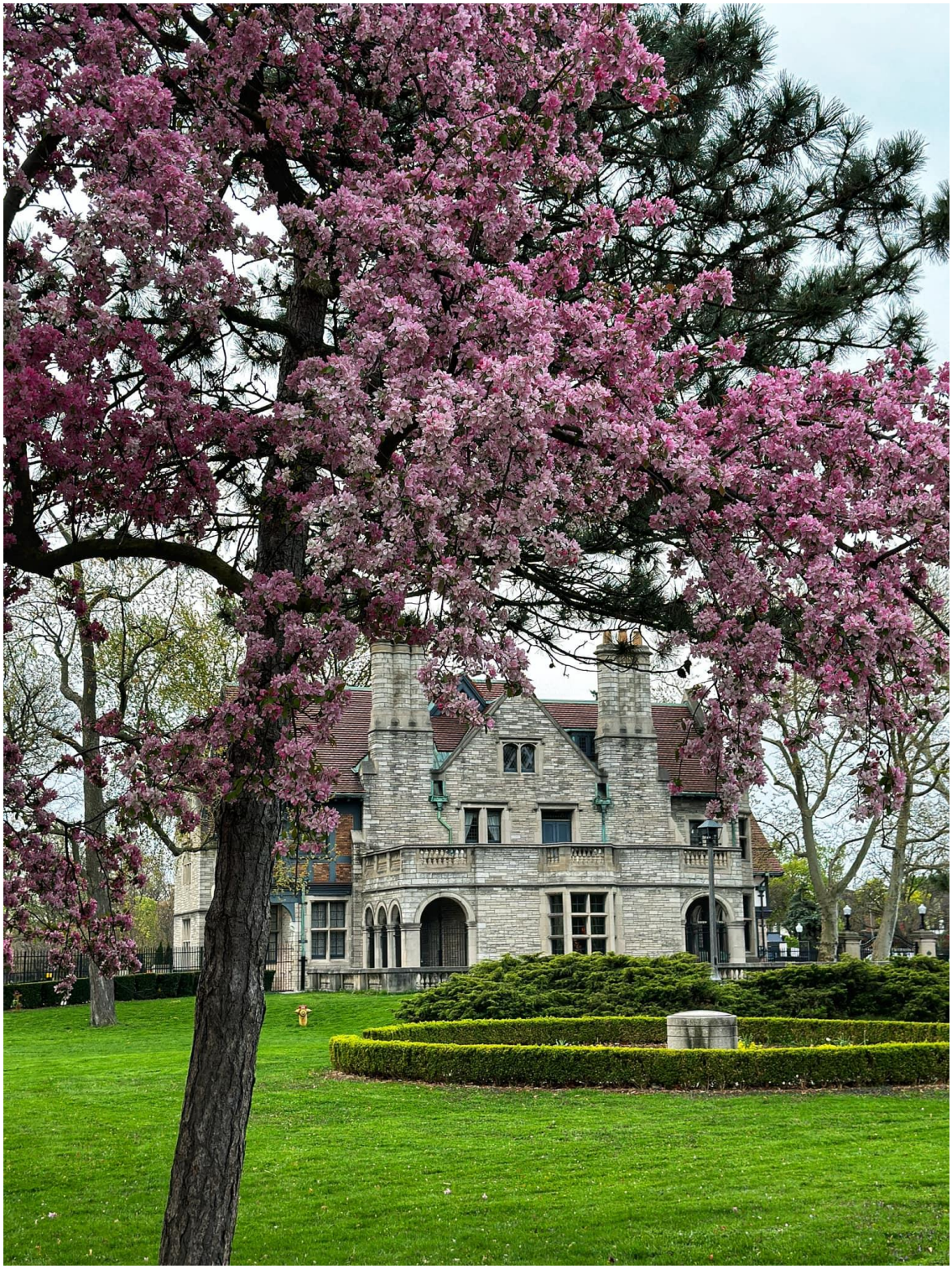
_____
Chair

_____
Executive Secretary

NOTIFY:

Name	Address	City/Prov/Pstcd	Telephone	FAX
Board of Directors Willistead Manor Inc.				

Willistead Manor Inc.



Annual Report 2024

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From The Second-Storey Window of Willistead Manor

By Dorothy Mahoney
In the Middle Space – Windsor's Public Art, Black Moss Press (2023)

Remembering his father,
Edward looks from his dressing room window,
the stone portico from their Detroit home,
a tribute.

Edward looks from his dressing room window,
envisions the house on Fort Street and Shelby,
a tribute,
the door opening and closing…

Envisions the house on Fort Street and Shelby,
the greetings and farewells,
the door opening and closing
on his childhood self.

The greetings and farewells,
the stone portico from their Detroit home,
his childhood self,
remembering his father.

Inspired by Hiram Walker's Front Porch from his 1805 Detroit Home

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"We shape our buildings;
thereafter they shape us." | Winston Churchill

Willistead Manor will always be one of the most important buildings in our community. The manor, the surrounding buildings, and the incredible park that houses it all is a pillar of our regional tourism portfolio, and a place that continues to mean so much to so many. The City of Windsor and City Council remain committed to heritage conservation and preservation projects at this remarkable facility, and to continued significant investments that keep the manor complex and the park site vibrant, thriving, and filled with heritage, culture, and art all year long.

In 2024, nearly 8.2 thousand residents voted in Tourism Windsor Essex Pelee Island's 9th Annual Best of Windsor-Essex Awards. They selected Willistead Manor as the *Best Attraction – Historical* for the second year in a row, and awarded us with the *Best City Photo Op*. This certainly did not surprise those of us who regularly utilize the manor to showcase our region's rich culture and heritage. That recognition followed the manor being featured on *The Amazing Race Canada* (2023), highlighted in a documentary at WIFF and opening the Coach House Historical Exhibition (2022). These are certainly exciting times for Willistead Manor.

Last year, we continued with many important initiatives at Willistead including: restoration of the Main Courtyard to its original layout, with installation of a new accessibility ramp; painting the exterior of the recently-installed new cooling tower; restoring the Paul Martin Gardens Terrace, and the North Terrace; completing foundation and waterproofing in the gardens; restoration of the original terrazzo floor, and installation of additional display cases and museum lighting in the Coach House Historical Exhibition; and repainting of Mary Walker's Dressing Room on the second floor. The year also saw the installation of a wonderful, commissioned portrait of Mary Walker, which is now displayed in the Great Hall across from Edward's portrait, as well as the acquisition of a storied new table with connections to the Walker Family Legacy in Windsor and Walkerville.

Over the next ten years, infrastructure projects at Willistead will include: perimeter fence restoration; repaving the parking lot; restoration of the basement and associated infrastructure; and ongoing painting of the interior and exterior.

In 2024, over 3,000 guests visited the Coach House Historical Exhibition that celebrates the Walker Legacy in Windsor. It is generously supported by the Walker and Merinoff family, through the Charleigh Charitable Trust, and the support of many others. Private tour groups, including students, attended the site and viewed the Willistead Manor documentary. The popular **At the Manor** programming series hosted another season of sold-out events and dinners, even after added seatings. Our Holiday Tours season saw roughly 3,000 visitors explore the manor, raising over $13,000 for restoration and operations at Willistead.

As a satellite donation location, we also helped CBC's "Make the Season Kind" campaign raise close to $16,000 in cash and almost 24,000 pounds of food to help vulnerable folks. All told, through tours, At the Manor offerings, rentals and events, over 50,000 guests visited Willistead Manor in 2024. Meanwhile, Museum Windsor's *Beyond the Barrel: Windsor's Whisky History* exhibition, helping to tell the story of Hiram, and including items from my own personal collection, was on display at the Chimczuk Museum, bringing thousands into the museum to explore part of Willistead's history.

For 2024, we also welcomed significant donations totaling about $129,000 from the Walker Family, through the Charleigh Charitable Trust ($25,000; second installment of a four-year commitment of $100,000); Rotary Club of Windsor (1918) and *Art in the Park* ($89,000 approximately); Martha Henkel, Hiram Walker's great-great granddaughter ($10,000; part of a multi-year commitment of $25,000); and the Friends of Willistead ($5,000). We thank them for their generous contributions and commitment to Willistead Manor.

Windsor's story is tied to the history of Walkerville and of the Walker Family, and to the many contributions made during the formation of our community – including the creation and legacy of Willistead Manor. On behalf of the City of Windsor, thank you to the Willistead Manor Inc. Board of Directors, Friends of Willistead, Rotary Club of Windsor (1918), Charleigh Charitable Trust, Pamela Morse and her husband, the late Tony Morse, Leigh and Charles Merinoff, Leslie Merinoff and Brian Kwasnieski, Andrew Merinoff and Lauren Pikovski, Martha Henkel, City of Windsor administration across many divisions, Tourism Windsor Essex Pelee Island, and all those who help to preserve, restore, program, showcase, and celebrate Willistead Manor and the surrounding park site throughout each year, to the benefit of all.

Sincerely,

Drew Dilkens
Mayor, City of Windsor

CHARLEIGH
Willistead Manor Inc.
$25,000.00
~ Twenty-Five Thousand ~
Walker Family

The City of Windsor
$56,215.24

The City of Windsor
$56,215.24

THYME TO-GO & WILLISTEAD MANOR
INVITE YOU TO THE 4TH ANNUAL
High Tea
& Garden Party
Your experience includes:
Assorted teas served in tea sets from the Friends of Willistead's own collection
Menu of picture-perfect tea sandwiches, pastries, fruits, scones and traditional High Tea accompaniments
Guided tours of the Paul Martin Gardens with City of Windsor Horticulture Staff
Access to the Coach House Historical Exhibition
*Fancy 'High Tea Hats' are optional
Sun, July 28, 2024
Three Seatings at 10 a.m., 1 p.m. and 4 p.m.
$50 per person
Taxes not included
Willistead Manor
1899 Niagara St., Windsor, ON | Willistead.ca
For Tickets call Thyme To-Go at 519-255-3434
or visit ThymeToGo.ca
THE CITY OF WINDSOR ONTARIO, CANADA
Thyme To-Go

THE CITY OF WINDSOR AND THE FRIENDS OF WILLISTEAD
PRESENT THE
WILLISTEAD MANOR
Holiday Tours
1899 Niagara St.
Tour Windsor's elegant manor all decked out in its holiday finest.
Sundays, Dec 1, 8, 15, 22 & 29, 2024
1:00 p.m. to 4:00 p.m.
Windsor Community Choir - December 1 & 22
Silver Bells Bell Ringers - December 15
Wednesdays, Dec 4, 11 & 18, 2024
6:00 p.m. to 8:00 p.m.
TOUR RATES
$6.50 - Adults
$5.50 - Students & Seniors
$3.00 - Children 12 & Under
Cash, Debit, VISA and MasterCard accepted
Reservations are not required
Purchase tickets upon arrival at Coach House
More information online at WILLISTEAD.CA
THE CITY OF WINDSOR ONTARIO, CANADA
Friends of Willistead
WILLISTEAD MANOR
Thyme To-Go
BIZ X
CBC

Ted Klaske

2024 Annual Report

The Corporation of the City of Windsor and the Board of Directors Willistead Manor Inc.

www.willistead.ca
www.citywindsor.ca

Prepared by the Council Services Department, April 2025

*Photographs: 'Willistead in Spring' cover photo, and all other photographs by Christopher Menard, with the exception of page 5 photos, courtesy of Mayor's Office, page 6 'Annual Harvest Dinner' photo, courtesy of Thyme To-Go, page 7 photo courtesy of Ted Kloske Maple Grove Studios, page 8 photos courtesy of Jason Pillon and page 15 and 23 photos courtesy of Jacquelyn Capaldi.

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To His Worship the Mayor and Members of Council:

This is the Willistead Manor Inc. Annual Report to City Council on the affairs and operations of the Corporation for the calendar year 2024.

The Willistead Manor Inc. Board of Directors act in a policy advisory capacity to City Council on the operation of Willistead Manor Inc.; however, the ongoing management of the facility is under the direction of the Office of the Commissioner of Community Services. A full report of the activities in the facility may be obtained from that Service Area.

Introduction and Background

The *City of Windsor Act, 1981* established a corporation without share capital under the name of Willistead Manor Inc., with the objective to receive, maintain, manage, control and use donations for charitable purposes for the rehabilitation of Willistead Manor Inc. For the purpose of attaining its objective, the Corporation "Willistead Manor Inc." has the power to accept and hold any real or personal property granted, donated, devised, bequeathed or otherwise conveyed to it and to convert any such property into money and further to advise City Council respecting the following:

1. The operation of Willistead Manor Inc.;

2. The development and maintenance of the grounds of "Willistead Park";

3. The promotion and development of Willistead Manor Inc. as a centre for amusement, entertainment and exhibitions;

4. The promotion of meetings, receptions and displays in Willistead Manor;

5. The promotion of educational or cultural activities in Willistead Manor;

6. The promotion of the performing arts, including musical and artistic work, in Willistead Manor.

Pursuant to Section 12 of By-law Number 1 of the Corporation, enacted October 29, 1981, the Board of Directors shall, once annually, hold a meeting at which will be approved for submission to City Council, a review of the affairs and operations of the Corporation for the year immediately preceding and a financial statement which contains a profit and loss statement and a balance sheet for the year. This report is submitted in accordance with By-law Number 1.

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Directorate

Term Expiring August 17, 2025	Term Expiring August 17, 2026
Andalieb Abu-Zahra James Evans Robert Gauthier Erica Morasset Douglas Sanborn	Mary Jane Dettinger Colleen Gaudette Robert Jasey David Langstone
Councillor Mark McKenzie	
Connie Pitman, President, Friends of Willistead	

Officers

In accordance with Section 6 of By-law Number 1, of the Corporation, the Board at its first meeting following City Council's appointment of Directors, elected the following Officers:

2024/2025

Chairperson—Douglas Sanborn
Vice-Chair—Vacant
Treasurer—Robert Gauthier
Secretary—Colleen Gaudette
Past Chairperson—James Evans

Honourary Chairs—Stephen Marshall (Deceased) and Louise Brown

Committee Structure

The Board functions with an active Committee structure comprising the following sub-committees that report through the Board*:*

- Acquisitions Committee
- Community Relations & Promotions Committee
- Education Committee
- Event Planning Committee
- Fundraising Committee
- Historical Committee

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Manor Club

The Manor Club Fundraising program was approved by City Council in 1982, and revised in 1983, as an effective vehicle for persons and corporations to donate money for the continuing restoration and refurbishing of Willistead Manor Inc.

In 2024 the Manor Club received donations totalling $ 59,304.00.

The following classifications of membership were established:

Charter Life Members:	original members whose donations exceeded $1,000.00 prior to December 31, 1982
Charter Corporate Members:	original corporations whose donations exceeded $1,000.00 prior to December 31, 1982
Life Members:	donors who have completed their $1,000.00 donations since December 31, 1982
Corporate Members:	corporations who have completed their $1,000.00 donations since December 31, 1982
Sustaining Members:	donors of less than $1,000.00 whose donations, when they reach $1,000.00 will make them life members
Sustaining Corporate Members:	corporate donors of less than $1,000.00 whose donations, when they reach $1,000.00 will make them corporate members

Report of the Board Chair

Willistead Manor is the crown jewel of Olde Walkerville, offering gracious facilities and grounds for weddings, receptions, meetings and many other special events.

The Willistead Manor Inc. Board of Directors is an active participant with the management resources of the City of Windsor's Office of the Commissioner of Community Services, which oversees the Parks and Facilities and Recreation and Culture Departments that maintain Willistead's grounds, gardens, buildings and furnishings.

The annual Rotary Club of Windsor (1918) Art in the Park event held on June 1st and 2nd, 2024 broke attendance records for the second year in a row which resulted in an amazing donation to the Willistead Capital Restoration Reserve Fund. Donations to Willistead Manor from the Rotary Club (1918) began in 1978 and the Willistead Manor Board of Directors is extremely thankful for their 46 years of continuous support towards the upkeep of this historic gem for all to appreciate.

The Friends of Willistead are a vibrant group of approximately sixty volunteers, who for over thirty years have supported the Manor with docent services and community events, promoting and fundraising for the Manor. This year the Manor was once again decorated and presented in the true Holiday Tradition, which was enjoyed by approximately 3,000 guests. We are eternally grateful for all that the Friends do for the Manor.

Additionally, the Board is sincerely thankful for the continued support over the years from The Manor Club Patrons and to all those who contribute to support the Manor for the ongoing enjoyment of the residents and visitors to Essex County.

Finally, to the Acquisitions Committee, whose eye for detail together with their hard work and dedication allows the facility to maintain the high-level historical quality and community value that Willistead Manor Inc. strives for, thank you.

Thank you to the descendants of Hiram Walker who have rallied behind the efforts of Pam and Tony Morse in nurturing and exploring the special relationships between the Walker Family, Willistead Manor and the City of Windsor. Your donations and the historical items entrusted to us are so very much appreciated. We are saddened to report that Tony passed away on March 14, 2025, his passion for Willistead and zest for life will be truly missed.

As your Chair, I would like to thank the entire Board of Directors for your continued support and tireless effort. Working together we can achieve our vision of creating “An interactive world-class cultural site that promotes personal and community experiences connecting the past to the future.”

On behalf of the Board, thank you Mayor Dilkens and City Council for your support and ongoing investments honouring the Manor’s history and present-day relevance.

In closing, we also wish to extend thanks to the following people from the City of Windsor for their interest and support:

Ray Mensour – Commissioner, Community & Corporate Services
Michael Chantler – Senior Executive Director, Community Services
James Chacko - Executive Director, Parks, Recreation & Facilities
Jen Knights - CEO Windsor Public Library & Executive Director, Culture
Michelle Staadegaard - Manager, Culture & Events
Christopher Menard – Supervisor, Community Programming – Cultural Affairs & Willistead Manor Coordinator
Kim Manzerolle – Recreation Centre Clerk, Willistead Manor
Dan Seguin – Deputy Treasurer - Financial Accounting & Corporate Controls
Cindy Heaman – Financial Analyst, Financial Accounting & Corporate Controls
Steve Vlachodimos – City Clerk/Licence Commissioner
Sandra Gebauer – Council Assistant and Executive Secretary to the Board of Directors, Willistead Manor Inc.
Bonnie Reid and Dakota Sweet – Custodial Services

Respectfully submitted,

Douglas Sanborn

Douglas Sanborn, Chair
Willistead Manor Inc.

Acquisitions Committee

The Acquisitions Committee successfully addressed and completed various projects throughout 2024.

One of the key projects was the replacement of the drapes in the Great Hall, which had suffered significant sun damage. A gold damask fabric with bouillon fringe was selected, and we anticipate their installation in early spring 2025.

Mrs. Walker's dressing room was refreshed with a soft green paint, enhancing the charm of the space and receiving much praise.

The committee also secured a pair of golden-toned, carved marble pedestals from DuMouchelle's Auction House. Now positioned in the bay window of the dining room with floral arrangements, they have garnered many compliments, especially from those who rent the room for wedding ceremonies.

A privately funded portrait of Mary Emma Griffin Walker, painted by renowned artist Michele Van Maurik, has been added to the manor's collection. We are grateful to The Friends of Willistead for their generous contribution toward its framing. A gold-gilt frame was chosen, and the portrait now hangs above the piano in the Great Hall, opposite Edward Walker's portrait. We are delighted to see Mary formally recognized as the lady of the manor. The committee is also exploring the possibility of commissioning local artists to paint additional members of the Walker family.

To better showcase the Manor's artwork, the committee identified a need for picture lights on various paintings throughout the estate. These will be installed with great care in 2025.

Additionally, we received the donation of a 19th-century carved refectory table that once belonged to a committee room at Hiram Walker & Sons Distillery. This significant piece was generously donated by Carol Wilks and her siblings, Michael and Mary, in honor of their parents, Michael and Natalie Wilks. It now holds a place of prominence in the Billiard Room.

Another notable acquisition includes four carved wood chairs, crafted by the company Krug, featuring the Hiram Walker emblem embossed on leather. Purchased with donated funds, these chairs have been placed in the Coach House.

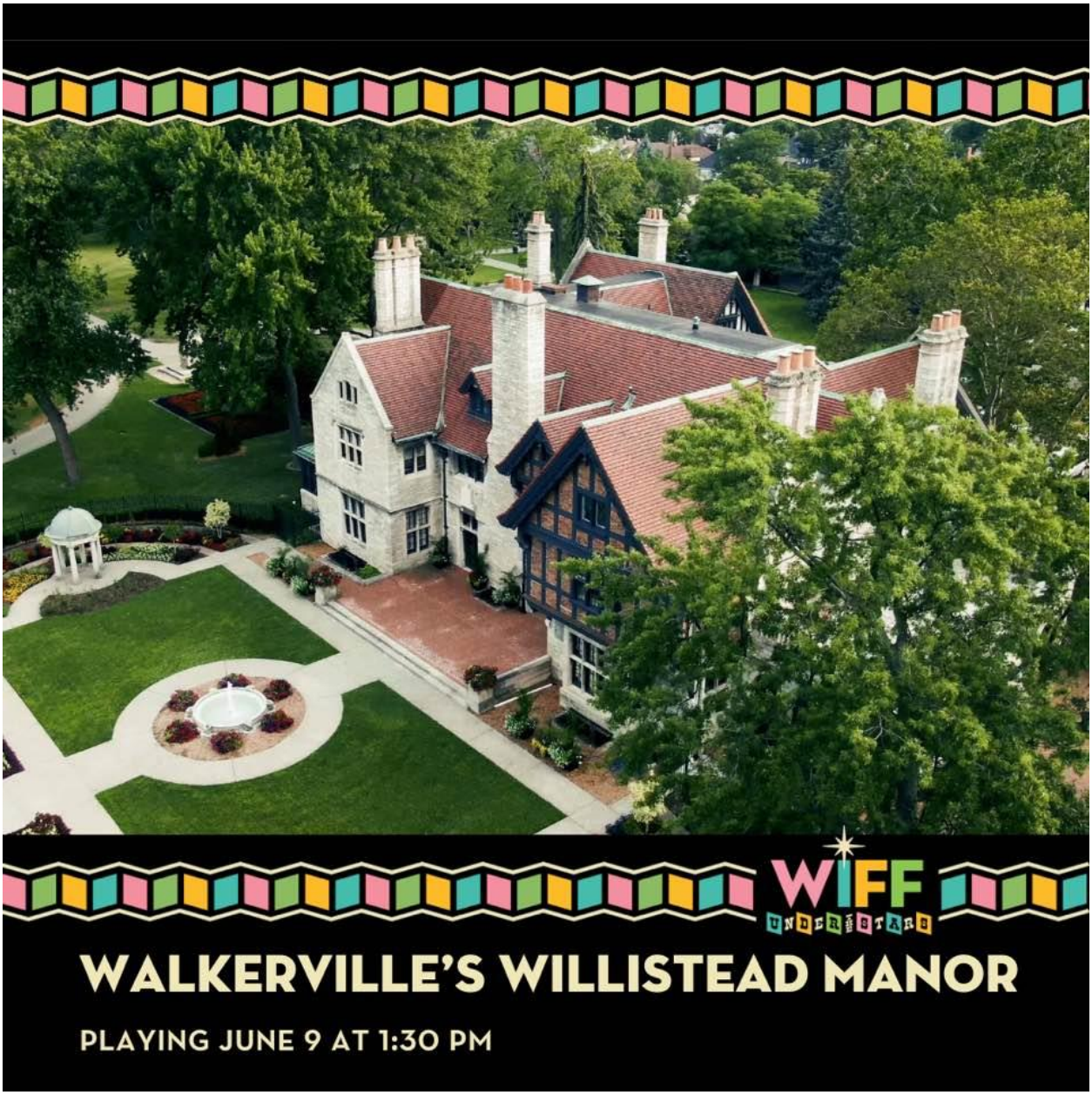
We take great pride in the many pieces of furniture from the distillery's offices that now reside throughout Willistead Manor. These acquisitions are particularly valuable as they strengthen the direct connection to the Walker family's legacy.

We extend our sincere gratitude to all who contribute to and support Willistead Manor. Their generosity plays a vital role in fulfilling the manor's vision: *A world-class cultural site that promotes personal and community experiences, connecting the past to the future*.

Respectfully submitted,

Robert Gauthier

Robert Gauthier ARIDO IDC
Executive Member of the Board of Directors, Willistead Manor Inc., Chair of Acquisitions


WIFF
UNDERSTUDY
WALKERVILLE'S WILLISTEAD MANOR
PLAYING JUNE 9 AT 1:30 PM

Education Committee

The Willistead Manor Education Committee is pleased to present this annual report, outlining our efforts to expand educational outreach and strengthen partnerships with local schools in 2024. This year, we built upon our 2023 initiatives by welcoming students from the Greater Essex County District School Board (GECDSB) participating in the Specialist High Skills Major (SHSM) program. Originally focused on Business students, we successfully expanded our programming to include Health and Wellness students.

This report highlights our key achievements in 2024, presents feedback from student visits, and outlines plans for continued growth in 2025.

Key Activities and Achievements

2024 SHSM Student Visits

In the spring of 2024, Willistead Manor hosted SHSM Business and Health and Wellness students from GECDSB, marking an important milestone in our educational programming.

- **Student Participation:** Students engaged in guided tours and workshops that emphasized entrepreneurship, heritage, and wellness, utilizing the Manor's historical features and outdoor spaces.
- **Impact:** The visits introduced students to Willistead as a dynamic learning environment, earning positive feedback from educators and setting the stage for future participation.
- **Educator Engagement:** On October 24, 2024, I had the opportunity to present to and discuss Willistead with SHSM lead teachers in Business, Non-Profit, and Environmental streams. Several teachers expressed interest in future visits, though transportation costs remain a barrier.

To further enhance the student experience, an expanded **pre-visit project** was introduced in the fall of 2024. This allowed students to research and develop their ideas for Willistead in advance, ensuring a more engaged and productive on-site experience in the spring.

Feedback from Students' 2024 Spring Visit

Student feedback from their afternoon assignments generated numerous creative ideas for events and programs at Willistead. Many proposals focused on a mix of school and community events, some with paid admission and others open to the public. Below is a selection of the most feasible and engaging ideas:

Proposed Event & Program Ideas

- **"Murder at the Manor" Mystery Nights**
  A ticketed evening where guests solve a historical murder mystery throughout the Manor and gardens, guided by actors. A version could be tailored for adults and another for teens/schools.
- **Historical Scavenger Hunt for Schools**
  A curriculum-aligned scavenger hunt for elementary and middle school students, incorporating Windsor's history and the Walker family legacy. Prizes like Willistead-themed bookmarks could boost participation.
- **SHSM Entrepreneurship Challenge**
  An annual competition where SHSM Business students pitch event or business ideas for Willistead. Winning teams receive mentorship from local entrepreneurs and the opportunity to implement their plans.
- **Youth Heritage Ambassadors Program**
  A volunteer initiative for high school students (ages 15-18) to lead tours, assist at events, and create social media content about Willistead, fostering leadership and historical appreciation.
- **Community Garden Workshops**
  Seasonal workshops in the Paul Martin Gardens, teaching gardening skills, composting, and sustainable practices. These could be led by local experts or GECDSB horticulture students.
- **Willistead Story Slam**
  A quarterly storytelling event where community members, especially teens and young adults, share personal or historical stories inspired by Willistead. Stories could be recorded as a podcast for wider reach.
- **Willistead Art Field Trip & Exhibit**
  A high school art field trip where students sketch the Manor's exterior. The best pieces would be displayed in an evening exhibit at Willistead, open to family, friends, and the community.
- **Craft Days for Kids**
  Weekend craft sessions for elementary students (ages 8-12) featuring Victorian-era activities, such as making paper fans or pressed-flower art, paired with a short, guided tour.
- **The Haunted Manor: Halloween Walk-Around**
  An evening tour where guests explore Willistead Manor's shadowy halls and exterior, guided by lantern-wielding storytellers sharing eerie tales. The event could include outdoor food vendors selling cider, pretzels, and roast beef sandwiches.
- **Intergenerational History Fair**
  A collaborative event where students partner with seniors' groups to present Windsor's history. Student projects, such as models and timelines, would be displayed alongside oral histories from older residents.

- **Willistead Film Nights**
  Outdoor summer movie screenings in the gardens, featuring historical or family-friendly films (e.g., *Anne of Green Gables*), paired with pre-show talks about Willistead's history.
- **School Art Contest: "Willistead Through Your Eyes"**
  A partnership with GECDSB art teachers to encourage students to create artistic interpretations of Willistead. Winning entries would be displayed in the Manor and featured on social media.
- **Young Innovators Market**
  A bi-annual marketplace where youth (ages 12-19) sell handmade goods or services, mentored by local business owners. This event would promote entrepreneurship and attract community shoppers.
- **Heritage Hackathon for Teens**
  A weekend event where high school students develop tech-based solutions for promoting Willistead (e.g., an app for virtual tours, AR history experiences), with local tech firms providing guidance and prizes.
- **Community Time Capsule Project**
  A collaborative project inviting schools and residents to contribute items or letters to a Willistead time capsule, to be buried and opened in 20 years.
- **Pop-Up History Exhibits**
  Temporary student-led exhibits in the Coach House, showcasing research on topics like Windsor's industrial past or the Manor's architecture.
- **Willistead Volunteer Day**
  An annual event where families, teens, and community groups help maintain the gardens and grounds, followed by a picnic and live music.

Student Engagement & Satisfaction

The 2024 SHSM visits received an estimated **88% satisfaction rate** among students and staff. While not formally polled, participants provided overwhelmingly positive verbal feedback about the experience.

In 2024, Willistead Manor made significant progress in educational outreach, successfully expanding SHSM programming and strengthening partnerships with the GECDSB. These efforts have created momentum for future initiatives, including a **teacher training event already scheduled for 2025**.

Summary of 2025 Plans

Building on this year's success, the following initiatives are planned for 2025:

- **Spring SHSM Bookings** – At least three GECDSB schools are scheduled for SHSM visits in April-May 2025, with an expected **80-100 students** participating.

- **Event Development** – Student proposals from 2024 will be reviewed in **July 2025**, with the goal of piloting **at least one event in late 2025 or early 2026**.

Willistead Manor remains committed to expanding its role as an educational resource, engaging students, educators, and the community in meaningful historical experiences.

Respectfully submitted,

Robert Jasey

Robert Jasey, Chair
Education Committee

Friends of Willistead

After a very successful Holiday Open House season, the Friends of Willistead busied themselves with the aftermath of decorating for Christmas. Our members were well represented at the City of Windsor Reception, where we were delighted to present two cheques to Mayor Dilkens: $2,500 for restoration and $2,500 toward the eagerly anticipated painting of Mary Walker. Last year, we raised more than $15,000 for Willistead through our open houses and tours—an incredible achievement!

January was a quiet time, providing an opportunity to work on the third floor, sorting, organizing, and labeling stock. In February, we gathered for a lovely dinner in the Coach House to celebrate our accomplishments.

Over the winter, new and experienced members participated in docent training. At our meetings, we shared additional information about the Walker family. The Decorating Steering Committee also met and developed a set of decorating guidelines. In March, we participated in a heartfelt send-off for longtime Willistead custodian Bonnie Reid. Bonnie had a strong working relationship with the Friends over the past twenty years. Always considered a member of the team, her unwavering commitment to Willistead is legendary. We wish her all the best in her retirement.

In the spring, the results of the TWEPI Best of Windsor Awards were announced, and we were pleased that Willistead was voted Best Historical Attraction. In May, six of our members were recognized with Ontario Volunteer Service Awards for their 10 to 15 years of service: Donna Oldnall, Jackie Capaldi, Samantha Capaldi, Diane Drake, Gayle Huszti, and Simarjeet Sahota. We thank them for their ongoing contributions and support.

June brought the excitement of Art in the Park, and we set up our tents, partnering once again with Willistead caterer Julie of *Thyme to-Go*. Forty of our members worked selling beverages and Willistead giftware, or served in the Manor greeting visitors, sharing information, and stories. We are very grateful to the Rotary Club of Windsor (1918) and the City of Windsor for continuing to support our presence at Art in the Park.

Over the summer, we welcomed many visitors from near and far during our July Open Houses**.** The Coach House Historical Exhibition was also well attended. During this time, we began preparations for our first garage sale**.** In September, the Friends of Willistead resumed general meetings with renewed enthusiasm. We also noted an increase in the number of followers on our Facebook and Instagram pages. The fall was a busy time, as we

held our first garage sale in the Coach House. Thanks to our dedicated volunteers who worked tirelessly before, during, and after the sale, it was a great success!

In early October, planning for Christmas decorating accelerated. After four days of decorating—thanks to the efforts of 54 FOW members, 6 Board members, 6 St. Clair College design students, and approximately 12 additional volunteers—Willistead was

ready! Attendance at our Holiday Open Houses was outstanding, and visitors shared many compliments. Through the sale of Willistead merchandise, we raised additional funds to support ongoing restoration. Our heartfelt thanks go to the 50 Friends of Willistead who volunteered a minimum of 300 hours! It was our pleasure to showcase the Manor in all its festive glory.

I would like to thank our members for everything they do to support Willistead. I would especially like to recognize the members of the Executive for the many hours they dedicate to keeping things running smoothly. The Friends of Willistead look forward to another great year in 2025!

Respectfully submitted,

Connie Pitman

Connie Pitman, President
Friends of Willistead

WILLISTEAD
MANOR

The Friends of Willistead
GARAGE SALE
Stop by to find a new-to-you treasure amidst the
Christmas items, decor, photo frames, glassware, china,
artwork, linens, florals, housewares, and more!
SATURDAY, SEPTEMBER 21, 2024
IN THE COACH HOUSE AT WILLISTEAD PARK
9:00 a.m. to 12:30 p.m. - No Early Birds
** SALES ARE CASH ONLY **
ALL FUNDS RAISED IN SUPPORT OF
HISTORIC WILLISTEAD MANOR

WILLISTEAD
MANOR
WILLISTEAD
MANOR

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2024
Financial Reports and Statements

Board of Directors
Willistead Manor Inc.

WILLISTEAD MANOR INC.
FINANCIAL REPORT
For the year ending December 31, 2024

Manor Club

The fiscal year ending December 31, 2024 concluded with Willistead Manor Inc. continuing its "Manor Club" fund raising campaign. Operating on a budget of $4,500 all of which is dedicated to the Manor Club campaign, various fundraising efforts were undertaken to promote the Willistead Manor Club this year and in the future. A positive operating fund balance from 2023 was included in the 2024 budget, which, combined with normal operating expenses, resulted in a cumulative surplus for 2024 of $22,668.

Twenty-six contributions to the Manor Club were received, amounting to $59,304. Twenty of the Manor Club contributions exceeded the $100 annual membership established by the Board of Directors. Since its inception in 1982, contributions to the Manor Club total $538,155.

As the Board is empowered under Section 6 (c) of its governing legislation

> *"to pay over from time to time monies received by the Corporation to the City Treasurer and the City shall use any monies so received only for the purposes of operating, renovating and furnishing Willistead Manor".*

We will be presenting a cheque to the City Treasurer in the amount of $61,657 to be applied toward the continued restoration of Willistead.

WILLISTEAD MANOR INC.
BALANCE SHEET
As at December 31, 2024
with comparative figures for 2023

	2024	2023
Assets:		
Cash in Bank	*$ 84,325*	*$ 85,309*
Liabilities:		
City Treasurer - Willistead Capital Restoration Fund	*61,657*	*65,170*
Equity	*22,668*	*20,139*
Total Liabilities & Equity	*$ 84,325*	*$ 85,309*

WILLISTEAD MANOR INC.
STATEMENT OF REVENUE, EXPENDITURE AND FUND BALANCE
As at December 31, 2024
with comparative figures for 2023

	2024	2023
Revenues:		
Manor Club Contributions	*$ 5,250*	*$ 3,065*
Charleigh Charitable Trust	*34,445*	*31,980*
Martha Henkel	*19,609*	*13,387*
Fundraising Event	*-*	*15,000*
Bank Interest - Savings	*2,353*	*1,738*
Total Fundraising Revenue	*61,657*	*65,170*
Operating Grant	*4,500*	*4,500*
Bank Interest - Operations	*1,125*	*1,031*
Total Revenues	*67,282*	*70,701*
Expenditures:		
Other	*3,096*	*4,973*
Transfer to Willistead Capital Restoration Fund	*61,657*	*65,170*
Total Expenditures	*64,753*	*70,143*
Excess (Shortfall) of Revenues over Expenditures	*2,529*	*558*
Fund Balance, Beginning of Year	*20,139*	*19,581*
Fund Balance, End of Year	*22,668*	*20,139*

2024

FINANCIAL REPORTS AND STATEMENTS

CORPORATION OF THE CITY OF WINDSOR

WILLISTEAD MANOR - Furniture and Furnishings Trust Fund
WILLISTEAD MANOR - Capital Restoration Reserve Fund
WILLISTEAD MANOR – Endowment Fund

CORPORATION OF THE CITY OF WINDSOR
WILLISTEAD MANOR FINANCIAL REPORT
For the year ending December 31, 2024

Art-in-the-Park

Art-in-the-Park, co-sponsored by the City of Windsor and the Rotary Club of Windsor (1918), contributed $89,218 to the Willistead Restoration Fund for 2024. This joint effort, which commenced in 1978, has generated $1,647,602 towards Willistead Restoration projects.

Friends of Willistead

The Friends of Willistead have generated 'contributions' totaling $140,006 since their inception in 1982. They have also volunteered countless hours of labour, particularly decorating for Christmas and assisting in furnishings acquisitions.

Furniture and Furnishings

Furniture and furnishings valued at approximately $523,845 have been donated to Willistead over the years by many generous members of the community.

Willistead Capital Restoration

The Willistead Capital Restoration Fund has a balance of $712,629 as at December 31, 2024 year-end.

Willistead Endowment Fund

In 2012, City Council approved the establishment of the Willistead Manor Endowment Fund. The fund is to be used exclusively, and in perpetuity, for the preservation, restoration, and capital improvement of Willistead Manor, and used for any means needed to achieve this purpose. It is intended that the fund be used for infrastructure projects. The minimum capital amount that must be preserved in the fund at all times is set at 50% of the receipted value of life to date contributions to the fund. As at December 31, 2024 the Willistead Endowment Fund has a fund balance of $35,713. The minimum capital balance that must be preserved in the fund as at December 31, 2024 is $14,778.

WILLISTEAD FURNISHINGS - TRUST FUND
STATEMENT OF REVENUE, EXPENDITURE AND FUND BALANCE
As at December 31, 2024
with comparative figures for 2023

	2024	2023
Revenues:		
Interest Income	$ 441	$ 775
Donations	2500	-
Transfer from Willistead Restoration Reserve Fund	10,000	10,000
Total Revenues	12,941	10,775
Expenditures:		
Furnishings and Upgrades	11,831	20,715
Total Expenditures	11,831	20,715
Excess/(Shortfall) of Revenues over Expenditures	1,110	(9,940)
Fund Balance, Beginning of Year	5,711	15,651
Fund Balance, End of Year	$ 6,821	$ 5,711

CORPORATION OF THE CITY OF WINDSOR
WILLISTEAD MANOR - CAPITAL RESTORATION RESERVE FUND
STATEMENT OF REVENUE, EXPENDITURE AND FUND BALANCE
As at December 31, 2024
with comparative figures for 2023

	2024	2023
Revenues:		
Willistead Manor Inc.	$ 65,170	$ 38,291
Art-in-the-Park	89,218	87,365
Interest Income	16,820	22,538
Total Revenues	171,208	148,194
Expenditures:		
Transfer to Willistead Furnishings Trust Fund	10,000	10,000
Total Expenditures	10,000	10,000
Excess of Revenues Over Expenditures	161,208	138,194
Fund Balance, Beginning of Year	551,421	413,227
Fund Balance, End of Year	$ 712,629	$ 551,421

CORPORATION OF THE CITY OF WINDSOR
WILLISTEAD MANOR - ENDOWMENT FUND
STATEMENT OF REVENUE, EXPENDITURE AND FUND BALANCE
As at December 31, 2024
with comparative figures for 2023

	2024	2023
Revenues:		
Donations	$ 100	$ 2,500
Interest Income	1,897	1,744
Total Revenues	1,997	4,244
Expenditures:		
Total Expenditures	-	-
Excess of Revenues over Expenditures	1,997	4,244
Fund Balance, Beginning of Year	33,716	29,472
Fund Balance, End of Year	$ 35,713	$ 33,716

Let's celebrate the
Best Things to See & Do
in Windsor Essex!
BEST OF WINDSOR ESSEX AWARDS
Congratulations!
-Best Attraction - Historical-
WILLISTEAD MANOR
THE CITY OF WINDSOR
ONTARIO, CANADA
A Proud Program of:
TOURISM WINDSOR ESSEX PELEE ISLAND

Committee Matters: SCM 212/2025

Subject: Report No. 123 of the Willistead Manor Inc. Board of Directors

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 285**
THAT Report No. 123 of the Board of Directors, Willistead Manor Inc. indicating:
THAT the following person BE APPOINTED to the Board of Directors of Willistead Manor Inc. for a two year term ending August 17, 2027:

Frank Perissinotti
Michael A. Clark

BE APPROVED.
Carried.

Report Number: SCM 194/2025
Clerk's File: ACO2025

Clerk's Note:

1. Please refer to Item 7.4 from the Community Services Standing Committee held on July 2, 2025

2. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250702/-1/10565

Committee Matters: SCM 194/2025

Subject: Report No. 123 of the Willistead Manor Inc. Board of Directors

SG
Windsor, Ontario, July 2, 2025

REPORT NO. 123
of the
BOARD OF DIRECTORS,
WILLISTEAD MANOR INC.
of its meeting held June 12, 2025

Present: D. Sanborn -- Chair
MJ. Dettinger
C. Gaudette
R. Gauthier
D. Langstone
E. Morasset

Your Board submits the following recommendations:

Moved by C. Gaudette, seconded by R. Gauthier,
That the following person **BE APPOINTED** to the Board of Directors of Willistead Manor Inc. for a two year term ending August 17, 2027:

Frank Perissinotti
Michael A. Clark

Carried.

_____
Chair

_____
Executive Secretary

NOTIFY:

Name	Address	City/Prov/Pstcd	Telephone	FAX
Board of Directors Willistead Manor Inc.				

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 218/2025

Subject: Notice of Intent to Partially Demolish a Heritage Listed Property – 711 Riverside Drive East, Commercial Building (Ward 4)

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

Decision Number: **DHSC 749**
THAT the Notice of Intent to partially demolish 711 Riverside Drive East, Commercial Building, to remove the existing rear one-storey garage addition and construct a new two-storey addition in its place **BE RECEIVED.**
Carried.
Member William Tape discloses an interest and abstains from voting on this matter.

Report Number: S 83/2025
Clerk's File: MBA/14987

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 10.1 from the Development & Heritage Standing Committee held on July 7, 2025.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Subject: Notice of Intent to Partially Demolish a Heritage Listed Property – 711 Riverside Drive East, Commercial Building (Ward 4)

Reference:

Date to Council: July 7, 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: 6/12/2025
Clerk's File #: MBA/14987

To: Mayor and Members of City Council

Recommendation:

THAT the Notice of Intent to partially demolish 711 Riverside Drive East, Commercial Building, to remove the existing rear one-storey garage addition and construct a new two-storey addition in its place **BE RECEIVED.**

Executive Summary: N/A

Background:

The Commercial Building located at 711 Riverside Drive East was listed on the Windsor Municipal Heritage Register by City Council on August 27, 2007. Research conducted at that time indicates that the building was constructed circa 1870 and was the first two-storey commercial brick building in Windsor. The original brick structure was constructed at a time when Riverside Drive was a dirt road known as an "Indian path". It is one of the last remaining buildings of this type (two-storey traditional commercial brick building) still standing along Riverside Drive, which was at one point lined with these buildings.

711 Riverside Drive East, left photograph taken by Staff on April 9, 2025 and right photograph from the Windsor Daily Star issued on September 22, 1958

On March 29, 2025, the Applicant John Krizan (on behalf of the Property Owner Tereza Cesmeci) reached out to Heritage Planning staff to inquire about the process to facilitate the redevelopment proposal of demolishing the one-storey rear garage structure and constructing a new two-storey addition in its place. As the proposed changes include the partial demolition/removal of the building, Heritage Planning staff advised the Applicant of the heritage planning requirements. On June 12, 2025, the Applicant formally submitted a complete notice of partial demolition package (Appendix 'A').

Legal Provisions:

The subject property is listed (not designated) on the Windsor Municipal Heritage Register. Section 27 of Part IV of the *Ontario Heritage Act* (*OHA*) states that "the register may include property ... that the council of the municipality believes to be of cultural heritage value or interest", without being designated. Also, "[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure." The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved "Requirements and Procedures, Application for Demolition of Heritage-Listed Properties" (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60-day count begin.

For heritage-listed (non-designated) properties, the *OHA* does not provide explicit provisions for Council to comment on or approve/consent to alterations. The *OHA* only requires notification to Council for the demolition/partial demolition of a heritage-listed property. There is no explicit provision for Council to approve or consent to the demolition and no provision to apply conditions. Should Committee or Council wish to

comment on alterations to a heritage-listed (non-designated) property, the only course of action available is to initiate designation.

Through the *Ontario Heritage Act*, City Council (with Committee consultation) may either initiate designation during the 60 days after notice of intent to demolish, or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. “Cultural heritage value or interest” is to be considered according to Ontario Regulation 9/06.

Discussion:

Proposal:

The complete Notice of Intent to Demolish package for 711 Riverside Drive East was submitted with a heritage permit application form to detail the proposal, letter of design rationale from the architect Brad Smith of Felix Culpa Architecture, building condition assessment report authored by William Tape of Hadad Morgan & Associates Ltd. in 2021, architectural drawing set, and photographs of the current condition of the property. The Applicant is requesting to demolish the one-storey garage structure at the rear of the building and rebuild it with a second storey. The complete package is included as Appendix ‘A’ of this report.

The Applicant has noted that the existing one-storey garage structure is deteriorating and has structural concerns, which is supported by the findings of the building condition assessment report and have since accelerated in severity since the assessment was conducted in 2021. The garage structure was built sometime between 1924 and 1937 along with the two-storey rear addition connecting the garage to the main brick building. The garage structure is currently clad in white siding and has a low pitch gable roof. The two-storey rear addition is also clad in white siding; however, it has a sloped shed roof. The Applicant explained that the garage was constructed at grade without a proper foundation and the structure suffers from water infiltration due to the current low-slope roof design. These two existing building components of the rear garage have contributed to the garage’s deterioration and level of structural failure.

Photographs of the garage structure proposed to be demolished. Water damage and lack of foundation are visible from the street. Taken by staff April 9, 2025 and June 6, 2025.

The demolition and reconstruction of the rear garage addition is intended to resolve the structural issues and deterioration. The scope of works proposed include four phases: demolition and preparing the foundation/concrete slab; framing the new structure, installing garage doors and upgrading electrical; roofing and exterior cladding; and installing doors, windows, and black trim work. The two-storey rear addition connecting the garage to the main building is not proposed to be demolished but renovated. It is proposed to have new exterior cladding and interior renovations to the second storey to convert the space from a family room to a mud room/laundry room. The overall building footprint and site orientation will remain the same as existing, however the height will increase from one storey (13'-9 1/16" tall) to two storeys (24'-11" tall). The proposed pitched gable roof on the new construction will result in a height that is 7" lower than the tallest point of the parapet on the historic brick building. The new roof is proposed to be an asphalt shingle. The exterior cladding proposed is vertical vinyl siding in a "Gun Metal Grey" colour. The new windows are proposed to be black vinyl windows without any dividers or grills.

Coloured rendering of the proposed two-storey garage addition from Louis Avenue, provide by Felix Culpa Architecture

Heritage Considerations:

There is no ability for Council to approve, deny, or apply conditions to a notice of intent to demolish on a heritage-listed property. There is also no ability to require a Heritage Permit application (with or without conditions) for alterations on a heritage-listed property. Given these limited abilities, Heritage Planning staff work closely with applicants and owners of listed properties to guide their proposed design to be in better alignment with heritage standards, guidelines, and best practices prior to bringing the notice to Heritage Committee and City Council. After working collaboratively through various iterations, the Applicant was receptive to most of Heritage Planning staff's recommendations of changes to the proposed design in an effort to steer the project towards a more heritage compatible outcome.

To harmonize with the character of the commercial brick building and meet the *Standards* of compatibility, Heritage Planning Staff recommended a combination of matching variegated red brick and modern material. The Applicant has expressed that the historic variegated red brick on the original commercial building is challenging to match with today's products and also too financially burdensome. They are proposing a vertical vinyl siding on both storeys of the exterior as opposed to adding further mis-matched brick. The colour proposed for the cladding is dark and muted. A dark muted colour is appropriate from a heritage standpoint to provide some distinction between the old and new.

Heritage Planning staff recommended a flat roof for continuity of form between the commercial brick building portion and the new addition. While the Architect considered this recommendation, they noted that a flat roof and even a sloped shed roof would be cost-prohibitive, result in long-term drainage concerns, and potentially cause conflicts with the Ontario Building Code (OBC) requirements for ceiling heights. Therefore, the form of the current pitched gable roof over the garage is intended to be maintained and "raised" to the second storey height.

The siting of the proposed addition adheres to heritage planning best practices to locate additions at the rear of the property. Due to the nature of the property as a corner lot with frontages on both Riverside Drive East and Louis Avenue, the proposed addition will be highly visible. However, the addition as a whole is equivalent in height and massing in comparison to the commercial brick building, allowing the brick building to continue being the prominent view from both street frontages.

In review of the proposal, Heritage Planning staff are of the opinion that the development appears to be compatible with the historic commercial brick building. The proposal does not adversely impact the core historic features of the listed heritage property (being the two-storey commercial brick building) and it is an improvement to what is currently a damaged and failing rear garage addition. For the proposed scope of work, the most relevant references from the *Standards & Guidelines for the Conservation of Historic Places* have been considered.

> **11.** Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

Other heritage principles, such as from the National Parks Services, Preservation Brief on "Designing a New Exterior Addition to a Historic Building" were also considered:

- A new addition should not be highly visible from the public right of way; a rear or other secondary elevation is usually the best location for a new addition.

- The construction materials and the color of the new addition should be harmonious with the historic building materials.

The proposed development has not yet undergone a zoning review to ensure that it complies with the zoning regulations of the current zoning Residential District 1.1 (RD1.1). Through the zoning review, any *Planning Act* processes that would be required to execute the proposal would be identified. A Building Permit is required for the new construction, which the Property Owner is in the process of applying for, and is subject to the notice of intent to partially demolish. The Property Owner may proceed with the Building Permit should Council receive the notice and not initiate heritage designation of the property.

If this property was individually designated at the time of submission of this proposal, Heritage Planning staff would have reviewed the proposal using the same provisions within the *Standards and Guidelines for the Conservation of Historic Places* for compatibility, respect, and best fit and would have arrived at the same or similar recommendation to allow the proposal to proceed with its design as shown in Appendix 'A'. This determination is based on how the proposed demolition and new construction at the rear of the property will not substantially impact the features of heritage value or interest on the subject property (the original two-storey commercial brick building).

Official Plan Policy:

Chapter 9 of the City of Windsor Official Plan, Heritage Conservation, includes the following objectives related to the recognition, conservation, and enhancement of heritage resources:

CONSERVATION MANAGEMENT	9.2.1	To conserve Windsor's heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical, and contextual significance and ensures their future viability as functional components of Windsor's urban environment.
HERITAGE AREAS AND HERITAGE CONSERVATION DISTRICTS	9.3.5.1	Council will enhance heritage resources by: (a) Ensuring that within any Heritage Area or Heritage Conservation District that: (ii) Development be of compatible height, massing, scale, setback and architectural style;

Risk Analysis:

The proposed partial demolition would allow the Owners to proceed with their desired two-storey addition on the property. The notification of the proposed partial demolition authorized by the *Ontario Heritage Act* serves as an opportunity to provide a process to designate when required to prevent inappropriate and concerning changes applied to

the building. This is very seldom the recommended action, and it would only be recommended in circumstances where the heritage integrity of the listed property is at risk.

One risk of initiating designation of the property through a Notice of Intent to Designate is that it would put a hold on any building permits and therefore pause any ability to undertake the works to remediate the structural issues. The designation process requires Council approval for both the issuance of a Notice of Intent to Designate as well as the passing of the designation by-law. If the by-law is passed, a heritage permit application would be required to construct the addition and new accessory structure through a separate report for Heritage Committee and City Council decision.

Another risk of initiating designation of the property is that, although designation of the property does not require the consent of the Owner, any person including a property owner can object to the designation and appeal the by-law to the Ontario Land Tribunal (OLT). Administration communicated to the Applicant about the high merits that this property has for individual designation under O. Reg. 9/06. However, the Applicant is not interested in designation of the property at this time.

The initiation of Part IV individual heritage designation of the property as a reaction to this Notice of Intent to Partially Demolish is not recommended by Administration because of three key reasons. Firstly, the designation process would place delays on the ability of the Property Owner to undertake their project. Secondly, the Applicant and their Architect have worked closely with Heritage Planning staff to collaboratively reach a design that balances heritage compatibility with other structural and financial constraints. Thirdly and finally, the designation of this heritage-listed property is being considered as part of the Bill 23 Cultural Heritage Evaluation Research project.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There is no cost to the City; the Property Owner and Applicant will be paying the full cost of the proposal. The proposed work may increase the assessed value of the property.

Consultations:

Heritage Planning staff discussed the details of the proposal and application requirements with the Applicant, John Krizan (on behalf of the Property Owner Tereza Cesmeci). Heritage Planning staff have also spoken in-person to Paul Smith, the building contractor, and had correspondences with Brad Smith, the Architect, about the plans to demolish the garage and construct a new two-storey addition. An in-person site visit to the subject property was conducted on Friday, June 6, 2025 to meet with John Krizan, Paul Smith, and Kylene Dupuis (Designer on behalf of Brad Smith), as well as to photograph and record current conditions. Heritage Planning staff consulted with Sophia

Di Blasi, Acting Senior Urban Designer, Planning & Development Services Department, regarding the design of the proposal and Aaron Farough, Senior Legal Counsel, Legal & Real Estate Department, regarding the legal provisions within the *Ontario Heritage Act*.

Conclusion:

Administration recommends that City Council receive the proposed partial demolition of the Heritage Listed Property – 711 Riverside Drive East, Commercial Building. The demolition/removal of the existing one-storey rear garage addition is proposed to facilitate the construction of a new two-storey rear addition on the subject property to address the structural issues and deterioration of the garage structure. The proposed size, massing, height, colour, and siting are compatible with the heritage character of the listed property.

Planning Act Matters: N/A

Approvals:

Name	Title
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix 'A' – Notice of Intent to Partially Demolish Package
2 Appendix 'B' – Additional Photos of 711 Riverside Drive East

THE CITY OF WINDSOR
ONTARIO, CANADA

Planning Department
Suite 320-350 City Hall Sq W
Windsor ON N9A 6S1

HERITAGE PERMIT APPLICATION

Revised 11/2023

APPLICATION TYPE

☐ **Minor Heritage Permit** (Delegated Authority Approval)
☑ **Major Heritage Permit** (City Council Approval)
☑ **Demolition**

1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

APPLICANT

Contact Name(s) John Krizan
Company or Organization
Mailing Address 120 Louis Ave
City, Province Windsor, ON Postal Code N9A1V9
Email [redacted] Phone(s) [redacted]

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) Tereza Cesmeci
Company or Organization
Mailing Address 120 Louis Ave
City, Province Windsor, ON Postal Code N9A1V9
Email [redacted] Phone(s) [redacted]

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) Brad Smith
Company or Organization Felix Cupla Architecture
Mailing Address 2534 Seminole St
City, Province Windsor, ON Postal Code N8Y 1X4
Email brad@felixculpaarchitecture.com Phone(s) 519.890.5773

Who is the primary contact?

☑ Applicant ☐ Registered Owner ☐ Agent

THE CITY OF WINDSOR ONTARIO, CANADA
Planning Department
Suite 320-350 City Hall Sq W
Windsor ON N9A 6S1

HERITAGE PERMIT APPLICATION

Revised 11/2023

2. SUBJECT PROPERTY

Municipal Address: 711 Riverside Dr. E Windsor ON, N9A2T3

Legal Description (if known): _____

Building/Structure Type:

☑ Residential ☑ Commercial ☐ Industrial ☐ Institutional

Heritage Designation:

☐ Part IV (Individual) ☐ Part V (Heritage Conservation District)

By-law #: _____ District: _____

Is the property subject to a Heritage Easement or Agreement?

☐ Yes ☑ No

3. TYPE OF APPLICATION

Check all that apply:

☐ Demolition/Removal of heritage attributes ☑ Addition ☐ Erection ☑ Alteration*

☑ Demolition/Removal of building or structure ☐ Signage ☐ Lighting

*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

711 Riverside Dr E is a 2 story building, zoned mixed use commercial/residential. There are 2 main sections, the front section is brick cladding and the rear back section of the building is white siding. The brick section has been recently restored in 2021 -2023, the restoration of the front brick portion was completed preserving the historical significance of the masonry throughout. The back section in white siding does not have any historical significance, it consists of 4 car garage on ground level and above one single garage there is a sitting room that connects into the upper unit living space.

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.

**see supplemental page

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

**see supplemental page

Describe the potential impacts to the heritage attributes of the property.

None

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.

John B K — Apr 22/25

Signature of Applicant(s) — Date

Signature of Applicant(s) — Date

THE CITY OF WINDSOR ONTARIO, CANADA
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, Tereza Cesmeci, 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

John Krizan to make this application on my behalf.
name of agent

Signature of Registered Owner — Date: 4/22/25

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, Tereza Cesmeci, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

Signature of Registered Owner — Date: 4/22/25

If Corporation – I have authority to bind the corporation.

C. Acknowledgement of Applicant

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

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

Signature of Applicant — Date: APR 22/25

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.

• ***Phase 1: Demo and Cement***
• Apply for demolition, hording, and addition permits.
• Demolish specified walls, floors, and fences; excavate for footings.
• Keep garage 1 intact and ensure safety measures, including hording walls.
• Install drainage, sump pump, and prepare for new cement floors.
• ***Phase 2: Framing***
• Frame exterior walls, install garage doors, and create stairwell.
• Relocate main electrical wire
• ***Phase 3: Roofing and Exterior Cladding***
• Roof with asphalt shingles and add necessary vents and gutters.
• Use house wrap and vinyl siding for exterior cladding. Gun Metal Grey.
• ***Phase 4: Windows and Doors***
• Install two non-insulated garage doors and seven windows, plus an exterior door. Black trim to match the front of the building.

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

The primary goal of this project is to address and repair a deteriorating section of the building. The materials were selected to ensure the addition blends seamlessly, maintaining the focus on the building's original, historic facade. A brick "skirt," was experimented with, but it didn't quite achieve the look hoped for, it felt like a forced element that wouldn't significantly enhance the project's value since the west side of the building most visible by the street is majority entrance and garage doors. The brick would be broken up between small portions of the door openings and the one section of the garage that is to remain (currently sided) would have a flushness issue to the brick part of the building in front of it. Removing the existing siding and replacing with siding keeps the same flushness, adding brick would increase this section to protrude. The other sides of the building are/will be hidden by privacy fencing. Additionally, implementing this minor amount of brick would increase cost estimate. It would necessitate increasing the foundations and would need to source sufficient matching brick.

The concrete of the garage floor is deteriorated, cracked and unlevel due to settling. The garage walls have significant water damage and brick below grade, no foundation. Adding foundation, proper drainage, rebuilding garage to esthetically improve the look. The plan is to demolish and rebuild the 3-car garage as existing and include storage space above as a second level. Due to cost and budget, completing the second level as living space is not an option currently. It will be framed and include windows, and no interior walls. Longterm would seek permit to tie in this level into the upper unit. The garage today does not have foundation, to properly repair requires demolition to add the foundation to code and to incorporate good drainage. This is critical to protect the rest of the building as well.

Coloured Renderings of Proposed Addition, provided by Felix Culpa Architecture

Proposed addition, view from Louis Avenue

Proposed addition, view from Louis Avenue relative to original brick commercial building

Current Photographs of Garage to be Demolished, provided by Applicant

West-facing façade, as seen from Louis Avenue

East-facing façade, as seen from the public park

Rear-east corner along the side property line

South-facing façade at the rear

Interior of the two-storey garage addition

Interior of the one-storey garage addition

RIVERSIDE DR EAST - GARAGE RENOVATION

711 Riverside Dr E., Windsor ON

ARCHITECT
Felix Culpa Architecture
2534 Seminole St
Windsor, ON
N8Y 1X4
(519) 890-5773

Contacts:
Brad Smith, OAA AIA
Principal Architect / Owner
brad@felixculpaarchitecture.com

Kylene Dupuis, AIBC
Intern Architect
kylene@felixculpaarchitecture.com

OWNER
John Krizan

jbkrizan@hotmail.com
(705) 795-0326

CONTRACTOR
Paul Smith

paul@spruceituprenovations.com
(226) 216-0381

Index of Drawings

NO.	SHEET TITLE
A000	TITLE SHEET
A100	ARCHITECTURAL SITE PLAN
A200	EXISTING FLOOR PLANS
A250	PROPOSED PLANS
A252	PROPOSED PLANS
A300	EXISTING ELEVATIONS
A350	PROPOSED ELEVATIONS
A500	SECTIONS

FELIX CULPA

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RIVERSIDE RENOVATION

GENERAL NOTES:

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Revisions

Number	Date	Description
1	2025-04-21	Issued For Hertiage Permit

Drawn
K DUPUIS

Checked
B SMITH

Approved
B SMITH

Preliminary
Construction
Record

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Job Number
21-040

Drawing Title
TITLE SHEET

Sheet Number
A000

2025-06-12 10:24:47 AM | PROJ. NO 21-040

NORTH

1 / A300 **SITE PLAN**

SCALE: 1/8" = 1'-0"

NOTE: ARCHITECTURAL SITE PLAN FOR REFERENCE ONLY REFER TO SURVEY BY OTHERS FOR ALL CIVIL ENGINEERING INFORMATION

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Drawing Title
ARCHITECTURAL SITE PLAN

Sheet Number **A100**

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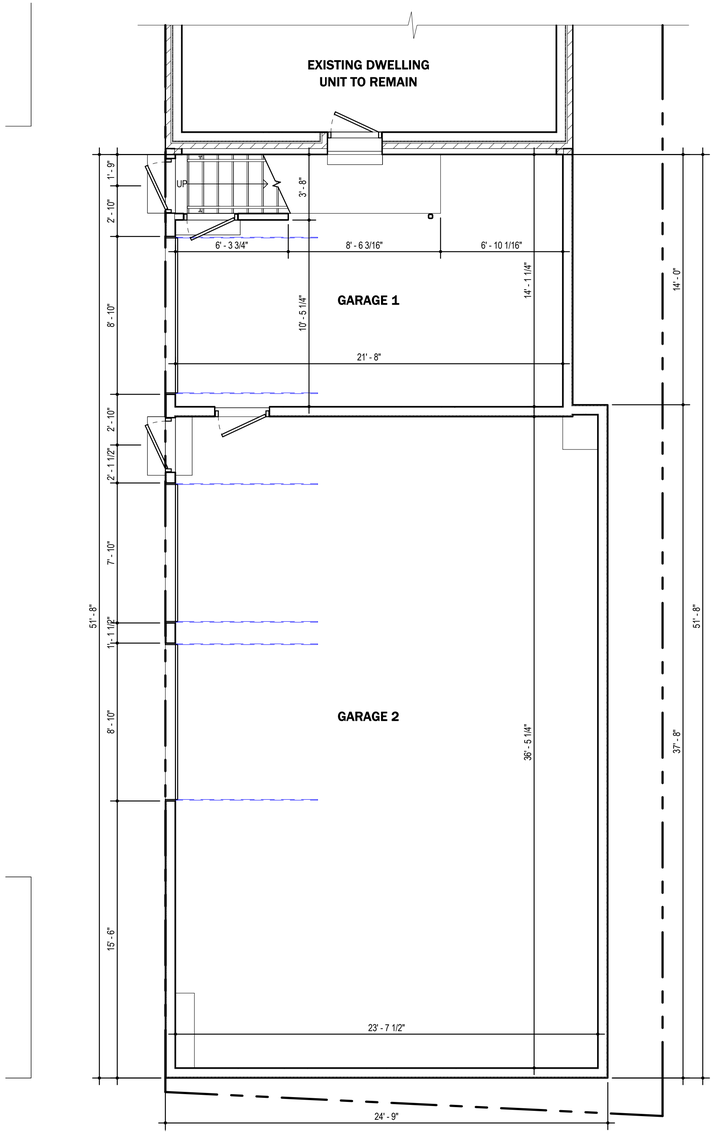
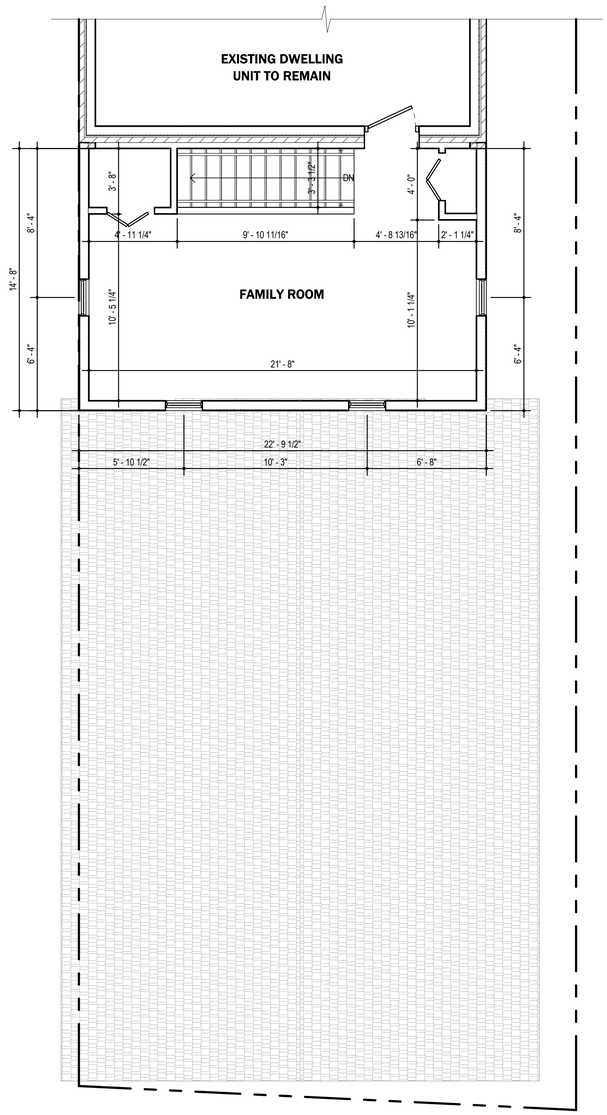


NORTH

1 / A300

LEVEL 1 - EXISTING PLAN

SCALE: 1/4" = 1'-0"



NORTH

2 / A300

LEVEL 2 - EXISTING PLAN

SCALE: 1/4" = 1'-0"

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RIVERSIDE RENOVATION

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21-040

Drawing Title
EXISTING FLOOR PLANS

Sheet Number
A200

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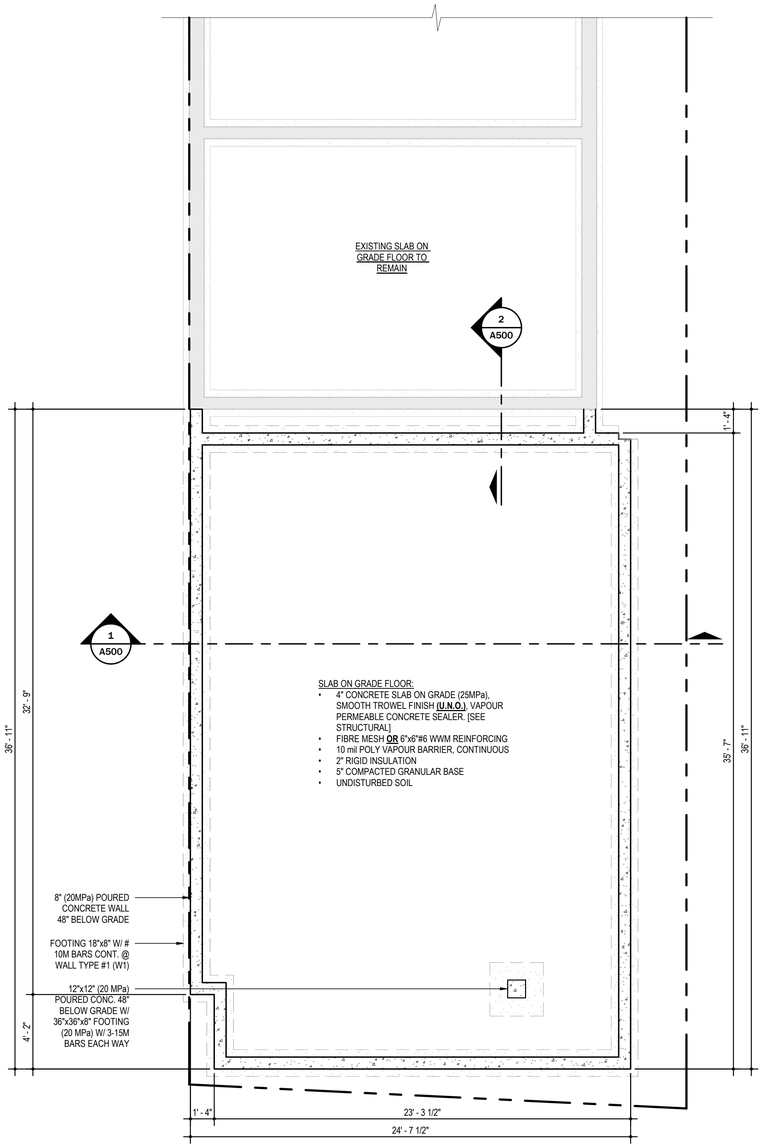
Schedule - Door

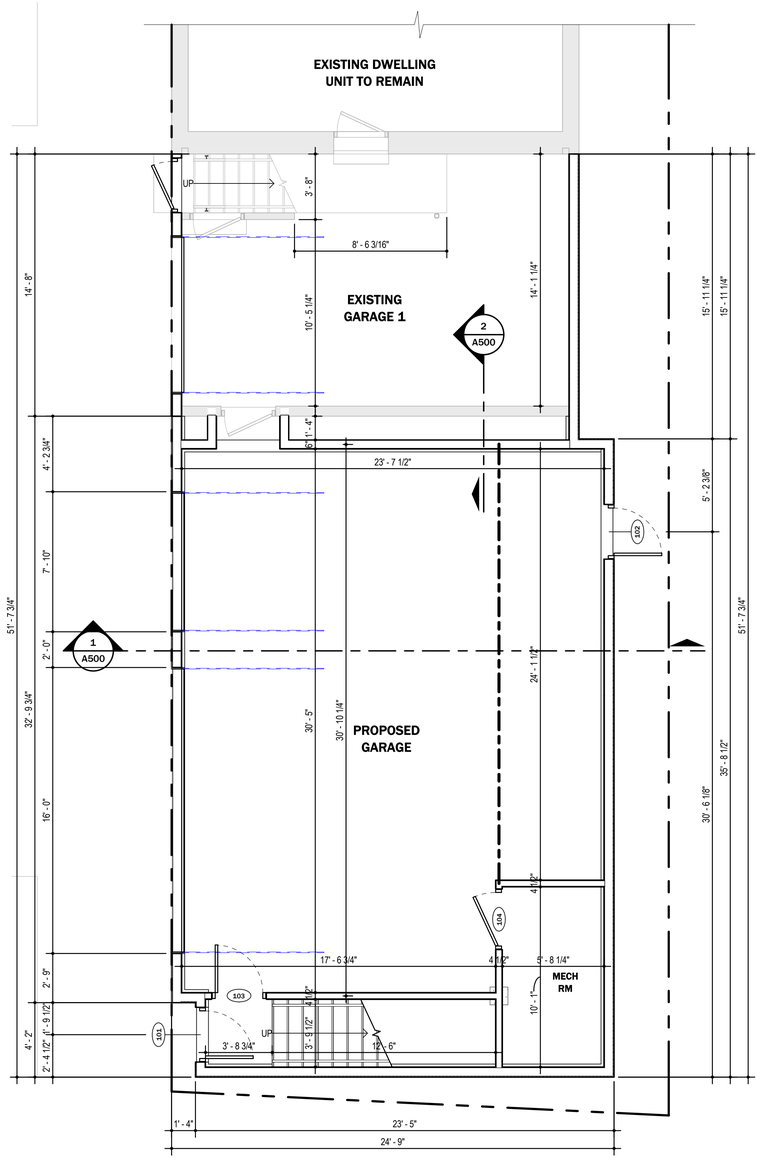
Door No.	Type Mark	DIMENSIONS		FINISHES						HARDWARE									Comments
		Width 1	Height	PANEL			FRAME			CR	DL	DO	PB	SC	DB	DP	PA	PR	
				Type	Finish	Material	Type	Finish	Material										
GRADE / LEVEL 1																			
101	D-01	2' - 8"	6' - 8"	Exterior	Fibreglass	Prefinished	T1	Wood	Painted						○				
102	D-01	2' - 8"	6' - 8"	Exterior	Fibreglass	Prefinished	T1	Wood	Painted						○				
116	D-01	2' - 8"	6' - 8"	Exterior	Fibreglass	Prefinished	T1	Wood	Painted										
103	D-02	2' - 8"	6' - 8"	Interior	MDF	Painted	T1	Wood	Painted						○				
104	D-03	3' - 0"	6' - 8"	Interior	MDF	Painted	T1	Wood	Painted								○		



NORTH

2 A500 **FOUNDATION - PROPOSED PLAN**

SCALE: 1/4" = 1'-0"



NORTH

1 A300 **LEVEL 1 - PROPOSED PLAN**

SCALE: 1/4" = 1'-0"

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RIVERSIDE RENOVATION

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Drawing Title
PROPOSED PLANS

Sheet Number
A250

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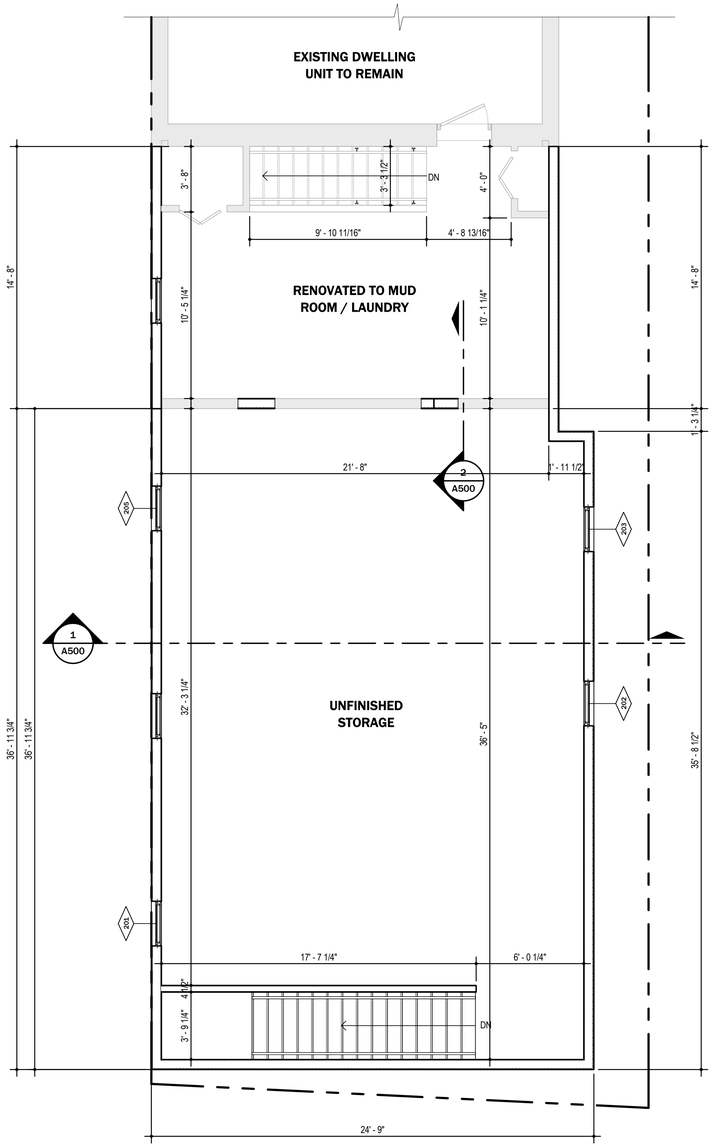
Schedule - Window

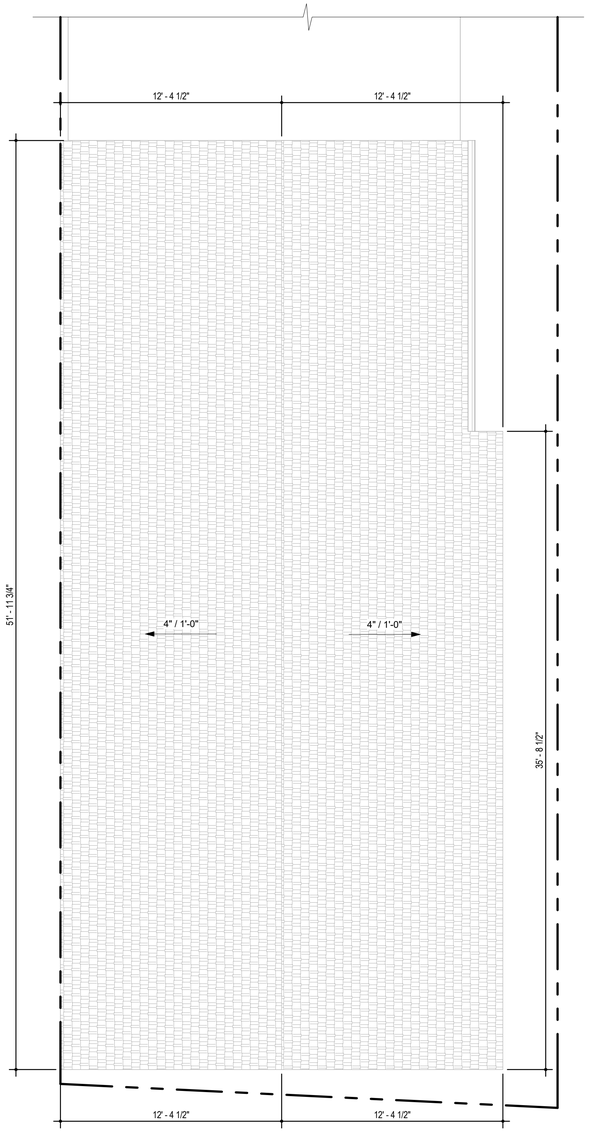
Window No.	Type Mark	Width	Height	Sill Height	Material	Comments
NEW LEVEL 2						
201	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
205	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
202	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
203	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
208	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
212	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	



NORTH

1 A300 **LEVEL 2 - PROPOSED PLAN**

SCALE: 1/4" = 1'-0"



NORTH

2 A300 **ROOF - PROPOSED PLAN**

SCALE: 1/4" = 1'-0"

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RIVERSIDE RENOVATION

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Revisions

Number	Date	Description
1	2025-04-21	Issued For Heritage Permit

Drawn
K DUPUIS

Checked
B SMITH

Approved
B SMITH

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Construction
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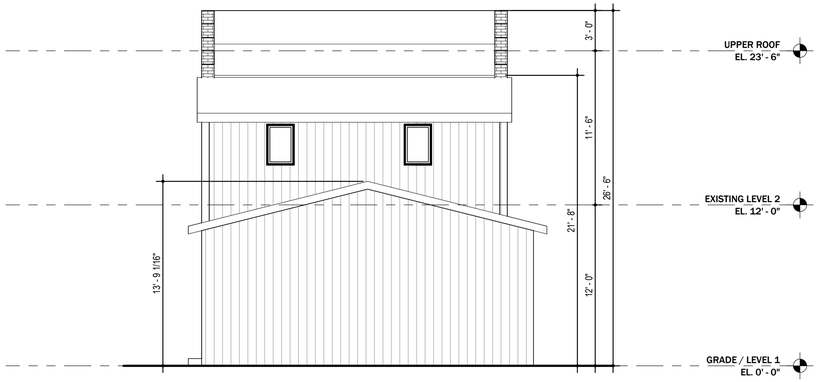
Job Number
21-040

Drawing Title
PROPOSED PLANS

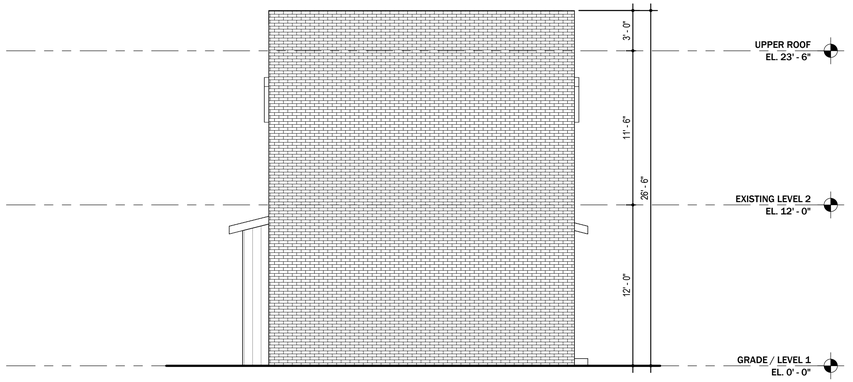
Sheet Number
A252

2025-06-12 10:24:56 AM | PROJ. NO 21-040



2 EXISTING - SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



3 EXISTING - NORTH ELEVATION

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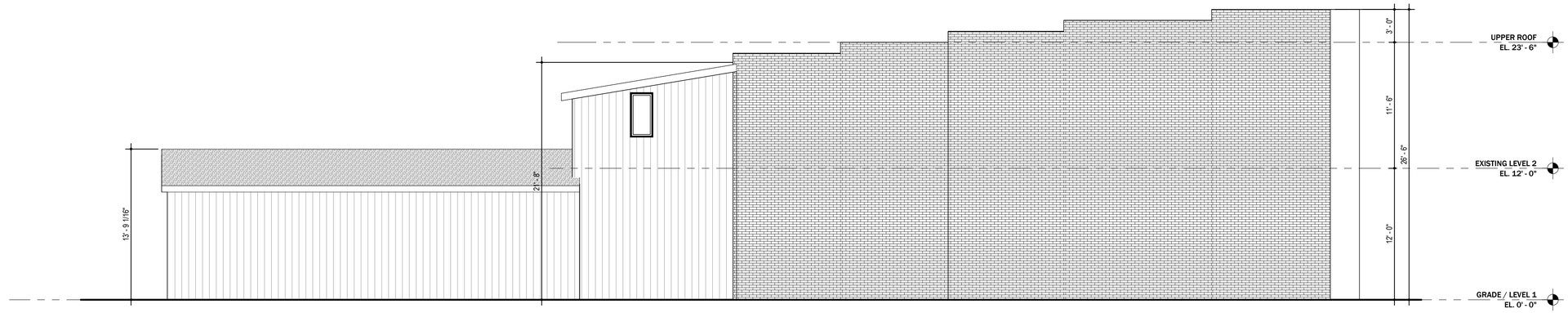

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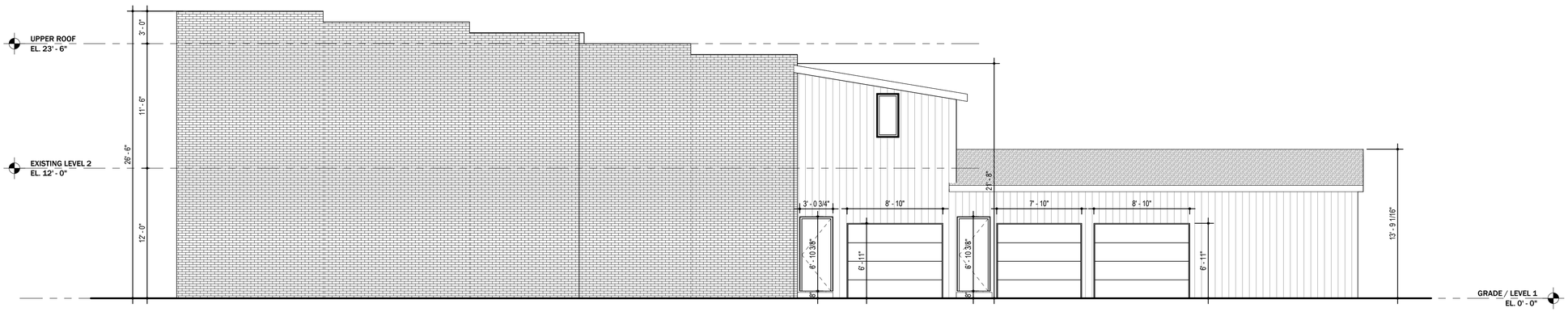

1 EXISTING - WEST ELEVATION

SCALE: 3/16" = 1'-0"

FELIX CULPA

2534 Seminole St.
Windsor, Ontario N8Y 1X4
(519) 890-5773
www.felixculpaarchitecture.com

RIVERSIDE RENOVATION

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Job Number
21-040

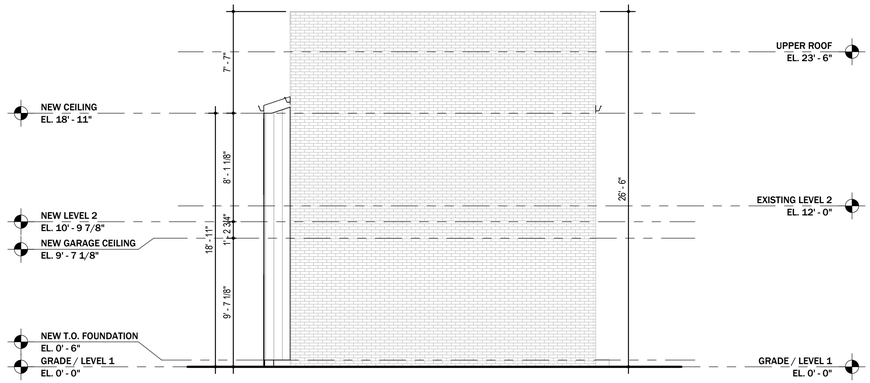
Drawing Title
EXISTING ELEVATIONS

Sheet Number
A300

2025-06-12 10:25:01 AM | PROJ. NO 21-040

4 PROPOSED - SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



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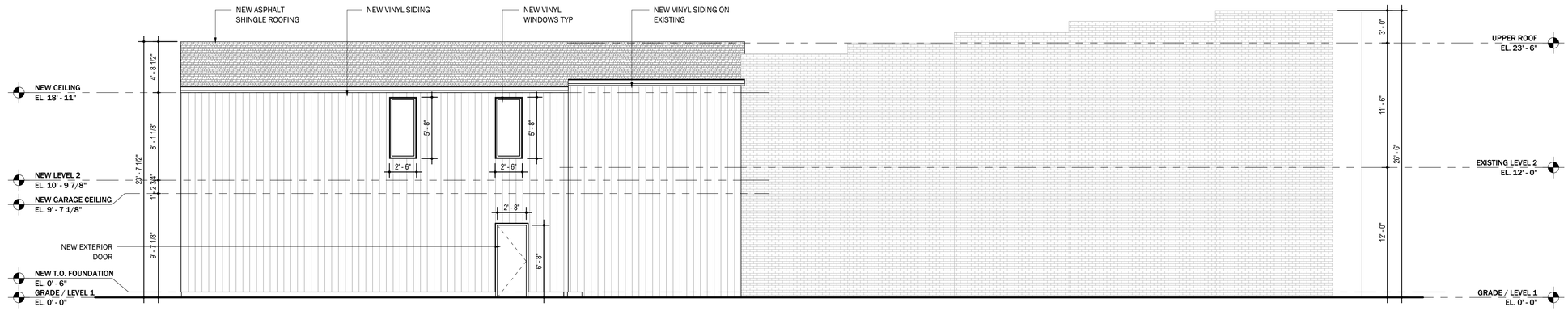

1 PROPOSED - EAST ELEVATION

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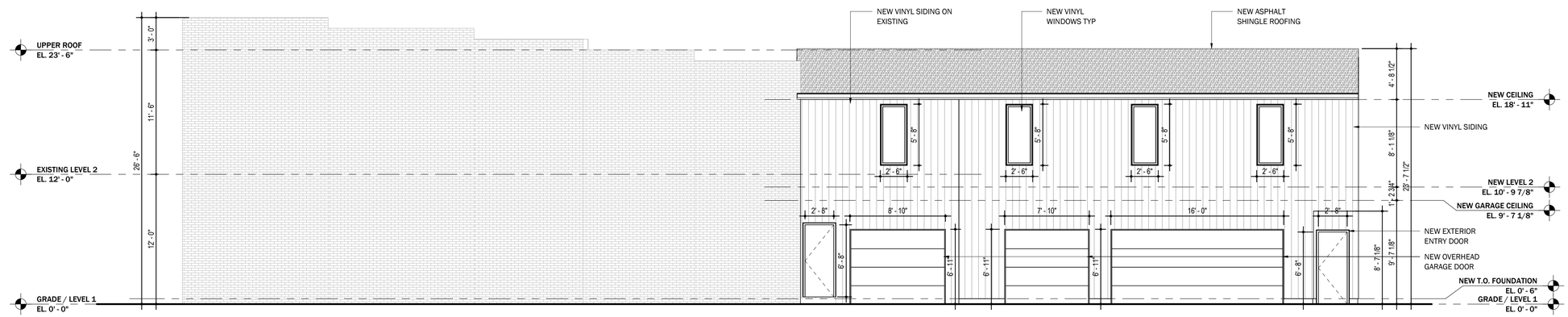

2 PROPOSED - WEST ELEVATION

SCALE: 3/16" = 1'-0"

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K DUPUIS

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B SMITH

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21-040

Drawing Title
PROPOSED ELEVATIONS

Sheet Number
A350

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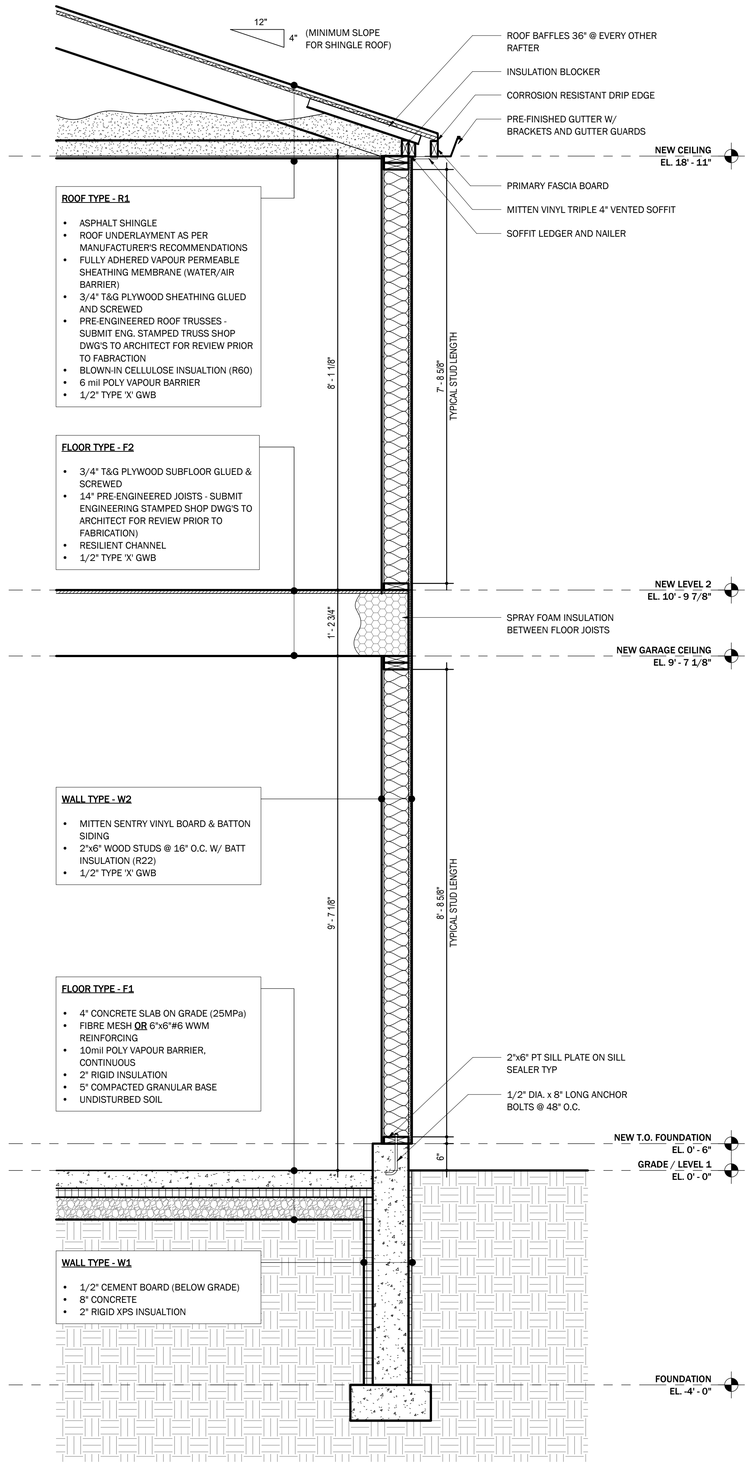

1 A250 **TYPICAL WALL SECTION**

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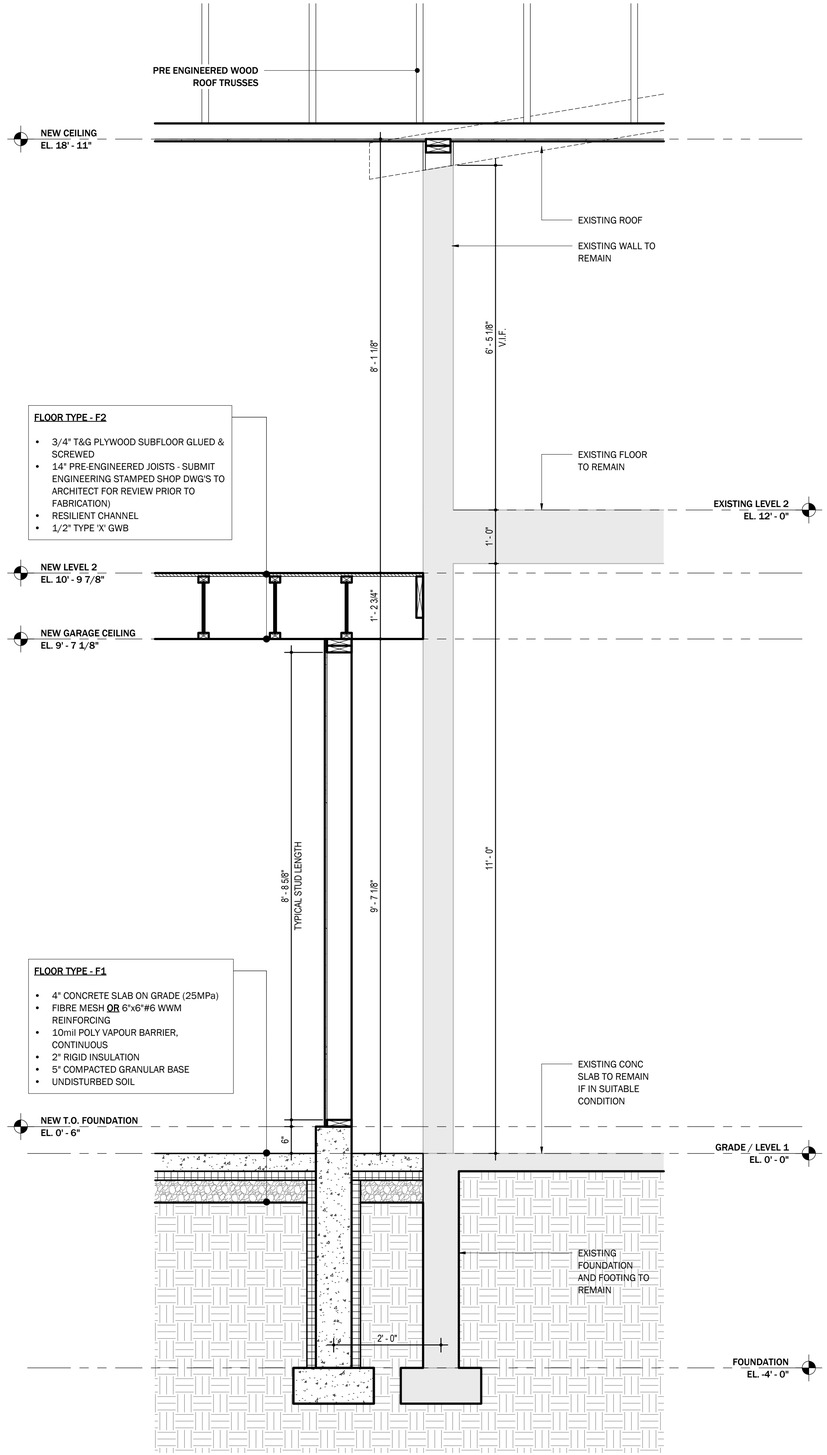

2 A250 **WALL SECTION @ EXISTING & NEW TRANSITION**

SCALE: 3/4" = 1'-0"

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RIVERSIDE RENOVATION

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21-040

Drawing Title
SECTIONS

Sheet Number
A500

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June 12, 2025

Heritage Committee – City of Windsor
Heritage Permit Application – Design Rationale

PROJECT #: 24-040
PROJECT: Riverside Dr E – Garage Renovation
711 Riverside Dr E.
Windsor, ON

Dear Members of the Heritage Committee,

Thank you for taking the time to review our submission for a heritage permit related to the proposed work 711 Riverside Dr E. We appreciate the opportunity to collaborate in preserving and enhancing the character of this important property. Below, we would like to provide additional context to explain the rationale behind key design decisions and why some alternative suggestions may not be viable.

Roof Design

We understand the importance of compatibility with the heritage character of the original structure, and have approached the new addition with care and consideration. A flat roof, while low in profile, is not suitable due to cost constraints and long-term drainage concerns. A single-slope (shed) roof was also explored, but it does not comply with Ontario Building Code (OBC) requirements for ceiling heights while matching the existing parapet height, nor does it resolve drainage adequately.

Instead, we are proposing a gable roof with a 4:12 pitch—the minimum acceptable slope for asphalt shingles. This solution offers multiple benefits: it is cost-effective, feasible for the builder to construct, and facilitates better drainage, particularly when integrating with the existing flat roof. The proposed roof height is driven by standard stud lengths, ensuring an efficient construction process. Given that the original heritage structure already features stepped parapets, an additional step down to the garage roof does not feel out of place and maintains architectural rhythm. Furthermore, the existing garage currently has a gable roof, and our proposal could be seen as an evolution or “raising” of that form to meet current functional and aesthetic needs.

Material Selection: Brick vs. Siding

We explored several options for exterior cladding in an effort to respect the original brick building while ensuring constructability and durability. We consulted with contractors, including Lester Group, about retaining or restoring the existing brick. Unfortunately, we were advised that the original brick, being soft and of its era, is not viable for long-term repointing. Complete brick replacement was also discussed but deemed unfeasible due to both budget limitations and extended construction timelines—potentially stretching up to a year.

While we did consider a brick “skirt” for the new garage, this solution posed aesthetic and technical challenges. Given the layout, brick would be visually broken up by garage doors and entryways, and will be screened by fencing on the side elevations, diminishing its effectiveness. It would also create inconsistencies in wall flushness with the retained garage portion (currently sided), and necessitate a larger foundation footprint—adding both cost and complexity without meaningful benefit.

After ruling out stucco and other cladding options that would not suit the context or quality desired—we opted for a modern vinyl siding solution. This material is within budget, can be installed efficiently, and allows for a clean, contemporary look. Importantly, our selected muted colour palette is designed to complement rather than compete with the original heritage brick, tying into the black metal accents already present. The new garage doors are also carefully chosen in a tone that

reflects the grey steel elements on the existing structure, helping to visually break up the massing along the sidewalk and provide continuity across the property.

Windows

The new windows are proportioned and patterned to echo the original building, using uniform sizing and a consistent rhythm that references the heritage structure. While their vertical alignment does not match existing window openings, this is due to the height constraints of the new garage roof. It is also worth noting that the original windows on the heritage portion do not align in elevation either, which supports a more flexible approach. Our intention is to maintain a visual consistency in scale and proportion to the original structure.

Building Products

We have carefully selected building materials and products that complement the original structure while maintaining budgetary and construction feasibility. All products are listed below:

- **Windows:** Match the existing front section of the building in both size and aesthetic. They feature black exterior trim and white interior finish. Proposed new windows are 30" x 68" to reflect the width of the most relevant original windows, ensuring visual continuity. Sourced through Tamar Building Products.
- **Steel Entry Doors:** Selected without glazing to minimize visual clutter and maintain simplicity. They feature black exteriors and trim, with white interior finishes, matching the style and palette of the original building. Sourced through Tamar Building Products.
- **Vinyl Siding:** We have selected a board and batten profile in Gun Metal Grey from the *West Ridge Luxury Vinyl Siding* line, available through Tamar Building Products.
- **Garage Doors:** Standard metal garage doors in grey, painted or prefinished to coordinate with corrugated metal on existing structure.

We hope this additional explanation provides a clear understanding of our approach. We have prioritized thoughtful, historically sensitive design while balancing the realities of construction, cost, and building code requirements. We welcome any further dialogue and thank the committee again for their time and dedication to preserving our built heritage.

Sincerely,

Brad Smith, OAA AIA
Principal Architect / Owner
Felix Culpa Architecture and Development

Construction Specific Details for Demo and Rebuild

Phase 1: Demo and cement

- Have current drawings updated by a BCIN architect for submission for permit by you. Your cost.
- Apply for demolition permit, hording permit and addition permit. All work to be inspected.
- Demolish 3 exterior walls, floor, fence of current garage 2 located at very back of Property according to blue print provided as well as floor of garage 1. Remove cement flooring and excavate 4' down for footings and one point load. All Demo to be removed and disposed of. Dig ditch along back of garage to middle of existing house for supplies and drain.
  (garage 1 must stay in place with living space above it being occupied)
- Install 120' hording walls for work and public seperation and safety/security as well as 38'scaffolding across public right of way sidewalk during phase 2 until completion.
- Temporary blocking of public right away sidewalk required for duration of phase 1 of the build.
- Pour footings and walls plus one point load. Install drainage and one sump pump pit with two low drainage points in middle of each bay floor leading to the sump pit.
- Sand backfill and compact area for new cement floor to be poured in both garage 1 and 2.

Phase 2: Framing

- Frame out all exterior walls with garage doors, man doors and windows. 2X6 construction with center steel beam running north to south with one center point load, second story has 128 ft. linear of interior walls. One stairwell to build. Roof to be made of trusses.
- relocation of main electrical wire to run to the new south/east corner of the second floor with new panel box, main shut off box, new wire to run to old panel.
- Frame out interior walls including Reno area of existing living space as per drawing.
- Interior doors x9

Phase 3: Roofing and Exterior Cladding

- Roof the building roughly 4:12 pitch with regular asphalt shingle, 2 whirly bird and 3 vent.
- Black flashing and vinyl soffit, 2 down spout with gutter guard.
- house wrap and vinyl siding board and batten look for exterior cladding all sides gun metal grey.

Phase 4: Windows and doors

- Two non-insulated garage doors to install with automated open/close.
- 7 windows to install.
- 1 exterior door.

Comparison Demo Rebuild Versus Attempt to Repair Existing

Description	Cost	Comment
Demo, Rebuild	$174, 000	Includes adding upper level for storage, potential future state for additional living space upr unit
Repair, Underpin	$243, 500 **PLUS**	need an engineer who charges roughly 3,500 to do drawing for under pinning. The process is excessive as you can only excavate and pour cement 4' every two weeks. Cost of that would be about $2,000 per linear ft. You have 120 Linear feet. That's $243,500 just for footings.

**above information supplied from Contractor, Paul Smith - Owner of Spruce it Up! Renovations Inc

October 14, 2021

Mr. John Krizan
711 Riverside Drive East
Windsor, Ontario
N9A 2T2

Attention: Mr. John Krizan

RE: CONDITION REVIEW
711 RIVERSIDE DRIVE EAST
WINDSOR, ONTARIO
Our Project No. 21-a165

Dear Mr. Krizan

Further to your request, our office undertook a condition assessment for the above noted address. This condition assessment was visual in nature and limited to those items which could be identified via visual means. In addition to this review, we have undertaken an initial assessment of the structure for the proposed upgrades you have considered for the property. The following will outline our observations and recommendations.

Overview

The existing building is a timber and masonry construction, two storey residential/commercial occupancy comprising of varying years of construction. The oldest of these elements is what we will be deemed the center portion which is located between the front brick section and the white sided area. While each of these elements is considered to be of some heritage note this "center portion" identifiable by a control joint (vertical joint) is identifiable by a different bridge material and general patterning. To the north of this portion appears to be a later addition also two storeys in size with what appears to be an original front commercial style entryway, albeit that its current function is fully residential. The rear portion which is covered in siding is also partly masonry construction, however, it appears to have experienced some level of failure with the roof and top portion of the wall being replaced by newer construction.

Historical Information

Based on some investigation, we have been unable to identify the exact age of the structure, however a 1958 Windsor Daily Star article does note that the Owner of the building at the time anticipated it to be at least 150 years old as of that article, placing it as early 1800s construction. The article further clarifies the building is Windsor's "first two-storey brick commercial building" making it unique in this region and noting the building existing prior to the street when only serviced by "an Indian path". This article also confirms the present "center portion" of the building is the oldest with a "60-foot depth" addition being added later. While the historic use of the building has varied over time, in 1908 the building became Windsor's first vulcanizing shop and the location of the City's third gas pump.

As previously noted in terms of age of the building, there is no current record to truly identify this but the modifications can be somewhat defined as far back as 1894 (refer to attached fire Insurance maps). Note that between 1894 to 1937 various extensions took place extending the current building to the south, and then by 1952 the building retains for the most part its current general outline, with the rear noting designation as an auto repair shop.

Note that the two-storey wide sided section visibly present in the 1958 article clearly shows this area as an exterior second floor patio/porch space with some form of port under it. The general exterior appearance of the building north of this location remains for the most part unchanged since that date.

Likely the reasoning behind the less emphasized east face shows the presence of a building of a single storey structure affixed to this side which remained in place until prior to 1952. Specific to the building as it exists today, we believe the center portion is the oldest and is denoted on the attached fire maps with a defining line suggesting that the northerly portion was added pre-1894. The two-storey white sided portion of the building appears to have been constructed between 1924 and 1937 along with the existing single-storey garage which replaced a separate garage structure present in 1924.

It is important to remember that the focus of the City through the heritage repairs will be to try and return the building to one of the previously historical conditions of the structure as much as possible.

Site Review

As noted above, our site review was visual in nature and some physical testing will be required to fully quantify the structural capacity of the system as part of future works. Such testing can take place just prior to or concurrent with any planned works.

Approval Process

As discussed on site, any functional change to the building will likely trigger the Site Plan Control Process through the City of Windsor. Any work performed on this site will also mandate a Heritage Building Permit through the City of Windsor given this building is listed as a Heritage Building on their registry.

In accordance with records pulled, this building was added to the City's registry in 2002, noted as Built Heritage functioning as a Commercial Building.

Overview of Client's Direction

As discussed on site, the focus of your proposed work is to define a plan to restore the existing building while also defining key upgrades. The following items were considered in our initial review:

1. Provide a roof top deck area for use.
2. Clad the second-floor level of the building in metal siding.

Observations

The following observations were made during our site visit(s).

Exterior

- The portion of the exterior façade above the second-floor level on the west face has been covered at some point in history with a Cementous parging.
- Various locations require repointing to maintain integrity of the building.
- Various former openings have been deleted or reduced in size with clear presence of previous lintels.
- The stone sills at the front windows and second floor windows appear to be original given the level of weathering present.
- Windows on the second-floor level along the west and north sides have a clearly defined arch with ornate sculptured stone as the center key in the north phase of the building's history. This detailing is absent from the current east elevation in the same zone.
- All windows have been replaced with noted brick work being performed adjacent to them. This brick work is irregular and does not appear to comply with good heritage practices.
- Various cracking in the mortar joints was noted along the north and east face but nothing of excessive concern unless noted otherwise in this document.
- The roof membrane is visible along the length of the east, north and west walls which suggests long term exposure of the wall in the absence of proper capping.
- The "original" center section has various locations on the east face of previous repairs which fail to indicate prior detailing to ensure longevity of the structure.
- The "original" center section has signs of lack of a plain condition on the east wall suggesting long term movement of the wall.
- Presence of cracking and lack of vertical plumbness of the north, east and west parapet sections suggest remedial work is needed.
- The front (north) elevation appears to still provide a straight defined line denoting the recessed opening with both sides being flanked form columns likely original to the construction. While no observed defect exists at these locations, it was noted that some movement is occurring at the northwest and northeast corner of this face along the second-floor level, identifiable via cracking. Further exploratory investigation is required at these locations.
- The rear garage and two-storey area did show signs of structural issues along the east face, a topic to be addressed under interior reviews.
- The second-floor stair case was not noted as having any identifiable decay, however, a structural review (analysis) has not been performed.
- Along the east face in the north portion of the building a new doorway has been introduced.

Interior

- Specific to the interior of the center and north sections, the finishes at the ground floor and second floor levels are present and thus no detailed review was possible; however, the original exterior wall of the center portion was observed through the first floor drop ceiling.
- The finishes in the front and center portions of the building were generally free of any indicator cracks or visible movement suggesting no current active events or shifting is notably occurring.
- A review of the roof through the attic access in the north section found charred wood from a previous fire. These joists are spanning from the west to the east walls and have moderate levels of fire related damage at the location of review.
- In the rear portion, specifically the two-storey space, the structure was covered with finishes but much like the other two sections there was no immediate overstress identifiers.
- In the garage portion (south end), it was noted that parts of the wall area brick are consistent with the other areas of the home/building, however, indications are that the roof and possibly a portion of the wall were removed at some point in history for unknown reasons. In the place of these removed elements, a knee wall made of wood has been placed on top of the remaining portion of the wall with no known mechanical connection to avoid hinging.
- Notable rot to the lower brick wall in the rear garage was also observed.
- Access to the basement found a rubble type footing which has been mortared together. There were no signs of shifting or decay.

Recommendations and Conclusions

The following recommendations are made based on our observations outlined above.

- All previous repairs made to the building inclusive of reinstatement of brick and mortar should be replaced immediately via prior heritage restoration techniques. Failure to address this promptly could result in further decay of the existing brick load carrying structure.
- The east wall of the center portion has extensive shifting beyond that of an acceptable level. It is recommended that this wall be dismantled and reconstructed plumb re-using existing brick thus a salvage process during the removal is critical.
- Given its heritage significance to the window detailing along the north portion and the need for the existing lime mortar to “breath” we strongly discourage any active attempt to cover it up with any form of siding. Such actions would only increase the rate of decay of the structure.
- The parging along the west wall should be removed with care to allow for a detailed review of the brick and mortar behind it.
- The rear sided area should be exposed at the two-storey area for consideration of maintaining it. However, the one-storey garage portion has experienced significant enough change and is no longer structurally viable that removal and replacement is a reasonable approach at this time.

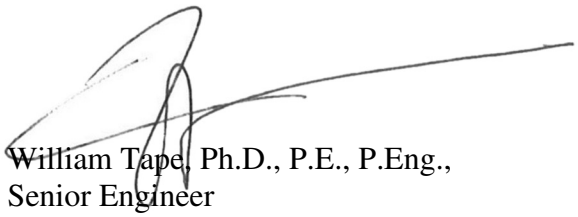
- The fire damaged wood should be replaced with new inclusive of new decking. This process should be considered to be part of a parapet reconstruction program. Given the heritage significance of the property, we would advise to maintain the existing parapet configuration and heights with all brick work being reinstated to the existing minimum two wythe thickness and the top capped with a material consistent with the heritage of the building.
- Specific to the owner's desire to have a roof top deck, based on our review this is a viable option and would work well in the previously parapet and joist replacement program. Safety railings per the OBC should be held back from the parapet as modification to the parapet wall to create the same is not advised.
- At this time the footing for the building could not be assessed for capacity specifically for the above noted addition of load, however, a detailed geotechnical investigation could yield information is this regard to determine if upgrades are warranted.

Closing

We trust that the above meets your needs at this time. Should you have any questions or require further information, please do not hesitate to contact our office.

Yours truly,

Haddad Morgan and Associates Ltd.



William Tape, Ph.D., P.E., P.Eng.,
Senior Engineer

of around $200,000.

It has no special place in the historical records of the city. No famous figures of the past have ever stopped there. It has never been other than an unpretentious pub serving the specialized needs of a great and growing community.

Another old landmark of Windsor's early years will soon disappear when the frame structure of the Horseshoe Hotel on Cataraqui St. is torn down to make way for a newer and more modern frontage. Stripped of the red brick veneer that was built around it almost 50 years ago, here is the old inn as it was in the horse and buggy days.

WINDSOR'S FIRST COMMERCIAL BRICK BUILDING, 711 RIVERSIDE DR. E.

City's 1st 2-Story?

WINDSOR DAILY STAR
SEP 22 1958

Store's a Real Old Brick

By TERRY O'CONNOR

Windsor's first two-story brick commercial building, at 711 Riverside Dr. E., built when the street was still an Indian path, has been everything from a funeral parlor to a Chinese laundry in the course of growing old and a little historic.

R. H. Marentette, owner of the building since 1908, can't recall the year it was built, but says it is "at least 150 years old."

Originally it was a 20 by 24 foot general store, but when the "Indian path" was paved and became Sandwich St., an addition was made to extend the store to the streetline and give it a 60-foot depth. The mortar line, separating the old and new sections, is still clearly visible.

The laundry and funeral parlor are just two of the tenants who have come and gone over the years. There are other names that would bring back memories to Windsor's old-time residents: Parent's General Store, Bensette's Jewellery Store, Colby's Butcher Shop, Field's Barber Shop, Rundle's Liniment Co., and the Murray Brass Foundry all have had their day in the weatherbeaten fortress.

When Mr. Marentette took it over he turned it into the city's first vulcanizing shop and installed Windsor's third gas pump. He ran the business for 25 years and recalls selling gas for 10 cents and 35 cents a gallon from the same pump.

"This place was built before they ever thought of cement," Mr. Marentette said. The bricks in the 14-inch-thick walls were held together with a mixture of lime and sand, with solid white oak beams supporting the floors and ceiling.

Time and the elements have chipped and discolored most of the original brick, which now shows splotches of pink, brown, blue and white.

If it were human, the long, lean structure is at the stage where it could be described as gray-haired and ready for retirement. But far from "retiring," the building is undergoing a face-lifting, while housing its first commercial tenant in 20 years. Since Mr. Marentette gave up his gas station to work at Ford of Canada in 1937 both floors of the building have served as a rooming house.

There was a touch of irony connected with his purchase of the building. "When I was about 12 years old," he explained, "a chum and I used to hide behind that red barn over there and take shots with a sling-shot at whichever windows didn't happen to be broken. Guess who had to replace all those windows."

This week workmen are completing the job of replacing old mortar and window sills and removing projecting masonary. The first floor was renovated early this year, before the National Fumigating Co. moved in in April.

Mr. Marentette said that several times in the past he had decided to give up and offered the building for the token sale price of one dollar, but there were no takers. Now it appears that the "grand old man" of Windsor's two-story establishments is just getting his second wind.

MINISTRY OF CONSUMER AND BUSINESS SERVICES

Ontario

LAND REGISTRY OFFICE #12

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

01151-0186 (LT)

PREPARED FOR: [redacted]
ON2002/02/07 AT 16:34

* CERTIFIED BY LAND REGISTRAR IN ACCORDANCE WITH LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 37 S/S LOUIS AV PL 138 WINDSOR AS IN R959447 ; WINDSOR ; SUBJECT TO EXECUTION 96-01920, IF ENFORCEABLE. ;

PROPERTY REMARKS:

ESTATE/QUALIFIER	RECENTLY	PIN CREATION DATE	OWNERS' NAMES	CAPACITY	SHARE
FEE SIMPLE	RE-ENTRY	1999/06/25	[redacted] [redacted]	TCOM	PT 50%
LT CONVERSION QUALIFIED	FROM 01151-0302			TCOM	PT 50%

REG.NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD	FILM	FUTURE OFFICE USE
** EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1996/01/08 ON THIS PIN **								
** WAS REPLACED WITH THE "PIN CREATION DATE" OF 1999/06/25 **								
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **								
** SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO: **								
** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES **								
** AND ESCHEATS OR FORFEITURE TO THE CROWN. **								
** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF **								
** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY **								
** CONVENTION. **								
** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES. **								
** DATE OF CONVERSION TO LAND TITLES: 1999/06/28 **								
LT258167	1999/10/14	TRANSFER	$ 1	[redacted]	[redacted]	C		

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

Pg 24

REGISTRATION NUMBER	INSTRUMENT	REGISTRATION DATE DAY MONTH YEAR	GRANTOR	GRANTEE	CONSIDERATION ETC	LAND AND REMARKS
8232						
8233						
26613						
28055						
29194						
29196						
27013						
8607						

16E	18660	Grant	3 April 1921	18 April 1921	Romeo H & Beatrice E Marcotte	Dominion Textile Syndicate (Nfld) Ltd	$645.00	Lot 15 Sq
	18714	Q Cd	3 April 1921	18 April 1921	Wilfrid D Loach	Romeo H Marcotte	$10.00	do
	18815	Grant	18 July 1921	18 April 1922	Wm D Hussey TW	Romeo H Marcotte	$850.00	do
	18833	Grant	11 April 1921	21 April 1921	[illegible]	[illegible]	[illegible]	[illegible]
25E	31764	Grant	1 Nov 1928	7 July 1929	Romeo H & Beatrice Marcotte	Dominion Textile Syndicate	$200.00	Lot 15 Sq
25E	31940	Q Cd	1 Feb 1929	11 Oct 1929	Dominion Textile Syndicate	Romeo H & Beatrice Marcotte	$10.00	Lot 15 Sq
	50206	Q Cd	30 Sept 1937	30 Sept 1937	Joseph Harrell (Admr)	Helen M Chesley	$10.00	Lot 15 Sq
13E	85763	QCD	8 Nov 1934	18 Sept 1950	Edith Byrne	Mary Kane	$1.00	Common & Land 727
		38' 4" from N W Corner of Lot		South 41 1/2'	West	11' 1"	South	67' East & 51 Conn Lots N to Lane
	85764	QCD	30 Nov 1949	18 Sept 1950	Stella Poulsen	Philip E & Mildred M Kane	$1.00	Same as 85763

City of Windsor · Lot No. 97 · According to Plan No. 128

PLANET BOOKMAKING HOUSE, CHATHAM, ONT.

NUMBER OF INSTRUMENT	INSTRUMENT	IT'S DATE	Date of Registry	GRANTOR	GRANTEE	Quality of Land	Consideration or Amount of Mortgage	REMARKS
217717	Grant	12 Jan 1960	12 Apr 1960	Romeo H. Mariantette	Joseph Jerry Parent		$13,000	Mtge 217718
217718	Mtge	12 Jan 1960	12 Apr 1960	Joseph Jerry Parent	Romeo Henry Mariantette			Discharged by No. 484450
217859	Q.C.D.	20 Dec 1959	14 Apr 1960	Dominion Textile Ltd.	Romeo Henry Mariantette		$1	Pcl 37 Sec
217860	Deposit							
288883	Certificate	7 Jan 1963		CONSENT OF TREASURER OF ONTARIO RE	James Ferrier, Executor			Pcl 4437
307818	Certificate	7 Jan 1963		Estate of Romeo	Mariantette			do 4001
491949	Mtge	11 Nov 1965	25 Jan 1966	Joseph Jerry Parent	The Provincial Bank of Canada		$6,000	Pcl 4437
484450	Discharge			DISCHARGED BY NO. 554709	25 FEB 1982			Sly 4.9"; Sly 20 1/2" = Pcl 4436 Sly 4.9"; Sly 20 1/2" = Pcl 4437
554709	Mortgage	22 Feb 1972	25 Feb 1972	Joseph Jerry Parent	Joseph Jerry Parent			Mortgage 217718
556865	Agmt	19 Jan 1973	25 Feb 1982	Certified copy of Seal Petition No. 4 & 5 Subdivision Agmt records				Pcl 4436
297527	Agmt	16 Feb 1973	5 Jan 1973	The Provincial Bank of Canada	Joseph Jerry Parent			Mtge 217718 Mod 554709
659787	Mortgage	26 Nov 1976	7 Feb 1977	Alex Rosenbaum & Vera Rosenbaum	Silver Holdings Inc.		$100	aol
663033	Agmt	8 Nov 1976	16 Dec 1976	Joseph Jerry Parent (Estate) (Pt 3rd pl)	DISCHARGED BY NO. 663033			Pcl 4436
683893	Mtge	1 Dec 1976	16 Dec 1976	Caisse Populaire Windsor Limitee	DISCHARGED BY NO. 954446			Pcl 4436
683894	Deed	1 Dec 1976	16 Dec 1976	Richard J. Tritagnesi, married	7 FEB 1982		$ 7,000	Mtge 743472
684210	Mtge	6 Dec 1976	16 Dec 1976	Kim 20 Corporation	Richard J. Tritagnesi		$ 40,000	Cert. To uses.
				Joseph Jerry Parent's wife (Estate of Joseph)	CENTRAL MORTGAGE AND HOUSING CORPORATION 24 02 86			Mtge
					DISCHARGED BY NO. 963859			
743469	Deed	8 May 1978	29 May 1978	Richard J. L. Ristagnesi (h. spouse)	The Corporation of the City of Windsor		$25,000.00	Pcl 4437
745882	Def. Mtge	24 May 1978	14 Jun 1978	Kim W. System	Richard J. L. Ristagnesi			Mtge 683893
					25 FEB 1982			

CONT. TO PAGE 24-2

LOT 37 PLAN 138

PAGE NO.

WINDSOR

DAY MONTH YEAR

REGISTRATION NUMBER	INSTRUMENT	DATE OF INSTRUMENT	REGISTRATION DATE	GRANTOR	GRANTEE	CONSIDERATION ETC	LAND AND REMARKS
867545	Deposit		26 11 82				WWpt Lt 37 as in #217717.
867566	Grant		26 11 82	Estate of Joseph Jerry Parent	PARENT Cecile	$ 1.00	part Lt 37.
959447	Grant		02 01 86	PARENT Cecile	DESMECHAUX Patricia DESMECHAUX Jacques ET	$ 53000.00	Part

MICROFILMED FEB - 1 1994

MICROFILMED AUG 8 1980

10379

76 2447

ENTER ADDR: _____ OR ROLL #: 3 06(0) 025(00) 000(0)
P.A.: 00711 RIVERSIDE E RP: CP:
MAP 3 SUB 06 0 PARCEL 025 00 TENANT 000 0 RS: 69,550 CS:
PROP DESC: PLAN 138 W PT LOT 37 ENCROACHMENT FLAG: YES SPC APPLIC: NO
& 120 LOUIS CORNER FIRE ROUTE B/L: NONE REZONE APPLIC: YE
3472.00SF 38.33FR MICROFILM RECORD: YES ACTIVE FILE:
F: 38.33 D: 00 A: 3472.00 48 ASSESSMENT ROLL NUMBER: 030621
OWNER NAME: [redacted] USE: PEST CONTROL CO. ON W.PT.LT. 37,
& : 1 DWELLING UNIT/GARAGE
MAILING : 120 LOUIS AVE
ADDRESS : WINDSOR ON N9A 1V9 COUNCIL RESOLUTIONS: 828/87, 503/94

ZONE: GD1.1 SEWERS AVAILABLE:
SPECIAL SECTION: 20(1)114,21(6),21(8B) IN FLOOD AREA :
OUTSTANDING PERMITS: NONE
ORDERS TO COMPLY: NONE
BY LAW: 8600 SITE PLAN CONTROL B/L: 6326 INSPECTORS: B = 22, H = 27, P = 21
ZONE AMEND: B/L 5424,B/L 9068 COMMENT: DEMOLITION CONTROL(B/L 11806)
ZONING MAP #: 4B ON HERITAGE INVENTORY
COMM OF ADJUST: A 231/86,A 232/86,404/57 NOTES:

PREV ZONE: R3.42
PREV SECTION: XMIT UPDATE ( )

711 Riverside (then Sandwich S) pre '37 - 701-703 Sandwich (Outdoor Habitat Building).

#35

[redacted]

01151-0186

RUSD

1870 -

assessment says:

2 Sty & Part Bsmt

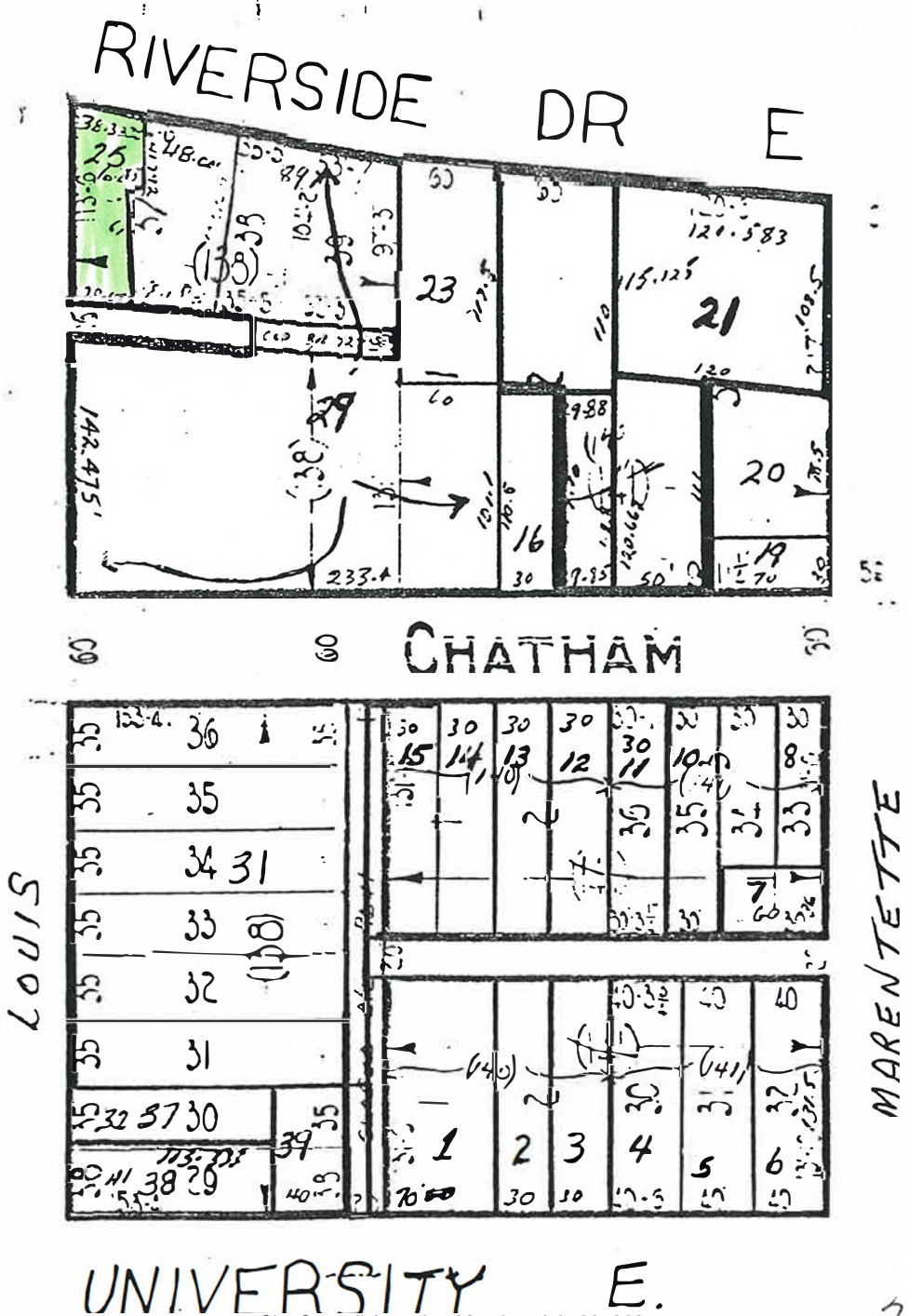
CITY OF WINDSOR BUILDING PERMITS

PROP ADDR: 00711 RIVERSIDE E M 3 S 06 0 P 025 00 T 000 0

PROP DESC: PLAN 138 W PT LOT 37 & 120 LOUIS CORNER

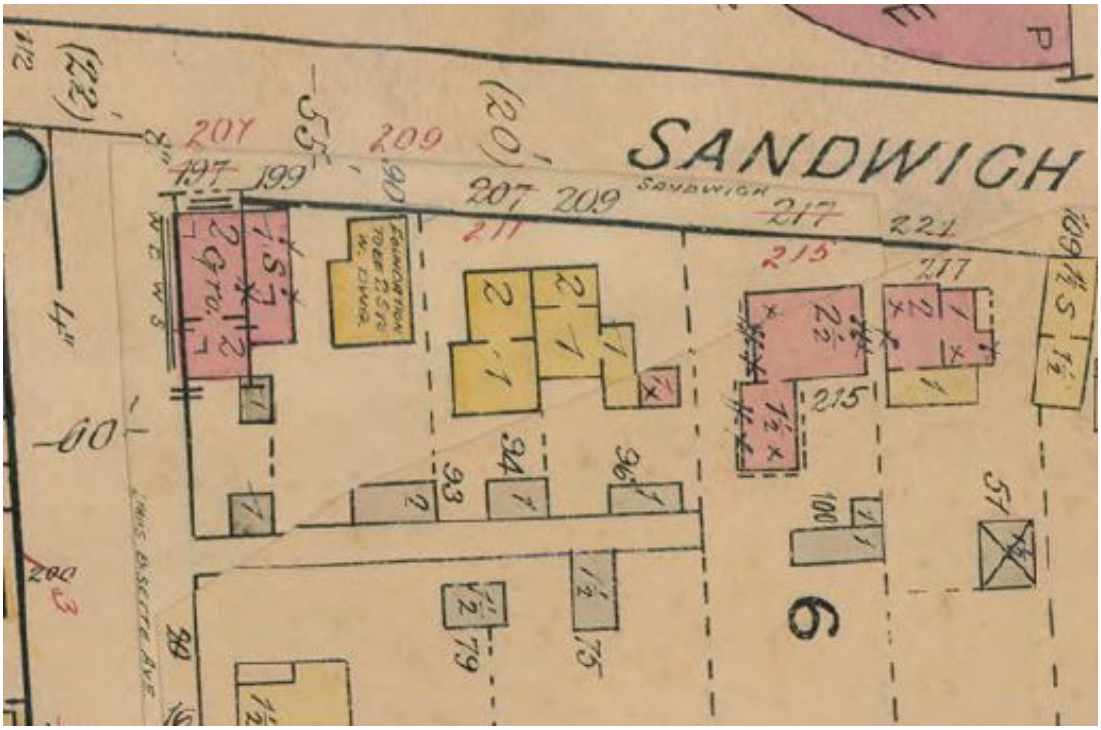
DATE ISSUED	PERMIT TYPE	PERMIT NUMBER	DESCRIPTION	DATE COMPLETE
OCT 04/91	HEATING	059605	INSTALL HEATING/COOLING IN OFFICE AREA	APR 30/9
NOV 05/76	PLUMBING	85689	INSTALL 7 FIXTURES	APR 24/7
OCT 26/76	BUILDING	85485	REPAIR DEFECTS PER NOV 6/74 MSH ORDER	JAN 21/7
SEP 09/58	BUILDING	B9683	BUILT UP WALL	DEC 03/5

( )



3-6-25

711 Riverside Drive East – Fire Insurance Maps



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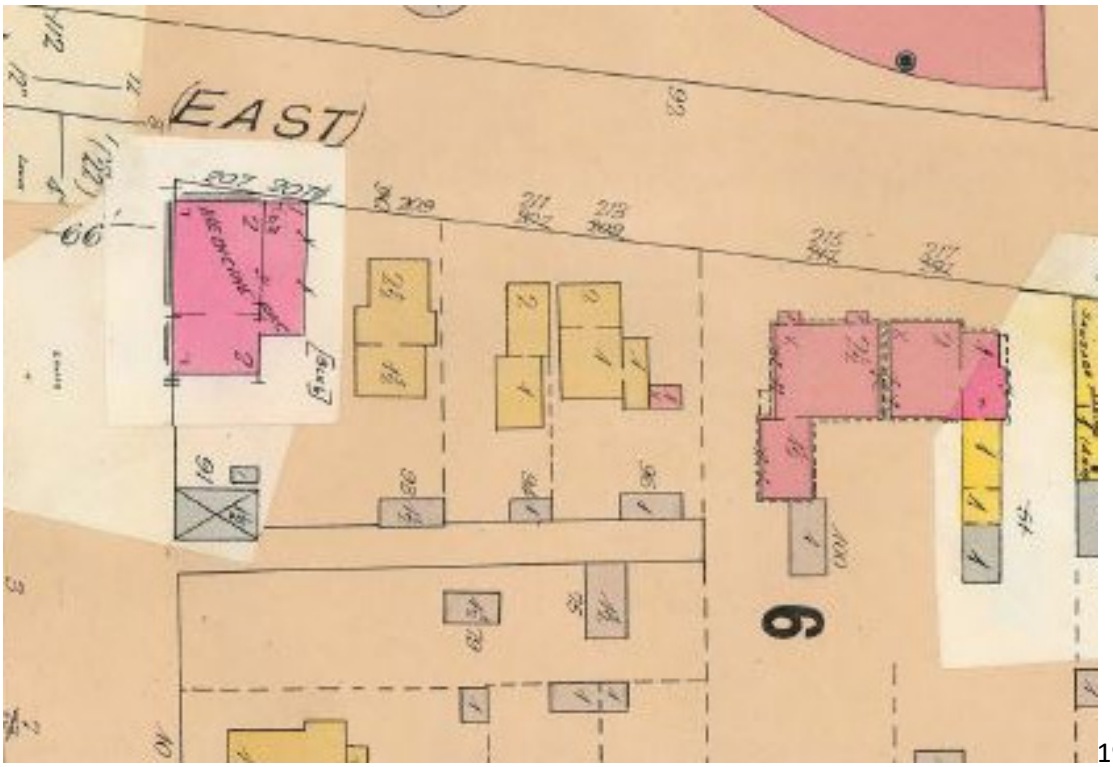

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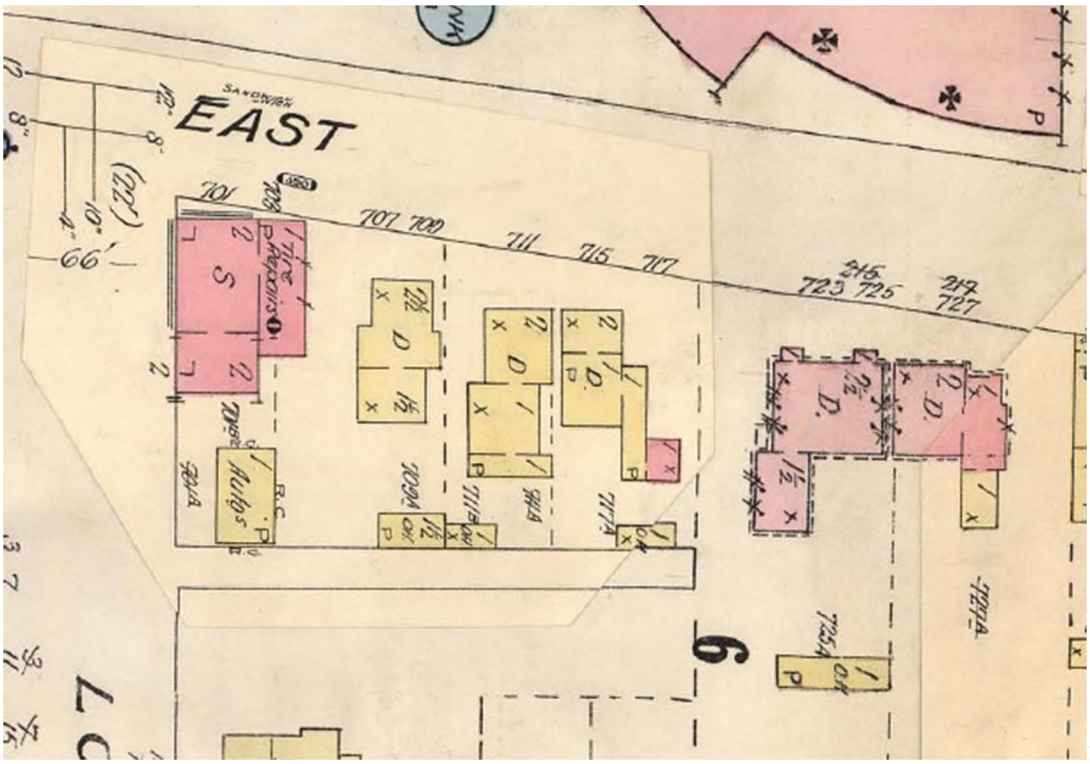
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Auto's
Tire Repairs
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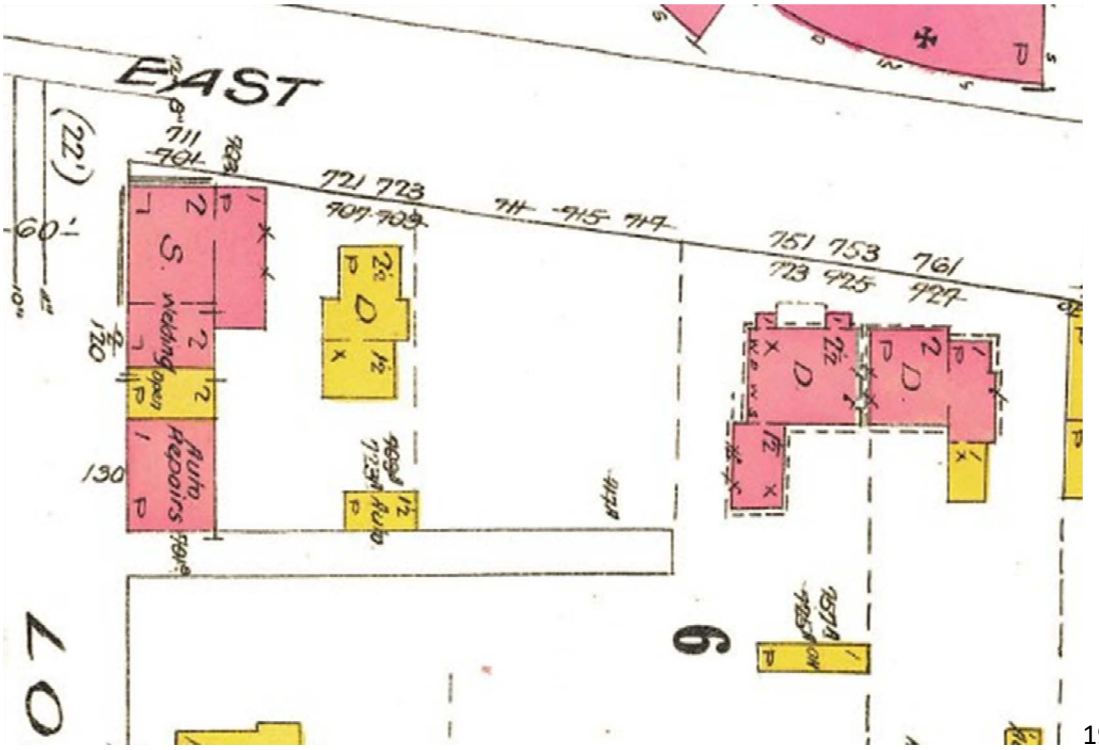
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Welding
Auto Repairs
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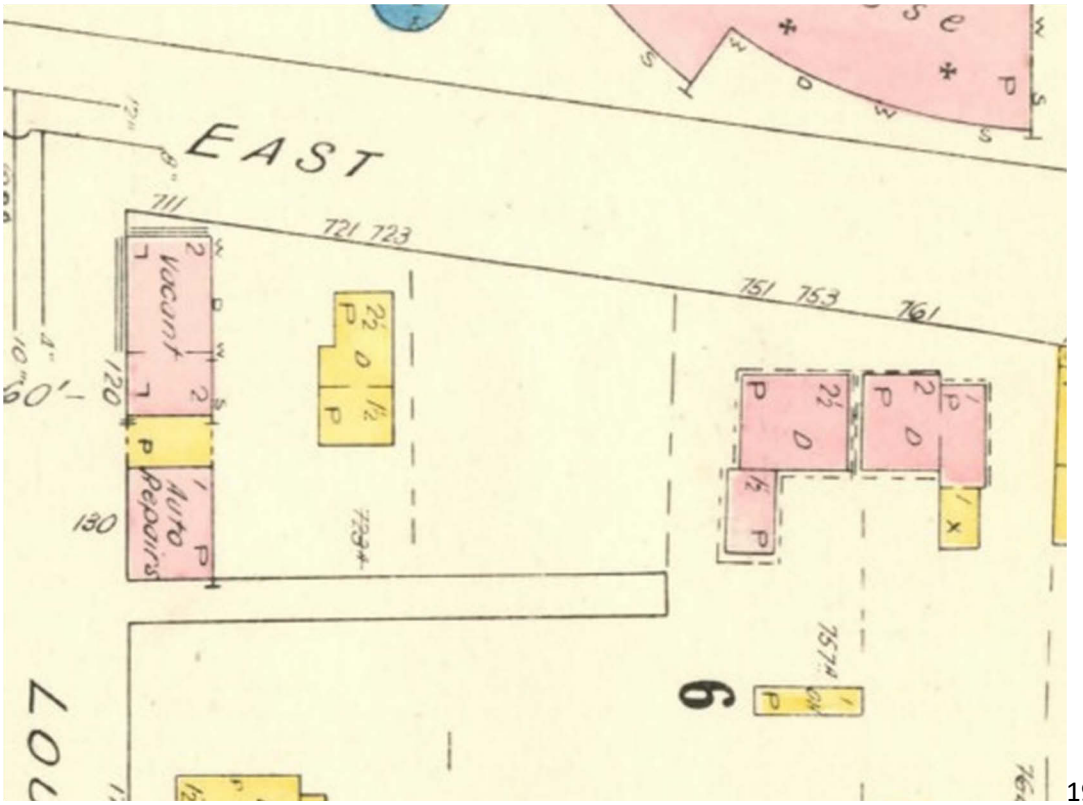
1937



1952

Appendix B – Additional Photos of 711 Riverside Drive East

Front (north-facing) façade of the commercial building, as seen from Riverside Drive East (taken by City Staff on April 9, 2025)

Side (west-facing) façade of the commercial building, as seen from Louis Avenue (taken by City Staff on April 9, 2025)

View of the side (east-facing) façade of the commercial building (taken by City Staff on April 9, 2025)

Detailed photographs of the side (west-facing) façade of the commercial building, as seen up-close from the sidewalk on Louis Avenue (taken by City Staff on June 6, 2025)

Views of the rear (south-side) of the commercial building (taken by City Staff on June 6, 2025)

View of the rear two-storey vinyl-clad addition with a sloped shed roof on the commercial building (taken by City Staff on June 6, 2025)

Item No. 8.8

Committee Matters: SCM 219/2025

Subject: Rezoning – 3880 Matchett Road - Z-007/25 ZNG/7292 - Ward 2

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 746**

1. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

3. WEST SIDE OF MATCHETT ROAD, NORTH OF CHAPPELL AVENUE

For the land comprising PLAN 656 LOT 53 N PT LOT 54 (PIN 01259-0411), the following additional provisions shall apply:

a) *Gross Floor Area*: *maximum* 480 m^2

b) *Gross Floor Area* of more than 480 m^2 is prohibited

c) Notwithstanding Section 11.1.5.5 and Section 5.65.1, the *maximum front yard* depth shall be 6.0 m.

(ZDM 4; ZNG/7292); and,

2. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 656 LOT 53 N PT LOT 54, (PIN 01259-0411), situated on the west side of Matchett Road, north of Chappell Avenue (3880 Matchett Road; Roll No. 050-480-04200) from RD1.2 to RD2.2x3.

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 75/2025
Clerk's File: Z/14570

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 7.1 from the Development & Heritage Standing Committee held on July 7, 2025.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Subject: Rezoning – 3880 Matchett Road - Z-007/25 ZNG/7292 - Ward 2

Reference:

Date to Council: July 7, 2025
Author: Adam Szymczak, MCIP, RPP
Senior Planner - Development
519-255-6543 x6250
aszymczak@citywindsor.ca
Planning & Building Services
Report Date: 5/20/2025
Clerk's File #: Z/14570

To: Mayor and Members of City Council

Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

   3. WEST SIDE OF MATCHETT ROAD, NORTH OF CHAPPELL AVENUE

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   (ZDM 4; ZNG/7292)

2. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 656 LOT 53 N PT LOT 54, (PIN 01259-0411), situated on the west side of Matchett Road, north of Chappell Avenue (3880 Matchett Road; Roll No. 050-480-04200) from RD1.2 to RD2.2x3.

Executive Summary:

N/A

Background:

Application Information

Location: 3880 Matchett Road (west side of Matchett Road, north of Chappell Avenue); PIN 01259-0411; Roll No. 050-480-04200

Ward: 2 **Planning District:** Sandwich **Zoning District Map**: 4

Applicant: Luigi Vozza **Owner:** Luigi Vozza

Agent: Pillon Abbs Inc. (Tracey Pillon-Abbs, RPP)

Proposal: Rezone from RD1.2 to 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^2 to 480 m^2 and proposes to demolish the existing dwelling and sever the semi-detached dwelling into two separate semi-detached dwelling units / lots.

Submissions: All documents are available **online** or **aszymczak@citywindsor.ca**.

Attached to Report S 75/2025 as an Appendix: Conceptual Plans (Appendix A), Revised Conceptual Site Plan (Appendix B)

Not attached to Report S 75/2025 but available **online**:

Application - Zoning By-law Amendment

Archaeological Assessment Stage 1-2 Report

Ontario Public Register of Archaeological Reports Confirmation

Planning Rationale Report (PRR) Revised

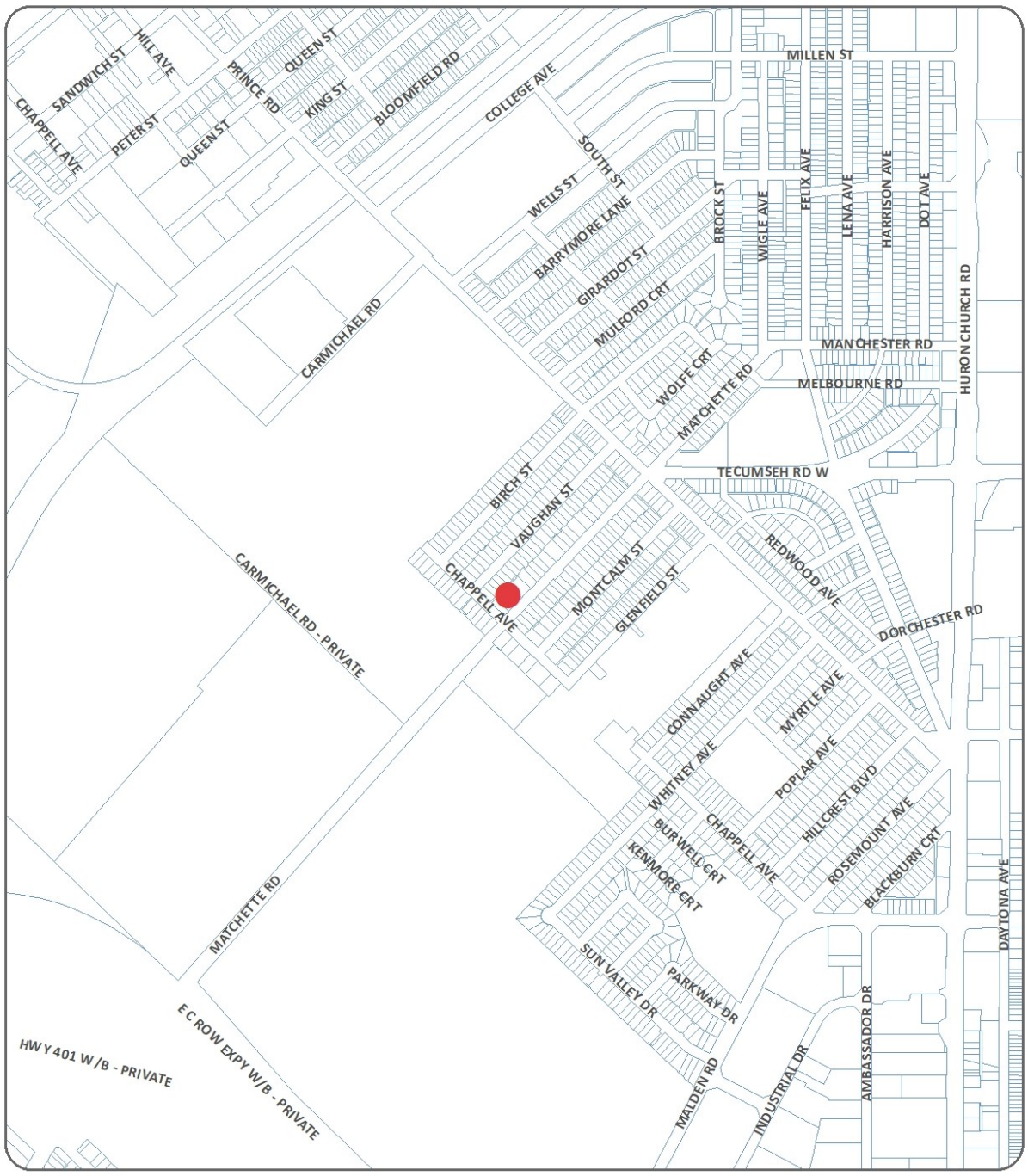
Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.2 (RD1.2)	Single Unit Dwelling	Unknown
LOT WIDTH	**LOT DEPTH**	**LOT AREA**	**LOT SHAPE**
15.8 m	36.3 m	574.8 m^2	Rectangular

Neighbourhood: Section 2.0 in the PRR provides an overview and photos of the site and the surrounding land uses. The area bounded by Birch Street, Prince Road, Glenfield Street and Chappell Avenue is a low profile small-scale residential area. Nearby parks include Mic Mac Park and Malden. Major institutional uses include the John McGivney Children's Centre and Hotel Dieu Grace Healthcare located to the south and east. Nearby schools include Marlborough Public School & St. James Catholic Elementary School.

Matchett Road is a Class I Collector Road with a two-lane cross-section and parking on one side and sidewalks on both sides. Transit is available via the South Windsor 7 with direct service along Matchett with a peak weekday frequency of 30 minutes. Transit Windsor's City Council approved 2025 service plan, replaces the South Windsor 7 with a new secondary route. This route will have the same frequency but with service on Sundays and be extended later into the weekdays and Saturday. This is proposed to be implemented in September 2025. The closest existing bus stop to this property is located on Matchett at Chappell Southeast Corner. This bus stop is approximately 70 m from this property falling within Transit Windsor's 400 m walking distance to a bus stop.

Figure 1: Key Map



KEY MAP - Z-007/25, ZNG-7292

SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning

PART OF ZONING DISTRICT MAP 4

N.T.S.

REZONING

Applicant: Luigi Vozza

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : APRIL, 2025
FILE NO. : Z-007/25, ZNG/7292

Figure 3: Neighborhood Map

NEIGHBOURHOOD MAP - Z-007/25, ZNG-7292

SUBJECT LANDS

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Discussion:

Planning Rationale Report (PRR) (Pillon Abbs Inc., February 13, 2025)

Section 6.1 in the PRR states that the site "*is ideally suited for residential development*", "*will be able to accommodate municipal water, storm and sewer*", and can accommodate "*the proposed development in terms of scale, massing, height and siting*". The PRR further states that the proposed Semi-Detached Dwelling "*is a compatible density for the Site*", will "*provide a new housing choice in an existing built-up area*" and "*represents an efficient development pattern that optimizes the use of land*". The PRR concludes in Section 6.2 that the proposed development is "*consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning*". City of Windsor Planning and Development Services concurs with the analysis, summary, and conclusions in the PRR.

Stage 1-2 Archaeological Assessment (AMICK Consultants Limited, Feb 6, 2025)

The assessment notes that no archeological resources were found during the Stage 2 survey of the study area. The report concludes that "*no further archeological assessment of the study area is warranted*", the "*Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed*", and the "*proposed undertaking is clear of any archaeological concern*". The City of Windsor Heritage Planner concurs with the assessment. The Minister of Citizenship and Multiculturalism confirms the assessment was entered into the Ontario Public Register of Archaeological Reports without technical review.

Provincial Planning Statement 2024 (PPS 2024):

The PPS 2024 provides policy direction on matters of provincial interest related to land use planning in Ontario. All advice, comments, submissions, and municipal decisions shall be consistent with the PPS 2024. Section 5.1.1 in the PRR provides an analysis of the relevant PPS 2024 policies. The PRR states that the proposed development "*will provide a new housing option for the area*", "*has access to transportation options, public service facilities, other institutional uses, and parks*", "*supports the City's housing targets*", "*the proposed density is appropriate for the site*" and "*offers an opportunity for intensification and infilling*". The PRR concludes that the proposed development is consistent with the PPS 2024. City of Windsor Planning and Development Services concurs with this analysis and that the proposed amendment to Zoning By-law 8600 is consistent with the PPS 2024.

Official Plan (OP):

The parcel has a designation of "Residential" on Schedule D: Land Use in the Official Plan. Section 5.1.2 in the PRR submitted by the Applicant has a review and analysis of appropriate Official Plan policies. The PRR states that the proposed development "*will provide for infilling and intensification*", is "permitted", "*is close to major roadways, has access to full municipal services, is close to nearby amenities and is close to transit".* The PPR concludes that the "*proposed development will conform with the purpose and intent of the City of Windsor OP*". City of Windsor Planning and Development Services concurs with the analysis in the PRR and that the proposed amendment to Zoning By-law 8600 conforms to the general policy direction of the OP.

Zoning By-Law:

The RD1.2 zone allows a Single Unit Dwelling, an existing Duplex Dwelling and an existing Semi-Detached Dwelling. The Applicant is not proposing any Additional Dwelling Units. The RD2.2 zoning and the zoning exception are appropriate.

Clause a) of the zoning exception allows for a building with a larger gross floor area (GFA) from 400 m^2 to 480 m^2 to maximize the use or efficiency of the parcel and allow flexibility in the design of the dwelling. Clause b) prohibits a GFA of more than 480m^2 which prevents anyone from requesting a minor variance to the maximum GFA. Clause c) sets a maximum front yard depth of 6.0 m which is more than that required by the recently revised Section 5.65.1 which now requires a reduced average front yard setback. The maximum of 6.0 m allows for compliant front yard parking spaces. These exceptions will have no adverse impact on adjacent uses. The proposed development must comply with all other zoning provisions such as maximum lot coverage and maximum building height.

Site Plan Control (SPC):

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

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The proposed semi-detached dwelling implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. Residential infill intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers and public transit.

Climate Change Adaptation:

The proposed semi-detached dwelling offers an opportunity to increase resiliency for the development and surrounding area by supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options. New construction is required to meet the current provisions of the Building Code, which will be implemented through the building permit process. Incorporation of storm water management best practices is required.

Financial Matters:

N/A

Consultations:

A virtual Public Open House was held on February 12, 2025, from 6 pm to 7 pm. Section 3.2 in the PRR summarizes comments received at the public open house and the Applicant's response to them. See Appendix C for comments received from municipal departments and external agencies. Per the Planning Act, statutory notice was advertised in the Windsor Star, a local newspaper.

Conclusion:

Based on the documents submitted by the Applicant and the analysis in this report, it is my opinion that the recommended amendment to Zoning By-law 8600 is consistent with the PPS 2024 and is in conformity with the Official Plan.

The proposed amendment will permit a use, a semi-detached dwelling with a total of 2 dwelling units, which is compatible with existing and permitted uses in the surrounding area, represents an appropriate increase in density, provides an opportunity for the construction of modern housing stock, and supports a complementary form of housing located near various transportation options. The recommendation to amend Zoning By-law 8600 constitutes 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 RM

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

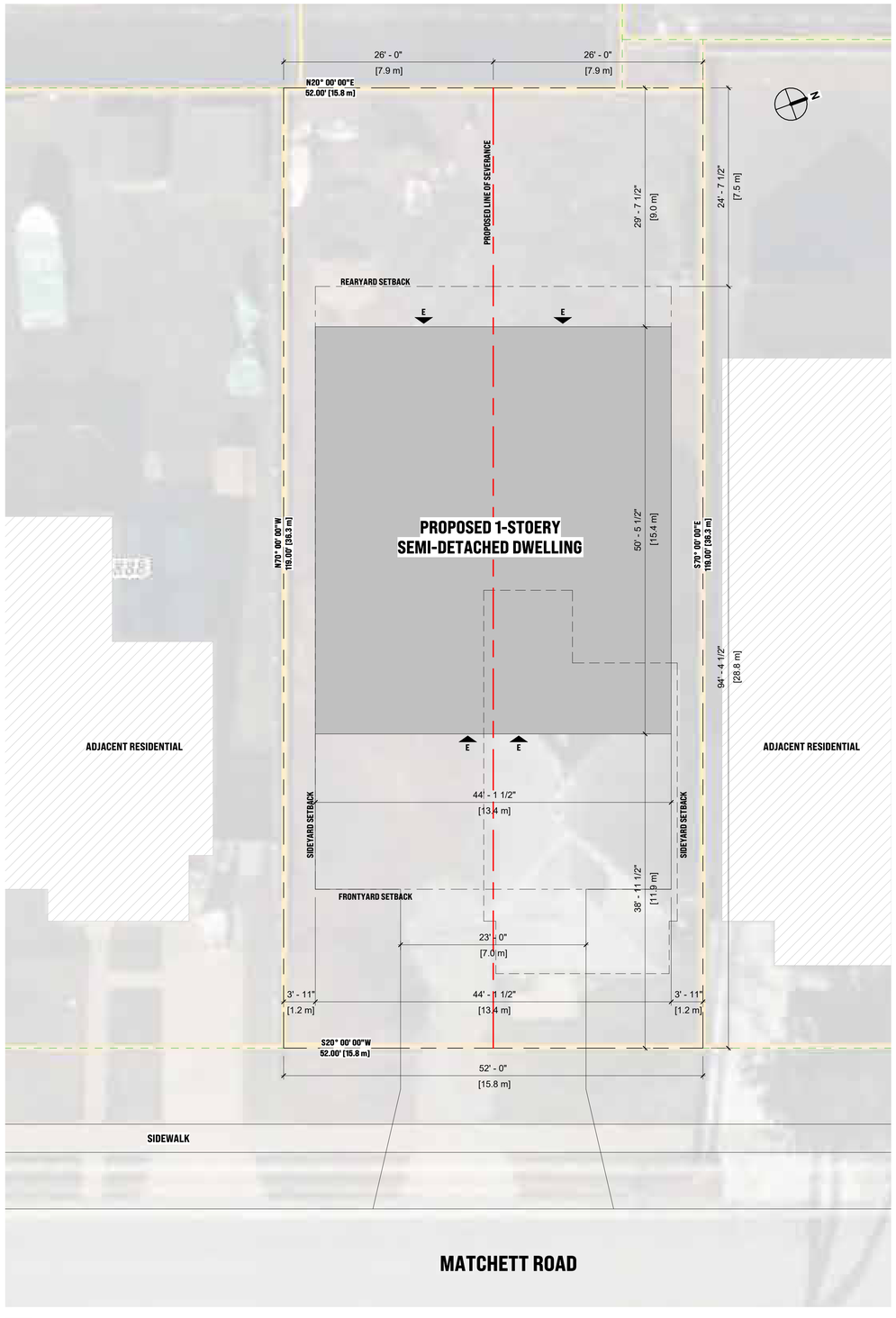
Name	Address	Email

Appendices:

1 Appendix A - Conceptual Plans
2 Appendix B - Revised Conceptual Site Plan
3 Appendix C - Consultations

1 AERIAL VIEW

A-0 NOT TO SCALE



3 SITE PLAN

A-0 1/8" = 1'-0"

	NAME OF PROJECT: PROPOSED SEMI-DETACH DWELLING FOR ZBA APPLICATION PROJECT NUMBER: 24-003 SITE LOCATION: 3880 Matchett Rd, Windsor, ON N9C 2A2						
ITEM	ONTARIO BUILDING CODE DATA MATRIX PART 3 or 9					OBC Reference	
1	PROJECT DESCRIPTION: ☒ New ☐ Addition ☐ Change of Use ☐ Alteration				☐ Part 11 11.1 to 11.4	☐ Part 3 2.1.1	☒ Part 9 2.1.1 9.10.1.3
2	MAJOR OCCUPANCY(S) Residential					3.1.2.1.(1)	9.10.2
3	BUILDING AREA (m^2) Existing -- m^2 New 257.7 m^2 Total 257.7 m^2 (ft^2) -- ft^2 2,773 ft^2 2,773 ft^2					1.1.3.2	1.1.3.2
4	GROSS AREA (m^2) Existing -- m^2 New 315.4 m^2 Total 315.4 m^2 (ft^2) -- ft^2 5,546 ft^2 5,546 ft^2					1.1.3.2	1.1.3.2
5	NUMBER OF STOREYS Above Grade 1 Below Grade 1					3.2.1.1 & 1.1.3.2	2.1.1.3
6	HEIGHT OF BUILDING (m) 6.0 m [19'-8"]						2.1.1.3
7	NUMBER OF STREET(S) / ACCESS ROUTE(S) 1					3.2.2.10 & 3.2.5.5	
8	BUILDING CLASSIFICATION 3.2.2.47. Group C, up to 3 Storeys					3.2.2.20 - .83	9.10.4
9	SPRINKLER SYSTEM PROPOSED ☐ Entire Building ☐ Basement Only ☐ In Lieu of Roof Rating ☒ Not Required					3.2.2.20 - .83 3.2.1.5 3.2.2.17	9.10.8
10	STANDPIPE REQUIRED ☐ Yes ☒ No					3.2.9	9.10.4
11	FIRE ALARM REQUIRED ☐ Yes ☒ No					3.2.4	9.10.7.2
12	WATER SERVICE / SUPPLY IS ADEQUATE ☒ Yes ☐ No						
13	HIGH BUILDING ☐ Yes ☒ No					3.2.6	
14	PERMITTED CONSTRUCTION ☐ Combustible ☐ Non-Combustible ☒ Both ACTUAL CONSTRUCTION ☐ Combustible ☐ Non-Combustible ☒ Both					3.2.2.20 - .83	9.10.6
15	MEZZANINE(S) AREA (m^2) m^2					3.2.1.1.(3) - (8)	9.10.4.1
16	OCCUPANT LOAD BASED ON ☐ m^2 / person ☒ Design of Building 2 PER BEDROOM x 4 = 8					3.1.17	9.9.1.3
17	BARRIER-FREE DESGIN ☐ Yes ☒ No (Explain): RESIDENTIAL					3.8	9.5.2
18	HAZARDOUS SUBSTANCES ☐ Yes ☒ No					3.3.1.2 & 3.3.1.19	9.10.1.3.(4)
19	REQUIRED FIRE RESISTANCE RATING (F.R.R.)	HORIZONTAL ASSEMBLIES F.R.R. (HOURS)		LISTED DESIGN NO. or DESCRIPTION (SG-8)		3.2.2.20 - .83 & 3.2.1.4	9.10.8 9.10.9
		Floors	1 Hours	UL Des U419, F.R.R. (1 hr)			
		Roof	1 Hours	UL Des L510, F.R.R. (1 hr)			
		Mezzanine	-- Hours				
		F.R.R. OF SUPPORTING MEMBERS		COMPONENT UTILIZED			
		Floors	-- Hours				
		Roof	-- Hours				
		Mezzanine	-- Hours				

2 DATA MATRIX

A-0 NOT TO SCALE

ZONING + SITE DATA

PROJECT ADDRESS	3880 MATCHETT RD., WINDSOR, ON N9C 2A2		
ROLL NUMBER	3739-050-480-04200-0000		
LEGAL DESCRIPTION	PLAN 656; LOT 53; N PT LOT 54		
CURRENT ZONING	RD1.2 - RESIDENTIAL DISTRICT 1.2		
PROPOSED ZONING	RD2.2 - RESIDENTIAL DISTRICT 2.2		
PROPOSED USE	SEMI-DETACHED DWELLING		
LOT FRONTAGE	MINIMUM 15 m	PROPOSED 15.8 m [52'-0"]	
LOT DEPTH	36.3 m [119'-0"]		
SITE AREA	MINIMUM 450.0 m^2	PROPOSED 574.8 m^2 [6,187 ft^2]	
SETBACKS		REQUIRED	PROPOSED
	MIN. FRONT YARD	6.0 m	11.9 m
	MIN. READ YARD	7.5 m	9.0 m
	MIN. SIDE YARD	1.2 m	1.2 m
FOOTPRINT	257.7 m^2 [2,773 ft^2]		
LOT COVERAGE			
GROSS FLOOR AREA	1st LEVEL	206.8 m^2 [2,226 ft^2]	
	2nd LEVEL	206.8 m^2 [2,226 ft^2]	
	TOTAL	413.6 m^2 [4,432 ft^2]	
NUMBER OF FLOORS	1 FLOORS		
HEIGHT OF BUILDING	MAXIMUM 9.0 m [29'-6"]	PROPOSED 6.0 m [19'-8"]	
PARKING	REQUIRED PARKING SPACES: 1 PER DWELLING UNIT	REQUIRED 2	PROPOSED 2

4 ZONING + SITE MATRIX

A-0 NOT TO SCALE

NOTES

1. DO NOT SCALE DRAWINGS
2. VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AS REQUIRED PRIOR TO BIDDING AND COMMENCEMENT OF WORK.
3. COORDINATE ARCHITECTURAL, STRUCTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS PRIOR TO COMMENCEMENT OF WORK.
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5. ALL WORK SHALL COMPLY OR EXCEED THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, FIRE CODE, PLUMBING CODE, ELECTRICAL CODE, AND LOCAL BY-LAWS.

PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

AERIAL VIEW, DATA MATRIX, SITE PLAN

DESCIPLINE SEAL

The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's BCIN.

PRIMARY CONSULTANT

AVANT GROUP INC.
5980 TECUMSEH RD. E., WINDSOR, ON, N8T 1E3
PHONE : 519-300-9839 EMAIL : info@avantgroupincorp.com
www.avantgroupincorp.com

SUB-CONSULTANT

SUBMISSION RECORDS

NO.	DESCRIPTION	DATE
1	Site Plan Agreement	23-11-02

PROJECT NOTES

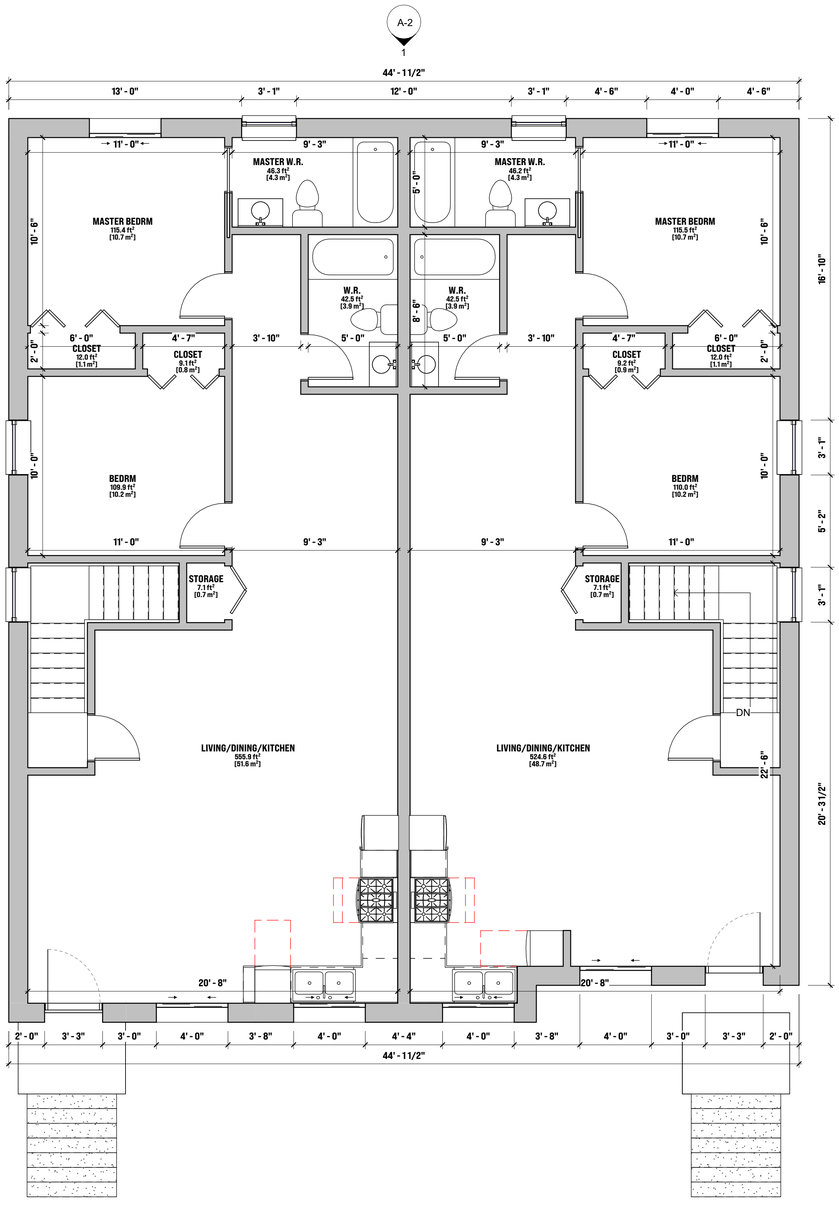
SHEET SIZE
ARCH D (24" x 36")

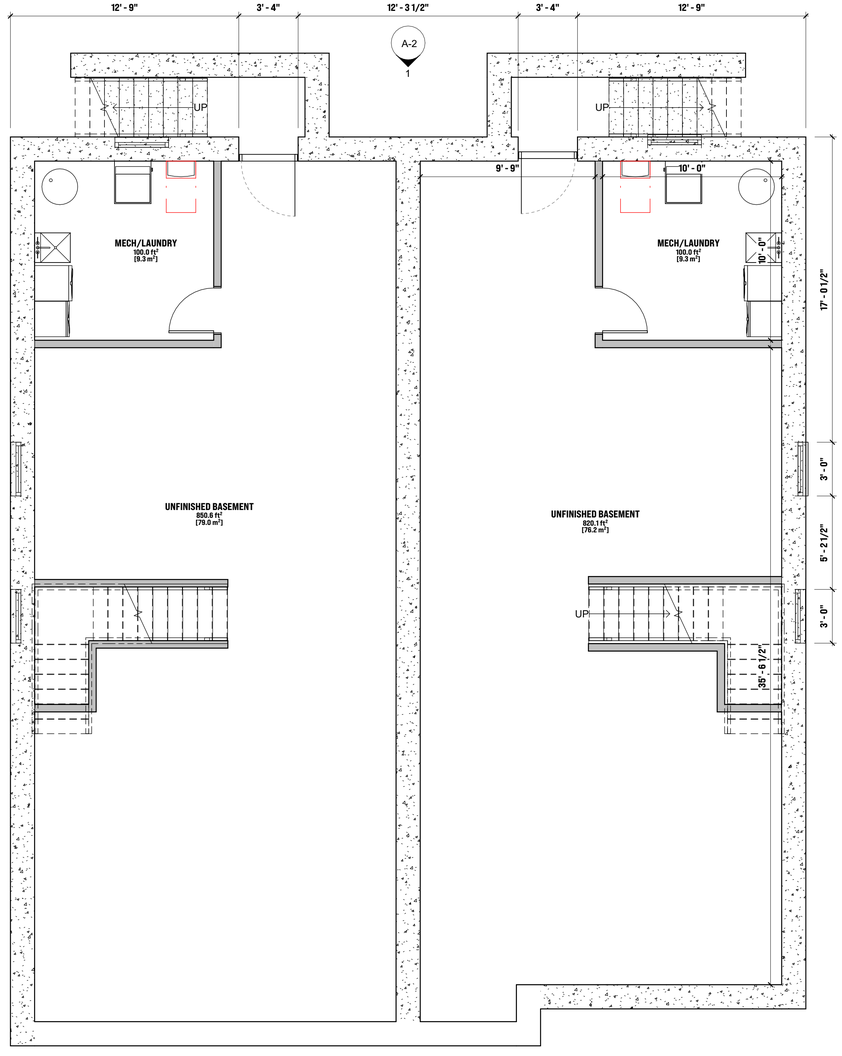
PROJECT ID	23-007
DATE	2023-07-17
DRAWN BY	J.N.
CHECKED BY	J.N.
APPROVED BY	M.H.
SCALE	AS NOTED

23-007 3880 MATCHETT RD. ZBA SITE PLAN

PROPRIETARY AND CONFIDENTIAL
THE PLAN AND DESIGN CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF AVANT GROUP INC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF AVANT GROUP INC. IS PROHIBITED

A-0.1





A-2 ▶ 4 | 2 ◀ A-2

3
A-2

1 1ST LEVEL
A-1 1/4" = 1'-0"

A-2 ▶ 4 | 2 ◀ A-2

3
A-2

2 BASEMENT
A-1 1/4" = 1'-0"

NOTES

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PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

FIRST LEVEL & BASEMENT

DESCIPLINE SEAL

The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's BCIN.

PRIMARY CONSULTANT

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www.avantgroupincorp.com

SUB-CONSULTANT

SUBMISSION RECORDS

NO.	DESCRIPTION	DATE

PROJECT NOTES

SHEET SIZE
ARCH D (24" x 36")

PROJECT ID	23-007
DATE	2023-07-17
DRAWN BY	J.N.
CHECKED BY	J.N.
APPROVED BY	M.H.
SCALE	AS NOTED

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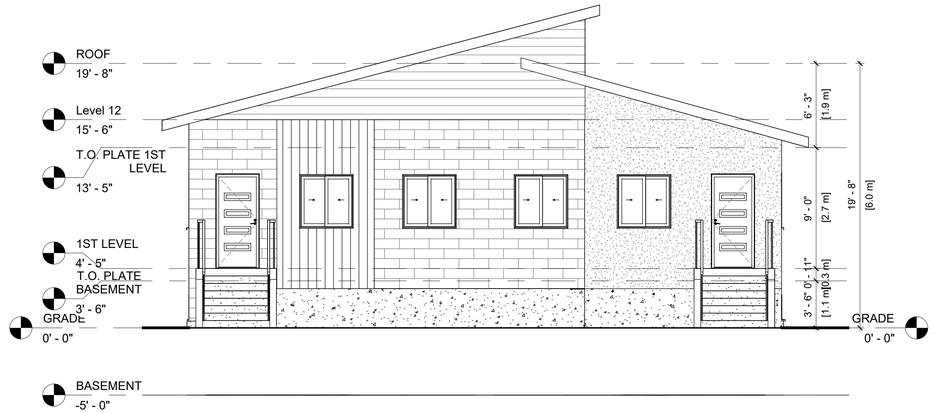
23-007 3880 MATCHETT RD. ZBA SITE PLAN

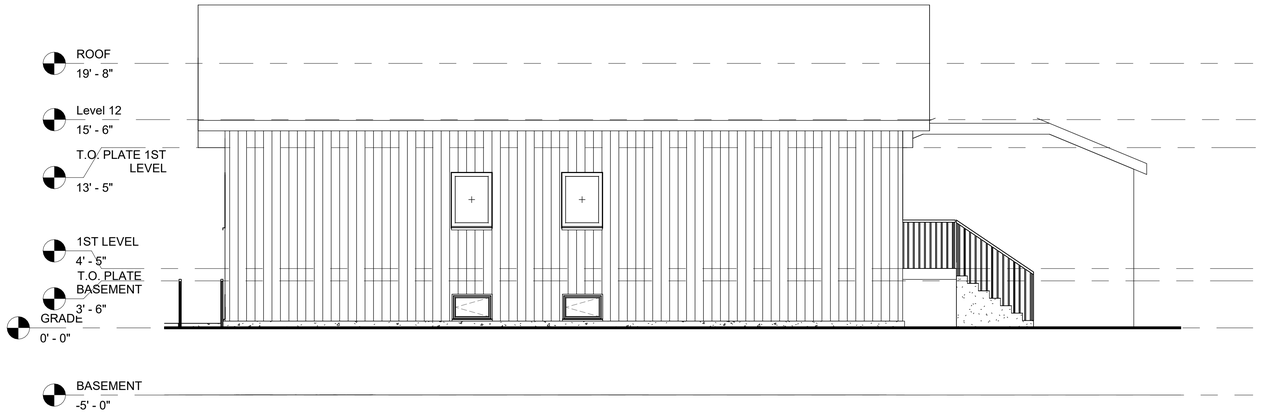
A-1.

City Comments
Page 2 of 2



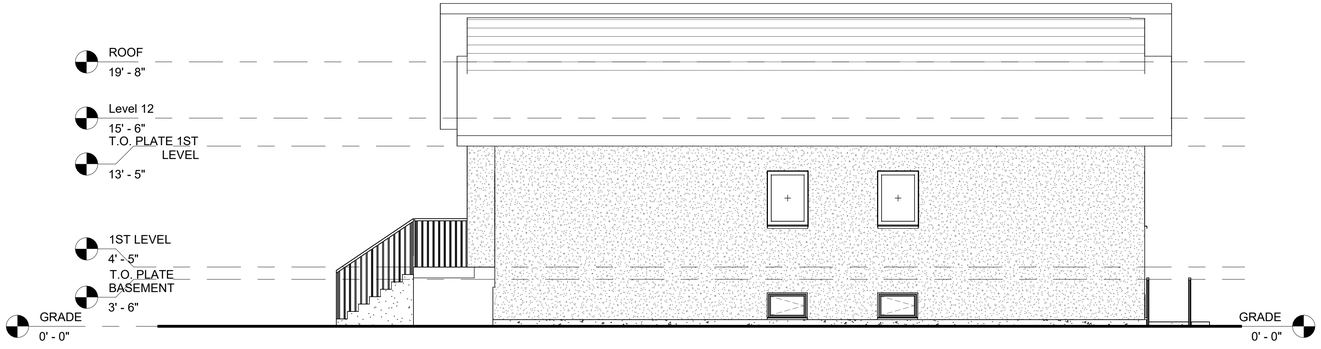
3 SOUTH ELEVATION

A-2 3/16" = 1'-0"



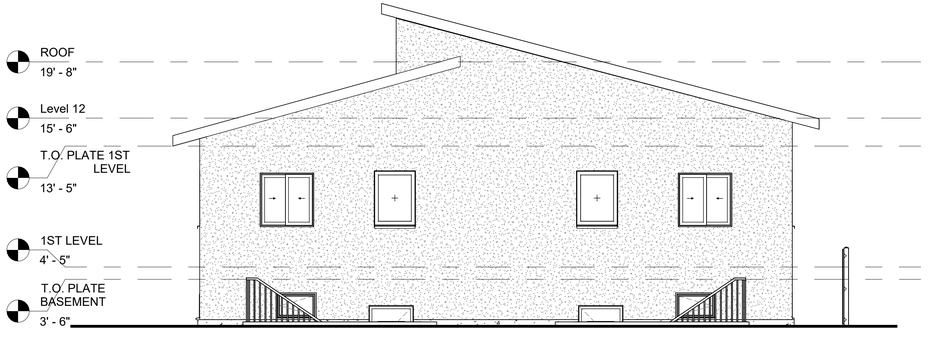
4 WEST ELEVATION

A-2 3/16" = 1'-0"



2 EAST ELEVATION

A-2 3/16" = 1'-0"



1 NORTH ELEVATION

A-2 3/16" = 1'-0"

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PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

ELEVATIONS

DESCIPLINE SEAL

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SUB-CONSULTANT

SUBMISSION RECORDS

NO.	DESCRIPTION	DATE

PROJECT NOTES

SHEET SIZE
ARCH D (24" x 36")

PROJECT ID	23-007
DATE	2023-07-17
DRAWN BY	J.N.
CHECKED BY	J.N.
APPROVED BY	M.H.
SCALE	AS NOTED

A-2.

23-007 3880 MATCHETT RD. ZBA SITE PLAN

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City Comments Response - Planning and Zoning
Page 258 of 777

1 **CONCEPTUAL RENDERING LOOKING FROM SOUTHEAST**
A-3 NOT TO SCALE

2 **CONCEPTUAL RENDERING LOOKING FROM NORTHEAST**
A-3 NOT TO SCALE

NOTES

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PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

CONCEPTUAL RENDERING

DESCIPLINE SEAL

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SUB-CONSULTANT

SUBMISSION RECORDS

NO.	DESCRIPTION	DATE

PROJECT NOTES

SHEET SIZE
ARCH D (24" x 36")

PROJECT ID	23-007
DATE	2023-07-17
DRAWN BY	J.N.
CHECKED BY	J.N.
APPROVED BY	M.H.
SCALE	AS NOTED

23-007 3880 MATCHETT RD. ZBA SITE PLAN

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A-3.

1 PROPERTY LOOKING FROM EAST
A-4 NOT TO SCALE

2 CONCEPTUAL BUILDING DESIGN LOOKING FROM EAST
A-4 NOT TO SCALE

NOTES

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PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

CONCEPTUAL DESIGN

DESCIPLINE SEAL

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SHEET SIZE
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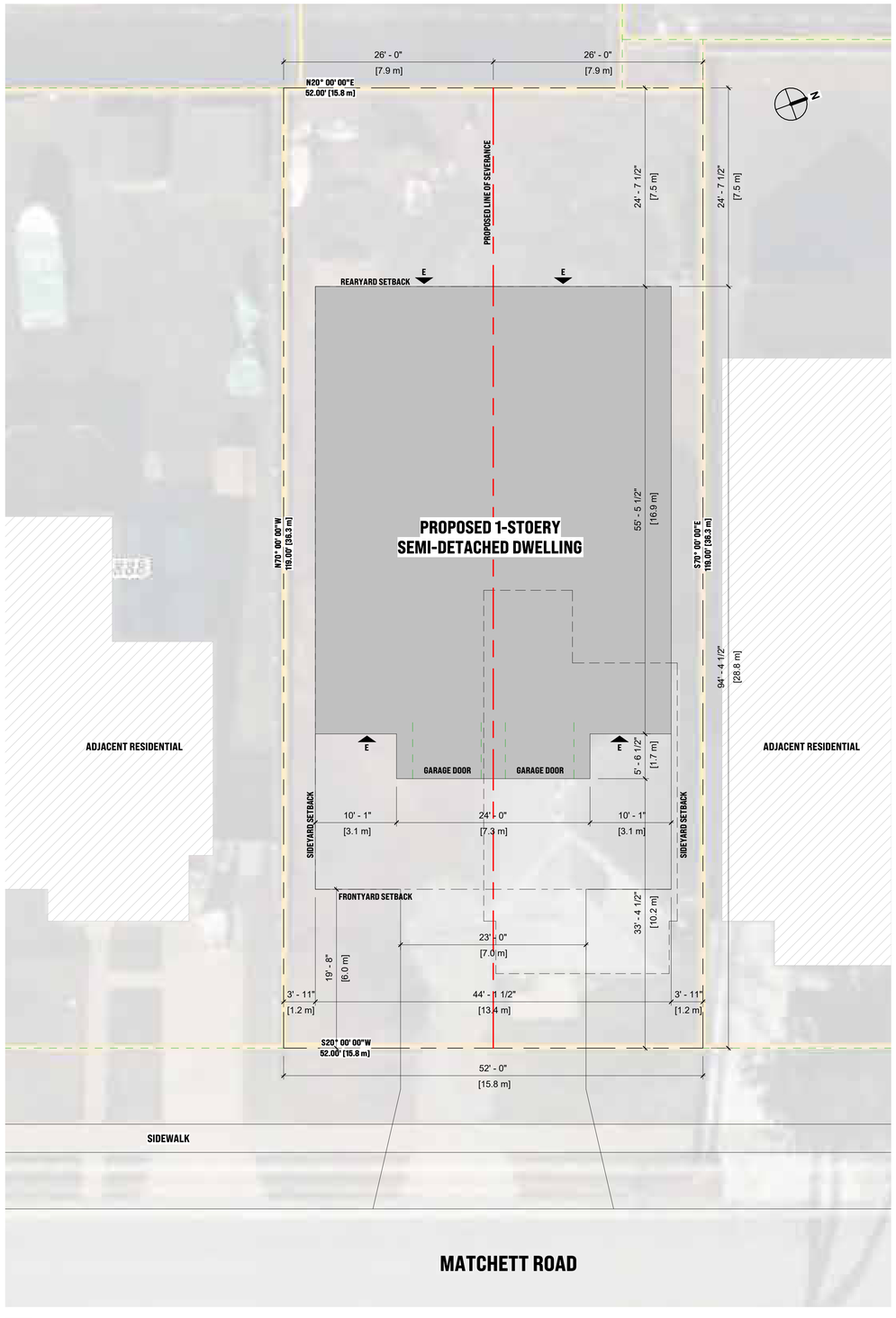
A-4.

City Council Agenda - 12 Feb 2024
Page 214 of 717

1 AERIAL VIEW

A-0 NOT TO SCALE



3 SITE PLAN

A-0 1/8" = 1'-0"

	NAME OF PROJECT: PROPOSED SEMI-DETACH DWELLING FOR ZBA APPLICATION PROJECT NUMBER: 24-003 SITE LOCATION: 3880 Matchett Rd, Windsor, ON N9C 2A2					
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2	MAJOR OCCUPANCY(S) Residential				3.1.2.1.(1)	9.10.2
3	BUILDING AREA (m^2) Existing -- m^2 New 257.7 m^2 Total 257.7 m^2 (ft^2) -- ft^2 2,773 ft^2 2,773 ft^2				1.1.3.2	1.1.3.2
4	GROSS AREA (m^2) Existing -- m^2 New 315.4 m^2 Total 315.4 m^2 (ft^2) -- ft^2 5,546 ft^2 5,546 ft^2				1.1.3.2	1.1.3.2
5	NUMBER OF STOREYS Above Grade 1 Below Grade 1				3.2.1.1 & 1.1.3.2	2.1.1.3
6	HEIGHT OF BUILDING (m) 6.0 m [19'-8"]					2.1.1.3
7	NUMBER OF STREET(S) / ACCESS ROUTE(S) 1				3.2.2.10 & 3.2.5.5	
8	BUILDING CLASSIFICATION 3.2.2.47. Group C, up to 3 Storeys				3.2.2.20 - .83	9.10.4
9	SPRINKLER SYSTEM PROPOSED ☐ Entire Building ☐ Basement Only ☐ In Lieu of Roof Rating ☒ Not Required				3.2.2.20 - .83 3.2.1.5 3.2.2.17	9.10.8
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11	FIRE ALARM REQUIRED ☐ Yes ☒ No				3.2.4	9.10.7.2
12	WATER SERVICE / SUPPLY IS ADEQUATE ☒ Yes ☐ No					
13	HIGH BUILDING ☐ Yes ☒ No				3.2.6	
14	PERMITTED CONSTRUCTION ☐ Combustible ☐ Non-Combustible ☒ Both ACTUAL CONSTRUCTION ☐ Combustible ☐ Non-Combustible ☒ Both				3.2.2.20 - .83	9.10.6
15	MEZZANINE(S) AREA (m^2) m^2				3.2.1.1.(3) - (8)	9.10.4.1
16	OCCUPANT LOAD BASED ON ☐ m^2 / person ☒ Design of Building 2 PER BEDROOM x 4 = 8				3.1.17	9.9.1.3
17	BARRIER-FREE DESGIN ☐ Yes ☒ No (Explain): RESIDENTIAL				3.8	9.5.2
18	HAZARDOUS SUBSTANCES ☐ Yes ☒ No				3.3.1.2 & 3.3.1.19	9.10.1.3.(4)
19	REQUIRED FIRE RESISTANCE RATING (F.R.R.)	HORIZONTAL ASSEMBLIES F.R.R. (HOURS)	LISTED DESIGN NO. or DESCRIPTION (SG-8)		3.2.2.20 - .83 & 3.2.1.4	9.10.8 9.10.9
		Floors 1 Hours	UL Des U419, F.R.R. (1 hr)			
		Roof 1 Hours	UL Des L510, F.R.R. (1 hr)			
		Mezzanine -- Hours				
		F.R.R. OF SUPPORTING MEMBERS	COMPONENT UTILIZED			
		Floors -- Hours				
		Roof -- Hours				
		Mezzanine -- Hours				

2 DATA MATRIX

A-0 NOT TO SCALE

ZONING + SITE DATA

PROJECT ADDRESS	3880 MATCHETT RD., WINDSOR, ON N9C 2A2	
ROLL NUMBER	3739-050-480-04200-0000	
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LOT FRONTAGE	MINIMUM 15 m	PROPOSED 15.8 m [52'-0"]
LOT DEPTH	36.3 m [119'-0"]	
SITE AREA	MINIMUM 450.0 m^2	PROPOSED 574.8 m^2 [6,187 ft^2]
SETBACKS		REQUIRED / PROPOSED MIN. FRONT YARD 6.0 m / 11.9 m MIN. READ YARD 7.5 m / 9.0 m MIN. SIDE YARD 1.2 m / 1.2 m
FOOTPRINT	239.9 m^2 [2,583 ft^2]	
LOT COVERAGE	MAXIMUM 45%	PROPOSED 41.7%
GROSS FLOOR AREA	1st LEVEL 239.9 m^2 [2,583 ft^2] 2nd LEVEL 239.9 m^2 [2,583 ft^2] TOTAL 479.8 m^2 [5,166 ft^2]	
HEIGHT OF BUILDING	MAXIMUM 9.0 m [29'-6"]	PROPOSED 8.5 m [27'-10"]
PARKING	REQUIRED PARKING SPACES: 1 PER DWELLING UNIT	REQUIRED 2 / PROPOSED 2

4 ZONING + SITE MATRIX

A-0 NOT TO SCALE

NOTES

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PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

AERIAL VIEW, DATA MATRIX, SITE PLAN

DESCIPLINE SEAL

The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's BCIN.

PRIMARY CONSULTANT

AVANT GROUP

AVANT GROUP INC.
5980 TECUMSEH RD. E., WINDSOR, ON, N8T 1E3
PHONE : 519-300-9839 EMAIL : info@avantgroupincorp.com
www.avantgroupincorp.com

SUB-CONSULTANT

SUBMISSION RECORDS

NO.	DESCRIPTION	DATE
1	Site Plan Agreement	23-11-02

PROJECT NOTES

SHEET SIZE
ARCH D (24" x 36")

PROJECT ID	23-007
DATE	2023-07-17
DRAWN BY	J.N.
CHECKED BY	J.N.
APPROVED BY	M.H.
SCALE	AS NOTED

City Council Drawing - Not to Scale
Page 245 of 1

PROPRIETARY AND CONFIDENTIAL THE PLAN AND DESIGN CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF AVANT GROUP INC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF AVANT GROUP INC. IS PROHIBITED

23-007 3880 MATCHETT RD. ZBA SITE PLAN

A-0.1

APPENDIX C – CONSULTATIONS

CITY OF WINDSOR - BUILDING ENGINEER – MIRELLA ALLISON

If the intention is to create additional dwelling units in the basements, then 9.9.4.4. OBC applies: **9.9.4.4. Openings Near Unenclosed Exit Stairs and Ramps**

(1) Where an unenclosed exterior *exit* stair or ramp provides the only *means of egress* from a *suite* and is exposed to fire from openings in the exterior walls of another *fire compartment*, the openings in the exterior walls of the *building* shall be protected with wired glass in fixed steel frames or glass block conforming to Articles 9.10.13.5. and 9.10.13.7. when the openings in the exterior walls of the *building* are within 3 m horizontally and less than 10 m below or less than 5 m above the *exit* stair or ramp.

CITY OF WINDSOR – DEVELOPMENT ENGINEERING – JUAN PARAMO

Sewers: The site may be serviced by a 250mm combined sewer located within the Matchett Road right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3. The level of service for the sewer system in this neighborhood is not expected to experience any significant degradation because of this development.

Right-of-Way: Matchett Road is classified as Class 1 Collector according to the Official Plan requiring a right-of-way width of 28 metres. The current right-of-way width is deficient; however, a conveyance is not required currently.

In summary we have no objection to the proposed development. If you have any further questions or concerns, please contact Juan Paramo at jparamo@citywindsor.ca

CITY OF WINDSOR – ENVIRONMENTAL POLICY & NATURAL AREAS – KAREN ALEXANDER & CONNOR WILSON

Natural Areas has reviewed the Planning Rationale Report and advises that the development proposal is anticipated to have no negative impact on ecological features, areas, and functions. To maintain high regard for Natural Heritage in the City during development, the following applies:

1. Should Species at Risk or their habitat be found at any time on or adjacent to the site, cease activity immediately and contact MECP at SAROntario@ontario.ca for recommendations on next steps to prevent contravention of the Endangered Species Act (2007). The City of Windsor SAR hotline (519-816-5352) can also be used for relevant questions and concerns. For a list of Species at Risk and other provincially tracked species with potential to be around the site, use the Natural Heritage Information Centre (NHIC) Make A Map tool, found at https://www.ontario.ca/page/make-natural-heritage-area-map
2. If trees or other vegetation (i.e., shrubs and unmaintained grasses) on/adjacent to the site are to be removed, damaged, or disturbed during the breeding bird season (April 1 – August 31), then sweeps for nesting birds should be conducted to prevent contravention of Migratory Bird Regulations (2022), the Migratory Birds Convention Act (1992), and section 7 of the Fish and Wildlife Conservation Act (1997). Visit https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html for more information.

3. Beaver dams and dens of fur-bearing mammals are protected under section 8 of the Fish and Wildlife Conservation Act (1997) and are not to be damaged or destroyed without the proper authorization and/or license.
4. The City of Windsor is a Bird Friendly City. Bird Friendly Design is encouraged, particularly window collision mitigation. Options for integrating bird friendly design can be found here: www.birdsafe.ca and bird friendly guidelines can be found here: Bird-Friendly Guidelines – City of Toronto.

CITY OF WINDSOR – FORESTRY – MARC EDWARDS

There are no City owned, or private trees located on this property. Forestry has no issues with this Zoning By-law Amendment Application.

CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - HERITAGE PLANNING – TRACY TANG

Built Heritage: There is no apparent built heritage concern with this property.

Archaeology: Archaeological Assessment Report Entitled "Stage 1-2 Archaeological Assessment 3880 Matchett Road, Lot 5, Concession N/A (Geographical Township of Sandwich), City of Windsor, County of Essex (AMICK Corporate Project #2024-760/MCM File #P038-1556-2024)", has been entered into the Ontario Public Register of Archaeological Reports. Though the report recommends no further archaeological assessment of the property, note the following archaeological precautions.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Development Services, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. If human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Windsor Police Service: 911

Windsor Planning & Development Services, 519-255-6543 x6179, ttang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A), Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism, Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Ontario Ministry of Government & Consumer Services, A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

APPENDIX C – CONSULTATIONS

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.
   - Residential driveway as per Standard Engineering Drawing AS-221 or AS-222.
   - Redundant curb cuts to be reinstated as per Engineering Standard S-5 and AS-208.
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 redundant connections to be abandoned per Engineering Best Practice BP1.3.3.

Right-of-Way Permit Requirements:

CCTV Sewer Inspection – The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

Driveway Approaches – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Residential Property
   a. Asphalt in accordance with City of Windsor Standard Drawing AS-221; or
   b. Concrete in accordance with City of Windsor Standard Drawing AS-222

Sewer Connections – The site is serviced by a 250mm combined sewer located within the Matchett Road 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.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
- Follow Best Practice BP1.1.1 for wye connections to combined sewers.

If you have any further questions or concerns, please contact Karen Kong, of this department at kkong@citywindsor.ca.

APPENDIX C – CONSULTATIONS

CITY OF WINDSOR - TRANSPORTATION PLANNING – ELARA MEHRILOU

Land Conveyance: A land conveyance along frontage of Matchette Rd is required but not requested at this time.

Corner Cut-Off: Not Applicable.

Sidewalk: Not Applicable.

Parking: All parking must comply with ZBL 8600.

Transportation Impact Study: Not Applicable.

Access: All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

- All proposed driveways must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane).

Exterior Path: All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Should you have any further questions or concerns, please contact Ellie MehriLou, of this department at EMehrilou@citywindsor.ca.

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development.

The closest existing transit route to this property is with the South Windsor 7 with direct service along Matchett. The South Windsor 7 has a peak weekday frequency of 30 minutes. As part of Transit Windsor's City Council approved 2025 service plan, the South Windsor 7 will be replaced by a new secondary route. This route will have the same frequency but will now on Sundays and be extended later into the weekdays and Saturday. This is proposed to be implemented in September 2025.

The closest existing bus stop to this property is located on Matchett at Chappell Southeast Corner. This bus stop is approximately 70 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

Item No. 8.9

Committee Matters: SCM 220/2025

Subject: ZBA Application for 4641 Malden Road, Z-010/25 [ZNG-7301], Ward 1

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 747**

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

1. NORTHEAST CORNER OF HALLIDAY AVENUE AND MALDEN ROAD

For the lands comprising of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), the following additional provision shall apply:

a) For a *Single Unit Dwelling*, a central air conditioning system shall be provided.

[ZDM 5; ZNG/7301]; and,

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

(14) a) Submission of an Erosion and Sediment Control Plan and a Relocation and Monitoring Plan in accordance with the Environmental Evaluation Report prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, to the satisfaction of the City Planner.

[ZNG/7301]; and,

III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), situated at the northeast corner of Halliday Avenue and Malden Road from DRD1.1 to H(14)RD1.3x(1).

Carried.

Report Number: S 80/2025
Clerk's File: Z/14980

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 7.2 from the Development & Heritage Standing Committee held on July 7, 2025.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Subject: Zoning By-law Amendment Application for 4641 Malden Road, Z-010/25 [ZNG-7301], Ward 1

Reference:

Date to Council: July 7, 2025
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: June 3, 2025
Clerk's File #: Z/14980

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

1. NORTHEAST CORNER OF HALLIDAY AVENUE AND MALDEN ROAD

For the lands comprising of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), the following additional provision shall apply:

a) For a *Single Unit Dwelling*, a central air conditioning system shall be provided.

[ZDM 5; ZNG/7301]

II. THAT that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

(14) a) Submission of an Erosion and Sediment Control Plan and a Relocation and Monitoring Plan in accordance with the Environmental Evaluation Report prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, to the satisfaction of the City Planner.

[ZNG/7301]

III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), situated at the northeast corner of Halliday Avenue and Malden Road from DRD1.1 to H(14)RD1.3x(1).

Executive Summary:

N/A

Background:

Application Information:

Location:	4641 Malden Road (Lots 88 to 92, Plan 972; Roll No. 080-670-08900; PIN No. 01262-1355 LT)
Ward:	1
Planning District:	Malden
Zoning District Map:	5
Owner:	Marshall Harrison Paton
Applicant:	Marshall Harrison Paton (Jonathan Seguin)
Authorized Agent:	Oakview Land Use Planning (Robert Brown)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the northeast corner of Halliday Avenue and Malden Road, known municipally as 4641 Malden Road (the "Subject Property"), from Development Reserve District 1.1 (DRD1.1) to Residential District 1.3 (RD1.3) to allow for the construction of three (3) Single Unit Dwellings in addition to the existing Single Unit Dwelling.

The applicant has submitted a concurrent Part-Lot Control Exemption Application to allow for the creation of three (3) new lots for the proposed Single Unit Dwellings. The new lots are proposed to have a lot width of 9.1 metres, lot depth of 30.5 metres and lot area of 278.7 m^2. The retained portion of the Subject Property, having a lot width of 9.8 metres, lot depth of 30.5 metres and lot area of 297.8 m^2 will contain the existing Single Unit Dwelling.

A subsequent by-law exempting the Subject Property from Part-Lot Control will be brought to Council if this amendment is approved, as compliance with Zoning By-law 8600 is a prerequisite.

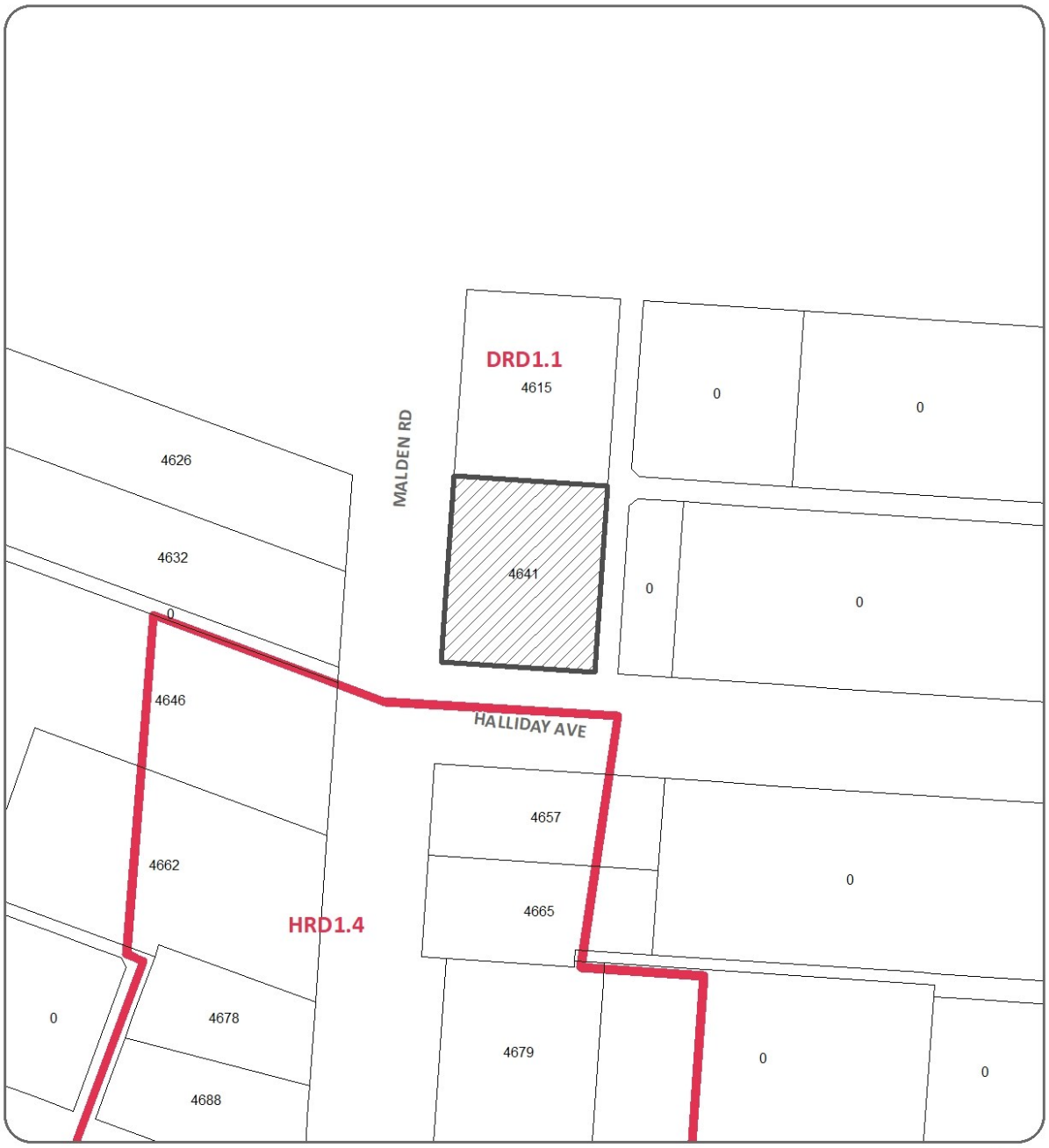
Submitted Information: Deed, Environmental Evaluation Report (See Appendix G), Natural Site Features Inventory & Preservation Study (See Appendix H), Noise Assessment (See Appendix I), Phase I Environmental Site Assessment (ESA) (See Appendix J), Planning Justification Report (See Appendix K) and Zoning By-law Amendment Application Form

Site Information:

Official Plan & Spring Garden Secondary Plan	**Zoning**	**Current Use**	**Previous Use**
Residential	Development Reserve District 1.1 (DRD1.1)	Single Unit Dwelling	Agricultural (Pre circa 1940)
Lot Width	**Lot Depth**	**Lot Area**	**Lot Shape**
37.2 m	30.5 m	1,133.6 m^2	Rectangular
All measurements are based on the Plan of Survey, prepared by Verhaegen Land Surveyors, dated November 24, 2024.			

KEY MAP - Z-010-25 [ZNG-7301]

SUBJECT LANDS



PART OF ZONING DISTRICT MAP 5

N.T.S.

REZONING

Applicant: Marshall Paton

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2025
FILE NO. : Z-010/25, ZNG/7301

NEIGHBOURHOOD MAP - Z-010-25 [ZNG-7301]

SUBJECT LANDS

Neighbourhood Characteristics:

The Subject Property is located within the northeastern portion of the Malden neighbourhood. The Malden neighbourhood constitutes the area north of the Town of LaSalle, east of Ojibway Parkway, south of E. C. Row Expressway and west of Huron Church Road.

Surrounding Land Uses:

North:

- E. C. Row Expressway
- Herb Gray Parkway
- King's Highway 401
- Low density residential

East:

- Natural vegetation

South:

- Low density residential

West:

- Natural vegetation

Municipal Infrastructure:

- Halliday Avenue is classified as a local road, which has a one-lane grass and gravel rural cross section with no streetlights.
- Malden Road is classified as a Class II Arterial Road, which has a two-lane rural cross section with a signed bike route and streetlights on the west side.
- Sanitary sewer, roadside ditch and water main are located within the Malden Road right-of-way.

Discussion:

The Provincial Planning Statement, 2024 (PPS) provides policy 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 province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The following policies of the PPS are considered relevant in discussing provincial interests related to this amendment:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

Policy 2.1.6 states:

Planning authorities should support the achievement of complete communities by:

a) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

a. This amendment will allow for another housing option for individuals who wish to live or remain within the Malden neighbourhood.

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

a. This amendment will allow for the redevelopment of the Subject Property at a higher density (intensification), optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.

i. The Subject Property is serviced by municipal electrical, roadside ditches, sanitary and water services.
ii. There is a community centre, public libraries and schools within general proximity to the Subject Property.
iii. Malden Road is a signed bike route providing connections to the nearby Herb Gray Parkway multi-use trail system and the Town of LaSalle.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

Policy 4.1.5 states:

Development and site alteration shall not be permitted in:

- *d) significant wildlife habitat;*
    - Refer to the response provided to PPS Policy 4.1.7 herein.

Policy 4.1.7 states:

Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

- The Subject Property is within proximity to a Provincially Significant Wetland (Ojibway Prairie Wetland Complex).
- An Environmental Evaluation Report (EER) prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, was completed to evaluate the ecological function of the Subject Property and adjacent lands, and determine any resulting negative impacts of the proposed development thereon and necessary mitigation measures.
- The EER concluded that the proposed development will not result in any negative impacts to the ecological function of the Subject Property and adjacent lands if the mitigation measures recommended therein are implemented in full.
    - The EER was deemed acceptable by the City's Naturalist and Outreach Coordinator via March 27, 2025, email subject to the recommended Erosion and Sediment Control Plan and Relocation and Monitoring Plan being completed prior to the issuance of any building permits.
    - The Planning Department is recommending that a site-specific holding provision be added to require the owner, prior to the issuance of a building permit, to submit an Erosion and Sediment Control Plan and a Relocation and Monitoring Plan to the satisfaction of the City Planner.
        - The City's Naturalist and Outreach Coordinator is available to assist the owner with the preparation of the Erosion and Sediment Control Plan and a Relocation and Monitoring Plan.
    - The mitigation measures also include compliance with the Ministry of the Environment, Conservation and Parks (MECP) recommendations from their review of the Information Gathering Form and additional information submitted by Terrastory Environmental Consulting Inc. to assess the impacts of the project on species at risk.
    - The recommendations, documentation and correspondence are included as Appendix 7 to the EER.
        - It is the owner's responsibility to adhere to MECP's recommendations.
- A Natural Site Features Inventory & Preservation Study (NSFPS) prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, was completed to determine preservation methods and limits, as well as compensation for loss to the urban tree canopy.

- The NSFPS concluded that five (5) trees on the Subject Property need to be removed to support the proposed development.
- The NSFPS further concluded that potential and anticipated impacts to the trees to remain on the Subject Property and trees within the municipal right-of-way will be adequately addressed if the mitigation measures recommended therein are implemented in full.
    - The Natural Site Features Inventory & Preservation Study was deemed acceptable by the Parks & Facilities Department via March 11, 2025, email.
    - The recommended mitigation measures for tree protection under the NSFPS shall only apply to those trees within the municipal right-of-way.
        - It is the owner's responsibility to adhere to the recommendations of the NSFPS.

Policy 4.1.8 states:

Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

- Refer to the response provided to PPS Policy 4.1.7 herein.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

Policy 5.1.1 states:

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.

- Refer to the response provided to Official Plan policy 5.4.9.2 herein.

5.3 Human-Made Hazards

Policy 5.3.2 states:

Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

- Refer to the response provided to Official Plan policy 5.4.9.2 herein.

One or more of the responses provided to the policies of PPS Chapter 2 and/or the Official Plan referenced herein also speak to the following relevant PPS Policies:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities	
2.2 Housing	
Policy 2.2.1 - *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:*	**Sub Policy b)** *permitting and facilitating:* ***1.*** *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and* *employment opportunities; and* ***2.*** *all types of residential intensification, including the ….. 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;*
2.3 Settlement Areas and Settlement Area Boundary Expansions	
2.3.1 General Policies for Settlement Areas	
Policy 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.*	
Policy 2.3.1.2 - *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*	**Sub Policies a)** *efficiently use land and resources*, **b)** *optimize existing and planned infrastructure and public service facilities*, **c)** *support active transportation*
Policy 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….	
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*	

Official Plan

Relevant excerpts from Volume I and Volume II of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

Table 1 - Volume I Schedules

Schedule	Designation
Schedule A - Planning Districts & Policy Areas	Malden Spring Garden Secondary Plan
Schedule A-1 - Special Policy Areas	Spring Garden Secondary Plan
Schedule B - Greenway System	Refer to Schedule SG-3 - Greenway System Components of Spring Garden Secondary Plan
Schedule C - Development Constraints	500.0 metres of Known or Suspected Former Waste Disposal Site
Schedule C-1 - Archaeological Potential	Archaeological Potential Zone (Identified as Low Archaeological Potential prior to the adoption of OPA No. 181 - Windsor Archaeological Management Plan in October 2024)
Schedule D - Land Use	Residential Refer to Schedule SG-1 - Land Use of Spring Garden Secondary Plan
Schedule E - City Centre Planning District	N/A
Schedule F - Roads & Bikeways	Class II Arterial Road (Malden Road)
Schedule F-1 - Railways	N/A
Schedule G - Civic Image	N/A
Schedule H - Baseplan Development Phasing	N/A
Schedule J - Urban Structure Plan	Regional Open Space System
Schedule K - Source Water Protection Areas	Significant Groundwater Recharge Area

Table 2 - Volume II - Spring Garden Secondary Plan

Schedule	Designation
Schedule SG-1 - Land Use	Residential
Schedule SG-2 - Development Constraints	Lands Subject to Noise Attenuation Measures ANSI consolidated boundary

Schedule SG-3 - Greenway System Components	Natural Heritage (proximity)
Schedule SG-4 - Transportation Network	Class II Arterial Road (Malden Road) Local Road (Halliday Avenue)
Schedule SG-5 - Concept Plan	Low Density Residential Development Priority Development Area (ii) Proposed Cul-De-Sac (Halliday Avenue) Proposed New Roads (Land Consolidation Req'd) (Halliday Avenue)

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2 - Growth Concept

3.2.1 - Safe, Caring and Diverse Communities

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

Chapter 5 - Environment:

5.1 - Goals

This amendment complies with the following applicable Environment goals:

- *A healthy and sustainable natural environment.* (Goal 5.1.1)
- *Cooperation and coordination among all stakeholders to maintain a flourishing natural environment.* (Goal 5.1.2)
- *Development that is compatible with environmental functions and features.* (Goal 5.1.4)

5.3 - Environmental Quality

5.3.1 - Objectives

The amendment complies with the following applicable Environmental Quality objectives:

- *To protect, conserve and improve the quality and quantity of Windsor's natural features and functions.* (Objective 5.3.1.2)
- *To protect biological diversity and the habitats of endangered, threatened and vulnerable species.* (Objective 5.3.1.3)
    - Refer to the response provided to PPS Policy 4.1.7 herein.

5.4 - Environmental Management

5.4.9 Waste Disposal Sites Policies

Disposal Site Report

Council shall require proponents of development within 500 metres of a Known or Suspected Waste Disposal Site to prepare a report in accordance with provincial legislation, policy and appropriate guidelines to demonstrate the site is suitable for development. (Policy 5.4.9.2)

- The Subject Property is located within 500.0 metres of the following two former Known Waste Disposal Sites identified within the Ministry of the Environment's Waste Disposal Site Inventory (June 1991) document:
    - Malden Road & Albert Road - Circa 1962 (Site No. A010103, Class A1, Closed in 1979)
        - Class A1 represents urban waste disposal sites that handled industrial liquid/hazardous wastes with the potential for impact on humans.
    - Matchette & Malden Road - Circa 1962 (Site No. A010103, Class A4, Closed in 1992)
        - Class A4 represents rural waste disposal sites closed less than 10 years that handled municipal/domestic wastes with the potential for impact on humans.
- A Phase I Environmental Site Assessment (ESA) prepared by Fisher Engineering, dated May 28, 2025, was completed in accordance with Canadian Standard Association (CSA) Standard Z768-01 (reaffirmed 2022) to demonstrate that the subject property is suitable for development.
    - The Phase I ESA determined that there is no evidence of actual and/or potential surface or sub-surface contamination associated with the Subject Property or other properties within the study area.
    - The Phase I ESA concluded that no further investigation is recommended at this time.

Restrict Development

Council shall prohibit residential, commercial, employment, mixed use and institutional development within 30 metres of a known waste disposal site and restrict development within 500 metres of a known or suspected waste disposal site if the site has any adverse environmental effects or poses a risk to public health and safety. (Policy 5.4.9.3)

- Refer to the response provided to Official Plan policy 5.4.9.2 herein.

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- *Safe, caring and diverse neighbourhoods.* (Goal 6.1.1)
- *Housing suited to the needs of Windsor's residents.* (Goal 6.1.3)
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.* (Goal 6.1.14)

6.3 Residential

6.3.1 Objectives

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods.* (Objective 6.3.1.1)
- *To promote compact neighbourhoods which encourage a balanced transportation system.* (Objective 6.3.1.2)

6.3.2 Policies

Permitted Uses

Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. (Policy 6.3.2.1)

- A Single Unit Dwelling is classified as a Low-Profile dwelling.

Types of Low-Profile Housing

For the purposes of this Plan, Low Profile housing development is further classified as follows: (Policy 6.3.2.3)

- *(a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and*
- *(b) large scale forms: buildings with more than 8 units. e*

Locational Criteria

Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where: (Policy 6.3.2.4)

- *(a) There is access to a collector or arterial road;*
    - The subject property has frontage on Malden Road, a Class II Arterial Road.
- *(b) Full municipal physical services can be provided;*
    - Refer to the response provided to PPS Policy 2.2.1.c) herein.
- *(c) Adequate community services and open spaces are available or are planned; and*
    - Refer to the response provided to PPS Policy 2.2.1.c) herein and the Surrounding Land Uses section herein.
- *(d) Public transportation service can be provided.*
    - The Subject Property is located just east of one of three areas identified for Alternative Service Delivery (ASD) within Transit Windsor's 2019 Transit Master Plan (TMP).
        - ASDs are intended to provide on-demand transit options for low-density and emerging development areas.
        - The TMP provides a timeframe of 2026 to 2028 for the implementation of the ASDs.

Evaluation Criteria for a Neighbourhood Development Pattern

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (Policy 6.3.2.5)

- *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
    - *(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
        - The Subject Property is located within 500.0 metres of two former Known Waste Disposal Sites.

        - Refer to the response provided to Official Plan Policy 5.4.9.2 herein.

    - *(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;*

        - Refer to the response provided to Spring Garden Secondary Plan Policy 5.7.1.11 herein.

    - *(iii) within a site of potential or known contamination;*

        - Refer to the response provided to Official Plan Policy 5.4.9.2 herein.

    - *(iv) where traffic generation and distribution is a provincial or municipal concern; and*

        - The Transportation Planning Department, through their comments to this application, did not identify any concerns with traffic generation and distribution associated with this amendment.

- *(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;*

    - The Subject Property is located within the Spring Garden Secondary Plan Planning Area.
    - Refer to the responses provided to the applicable Spring Garden Secondary Plan policies listed under Volume II hereafter.

- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*

    - This amendment will allow for a development that is compatible with the established residential built environment found within the surrounding neighbourhood.

        - The established residential built environment includes Single Unit Dwellings of various sizes and architectural styles, reflective of their time of construction ranging from 1919 to 2020.

    - The residential lots found within the surrounding neighbourhood vary in size with a wide range of lot widths and areas.
    - The residential zoning found within the surrounding neighbourhood includes DRD1.1, Residential District 1.1 (RD1.1) and Residential District 1.4 (RD1.4).

        - The aforesaid zoning districts and the requested RD1.3 zoning district have the same building setback and lot coverage provisions.

- The applicant is not requesting relief from any of the RD1.3 zoning provisions.

- *(d) provided with adequate off street parking;*
    - The proposed development will accommodate the required number of parking spaces onsite.

- *(e) capable of being provided with full municipal physical services and emergency services; and*
    - Refer to the response provided to PPS Policy 2.2.1.c) herein for details on the municipal physical services available to the subject property.
    - The Subject Property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 5) & Windsor Police Service.

Chapter 7 - Infrastructure:

Class II Arterial Roads

Council will provide for Class II Arterial Roads as follows: (Policy 7.2.6.5).

- *(b) Operational and design characteristics:*
    - *(vii) Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways, and where appropriate the City may require support studies and additional information to demonstrate the need for additional access.*
        - The Subject Property is comprised of five (5) lots on a Registered Plan of Subdivision (Lots 88 to 92, Plan 972), all having frontage on Malden Road.
        - The *Planning Act* permits whole lots on a Registered Plan of Subdivision to be conveyed without the granting of a Consent from the Committee of Adjustment.
        - The City cannot deny access to a lot(s) on a Registered Plan of Subdivision.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
    - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
    - *(b) Relevant support studies;*
    - *(c) The comments and recommendations from municipal staff and circularized agencies;*
    - *(d) Relevant provincial legislation, policies and appropriate guidelines; and*
    - *(e) The ramifications of the decision on the use of adjacent or similar lands.*
        - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

Volume II

Chapter 5 - Spring Garden Planning Area:

5.6 Objectives

The amendment complies with the following applicable Spring Garden Planning Area objective:

- *To determine appropriate noise attenuation measures for residential development areas adjacent to the E.C. Row Expressway, Huron Church Road, and Malden Road.* (Objective 5.6.3)

5.7.1 Residential

Low Profile Residential

Low Profile residential development will be permitted in the designated areas shown on Schedule SG-1 to this Plan. (Policy 5.7.1.1)

- A Single Unit Dwelling is classified as a Low-Profile residential development.

Low Profile Description

In accordance with the Official Plan of the City of Windsor, Low Profile residential development shall be comprised of single detached, semi-detached, duplex and multiple units up to 8 units. (Policy 5.7.1.2)

Maximum Density

The maximum residential density permitted is 30.0 units per gross hectare. (Policy 5.7.1.3)

- This amendment will result in a residential density of approximately 4.2 units per gross hectare.
    - 450 dwellings (approximate) / 106.8 ha (approximate gross residential area)

Encourage Single Detached

Single detached residences will be encouraged as the primary residential land use type. (Policy 5.7.1.4)

Noise Control

Noise control measures shall apply to areas affected by noise pollution from E.C. Row Expressway, Malden Road and Huron Church Road (refer to Schedule SG-2). Development in these areas may require site plan approval pursuant to the Planning Act. (Policy 5.7.1.11)

- A Noise Assessment prepared by Akoustik Engineering Limited, dated November 26, 2024, was completed to determine if the existing noise emissions from E. C. Row Expressway and Malden Road will impact the proposed residential development and propose any necessary mitigation measures.
- The Noise Assessment determined that the measured and predicted noise levels exceed the limits set by the Ministry of the Environment, Conservation and Parks' (MECP) *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300).*
- The Noise Assessment concluded that the noise impacts can be mitigated with the installation of central air conditioning and inclusion of warning clauses.
    - The Planning Department is recommending that a site-specific provision be added to require each Single Unit Dwelling to be provided with central air conditioning.
    - Warning clauses are no longer permitted to be registered on title.

5.7.9 Noise Mitigation

Noise Study Required

The following minimum setbacks from the centreline of the respective roadway as shown on Schedule SG-2 of this Plan require that a noise study be undertaken: (Policy 5.7.9.1)

- *(a) the E.C. Row Expressway - 245 metres;*
    - The Subject Property is located within 245 metres of E. C. Row Expressway
- *(c) Malden Road - 70 metres.*
    - The Subject Property fronts on Malden Road

5.8.5 Zoning By-law Amendments

Regard for the Policies of this Plan

Amendments to the Zoning By-law will be considered having regard to the development policies for the Spring Garden Planning Area established by this Plan. (Policy 5.8.5.1)

Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix D.

The Subject Property is within a DRD1.1 zone of Zoning By-law 8600, which does not permit a Single Unit Dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning of the Subject Property to a Residential District 1.3 (RD1.3) zone to allow for the construction of three (3) Single Unit Dwellings in addition to the existing Single Unit Dwelling.

The applicant has submitted a Planning Justification Report (PJR) in support of the requested amendment. The PJR has been considered and is supported in this report.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix F. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The proposed dwelling units implement *Environmental Master Plan* Objective C1: Encourage in-fill and higher density in existing built areas. Intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduces the amount of greenhouse gas emissions within the City of Windsor.

Climate Change Adaptation:

The new buildings may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject

of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.

Financial Matters:

N/A

Consultations:

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

The applicant hosted an in-person public open house on January 24, 2025, at the Holiday Inn & Suites Windsor (Ambassador Bridge). Notice of the open house was issued to owners of properties within 200.0 metres of the Subject Property. The open house was attended by seven (7) people.

The Public Open House section of the PJR summarizes the comments and questions raised by the attendees.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 200 metres of the subject property.

Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "shall be consistent with the" *Provincial Planning Statement 2024*. The recommended zoning amendment has been evaluated for consistency with the *Provincial Planning Statement 2024* and conformity with the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent with the PPS, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Deputy City Planner- Development

Neil Robertson, MCIP, RPP
City Planner

I am not a Registered Professional Planner and have reviewed as a Corporate Team Leader

JP *RM*

Approvals:

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administration Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Conceptual Plan
2 Appendix B - Site Images
3 Appendix C - Excerpts from Official Plan Volumes I & II
4 Appendix D - Excerpts from Zoning By-law 8600
5 Appendix E - Consultations
6 Appendix F - Draft Amending By-law7
7 Appendix G - Environmental Evaluation Report
8 Appendix H - Natural Site Features Inventory & Preservation Study
9 Appendix I - Noise Assessment
10 Appendix J - Phase I Environmental Site Assessment
11 Appendix K - Planning Justification Report

APPENDIX “A”
Conceptual Plans

REFER TO APPENDIX K - PLANNING JUSTIFICATION REPORT

APPENDIX “B”
Site Photos

REFER TO APPENDIX K - PLANNING JUSTIFICATION REPORT

APPENDIX "C"
Excerpts from Official Plan Volumes I & II

Volume I

3. Development Strategy

3.2 Growth Concept

3.2.1 Safe, Caring and Diverse Community

NEIGHBOURHOOD HOUSING VARIETY

3.2.1.2 Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

5. Environment

5.1 Goals

In keeping with the Strategic Directions, Council's environment goals are to achieve:

HEALTHY & SUSTAINABLE

5.1.1 A healthy and sustainable natural environment.

COOPERATION & COORDINATION

5.1.2 Cooperation and coordination among all stakeholders to maintain a flourishing natural environment.

COMPATIBLE DEVELOPMENT

5.1.4 Development that is compatible with environmental functions and features.

5.3 Environmental Quality

5.3.1 Objectives

NATURAL RESOURCES

5.3.1.2 To protect, conserve and improve the quality and quantity of Windsor's natural features and functions.

PROTECT BIOLOGICAL DIVERSITY

5.3.1.3 To protect biological diversity and the habitats of endangered, threatened and vulnerable species.

5.4 Environmental Management

5.4.9 Waste Disposal Sites Policies

DISPOSAL SITE REPORT

5.4.9.2 Council shall require proponents of development within 500 metres of a Known or Suspected Waste Disposal Site to prepare a report in accordance with provincial legislation, policy and appropriate guidelines to demonstrate the site is suitable for development.

RESTRICT DEVELOPMENT

5.4.9.3 Council shall prohibit residential, commercial, employment, mixed use and institutional development within 30 metres of a known waste disposal site and restrict development within 500 metres of a known or suspected waste disposal site if the site has any adverse environmental effects or poses a risk to public health and safety.

6. Land Use

6.1 Goals

In keeping with the Strategic Directions, Council's land use goals are to achieve:

NEIGHBOURHOODS 6.1.1 Safe, caring and diverse neighbourhoods.

RESIDENTIAL 6.1.3 Housing suited to the needs of Windsor's residents.

RESIDENTIAL INTENSIFICATION 6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. **(added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)**

6.3 Residential

6.3.1 Objectives

RANGE OF FORMS & TENURES 6.3.1.1 To support a complementary range of housing forms and tenures in all neighbourhoods.

NEIGHBOURHOODS 6.3.1.2 To promote compact neighbourhoods which encourage a balanced transportation system.

6.3.2 Policies

PERMITTED USES

6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.

TYPES OF DEVELOPMENT PROFILE

6.3.2.3 For the purposes of this Plan, Low Profile housing development is further classified as follows:

(a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and

(b) large scale forms: buildings with more than 8 units.

LOCATIONAL CRITERIA

6.3.2.4 Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where:

(a) There is access to a collector or arterial road;

(b) Full municipal physical services can be provided;

(c) Adequate community services and open spaces are available or are planned; and

(d) Public transportation service can be provided.
(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN

6.3.2.5 At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:

(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;

(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;

(iii) within a site of potential or known contamination;

(iv) where traffic generation and distribution is a provincial or municipal concern; and

(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

(d) provided with adequate off street parking;

(e) capable of being provided with full municipal physical services and emergency services; and

7. Infrastructure

7.2 Transportation System

7.2.6 Road Network Policies

CLASS II ARTERIAL ROADS

7.2.6.5 The following guidelines shall be considered when evaluating the proposed design of a Mixed Use Corridor development:

(b) Operational and design characteristics:

(vii) Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways, and where appropriate the City may require support studies and additional information to demonstrate the need for additional access.

11. Tools

11.6 Zoning

11.6.1 Objectives

COMPATIBLE USES

11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies

EVALUATION CRITERIA

11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II:

(b) Relevant support studies;

(c) The comments and recommendations from municipal staff and circularized agencies;

(d) Relevant provincial legislation, policies and appropriate guidelines; and

(e) The ramifications of the decision on the use of adjacent or similar lands.

Volume II

5. Spring Garden Planning Area

(Secondary Plan added by OPA #05 – 11/29/2002)

5.6 Objectives

Based on the background analysis and input received at the public meetings, the following development objectives are established.

ATTENUATE NOISE

5.6.3 To determine appropriate noise attenuation measures for residential development areas adjacent to the E.C. Row Expressway, Huron Church Road, and Malden Road.

5.7 Policies

Based upon the background analysis, public input, and consultants' studies, a land use plan was prepared (refer to Schedule SG-1: Land Use). The intent of this secondary plan is to achieve the previously described goals and objectives, establish a land use pattern and set out policies to guide future development.

5.7.1 Residential

This secondary plan provides primarily for future residential development which complements the development that has already occurred within this planning area. In this regard, residential development will be primarily low profile with limited provision for multiple unit residences.
Residential areas have been allocated to allow safe and convenient access to community and commercial facilities, employment areas, open space and parks, schools and major roads. Due to the presence of the Spring Garden Natural Area Complex, the following special detailed policies for the area shall apply:

LOW PROFILE RESIDENTIAL

5.7.1.1 Low Profile residential development will be permitted in the designated areas shown on Schedule SG-1 to this Plan.

LOW PROFILE DESCRIPTION

5.7.1.2 In accordance with the Official Plan of the City of Windsor, Low Profile residential development shall be comprised of single detached, semi-detached, duplex and multiple units up to 8 units.

MAXIMUM DENSITY 5.7.1.3 The maximum residential density permitted is 30.0 units per gross hectare.

ENCOURAGE SINGLE DETACHED 5.7.1.4 Single detached residences will be encouraged as the primary residential land use type.

NOISE CONTROL 5.7.1.11 Low Profile residential development will be permitted in the designated areas shown on Schedule SG-1 to this Plan.

5.7.9 Noise Mitigation

NOISE STUDY REQUIRED 5.7.9.1 The following minimum setbacks from the centreline of the respective roadway as shown on Schedule SG-2 of this Plan require that a noise study be undertaken:

(a) the E.C. Row Expressway - 245 metres;

(b) Huron Church Road - 295 metres; and

(c) Malden Road - 70 metres.

5.8 Implementation

5.8.5 Zoning By-law Amendments

REGARD FOR THE POLICIES OF THIS PLAN 5.8.5.1 Amendments to the Zoning By-law will be considered having regard to the development policies for the Spring Garden Planning Area established by this Plan.

APPENDIX "D"
Excerpts from Zoning By-law 8600

SECTION 8 - DEVELOPMENT RESERVE DISTRICTS 1. (DRD1.)

([ZNG/5270]

(B/L 370-2001 Nov 15/2001; B/L 168-2002 Jul 18/2002; B/L 164-2010 Nov 17/2010; B/L 164-2017 Dec 7/2017; B/L 95-2018 Aug 21/2018)

8.1 DEVELOPMENT RESERVE DISTRICT 1.1

8.1.1 PERMITTED USES

Existing Dwelling
Any use accessory to an *Existing Dwelling*

8.1.5 PROVISIONS

.1	Lot Width – minimum	As Existing
.2	Lot Area – minimum	As Existing
.3	Lot Coverage – Total – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.20 m

(B/L 95-2018 Aug 21/2018)

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019; B/L 101-2022 Jul 11/2022; B/L 52-2024 Apr 22/2024)

10.3 RESIDENTIAL DISTRICT 1.3 (RD1.3)

10.3.1 PERMITTED USES

Existing Duplex Dwelling
Existing Semi-Detached Dwelling
One *Single Unit Dwelling*
Any use accessory to the preceding uses

10.3.5 PROVISIONS

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1	Lot Width – minimum	9.0 m	15.0 m	9.0 m
.2	Lot Area – minimum	360.0 m^2	450.0 m^2	270.0 m^2
.3	Lot Coverage – maximum	45.0%	45.0%	45.0%
.4	Main Building Height – maximum	9.0 m	9.0 m	9.0 m
.5	Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6	Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7	Side Yard Width – minimum	1.20 m	1.20 m	1.20 m
.8	Gross Floor Area – main building – maximum	400 m^2	400 m^2	400 m^2

(B/L 101-2022 Jul 11/2022; B/L 52-2024 Apr 22/2024)

APPENDIX "E"
Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

Comments to Stage 1: Planning Consultation Application (PC-067/23)

No supporting studies required

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.

Comments to Stage 2: Planning Consultation Application (PC-017/25)

No comments provided

[Adam Pillon - Manager of Right-of-Way]

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

Comments to Stage 1: Planning Consultation Application (PC-067/23)

No Objection.

Please be advised of the overhead 120/240 Volt secondary service connected to the south-east corner of property 4615 Malden Rd.

Please be advised of the overhead 120/240 Volt secondary service connected to the south-east corner of property 4641 Malden Rd.

Prior to working in these areas, we suggest notifying your contractor and referring to the *Occupational Health and Safety Act* and Regulations for Construction Projects to confirm clearance requirements during construction and demolition. Also, we suggest referring to the *Ontario Building Code* for required clearances for New Building Construction.

[Nillavon Balachandran - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. - WATER ENGINEERING

Comments to Stage 1: Planning Consultation Application (PC-067/23)

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

ESSEX REGION CONSERVATION AREA (ERCA)

Comments to Stage 1: Planning Consultation Application (PC-067/23)

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Basin Drain. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

Our office has reviewed the proposal and has no concerns relating to the quantity and quality of runoff in the downstream watercourse due to the proposed development on this site. Our office does not require a stormwater management plan for this proposal.

[Alicia Good - Watershed Planner]

FORESTRY

Comments to Stage 2: Planning Consultation Application (PC-017/25)

March 11, 2025

The existing natural site feature report is acceptable.

My understanding is that no work is being undertaken on the Part 4 section of the lot that holds the existing house. If that holds true, then both of the City owned trees are safe. If any development work will be undertaken on the PART 4 section of this property, then my statement regarding larger Tree Protection Zone (TPZ) requirements stands. City Forestry requires a TPZ 12 times then diameter of the CITY tree to protect. We recommend, but cannot enforce, similar protections for private trees. A modified site plan indicating the larger TPZ would be required if there is work on Part 4.

A note acknowledging activities planned on Part 4 would suffice.

February 24, 2025

Forestry has reviewed the submitted *Natural Site Features Inventory and Preservation Report.*

The Tree Root Protection zone (TPZ) must be expanded for City trees to 12x the DBH or Drip line distance +1meter, as opposed to the proposed 6x DBH recommendation. Similar recommendations are made for private trees to be protected to ensure maintenance of future health.

Will the proposal include compensation for loss of Tree Canopy with new plantings on site? Forestry suggests that new landscaping may include a minimum one new front yard tree per new residence to be established along Malden Rd frontage.

Forestry will require detailed site plans prior to construction that show adequate Tree Root protection zones for each individual tree if they are to be preserved on-site and those in proximity on adjacent lots through the development process. Basic Tree protection includes exclusion fencing at the 'dripline +1 meter' distance for each tree. Full details regarding the size of protection area required the permitted activity within the protection zone and the type of fencing for protection zones can be provided by Forestry. City Trees are protected from damages and removal under City by-law 135-2004 and 131-2019.

If the trees are not to be preserved or cannot be adequately protected through the development process a request must be made that specific trees be removed. A Removal & Canopy Replacement costs may be calculated based on cost-to-remove and a Diameter-for-Diameter replacement ratio for both City owned trees.

If individual trees are initially identified to be preserved and provided with Protection zones but are damaged or encroached upon during construction, then Removal and Replacement costs will apply.

Forestry requests the opportunity to review 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. Forestry will continue to monitor the progress of this construction work.

[Gaspar Horvath - Supervisor Parks]

Comments to Stage 1: Planning Consultation Application (PC-067/23)

Forestry has following comments on this property.

It was determined there are only two city owned trees that will need to preserved.

Both the Freeman maple 62dbh and the Red maple are located along Halliday.

I would recommend the developer follow the tree preservation methods outlined in the City of Windsor Landscape Manual under section 3.1 Existing trees.

There were some private mature trees located on this property, and I would request an inventory done on these trees.

This is a requirement under the City of Windsor's Official Plan under section 5.3.6.7, section 10.2.1.7 and section 10.2.14.

[Yemi Adeyeye- City Forester / Manager Forestry & Natural Areas]

MINISTRY OF TRANSPORTATION (MTO)

Comments to Stage 1: Planning Consultation Application (PC-067/23)

MTO does not object to the proposed zoning by-law amendment. The subject property is located within MTO's Permit Control Area, and as such, MTO review, approval and permits are required before any demolition, grading, construction or alteration to the site(s) commences.

As a condition of permits, the Proponent shall submit an acceptable Site Plan, Grading Plan, Drainage Plan and Site Servicing Plan for MTO review and approval. MTO permits will be required for each individual lot/dwelling.

MTO may have additional comments/requirements upon review of the above documents.

[Ryan Mentley - Corridor Management Planner]

PARKS DESIGN & DEVELOPMENT (NATURAL AREAS)

Comments to Stage 2: Planning Consultation Application (PC-017/25)

Natural Areas comments:

- ERCA Permit may be required due to proximity to Provincially Significant Wetland and the parcel is partially within the Limit of Regulated Area.

For Site Plan Control:

- Include MECP understandings and mitigation recommendations with the following adjustments:
    - Require the installation of a permanent fence along the east boundary to protect the natural area from encroachment.
        - Offer that the Ojibway Nature Centre is available for education and outreach for new owners
        - Offer that Ojibway Nature Centre is available for SAR training for on-site personnel
        - Include the SAR Hotline for assistance with retrieval/drop off services for SAR snakes or other wildlife species on site (519) 816-5352

Comments to Stage 1: Planning Consultation Application (PC-067/23)

From what I can tell, the application aligns to the Spring Garden Planning Area policies. No comment from Natural Areas on the re-zoning.

Noteworthy at this time: a development proposal will have to give proper regard to natural heritage under the PPS. We have multiple occurrences of Species at Risk within 1 km of the property.

[Karen Alexander - Naturalist & Outreach Coordinator]

PLANNING DEPARTMENT - HERITAGE

Comments to Stage 1: Planning Consultation Application (PC-067/23)

I looked closer at the EIS mapping, what is in the OP schedule C.1, and the 2005 WAMP modelling, and I think what might have happened was it was “loosely interpreted” to be in the high potential area since there are no local roads drawn on the map, it’s more so large blobs of areas (see snippet).

I think the cutoff is about around the rear lot line of the north side properties along Spring Garden Rd? So I would interpret as this property not falling within the high potential area.

Nevertheless, I have included the standard archaeological precaution in case anything is discovered during ground disturbances.

There is no apparent built heritage concern with this property, and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City’s Planning & Building Department, the City’s Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

- 519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

- Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

- Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

- A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

[Tracy Tang - Heritage Planner]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

Comments to Stage 1: Planning Consultation Application (PC-067/23)

The proposed development lies with the Spring Garden Natural Area and is within the buffer of an ERCA controlled wetland area. Therefore, the required studies previously requested (attached) as well as ERCA approval are required.

[Stefan Fediuk - Landscape Architect / Acting Senior Urban Designer]

TRANSPORTATION PLANNING

Comments to Stage 1: Planning Consultation Application (PC-067/23)

No supporting studies required

[Chris Gerardi - Policy Analyst]

WALPOLE ISLAND FIRST NATION

No comments provided

APPENDIX "F"
Draft Amending By-law

B Y - L A W N U M B E R -2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 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. That subsection 91.10 of Section 91, of said by-law, is amended by adding the following clause:

1. NORTHEAST CORNER OF HALLIDAY AVENUE AND MALDEN ROAD

For the lands comprising of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), the following additional provision shall apply:

a) For a *Single Unit Dwelling*, a central air conditioning system shall be provided.

[ZDM 5; ZNG/7301]

2. That subsection 95.20 of Section 95, of said by-law, is amended by adding the following clause:

a) Submission of an Erosion and Sediment Control Plan and a Relocation and Monitoring Plan in accordance with the Environmental Evaluation Report prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, to the satisfaction of the City Planner.

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. Zoning Symbol	5. New Zoning Symbol
1	5	Lots 88 to 92, Plan 972 PIN 01262-1355 LT (located on the northeast corner of Halliday Avenue and Malden Road)	DRD1.1	H(14)RD1.3x(1)

4. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the condition referred to in Section 2 fulfilled to the satisfaction of the City Planner.

DREW DILKENS, MAYOR

CLERK

First Reading - , 2025

Second Reading - , 2025

Third Reading - , 2025

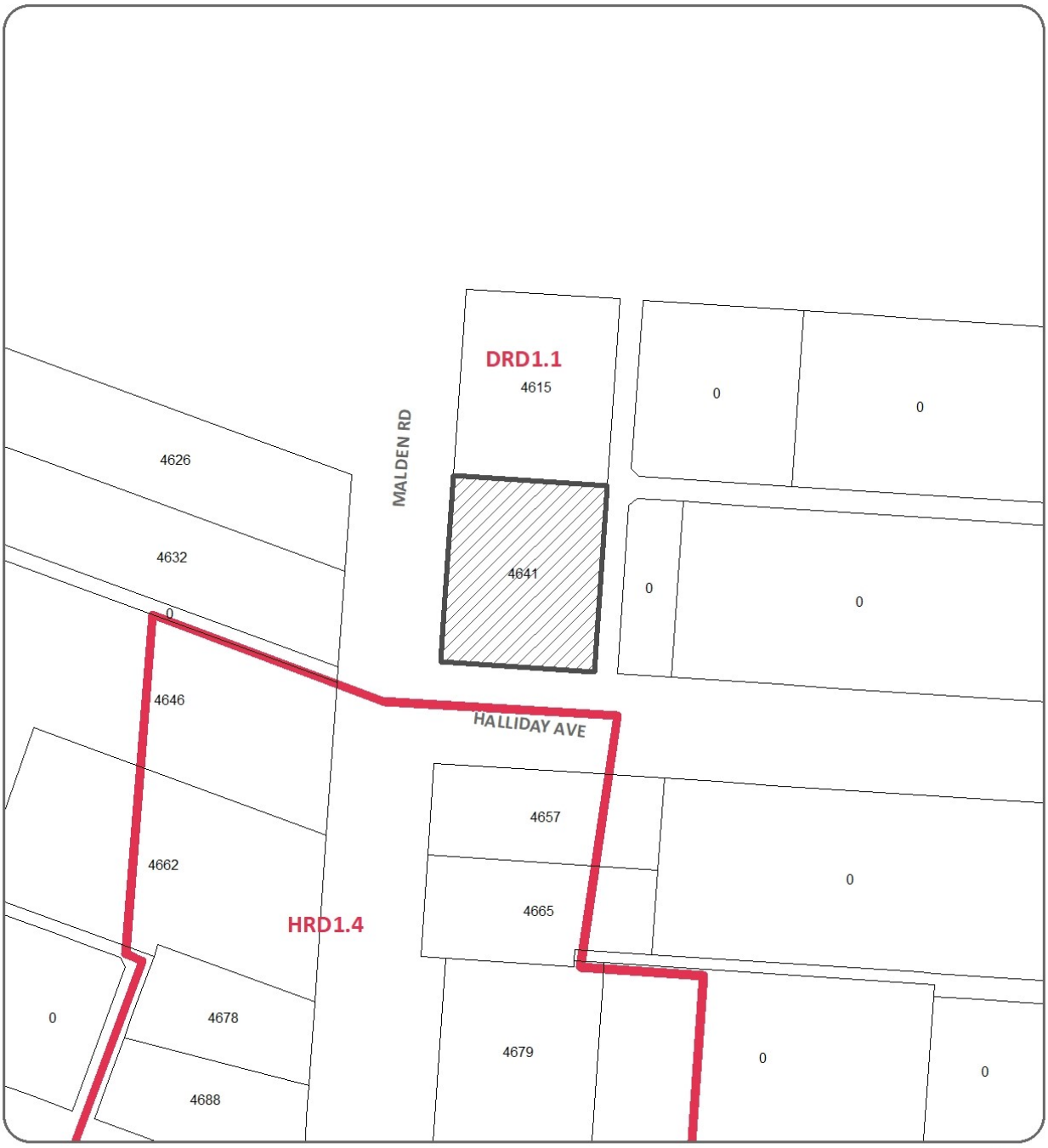
SCHEDULE 2

1. By-law _____ has the following purpose and effect:

   To amend the zoning of the lands located on the northeast corner of Halliday Avenue and Malden Road, legally described as Lots 88 to 92, Plan 972, PIN 01262-1355 LT, so as to permit the development of three (3) single unit dwellings in addition to the existing single unit dwelling on the subject land.

   The amending by-law changes the zoning on the subject land from Development Reserve District 1.1 (DRD1.1) to Residential District 1.3 (RD1.3) and adds a zoning exception requiring a central air conditioning system to be provided for a single unit dwelling.

2. Key map showing the location of the lands to which By-law _____applies.



PART OF ZONING DISTRICT MAP 5

N.T.S.

SCHEDULE 2

Applicant: Marshall Paton

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2025
FILE NO. : Z-010/25, ZNG/7301

ENVIRONMENTAL EVALUATION REPORT

Consent and Zoning By-law Amendment

4641 Malden Road, City of Windsor

2 January 2025

TERRASTORY

environmental consulting inc.

ENVIRONMENTAL EVALUATION REPORT

Consent and Zoning By-law Amendment
4641 Malden Road, City of Windsor

Prepared for:

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Skyscape Consulting
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Intermediate Ecologist | Arborist

Reviewed by:

Tristan Knight, M.E.S., M.Sc., I.S.A., C.E.R.P.
Senior Ecologist | President

Project No.: 24044
2 January 2025

This report has been prepared by Terrastory Environmental Consulting Inc. (hereinafter "Terrastory") for the client. All information, conclusions, and recommendations contained in this report are subject to the scope and limitations set out in the agreement between Terrastory and the client and qualifications contained in this report. This report shall not be relied upon by any third parties without the prior written consent of Terrastory. Terrastory is not responsible for any injury, loss, or damages arising from improper use of this report by third parties. Excerpts of this report or alterations to this report taken without the authorization of Terrastory invalidates the report and any conclusions therein.

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1 INTRODUCTION

1.1 Study Background

Terrastory Environmental Consulting Inc. (hereinafter "Terrastory") was retained by Skyscape Consulting (hereinafter "the Applicant") to prepare this Environmental Evaluation Report (EER) in support of a severance (Consent to Sever) and Zoning By-law Amendment (ZBA) applications at 4641 Malden Road (hereinafter "Subject Property") in the City of Windsor. The Subject Property is an approximately 0.11-hectare (0.28 acre) parcel on the east side of Malden Road between Herb Gray Parkway/Highway 401 and Chappus Street. The Subject Property consists of an existing residence surrounded by manicured amenity space (lawn) with a few scattered specimen trees. Natural features are absent from the Subject Property but occur to the east. The location of the Subject Property within its broader landscape setting is shown in **Figure 1**.

The Subject Property falls within the Spring Garden Secondary Plan area per Volume II of the City's Official Plan (OP). The lands are designated "Low Density Residential" per Schedule SG-5 (Concept Plan) and are further zoned Development Research District 1.1 (DRD 1.1) under Zoning By-law 8600.

It is understood that the Applicant wishes to create three (3) new residential lots, each to contain a single dwelling, while the existing two-storey residential dwelling is to remain. The proposed development must be facilitated by consent (severance) and rezoning applications, as confirmed through a 13 February 2024 pre-consultation letter (i.e., Stage 1 Planning Consultation) received from the City. To support the severance/rezoning applications, the City has requested a supporting EER and Natural Site Features Inventory and Preservation Study (authored by Terrastory under separate cover). A Terms of Reference (ToR) was submitted to the City on 28 April 2024 to guide the work described herein and is provided in **Appendix 1**.

1.2 Study Purpose

The purpose of this study is to present a biophysical characterization of the Subject Property and Adjacent Lands (i.e., those within 120 m of the Subject Property) as a means to assess the potential for adverse effects on the natural environment and natural heritage features stemming from the proposed application. The scope and approach of this study address the general reporting requirements of the ToR (see **Appendix 1**), Section 5.3.5.3 (EER standards), and Clause 10.2.5(f) (EIS standards) under the City's OP. It is understood that this report will form part of the consent/rezoning application package to be submitted for consideration by the City.

2 APPROACH AND METHODS

This study is composed of five (5) discrete components which are bulleted below and further described in the following sections.

1. **Acquire background biophysical information and mapping** available for the local landscape surrounding the Subject Property (see **Section 2.1**).
2. **Conduct a site assessment and ecological surveys** to field-verify the accuracy of the acquired background biophysical information and collect additional biophysical information as necessary (see **Section 2.2**).

3. **Assess the significance** of the biophysical information collected and natural features identified within the context of applicable natural heritage and environmental policies (see **Section 2.3**).
4. **Predict the effects** of the application on the identified significant natural features and natural environment, particularly the net effects once mitigation measures and technical recommendations are implemented (see **Section 2.4**).
5. **Determine whether the proposed application addresses applicable natural heritage and environmental policies** at municipal, provincial, and federal levels (see **Section 2.5**).

2.1 Background Biophysical Information Assessment

This study is supported by background biophysical information and mapping acquired and reviewed from a variety of sources which are listed below in **Table 1**.

Table 1. Background Biophysical Information Acquired and Reviewed.

Type of Information Acquired	Description
Ortho-rectified Aerial Photographs	• 1999, 2004, 2005, 2007, 2009 to 2011, 2015 to 2024.
Natural Feature Mapping	• City of Windsor Official Plan (2013) Schedules A, B, C, D, SG-1, SG-3, and SG-5. • Land Information Ontario (LIO) accessed via the "Make a Map: Natural Heritage Areas" web-based platform (last accessed 22 May 2024). • Essex Region Conservation Authority (ERCA) regulation mapping (last accessed 30 October 2024).
Physiographic Resource Mapping and Datasets	• Ontario Base Mapping produced by MNR (1:10,000) with 5 m contours. • Ontario Well Records (publicly-available). • Location and Extent of the Soils of Southern Ontario (Jarvis et al. 1998). • Agricultural Information Atlas (last accessed 30 October 2024). • Surficial Geology of Southern Ontario (Ontario Geological Survey 2010). • Physiography of Southern Ontario (Chapman and Putnam 1984).
Ecological Resource Mapping and Datasets	• Natural Heritage Information Centre (NHIC) database accessed via the "Make a Map: Natural Heritage Areas" web-based platform (squares: 17LG3081, 17LG2981, 17LG2982, 17LG3082; last accessed 22 May 2024). • Critical Habitat for SAR National Dataset (last accessed 22 May 2024). • iNaturalist "(NHIC) Rare species of Ontario" project (last accessed 22 May 2024). • Ontario Breeding Bird Atlas (OBBA) database and the Atlas of the Breeding Birds of Ontario, 2001–2005 (Cadman et al. 2007), along with OBBA 3 (2021-2023) existing data from the Birds Canada-NatureCounts database (square: 17LG38). • iNaturalist "Herps of Ontario" project and Ontario Reptile & Amphibian Atlas (last accessed 22 May 2024). • Ontario Butterfly Atlas database (square: 17LG38; last accessed 22 May 2024). • iNaturalist "Ontario Odonata" project (last accessed 22 May 2024). • Bumble Bee species distribution maps from iNaturalist and Bumble Bee Watch. • Aquatic Species at Risk Maps produced by Fisheries and Oceans Canada (last accessed 22 May 2024). • Atlas of the Mammals of Ontario (Dobbyn 2005).

2.2 Site Assessments and Surveys

The acquired background information per **Table 1** helped direct site assessment and surveys carried out by Terrastory staff. **Table 2** below indicates the primary assessments/surveys performed during each site visit, weather conditions, and time on-site.

Table 2. Site Assessments and Ecological Surveys performed on the Subject Property.

Date of Site Assessment	Assessments/Surveys Performed	Terrastory Staff	Weather Conditions	Time On-site
15 April 2024	SAR Snake Visual Encounter Survey #1	T. Knight	Air temperature 19°C; Beaufort Wind Scale 1; cloud cover 0%; no precipitation.	14:20-14:50
25 April 2024	SAR Snake Visual Encounter Survey #2	J. Consiglio	Air temperature 10-11°C; Beaufort Wind Scale 0; cloud cover 25-50%; no precipitation.	15:45-16:00
26 April 2024	SAR Snake Visual Encounter Survey #3	J. Consiglio	Air temperature 14-16°C; Beaufort Wind Scale 1; cloud cover 0-25%; no precipitation.	12:45-13:00
10 May 2024	SAR Snake Visual Encounter Survey #4	T. Knight	Air temperature 18°C; Beaufort Wind Scale 1; cloud cover 75-100%; no precipitation.	14:30-14:55
09 June 2024	SAR Snake Visual Encounter Survey #5	T. Knight	Air temperature 22°C; Beaufort Wind Scale 3; cloud cover 50-75%; no precipitation.	14:10-14:50
10 June 2024	Breeding Bird Survey #1	T. Knight	Air temperature 13-14°C; Beaufort Wind Scale 3; cloud cover 75-100%; no precipitation.	07:30-07:55
07 July 2024	SAR Snake Visual Encounter Survey #6	T. Knight	Air temperature 24-25°C; Beaufort Wind Scale 0; cloud cover 0-25%; no precipitation.	11:10-11:35
08 July 2024	Breeding Bird Survey #2	T. Knight	Air temperature 22°C; Beaufort Wind Scale 0; cloud cover 25-50%; no precipitation.	07:55-08:30
30 July 2024	SAR Snake Visual Encounter Survey #7	J. Consiglio	Air temperature 26-28°C; Beaufort Wind Scale 0-1; cloud cover 0-25%; no precipitation.	18:55-19:10
31 July 2024	Tree Inventory, Summer Botanical Survey, SAR Snake Visual Encounter Survey #8	J. Consiglio	Air temperature 28°C; Beaufort Wind Scale 1; cloud cover 0%; no precipitation.	10:40-12:10
12 September 2024	SAR Snake Visual Encounter Survey #9	J. Consiglio	Air temperature 24-26°C; Beaufort Wind Scale 1-2; cloud cover 0-25%; no precipitation.	18:50-19:10

Date of Site Assessment	Assessments/Surveys Performed	Terrastory Staff	Weather Conditions	Time On-site
13 September 2024	Vegetation Community Classification, Fall Botanical Survey, SAR Snake Visual Encounter Survey #10	J. Consiglio	Air temperature 26°C; Beaufort Wind Scale 1; cloud cover 0%; no precipitation.	11:35-12:35

The site assessments and surveys centred on characterizing the land use (e.g., historical development patterns, existing built features, land maintenance, etc.), physiographic (e.g., topography, drainage, surface water features, etc.), and ecological (e.g., vegetation, wildlife, habitats, etc.) conditions and features of the Subject Property and (where appropriate) Adjacent Lands (i.e., lands within 120 m of the Subject Property). In addition to assessing natural areas, the exterior surfaces of existing built structures were visually inspected for their potential to provide wildlife habitat (e.g., nesting sites for birds, egress for potential snake overwintering sites within the foundation). All land-use, physiographic, and ecological information described for Adjacent Lands was collected from either current aerial photographs or observations from inside the Subject Property and/or publicly-accessible areas (e.g., rights-of-way, etc.). The locations and boundaries of significant natural features and/or habitats were recorded on-site with a high-accuracy GPS supported by representative photographs.

In addition to collecting general biophysical information, the following targeted assessments (i.e., feature- or species-specific surveys) were undertaken:

- **Vegetation Mapping according to Ecological Land Classification (ELC):** Vegetation communities on the Subject Property were characterized and mapped according to Ecological Land Classification (Lee et al. 1998) and the 2008 update to the Vegetation Type List (Lee 2008). Vegetation communities were initially identified based on current aerial photographs and then verified and refined (as necessary) on-site. ELC mapping was scaled to the finest level of resolution deemed appropriate (i.e., either Ecosite or Vegetation Type). Vegetation communities mapped on Adjacent Lands were delineated predominantly via aerial photograph interpretation.
- **Wetland Boundaries:** Where wetlands were identified via ELC, their boundaries were delineated consistent with the "50% wetland vegetation rule" and presence of hydric soils per the procedures of the Ontario Wetland Evaluation System (OWES) (OMNRF 2014). Wetlands occurring on Adjacent Lands outside the Subject Property were characterized and mapped based on observations from within the Subject Property and/or road allowance, in combination with aerial photograph interpretation.
- **Vascular Plant Survey:** Vascular plants were recorded based on a comprehensive area search ("wandering transects") within manicured, naturally-occurring (i.e., non-planted) or naturalizing areas of vegetation. Particular effort was paid to areas with the greatest potential to support significant vascular plants (i.e., designated Species at Risk, provincially rare, etc.) and areas with the greatest potential for impact based on the proposed development plan. Nomenclature and common names for the recorded vascular plant species are generally consistent with the Southern Ontario Vascular Plant Species List (Bradley 2013) except where a name change has more recently been adopted by NHIC.
- **Breeding Bird Surveys according to the Ontario Breeding Bird Atlas Protocol:** Two rounds of breeding bird surveys were conducted in accordance with the Ontario Breeding Bird Atlas (OBBA) protocol (Bird Studies Canada et al. 2001). Surveys occurred within the appropriate season (May 24–July

10), time of day (between dawn and approximately 5 hours after dawn), and weather conditions (no rain, wind speed ≤3 on the Beaufort Wind Scale). Surveys occurred for a minimum duration of 10 minutes at each station. Species were also recorded during comprehensive area searches ("wandering transects") that were completed while traveling between each station.

- **Survey Protocol for Ontario's Species at Risk Snakes:** Ten visual encounter surveys occurred in accordance with the *Survey Protocol for Ontario's Species at Risk Snakes* (OMNRF 2016). Surveys occurred within the appropriate season (April to September), time of day (09:00 – 5:00 pm in spring, and 08:00 – 12:00 or 17:00 – 20:00 in summer), and weather conditions (air temperature between 10°C and 25°C when sunny, or between 15 °C – 30°C when overcast, no rain, wind speed lower than 24 km/hr). Two surveys were scheduled early in the season (i.e., April) with the intent of detecting recent snake emergence from hibernacula. Where present, cover objects (e.g., rocks, debris, etc.) were overturned to detect individuals beneath.

2.3 Significance Assessment

2.3.1 Definitions and Criteria

"Significant natural features" as described herein represent natural features and habitats that have recognized status (and therefore policy significance) within the planning jurisdiction in which an application is proposed. Significant natural features are defined herein to include those referenced in section 2.1 of the 2024 Provincial Planning Statement (PPS), namely:

- Significant Wetlands;
- Significant Woodlands;
- Significant Valleylands;
- Significant Wildlife Habitat (SWH);
- Significant Areas of Natural and Scientific Interest (ANSIs);
- Habitat of Endangered and Threatened Species; and
- Fish Habitat.

Defining "significant natural features" pursuant to the PPS is considered warranted herein as such features form part of the City's Greenway System and are shown on Schedule B (and SG-3) of the City's OP.

Criteria used to determine the presence or absence of the above significant natural features within the Subject Property and Adjacent Lands were considered from a variety of sources including the City's OP, Natural Heritage Reference Manual (MNR 2010), and (for Significant Wildlife Habitat) the Ecoregion 7E Criteria Schedule (MNRF 2015a).

Apart from PPS-derived significant natural features, this study also seeks to determine whether any natural features or hazards regulated by ERCA pursuant to O. Reg. 41/24 occur within the Subject Property and/or Adjacent Lands. ERCA regulated features and hazard lands include:

- Wetlands (significant, evaluated, or identified);
- Watercourses and their associated meanderbelts and floodplains;

- Valleylands;
- Steep slopes and other hazard lands; and
- Shorelines.

Like significant natural features, "significant species" represent individuals of wild species which have recognized status (and therefore policy significance) within the planning jurisdiction in which an application is proposed. Significant species are defined herein to include:

- Species designated Endangered, Threatened, or Special Concern under O. Reg. 230/08 pursuant to the provincial *Endangered Species Act, 2007*.
- Species designated Provincially Rare (i.e., S1, S2, or S3) by NHIC.
- Species considered Regionally Rare in Essex pursuant to the *List of the Vascular Plants of Ontario's Carolinian Zone* (Oldham 2017).

2.3.2 Determination

After collecting the background biophysical information and conducting the site assessments and surveys, the data was interpreted to determine whether any significant natural features, natural features/hazards regulated by ERCA, and/or significant species occur within the Subject Property and/or Adjacent Lands. If a natural feature or species met the significance criteria, it is considered "confirmed". If a natural feature or species may be present on the Subject Property and/or Adjacent Lands given the prevailing biophysical or habitat conditions but was not confirmed based on either background or site-specific biophysical data, it is considered potential or "candidate". Candidate significant natural features and species are treated as confirmed where no additional information is available.

2.4 Effects Assessment and Mitigation

The potential ecological effects of an application can be understood spatially as zones that radiate outward from the direct project footprint (e.g., building envelope, etc.) and associated areas of site alteration (e.g., grading, etc.). While the greatest potential for effects typically occurs within areas directly subject to development or disturbance, surrounding areas may also be affected indirectly. Such indirect effects can include light or noise pollution that affects wildlife communities on Adjacent Lands, or degradation of water quality within a downstream receptor resulting from sediment runoff during construction.

The following five-pronged approach is employed herein to assess the effects of an application on significant natural features and species and (where warranted) the natural environment in general:

1. **Scope** the effects assessment to environmental components that warrant consideration. The effects assessment herein centres principally on significant natural features and species (i.e., those that have policy significance within the planning jurisdiction, as defined in **Section 2.3**) but may also consider general environmental effects where warranted.
2. **Identify the predicted direct and indirect effects** of the application on each significant natural feature or species during all project stages (i.e., pre- to -post-development) in the absence of mitigation. Direct effects are those where there is a cause-effect relationship between a proposed activity and an

effect on a natural feature or species (e.g., tree clearance within a building footprint, etc.). Indirect effects result when an activity is linked to a direct effect through a chain of foreseeable interactions or steps.

3. **Evaluate the significance** of the predicted effects for each environmental component based on their attributes (i.e., spatial extent, magnitude, timing, frequency, and duration) and likelihood (i.e., high, medium, low).
4. Where the potential for negative effects are anticipated, **recommend ecologically-meaningful mitigation measures** to avoid such impacts first (where possible), and where impacts cannot be avoided to minimize, compensate, and/or enhance as appropriate.
5. **Identify the predicted residual or net effects** of the application assuming implementation of all recommended mitigation measures.

Per step 4, mitigation measures are offered where the potential for negative effects are anticipated to a degree that cannot be supported given the prevailing policy context. Whenever possible, Terrastory works iteratively with the project team as a means to identify development plan options that avoid negative effects first; options that would minimize or mitigate such negative effects are less preferred and considered secondarily. In general, avoidance measures that have already been incorporated into the application or project design are not duplicated as technical recommendations herein. The effects assessment and any recommended mitigation measures are provided in **Section 5**.

2.5 Natural Heritage Policy Context

There is an overlapping municipal, provincial, and federal policy framework respecting the protection of natural heritage features and areas across southwestern Ontario. These requirements include objectives, policies, and directives which are principally contained in federal and provincial statutes, regulations, policy statements, Official Plans, and guidance documents. The overarching natural heritage policy framework directing development activities within the Subject Property is outlined below in **Table 3**. A determination of whether the application considered herein addresses such policies is provided in **Section 6**.

Table 3. Applicable Natural Heritage Policies.

Level of Government	Natural Heritage or Environmental Policy Requirements
Municipal	City of Windsor Official Plan (2013).
Provincial	Provincial Planning Statement 2024, pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, including: • Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005 (MNR 2010). • Significant Wildlife Habitat Technical Guide (MNR 2000). • Significant Wildlife Habitat Criteria Schedules for Ecoregion 7E (MNRF 2015a). • Significant Wildlife Habitat Mitigation Support Tool (MNRF 2014). *Conservation Authorities Act*, R.S.O. 1990, c. C.27, including: • Ontario Regulation 41/24 – Prohibited Activities, Exemptions, and Permits. *Endangered Species Act* (ESA), S.O. 2007, c. 6, including: • Ontario Regulation 230/08 – Species at Risk in Ontario List • Ontario Regulation 242/08 – General

Level of Government	Natural Heritage or Environmental Policy Requirements
	• Ontario Regulation 832/21 – Habitat *Fish and Wildlife Conservation Act*, S.O. 1997, c. 41.
Federal	*Fisheries Act*, R.S.C. 1985, c. F-14, including: • Fish and Fish Habitat Protection Policy Statement (DFO 2019). *Migratory Birds Convention Act*, S.C. 1994, c. 22, including: • Migratory Birds Regulations, C.R.C., c. 1035.

3 EXISTING BIOPHYSICAL CONDITIONS

The following is a description of the biophysical features and conditions of the Subject Property, which are shown spatially on **Figure 2**. Representative photographs are provided in **Appendix 2**.

3.1 Land-use and Landscape Setting

The Subject Property is situated within the Spring Garden neighbourhood, on the east side of Malden Road between the Herb Gray Parkway/Highway 401 and Chappus Street. Parcels immediately adjacent the Subject Property primarily contain single family residences and amenity space, with natural features (i.e., woodland and wetland) to the southeast.

3.2 Physical Setting

3.2.1 Surficial Geology and Soils

The St. Clair Clay Plains underlay much of the surrounding region, typified by relatively flat expanses of uniform clay (Chapman and Putnam 1984). The very gently undulating and finely textured Brookston series clay loam hold moisture well, producing areas with poor drainage conditions (Jarvis et al. 1998).

3.2.2 Topography and Drainage

As described in **Section 3.2.1**, the Subject Property topography (as well as that of the surrounding area) is predominantly flat, grading to very gently sloping. Overall, surface water within the Subject Property appears to be shed in a predominantly western direction towards a drainage ditch along the east side of Malden Road. Herbaceous vegetation observed within the drainage ditch is limited to introduced species, such as non-native cold-season grasses (e.g., *Dactylis glomerata*, *Poa pratensis* ssp. *pratensis*), Common Dandelion (*Taraxacum officinale*), and several stalks of European Reed (*Phragmites australis* ssp. *australis*).

3.3 Ecological Setting

3.3.1 Vegetation Communities

The Subject Property consists entirely of manicured amenity space, specimen/amenity trees, and an existing dwelling (CVR_3) fronting onto Malden Road (CVI_1) (see **Figure 2**). Slender Paspalum (*Paspalum setaceum*), a Provincially Rare (S2) vascular plant was observed growing within the mowed grass area adjacent to the existing dwelling.

East of the Subject Property is a rectangular patch of meadow (MEGM3) comprised of Orchard Grass (*Dactylis glomerata*), Lance-leaved Plantain (*Plantago lanceolata*), Kentucky Bluegrass (*Poa pratensis* ssp. *pratensis*), Allegheny Blackberry (*Rubus allegheniensis*), and young Autumn Olive (*Elaeagnus umbellata*). A narrow band of woodland (WODM4) exists to the north of the meadow, comprised of Freeman's Maple (*Acer* × *freemanii*), Manitoba Maple (*Acer negundo*), and Autumn Olive.

Following the meadow's southern edge is a deciduous swamp (SWDM3-3) comprised of Freeman's Maple, with scattered Eastern Cottonwood (*Populus deltoides* ssp. *deltoides*), Shagbark Hickory (*Carya ovata*), and Swamp Pin Oak (*Quercus palustris*) throughout the canopy and subcanopy (as observed from the Subject Property) extending to the southeast on Adjacent Lands. This vegetation community forms part of the Provincially Significant Ojibway Prairie Wetland Complex (hereinafter "PSW").

Bordering the western edge of Malden Road, directly opposite the Subject Property, is a meadow (MEFM1-1) dominated by Tall Goldenrod (*Solidago altissima* var. *altissima*) with smaller pockets of Queen Anne's Lace (*Daucus carota*), Orchard Grass, and Riverbank Grape (*Vitis riparia*), as observed from Malden Road.

3.3.2 Vascular Plants

A total of 50 vascular plant species were recorded within the Subject Property and adjoining publicly accessible rights-of-way (see **Appendix 3**). Of these, 22 (44%) are considered native to Ontario and 28 (56%) are exotic.

Slender Paspalum (*Paspalum setaceum*), a Provincially Rare (S2) grass, was documented growing in manicured lawn within the Subject Property.

3.3.3 Breeding Birds

Breeding bird surveys were undertaken on 10 June and 08 July 2024. A total of 21 bird species were recorded during the breeding bird surveys (with two additional bird species recorded incidentally during the course of other field activities). The assemblage and abundance of birds recorded generally reflects the prevailing structure and composition of on-site vegetation communities and variable habitats of the Subject Property and Adjacent Lands (e.g., forest, woodland, meadows, residential areas). The survey station location is shown on **Figure 2** while the full survey results indicating each species' breeding status can be found in **Appendix 4**. The locations of significant bird species recorded are shown on **Figure 3**. A general summary of the breeding bird communities present within the Study Area is provided below.

Manicured amenity space within the Study Area supports generalist species, including American Robin (*Turdus migratorius*), Brown-headed Cowbird (*Molothrus ater*), European Starling (*Sturnus vulgaris*), Northern Cardinal (*Cardinalis cardinalis*), Red-winged Blackbird (*Agelaius phoeniceus*), Tree Swallow (*Tachycineta bicolor*), and Song Sparrow (*Melospiza melodia*).

Commonly recorded species within treed vegetation communities (including edge habitat) on Adjacent Lands include Black-capped Chickadee (*Poecile atricapillus*), Blue Jay (*Cyanocitta cristata*), Carolina Wren (*Thryothorus ludovicianus*), Cedar Waxwing (*Bombycilla cedrorum*), Common Grackle (*Quiscalus quiscula*), Downy Woodpecker (*Picoides pubescens*), Eastern Wood-pewee (*Contopus virens*),

House Wren (*Troglodytes aedon*), Red-bellied Woodpecker (*Melanerpes carolinus*), Warbling Vireo (*Vireo gilvus*), and White-breasted Nuthatch (*Sitta carolinensis*).

One (1) significant bird species was recorded on Adjacent Lands during the targeted breeding bird surveys:

- Eastern Wood-pewee (Special Concern).

All documented locations of Eastern Wood-pewee within the Study Area along with its habitat requirements are described in **Section 4.3**.

3.3.4 Snakes

Ten (10) visual encounter surveys were undertaken within the Subject Property during the 2024 fieldwork season. Surveyors walked transects through the Subject Property, as well as inspected the existing residence, woody vegetation, and debris.

Several Eastern Gartersnake (*Thamnophis sirtalis sirtalis*) were documented moving across the Subject Property during surveys, suggesting that conditions were suitable for detecting other snake species, if present. No other snake species were documented.

3.3.5 Incidental Wildlife Recorded

Efforts to incidentally document wildlife were made during all site visits by Terrastory in 2024. Two additional bird species were recorded on Adjacent Lands to the west: Chimney Swift (*Chaetura pelagica*) and Gray Catbird (*Dumetella carolinensis*). Eastern Cottontail (*Sylvilagus floridanus*), Eastern Gray Squirrel (*Sciurus carolinensis*), and Virginia Opossum (*Didelphis virginiana*) were also incidentally observed on Adjacent Lands.

One (1) significant bird species was recorded incidentally on Adjacent Lands and was not observed to interact with the Subject Property:

- Chimney Swift (Threatened).

4 SIGNIFICANCE ASSESSMENT

Based on the biophysical information collected during background information gathering (per **Table 1**) and the results of Terrastory's site assessments and surveys performed through the 2024 fieldwork program (per **Sections 2.2** and **3**), **Table 4** below provides a determination of the presence (or potential presence) of each significant natural feature considered herein. Shaded rows denote features which were confirmed or may be present within the Subject Property or Adjacent Lands and are considered further as part of the effects assessment in **Section 5**. Significant natural feature mapping is provided in **Figure 3**.

Table 4. Summary of the Assessment of Significant Natural Features on the Subject Property and Adjacent Lands.

Significant Natural Feature	Status on the Subject Property	Status on Adjacent Lands (i.e., < 120 m from the Subject Property)
PPS Significant Natural Features		

Significant Natural Feature	Status on the Subject Property	Status on Adjacent Lands (i.e., < 120 m from the Subject Property)
Significant Wetlands	**Absent.** See **Section 4.1.**	**Confirmed.** See **Section 4.1.**
Significant Woodlands	**Absent.** See **Section 4.2.**	**Confirmed.** See **Section 4.2.**
Significant Valleylands	**Absent.**	**Absent.**
Significant Wildlife Habitat	**Confirmed.** See **Section 4.3.**	**Candidate/Confirmed.** See **Section 4.3.**
Areas of Natural and Scientific Interest	**Absent.**	**Absent.**
Habitat of Endangered and Threatened Species (per ESA)	**Candidate.** See **Section 4.4.**	**Candidate.** See **Section 4.4.**
Fish Habitat (per *Fisheries Act*)	**Absent.**	**Absent.**
Conservation Authority Regulated Features and Hazard Lands		
Wetlands, watercourses, valleylands, meanderbelts, floodplains, steep slopes, and shorelines.	**Absent.** See **Section 4.5.**	**Confirmed.** See **Section 4.5.**

4.1 Significant Wetlands

Deciduous swamp forming part of PSW is present on Adjacent Lands to the southeast of the Subject Property based on MNR mapping and confirmed through fieldwork (as observed from the Subject Property and public rights-of-way). An assessment of potential effects to the PSW associated with the proposed development plan is provided in **Section 5.2.1**.

4.2 Significant Woodlands

Woodlands have been identified on Adjacent Lands within 120 m of the Subject Property through aerial interpretation and field confirmation (as observed from publicly accessible rights-of-way). This woodland extends eastward along the southern edge of the Herb Gray Parkway/Hwy 401 corridor and is around 4.5 ha in size based on desktop analysis.

The City's OP does not provide criteria and/or a definition for Significant Woodland. Per the 2024 PPS, "significant" in regard to woodlands is defined as:

> "*An area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province.*"

The NHRM(MNR 2010) provides recommended criteria for the identification of Significant Woodlands, with thresholds being dependent on (among other factors) the percentage of land cover occupied by woodlands within the respective planning area. The City's Urban Forest Management Plan FAQ webpage states that tree canopy comprises 19% of total area within the City; however, the reported canopy coverage appears to include amenity and street trees associated with anthropogenic land-uses (rather than "woodlands"). Alternatively, based on the MNR's provincial wooded area dataset, Terrastory has calculated woodland cover within the City of Windsor to slightly exceed 4.4

ha. While the MNR's provincial wooded area dataset contains a degree of known errors (e.g., missed woodlands, narrow linear treed areas such as hedgerows which should not be mapped as woodlands), the provincial wooded area dataset can generally be employed as a rough approximation of woodland cover within municipalities in Ecoregion 7E. The NHRM directs that in municipalities or planning areas with less than about 5% woodland, woodlands 2 ha in size or larger should be considered significant. On this basis, and given that the City of Windsor appears to contain less than 5% wooded area cover, the ~4.5 ha woodland on Adjacent Lands would represent a Significant Woodland based on the information available at this time.

An assessment of potential effects to the Significant Woodland associated with the proposed development plan is provided in **Section 5.2.2**.

4.3 Significant Wildlife Habitat

An assessment of the likelihood that any candidate or confirmed SWH types occur within the Subject Property or Adjacent Lands is provided in **Appendix 5**. Based on the results of this assessment, four (4) SWH types are considered further through this study:

- Seasonal Concentration Areas of Animals
    1. Bat Maternity Colonies
    2. Reptile Hibernaculum
- Rare Vegetation Communities or Specialized Habitats for Wildlife
    3. Amphibian Breeding Habitat (Woodlands)
- Habitat of Species of Conservation Concern
    4. Special Concern and Rare Wildlife Species

Also based on this assessment, a total of seven (7) Special Concern or provincially rare species are considered to have at least a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southwestern Ontario (or were confirmed based on the site assessment):

1) Eastern Wood-pewee (*Contopus virens*) (**Confirmed**)
2) American Bumblebee (*Bombus pensylvanicus*) (Possible)
3) Differential Grasshopper (*Melanoplus differentialis*) (Possible)
4) Northern Bush Katydid (*Scudderia septentrionalis*) (Possible)
5) Skiff Moth (*Prolimacodes badia*) (Possible)
6) Two-spotted Cobweb Spider (*Asagena americana*) (Possible)
7) Slender Paspalum (*Paspalum setaceum*) (**Confirmed**)

An assessment of potential effects to the identified candidate SWH types and Special Concern/provincially rare species associated with the proposed development plan is provided in **Section 5.2.3**.

4.4 Habitat of Endangered and Threatened Species

An assessment of the likelihood that any Endangered and Threatened species or their habitats occur within the Subject Property or Adjacent Lands is provided in **Appendix 6**. A total of four (4) Endangered or Threatened species are considered to have a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southwestern Ontario:

1) Little Brown Myotis (*Myotis lucifugus*)
2) Northern Myotis (*Myotis septentrionalis*)
3) Tri-colored Bat (*Perimyotis subflavus*)
4) Eastern Foxsnake (*Pantherophis vulpinus*)

A general description of each Endangered/Threatened species and their habitat is offered below. An assessment of potential effects to these Endangered/Threatened species associated with the proposed development plan is provided in **Section 5.2.4**.

Terrastory previously submitted an Information Gathering Form (IGF) to MECP on 23 May 2024 and further engaged with MECP staff (J. Cameron) in September/October 2024. Carriage of the application was then transferred to another MECP Management Biologist (K. Markham), who confirmed via email on 11 December 2024 that the proposed development was not expected to impact Endangered/Threatened species subject to implementation of their recommendations (see **Appendix** 7).

4.4.1 Bats

Per the assessment in **Appendix 6**, Little Brown Myotis, Northern Myotis, and Tri-colored Bat have the potential to roost and forage on the Subject Property. Each of these bat species are designated Endangered in Ontario per O. Reg. 230/08 pursuant to the *Endangered Species Act* (ESA) and are federally designated Endangered under the *Species at Risk Act* (SARA). Little Brown Myotis and Northern Myotis form maternity colonies that roost in large-diameter trees with cracks, crevices, and/or exfoliating bark; Little Brown Myotis will also frequently roost in buildings (e.g., attics, barns, etc.). Roosting sites for Tri-colored Bat maternity colonies are less understood but have been documented in dead or dying leaf clusters of oaks (*Quercus* spp.) and maples (*Acer* spp.), along with live foliage and buildings (Humphrey and Fotherby 2019). Individuals (i.e., non-reproductive females and males) of all three bat species may roost in smaller diameter trees and other spaces (e.g., beneath house siding, etc.) which are not occupied by maternity colonies. Overwintering habitat includes caves and mines that maintain temperatures above 0°C. White Nose Syndrome (a fungal disease caused by an introduced pathogen) has devastated populations of each species across their ranges. The fungus causes hibernating individuals to become dehydrated, leading to excessive arousal, depleted fat reserves, and ultimately emaciation and/or death.

Targeted bat roosting habitat assessments and/or acoustic monitoring were not undertaken as part of this study, as no development or site alteration activities are proposed within any woodland or discrete treed area. While the existing residence was searched externally for potential use by wildlife, the current site plan indicates that the residence will be retained. Suitable maternity roosting habitat for Little Brown Myotis and/or Northern Myotis may occur within the woodland/swamp to the southeast, where snags and/or trees with sufficiently-sized cracks or crevices are present. Similarly, oaks and/or maples within the treed community may theoretically support roosting by Tri-colored Bat, though this species is generally rare in southern Ontario. Other trees within or outside the on-site woodlands (i.e., within the proposed development area) could support "day roosts" for individual bats (e.g., males or non-reproductive females).

4.4.2 Eastern Foxsnake

The Carolinian population of Eastern Foxsnake is designated Endangered in Ontario per O. Reg. 230/08 pursuant to the ESA and federally designated Endagered under Schedule 1 of SARA.

Regulated habitat for the Carolinian population of Eastern Foxsnake is described under O. Reg. 832/21 as follows:

1. An eastern foxsnake (Carolinian population) hibernaculum.
2. The area within 100 metres of the area described in paragraph 1.
3. A naturally occurring eastern foxsnake (Carolinian population) egg laying site that is being used, or has been used at any time in the previous three years, by an eastern foxsnake (Carolinian population).
4. An eastern foxsnake (Carolinian population) egg laying site, other than a naturally occurring egg laying site, being used by an eastern foxsnake (Carolinian population) from the time it is used until the following November 30.
5. A naturally occurring eastern foxsnake (Carolinian population) shedding or basking site that is being used, or has been used at any time in the previous three years, by two or more eastern foxsnakes (Carolinian population).
6. An eastern foxsnake (Carolinian population) shedding or basking site, other than a naturally occurring shedding or basking site, that is being used by two or more eastern foxsnakes (Carolinian population) from the time it is used until the following November 30.
7. The area within 30 metres of an area described in paragraph 3, 4, 5 or 6.
8. Any part of a prairie, savannah, hedge row, shoreline, marsh, old field, forest, sand dune or similar area that is being used by an eastern foxsnake (Carolinian population) or on which an eastern foxsnake (Carolinian population) directly depends to carry on its life processes.
9. An area that provides suitable foraging, thermoregulation, or hibernation conditions for eastern foxsnake (Carolinian population) that is within 1,500 metres of any area described in paragraph 8.
10. An area that provides suitable conditions for an eastern foxsnake (Carolinian population) to move between areas described in paragraphs 1 through 9.

No Eastern Foxsnakes were documented within the Subject Property despite extensive searching by Terrastory staff consistent with the provincial Survey Protocol for SAR Snakes (OMNRF 2016), and MECP has further confirmed that the proposed development will not impact Eastern Foxsnake habitat (subject to implementation of their recommendations; see **Appendix** 7).

4.5 Conservation Authority Regulated Areas

ERCA regulates development and site alteration (including fill placement and grade changes) within 30 m of wetlands pursuant to Subsection 2(3) under O. Reg. 41/24. No natural features regulated by ERCA were identified within the Subject Property based on desktop analysis and 2024 fieldwork program. The Subject Property is greater than 30 m from the limit of the PSW as currently mapped. On this basis, there is an absence of ERCA regulated areas within the Subject Property.

5 EFFECTS ASSESSMENT AND MITIGATION

The purpose of this EER is to present a biophysical characterization of the Subject Property and Adjacent Lands as a means to identify the potential for adverse effects on the natural environment and natural heritage features stemming from the proposed lot severance and subsequent construction of three new residential dwellings. Several significant natural features and species were documented (or may occur) within the Subject Property pursuant to the assessments presented in

Section 4. The following effects assessment provides an evaluation of the potential for the proposed application to result in negative effects to such environmental components and offers technical recommendations to mitigate such effects where warranted. Certain technical recommendations offered herein apply to several natural features and/or species simultaneously; as such, all technical recommendations should be read and considered in their entirety. The baseline or existing conditions against which the application is assessed are treated as the state of the Subject Property at the time of the site assessments and surveys. The effects assessment herein is based on the severance sketch and conceptual site plan provided in **Appendix 8**.

5.1 Proposed Development Plan

The proposed development and site alteration activities consist of the following elements:

- Retention of the existing single-detached dwelling within the proposed retained lot;
- Creation of three (3) new residential lots through consent (severance) ; and
- Construction of three (3) single-detached dwellings fronting onto Malden Road on municipal servicing.

5.2 Feature-based Effects Assessment and Technical Recommendations

5.2.1 Significant Wetlands

Where development and/or site alteration activities are proposed adjacent to wetlands, adverse effects may occur via the following pathways:

- Alterations to surface water and/or groundwater contributions to the wetland from construction (e.g., dewatering, etc.), grading that modifies the existing topography or drainage, and/or increased coverage of impervious surfaces (e.g., roads, roofs, etc.);
- Increased sediment loadings and/or nutrient enrichment within the wetland via runoff exiting from development areas during and post construction. This may alter wetland water quality and vegetation communities via increased turbidity, eutrophication, contamination by toxic substances, changes in pH, etc.
- Noise and/or light pollution that may adversely affect the ability of wetland wildlife to successfully carry out their life processes (e.g., breeding, feeding, etc.); and
- Increased human activity (i.e., encroachment) within the wetland which may result in soil compaction, dumping, etc.
- Potential for fuel spills during the construction phase of development.
- Increased potential for introducing invasive species including both animals and plants during and post construction.

There is no development or site alteration proposed within 30 m of the PSW. The limit of development (i.e., new lot line) associated with the nearest severed lot is 40 m from the PSW. This extent of setback is sufficient to protect the PSW from negative impacts during and post construction.

During construction it is anticipated that the proposed development areas will contain exposed soils, which are inherently unstable and have a greater potential for runoff into adjacent areas (including adjacent wetlands) during rainfall events. The most effective erosion and sediment control system emphasizes the prevention of erosion first, minimizes sediment transport off-site through a multi-

barrier approach, and involves regular inspection and maintenance. To protect adjacent wetlands from construction-related impacts, the following measures are recommended:

- **An Erosion and Sediment Control Plan will be prepared and implemented prior to construction.**

5.2.2 Significant Woodlands

Where development and/or site alteration activities are proposed adjacent to forests or woodlands, adverse effects may occur via the following pathways:

- Mechanical injury to the trunk, roots, branches, and/or foliage of retained woody vegetation.
- Smothering or exposure of roots due to changes in grade.
- Soil compaction from the use of heavy machinery.
- Noise and/or light pollution that may adversely affect the ability of woodland wildlife to successfully carry out their life processes (e.g., breeding, feeding, etc.).
- Increased human activity (i.e., encroachment) within or adjacent to the woodland which may result in soil compaction, dumping, etc.
- Increased susceptibility to establishment by invasive species either directly or indirectly and including both animals and plants.

A Significant Woodland occurs on Adjacent Lands to the east of the Subject Property. The boundaries of all wooded areas are shown approximately as these features were neither staked with agency staff nor precisely delineated (i.e., at the dripline) as they occur exclusively on Adjacent Lands. The limit of the Significant Woodland is no closer than 30 m from the nearest proposed severed parcel; this extent of setback is sufficient to protect the woodland and its functions. Other overlapping technical recommendations made herein (e.g., preparation of an ESC Plan) will also further serve to protect the Significant Woodland and its ecological functions.

5.2.3 Significant Wildlife Habitat

Per the assessment in **Section 4.3**, a total of four (4) candidate SWH types were considered further through this study:

- Seasonal Concentration Areas of Animals
    1. Bat Maternity Colonies
    2. Reptile Hibernaculum
- Rare Vegetation Communities or Specialized Habitats for Wildlife
    3. Amphibian Breeding Habitat (Woodlands)
- Habitat of Species of Conservation Concern
    4. Special Concern and Rare Wildlife Species

Also based on this assessment, a total of seven (7) Special Concern or provincially rare species have at least a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southern Ontario (or were confirmed based on the site assessment):

1) Eastern Wood-pewee (*Contopus virens*) (**Confirmed**)
2) American Bumblebee (*Bombus pensylvanicus*) (Possible)
3) Differential Grasshopper (*Melanoplus differentialis*) (Possible)

4) Northern Bush Katydid (*Scudderia septentrionalis*) (Possible)
5) Skiff Moth (*Prolimacodes badia*) (Possible)
6) Two-spotted Cobweb Spider (*Asagena americana*) (Possible)
7) Slender Paspalum (*Paspalum setaceum*) (**Confirmed**)

Based on the assessment provided above, no development or site alteration is proposed within 30 m of the deciduous swamp (SWDM3-3) on Adjacent Lands which has the greatest potential to support three of the four Candidate SWH types (i.e., Bat Maternity Colonies, Reptile Hibernaculum, Amphibian Breeding Habitat).

In terms of habitat for provincially rare species, no specific recommendations are offered herein to minimize impacts to potential foraging habitat for American Bumblebee, Differential Grasshopper, Northern Bush Katydid, Skiff Moth, or Two-spotted Cobweb Spider. These species are habitat generalists, and habitat exists within the wider landscape surrounding the Subject Property (which consists of manicured amenity space).

Slender Paspalum (a Provincially rare grass species) was documented within the proposed severance areas. This species appears to be persisting on-site despite repeated mowing (i.e., grass species possess basal meristems). The following measure is recommended to protect this species.

- **A Relocation and Monitoring Plan for Slender Paspalum will be prepared and implemented prior to construction.**

It is expected that Slender Paspalum will need to be relocated off-site. Suitable habitat is present in the local landscape (i.e., Spring Garden Natural Area), although transplantation to such areas will require approval from City staff and/or other landowners.

5.2.4 Habitat of Endangered and Threatened Species

Per the assessment in **Appendix 6** a total of four (4) Endangered or Threatened species are considered to have a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southwestern Ontario:

1) Little Brown Myotis (*Myotis lucifugus*)
2) Northern Myotis (*Myotis septentrionalis*)
3) Tri-colored Bat (*Perimyotis subflavus*)
4) Eastern Foxsnake (*Pantherophis vulpinus*)

As noted in **Section 4.4**, discussions with MECP staff have confirmed that the proposed development is not expected to impact Endangered/Threatened species subject to implementation of their recommendations (see **Appendix 7**). On this basis, Terrastory recommends as follows:

- **All recommendations offered by MECP in Appendix 7 are to be implemented.**

5.2.4.1 Endangered Bat Roosting Habitat (Maternity Colonies and Individuals)

As described in **Section 4.4.1**, while the broader Study Area (i.e., within 120 m of the Subject Property) provides suitable maternity roosting habitat for Little Brown Myotis and Northern Myotis (and suitable roosting habitat for Tri-colored Bat), trees within the Subject Property itself do not

form part of a woodland and may only support "day roosts". On this basis, the following recommendations to protect Endangered bats are offered:

- **All necessary tree removals will be completed outside the primary bat activity period (i.e., to be completed between October 1 and March 31). If limited tree removal is required during the restricted timing window, consult a qualified ecologist and/or MECP for further direction.**

- **If construction activities occur during the active bat season (i.e., April 1 and September 30), work will be restricted to daylight hours only and the use of artificial lighting will be avoided.**

- **Any lighting incorporated into the final building designs should be directed downward (i.e., towards the ground) and/or away from the adjacent woodlot (i.e., directed eastward) to the extent practicable.**

5.2.4.2 Eastern Foxsnake

Although the Subject Property is within 1.5 km of known occurrences of this species, the entire Subject Property is manicured lawn (or consists of a residence) and is not considered to be habitat. The following recommendations (consistent with and not to supersede those provided in **Appendix 7**) are offered to avoid harm to Eastern Foxsnake individuals and/or other SAR snakes which are known from the broader landscape including Butler's Gartersnake (*Thamnophis butleri*):

- **The proposed development area will be isolated by reptile exclusion fencing at construction, which may be represented by silt fencing if it meets the minimum criteria for exclusion fencing outlined in the MECP *Reptile and amphibian exclusion fencing* guidelines for the above species (MECP 2021b).**

- **During the active season for herpetofauna (i.e., March 15 to November 30) an inspection will be conducted each morning by construction personnel prior to the commencement of construction activities to ensure that no Endangered or Threatened snakes have breached the reptile exclusion fencing and entered the work zone.**

- **If an Endangered or Threatened snake is encountered during construction, all construction activities must cease within 30 m of the individual. A qualified Ecologist and/or MECP should then be contacted for direction on how to proceed. The location of the snake will be monitored while awaiting direction.**

5.2.5 Other Natural Environment Considerations

While the recommendations offered herein restrict development activities from all significant natural heritage features, some vegetation removal (i.e., woody and herbaceous vegetation) is required to facilitate development. To further minimize potential adverse effects to the natural environment and wildlife during construction, the following measures are recommended:

- **The removal of trees will generally be restricted to areas in direct conflict with the footprints of the proposed development features (e.g., residences, driveways, etc.) and grading, along with any hazardous trees in the immediate vicinity that pose an unacceptable risk to human life or property.**

- **All necessary vegetation removal (e.g., trees) will be completed outside the primary bird nesting period (i.e., to be completed between September 1 and March 31). Should minor vegetation removal be proposed during the restricted timing window within readily searchable habitat types, a bird nesting survey will be undertaken to confirm the presence or absence of nesting birds or bird nests within or adjacent to the areas subject to vegetation clearance. The bird nesting survey is to take place within 48 hours of vegetation removal.**

- **Incorporation of Bird-Friendly Guidelines into the residence designs such as those published in City of Toronto's "Best Practices for Bird-Friendly Glass" and "Best Practices for Effective Lighting" should be considered at detailed design.**

5.2.6 Summary of Technical Recommendations

All technical recommendations provided in **Section 5.2** are reiterated in **Appendix 9**.

6 APPLICABLE NATURAL HERITAGE AND ENVIRONMENTAL POLICIES

The following sections summarize the various municipal, provincial, and federal environmental policies that may apply to the proposed development plan and describe how the recommendations provided in this EER will address these policies (where applicable).

6.1 City of Windsor Official Plan (August 2013)

The City's OP is a legal document prepared as required under section 14.7(3) of the *Planning Act*. An OP sets out goals, objectives, and policies that direct and manage land-use and future development activities and their effects on the social and natural environment of a municipality. Provincial plans that offer direction on matters of provincial interest are implemented principally through the City's OP. Provided herein is a description of relevant environmental and natural heritage policies contained within the City's OP and an assessment of whether the application addresses such policies.

The Subject Property falls within the Spring Garden Secondary Plan area per Volume II of the City's OP. The lands are designated "Low Density Residential" per Schedule SG-5 (Concept Plan) and are further zoned Development Research District 1.1 (DRD 1.1) under Zoning By-law 8600.

There are no natural environment related designations or zones overlapping with Subject Property or in the immediate vicinity of the Subject Property, such as "Natural Heritage", "Environmental Policy Area A and B", and "Candidate Natural Heritage Site" designated lands per Schedule C, or "Natural Heritage" designated lands per Schedule SG-5. Notwithstanding this, the City requested

the submission of a supporting EER as stemming from the protection of significant natural heritage features on Adjacent Lands pursuant to the PPS.

Certain relevant natural heritage policies within the City's OP are listed below.

- **Natural Heritage Evaluation Criteria (Section 6.8.2.3)** At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Natural Heritage site is:
    - (a) not environmental significant and/or sensitive based on an evaluation of the area's:
        - (i) ecological function;
        - (ii) biological diversity;
        - (iii) natural communities;
        - (iv) vulnerable, threatened or endangered species;
        - (v) physical size;
        - (vi) representation;
        - (vii) level of disturbance;
        - (viii) earth science features; and
        - (ix) cultural significance.
    - (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the area.
- **EER Required for Adjacent Lands (Section 6.8.2.4)** Council shall protect lands designated as Natural Heritage from incompatible development. Accordingly any proponent of development adjacent to lands designated as Natural Heritage may be required to complete an Environmental Evaluation Report or other suitable study in accordance with the Procedures chapter of this Plan. The identification of adjacent lands subject to this requirement will be determined on a site-specific basis by the Municipality, in consultation with the province and/or the Essex Region Conservation Authority, and in accordance with policy 10.2.5.4 of this Plan.

Note per above that that the Subject Property does not overlap with a significant natural feature (e.g., Natural Heritage, Environmental Policy Area A and B, Candidate Natural Heritage Site) and thus there is no clear trigger for an EER under the City's OP. Regardless, the Subject Property is adjacent to a number of known significant natural heritage features including a PSW and various habitats for Endangered/Threatened species.

Terrastory reviewed potential impacts to the identified significant natural features – including the PSW, candidate SWH, and potential habitat of Endangered and Threatened species – in **Section 5.2** of this EER. Provided that Terrastory's recommended mitigation measures (summarized in **Appendix 9**) are carried out in full, no negative impacts are anticipated to the PSW, candidate SWH, or Significant Woodland. Based on the preceding discussion, Terrastory can conclude that the proposed site plan appropriately addresses the natural heritage protection provisions of the City's OP.

6.2 Provincial Planning Statement 2024, pursuant to the *Planning Act*, R.S.O. 1990, c. P. 13

The Provincial Planning Statement (PPS) is promulgated under the authority of the *Planning Act* and came into effect on 20 October 2024, replacing the previous PPS that came into effect on 1 May

2020. The PPS provides direction to municipalities on land-use matters of provincial interest and sets the policy framework for regulating the use and development of land. Municipal OP's must be consistent with the PPS. Per its preamble, the PPS *provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment*.

The principal PPS policies that apply to natural heritage protection are outlined in section 2.1. While recognizing that the natural heritage protection framework is not intended to limit the ability of agricultural uses to continue (Policy 2.1.9), the PPS instructs that *natural features and areas shall be protected for the long term* (Policy 2.1.1) and that their diversity and connectivity be *maintained, restored or, where possible, improved* (Policy 2.1.2). In Ecoregions 6E and 7E the PPS separates significant features into three categories:

1) Those in which development and site alteration are not permitted, including 1) Provincially Significant Wetlands and 2) Significant Coastal Wetlands (Policy 2.1.4);
2) Those in which development and site alteration are not permitted unless it can be demonstrated that no negative impacts on the significant natural feature and/or its functions will occur, including: 1) Significant Woodlands, 2) Significant Valleylands, 3) Significant Wildlife Habitat, 4) Significant Areas of Natural and Scientific Interest, 5) Non-significant Coastal wetlands, and 6) Adjacent Lands (Policy 2.1.5 and 2.1.8).
3) Those in which development and site alteration are not permitted except in accordance with federal/provincial requirements, including: 1) fish habitat (Policy 2.1.6) and 2) habitat of Endangered and Threatened Species (Policy 2.1.7).

In considering the aforementioned PPS policies, it has been determined that the proposed development plan addresses relevant natural heritage provisions of the PPS for the following reasons:

- Per **Table 4** of this report, no Significant Areas of Natural or Scientific Interest, Significant Valleylands, Significant Wetlands, Significant Woodlands, or Fish Habitat are present within the Subject Property.
- Per **Section 5.2** of this report, no negative impacts to the Provincially Significant Wetland, Significant Woodlands, or Significant Wildlife Habitat on Adjacent Lands are anticipated, given implementation of the proposed development plan provided that the recommended mitigation measures are implemented in full.
- Per **Section 5.2** of this report, no negative impacts to Endangered/Threatened species are anticipated (confirmed by MECP per **Appendix 7**).

6.3 O. Reg. 41/24, pursuant to the *Conservation Authorities Act*, R.S.O. 1990, c. C.27

ERCA's regulatory jurisdiction includes areas within and adjacent to valley and stream corridors, hazard lands (e.g., floodplains, steep slopes, etc.), watercourses, and wetlands as provided under O. Reg. 41/24 of the *Conservation Authorities Act*.

Activities that constitute development (as defined in the *Conservation Authorities Act*, which includes grading) within 30 metres of a wetland are regulated by ERCA. Owing to recent changes to the *Conservation Authorities Act* which reduced the spatial extent of regulated area from 120 m to 30 m, there are no ERCA regulated areas within the Subject Property.

6.4 Provincial *Endangered Species Act*, S.O. 2007, c. 6

The *Endangered Species Act* (ESA) is administered by MECP and protects designated Endangered and Threatened species in Ontario from being killed, harmed, or harassed (s. 9) or having their habitat damaged or destroyed (s. 10). The protection afforded to Endangered and Threatened species "habitat" is either prescribed by O. Reg. 832/21, or (for those species that lack regulated habitat) is defined as *an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding.* Development activities that constitute habitat damage and/or destruction typically require permitting under section 17 of the ESA, or proceed through registration of the activity as a conditional exemption under O. Reg. 242/08 or O. Reg. 830/21 (where applicable).

A detailed assessment of potential Endangered and Threatened habitat within the Subject Property is provided in **Appendix 6**. As stated throughout this EIS, no negative impacts to Endangered/Threatened species are anticipated (confirmed by MECP per **Appendix 7**).

6.5 Federal *Migratory Birds Convention Act*, S.C. 1994, c. 22

Subsection 5(1) of the Migratory Birds Regulations under the *Migratory Birds Convention Act, 1994* (MBCA) prohibits the disturbance or destruction of nests, eggs, or nest shelters of a migratory bird without authorization. Subsection 5(2) of the Migratory Birds Regulations allows for damage or destruction of nests which lack a live bird or viable egg with the exception of inactive nests associated with species listed under Schedule 1. In Ontario, the nests of Schedule 1 species are afforded year-round protection (i.e., regardless of the presence or absence of a live bird or viable egg), inclusive of the following species:

- Black-crowned Night Heron (*Nycticorax nycticorax*)
- Cattle Egret (*Bubulcus ibis*)
- Great Blue Heron (*Ardea herodias*)
- Great Egret (*Ardea alba)*
- Green Heron (*Butorides virescens*)
- Pileated Woodpecker (*Dryocopus pileatus*)
- Snowy Egret (*Egretta thula*)

The provincial *Fish and Wildlife Conservation Act, 1997* (FWCA) extends the protection of bird nests and eggs to certain non-migratory species not listed under the Migratory Birds Regulations (e.g., Corvids, Strigids, Accipitrids). Section 7(1) of the FWCA prohibits a person from destroying, taking, or possessing the nest or eggs of a bird that belongs to a species that is wild by nature. Section 7(3) identifies that section 7(1) of the FWCA does not apply to a person who destroys, takes, or possesses the nest or eggs of a bird described in subsection (a) in accordance with the authorization of the Minister, or subsection (b) in the circumstances prescribed by the regulations. The nests of certain non-migratory bird species are not protected under the FWCA (e.g., Red-winged Blackbird).

Provided that the recommendations outlined in **Section 5.2.5** are implemented in full (i.e., prohibition on vegetation removal during the bird breeding season), no impacts to breeding birds or bird nests protected by the MBCA or FWCA are anticipated.

7 CONCLUSIONS

In accordance with the Terms of Reference for this study (**Appendix 1**) and relevant environmental policies, the preceding report provides a detailed characterization of the natural environment occurring within and adjacent to 4641 Malden Road, City of Windsor. This EER has been prepared in support of a Consent to Sever and Zoning By-law Amendment applications submitted to support the creation of three (3) new developable lots. Included herein is a comprehensive approach to identifying the presence or absence of several significant natural features afforded varying degrees of protection by applicable environmental policies. Potential negative impacts to the identified significant natural features are described with mitigation measures and technical recommendations offered to avoid or minimize such impacts as appropriate.

Based on the findings presented in this report, the following natural features with ecological and/or policy significance have been identified:

- **Provincially Significant Wetlands (PSW)** forming part of the Provincially Significant Ojibway Prairie Wetland Complex on Adjacent Lands.
- **Confirmed Significant Wildlife Habitat** within the Subject Property for the provincially rare grass Slender Paspalum and **Candidate Significant Wildlife Habitat** on Adjacent Lands for bat maternity colonies, reptile hibernaculum, amphibian breeding habitat (woodlands), and other species of conservation interest.
- **Significant Woodland** occurring on Adjacent Lands to the east.
- Generalized roosting habitat for three **Endangered bats** (Little Brown Myotis, Northern Myotis, and Tri-colored Bats) within the Subject Property.

Based on the presence of the above-mentioned significant natural heritage features, a comprehensive set of recommendations and mitigation measures are offered in **Section 5.2** to achieve "no negative impact" and address applicable municipal, provincial, and federal policies outlined in **Section 6**. This includes (among other technical recommendations) the need to relocate a provincially rare grass species (Slender Paspalum) outside the proposed development area, preparation and implementation of an Erosion and Sediment Control Plan for construction, and timing restrictions on vegetation removal (to protect nesting birds and roosting bats).

It has been determined that no negative impacts to the above-noted features will occur and that the application appropriately addresses applicable natural heritage policies provided that all technical mitigation measures recommended herein (summarized in **Appendix 9**) are implemented in full. MECP has further confirmed that no impacts to Endangered/Threatened species are anticipated provided that their recommendations are implemented (see **Appendix 7**). It is advised that such technical recommendations be incorporated into any necessary development approvals that permit the consent and rezoning applications.

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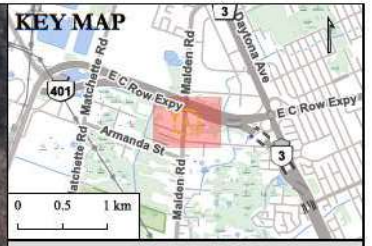

Legend

Area of Assessment
- Subject Property
- Adjacent Lands

GENERAL NOTES:
-Features depicted herein should not be used in place of a professional survey.
-Numeric scale is for a 11x17 inch print.

TERRASTORY
environmental consulting inc.
info@terrastoryenviro.com 905.745.5398

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Location:
4641 Malden Road,
City of Windsor

Project No.: 24044	**Figure 1:**
Date: 2024-12-06	Location of the Subject Property
By: JC **Checked:** TK	
Orthophotograph Date: Essex Region, 2023.	

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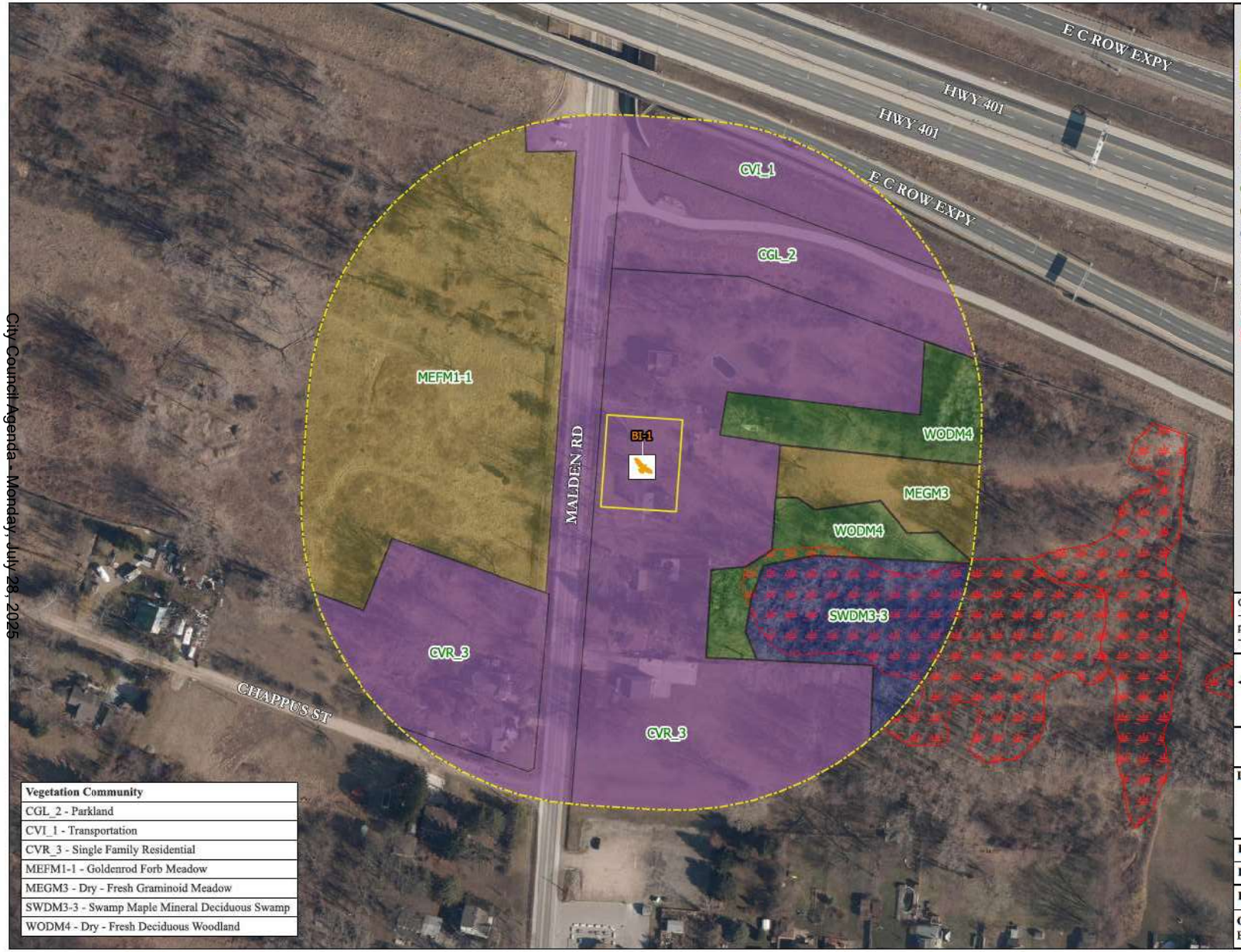

Vegetation Community
CGL_2 - Parkland
CVI_1 - Transportation
CVR_3 - Single Family Residential
MEFM1-1 - Goldenrod Forb Meadow
MEGM3 - Dry - Fresh Graminoid Meadow
SWDM3-3 - Swamp Maple Mineral Deciduous Swamp
WODM4 - Dry - Fresh Deciduous Woodland

Legend

Area of Assessment
- Subject Property
- Adjacent Lands

Survey Stations
- Breeding Bird Survey Stations

Biophysical Features and Conditions

Vegetation Communities
- Woodland
- Meadow
- Swamp
- Constructed

Significant Natural Features - Agency Identified

Wetlands (Provincial Dataset)
- Provincially Significant Ojibway Prairie Wetland Complex (ER 28)

GENERAL NOTES:
-Features depicted herein should not be used in place of a professional survey.
-Numeric scale is for a 11x17 inch print.

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Location:
4641 Malden Road,
City of Windsor

Project No.: 24044
Date: 2024-12-06
By: JC **Checked:** TK
Orthophotograph Date: Essex Region, 2023.

Figure 2:
Biophysical Features and Conditions

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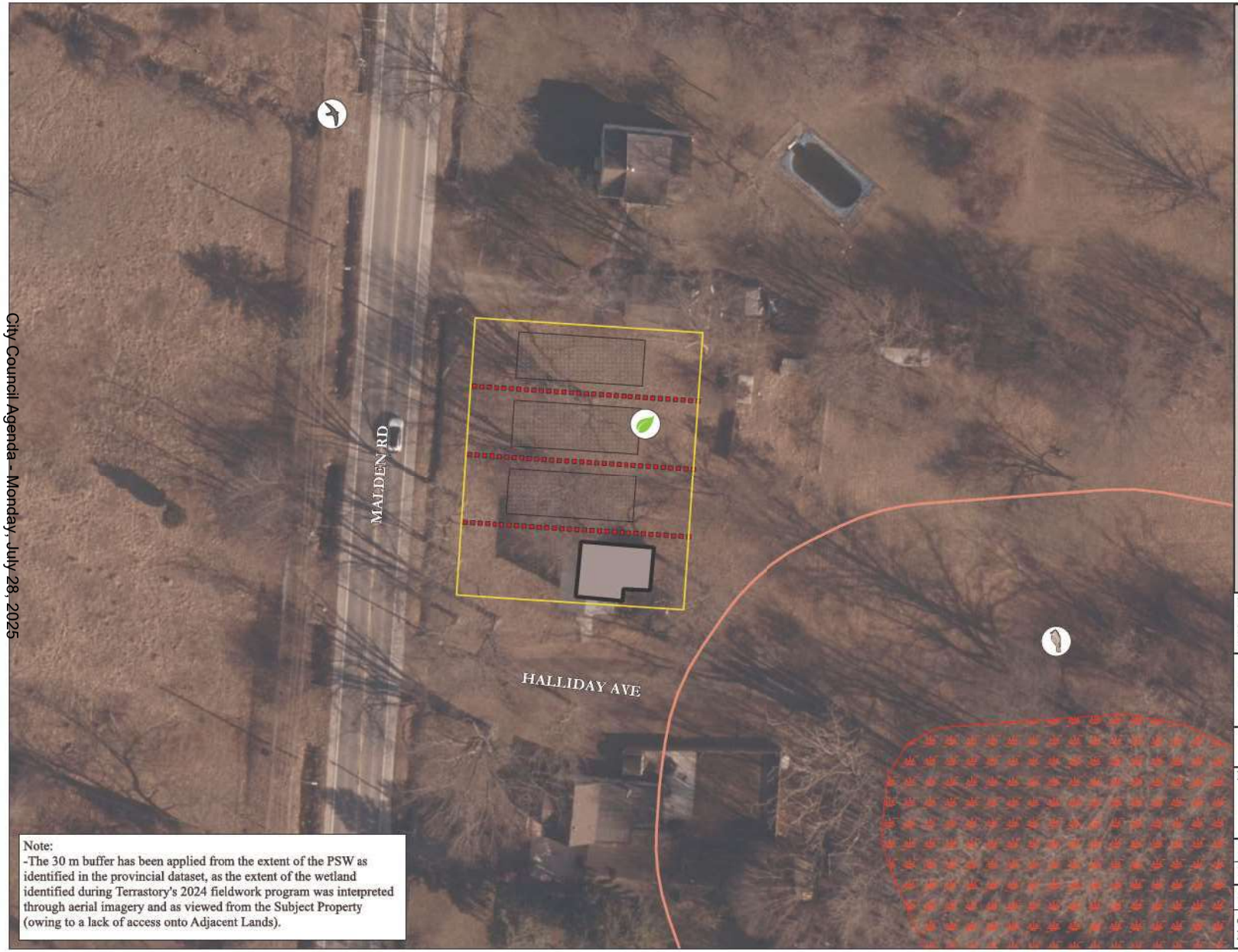

Legend

Area of Assessment
- Subject Property

Built Structures and Infrastructure
- Existing Residence

Proposed Activities
- Proposed Dwelling Envelope
- Proposed Lot Configuration

Significant Natural Features - Terrastory

Endangered and Threatened Species
- Chimney Swift (Chaetura pelagica) Threatened

Special Concern and Provincially Rare Species
- Eastern Wood-pewee (Contopus virens) Special Concern
- Slender Paspalum (Paspalum setaceum) Provincially Rare (S2)

Significant Natural Features - Agency Identified

Wetlands (Provincial Dataset)
- Provincially Significant Ojibway Prairie Wetland Complex (ER 28)

Natural Feature Setbacks
- 30 m from PSW (as currently mapped)

Note:
-The 30 m buffer has been applied from the extent of the PSW as identified in the provincial dataset, as the extent of the wetland identified during Terrastory's 2024 fieldwork program was interpreted through aerial imagery and as viewed from the Subject Property (owing to a lack of access onto Adjacent Lands).

GENERAL NOTES:
-Features depicted herein should not be used in place of a professional survey.
-Numeric scale is for a 11x17 inch print.

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Location:
4641 Malden Road,
City of Windsor

Project No.: 24044	**Figure 3:** Significant Natural Features with Proposed Development Overlay
Date: 2024-12-06	
By: JC **Checked: TK**	
Orthophotograph Date: Essex Region, 2023.	

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Appendix 1. Terms of Reference

April 27, 2024
Project No.: 24044

TERRASTORY
environmental consulting inc.

Stefan Fediuk
Planner III – Senior Urban Designer
City of Windsor
255-6543 x6025
sfediuk@citywindsor.ca

SUBJECT: Terms of Reference for Environmental Evaluation Report
4641 Malden Road
City of Windsor

Terrastory Environmental Consulting Inc. (hereinafter "Terrastory") has been retained to prepare an Environmental Evaluation Report (EER) in support of a development application at the above-captioned location in Windsor. Outlined herein is our proposed Terms of Reference (ToR) for the EER. Terrastory has also been retained to complete the necessary Natural Site Features Inventory & Preservation Study and will be completing that study concurrently.

Should you have any questions or require further clarification regarding the contents of this letter, I would be pleased to discuss them further and can be reached by phone (905.745.5398) or email (tristan@terrastoryenviro.com).

Regards,

Terrastory Environmental Consulting Inc.

Tristan Knight, M.E.S., M.Sc., I.S.A., C.E.R.P.
Senior Ecologist | President

STUDY BACKGROUND

The Subject Property is an approximately 0.11 hectare (0.28 acre) parcel on the east side of Malden Road between Herb Gray Parkway/Hwy. 401 and Chappus Street. The Subject Property contains an existing residence surrounded by manicured amenity space (grass) with a few scattered trees. Natural lands occur to the east (and west of Malden Road)

The Subject Property falls within the Spring Garden Secondary Plan area per Volume II of the City's OP. The lands are designated Low Density Residential per Schedule SG-5 and are further zoned Development Research District 1.1 (DRD 1.1) under Zoning By-law 8600.

The applicant wishes to construct three (3) additional single unit dwellings while the existing two-storey residential dwelling is to remain. The proposed development must be facilitated by a Zoning By-law Amendment (ZBA) and Consent to Sever (severance) applications, as confirmed through a 13 February 2024 pre-consultation letter (i.e., Stage 1 Planning Consultation) received from the City. To support the rezoning/severance applications, the City has requested a supporting EER.

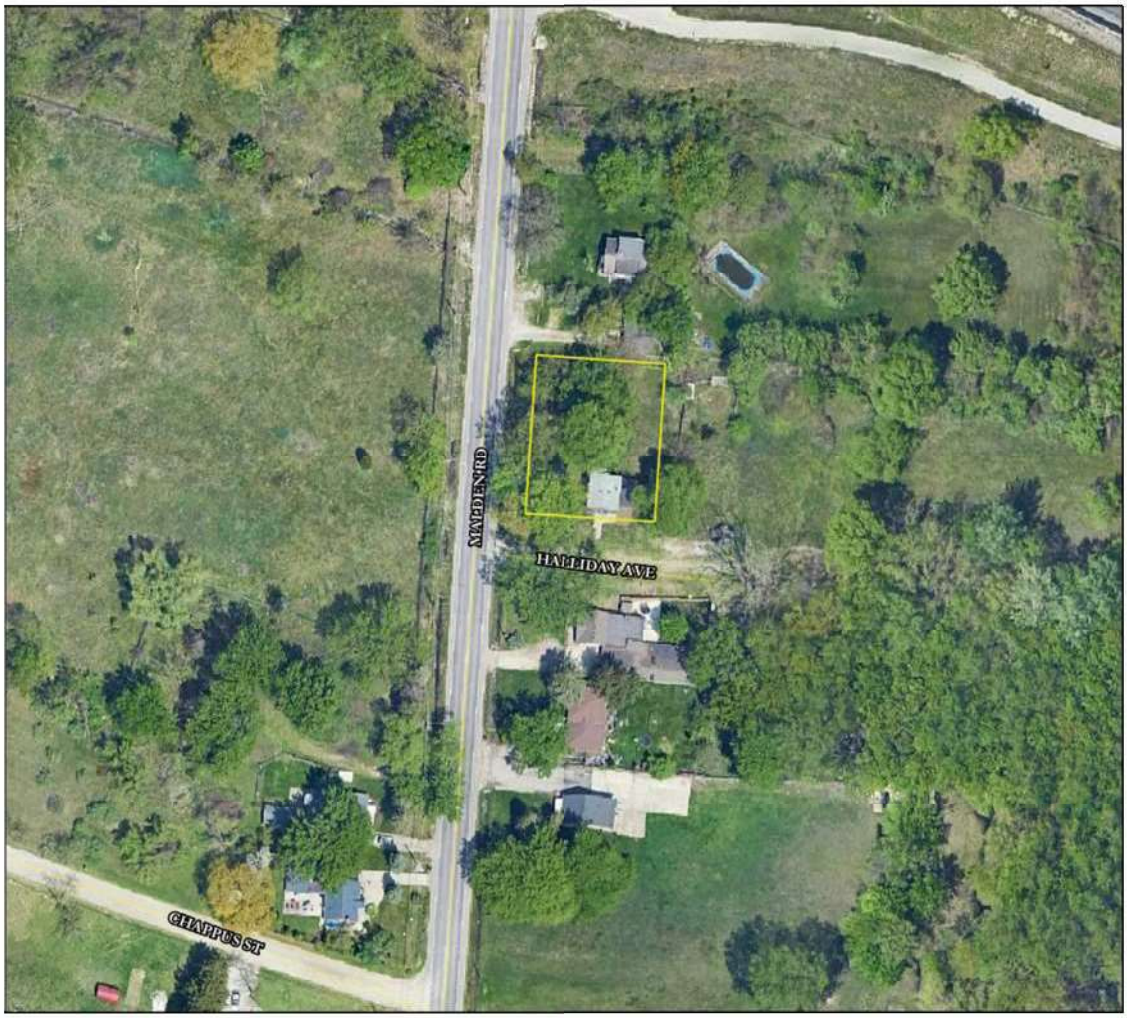

Figure 1. Location of the Subject Property.

TERMS OF REFERENCE FOR EER

- **Overall Approach and Methodology**
  - EER will be undertaken consistent with Section 10.2.5 of the City's OP.
  - Study Area will include the Subject Property and Adjacent Lands (natural lands) to a distance of 120 m from the limit of proposed development.
  - Information for Adjacent Lands will be collected from background sources and areas where permission to enter has been granted.
- **Background Information Gathering**
  - Background biophysical information will be gathered from the following sources (minimum) to support the biophysical characterization and significance assessments for Significant Wildlife Habitat and Species at Risk:
    - Current and historical aerial photographs
    - Existing natural feature mapping (Spring Garden Planning Areas Schedules, NHIC, etc.).
    - Ontario Base Mapping and other sources of topographic information (e.g., LiDAR), where available.
    - Ontario well records from the local landscape.
    - Soils mapping for the local landscape.
    - Paleozoic and surficial geology mapping for the local landscape.
    - Physiographic mapping for the local landscape.
    - NHIC element occurrences.
    - iNaturalist element occurrences, including rare species records retrieved through the "(NHIC) Rare Species of Ontario" project.
    - eBird.
    - Ontario Breeding Bird Atlas database.
    - Ontario Butterfly Atlas.
    - iNaturalist "Ontario Odonata" project
    - Bumble Bee species distribution maps from iNaturalist and Bumble Bee Watch.
    - DFO Aquatic Species at Risk Maps.
    - Aquatic resource area data.
    - Atlas of the Mammals of Ontario.
    - Flowing Waters Information System (FWIS) Database.
- **Site Assessment and Ecological Surveys (i.e., 2024 Fieldwork)**
  - General biophysical description of the Study Area (i.e., direction of drainage, land management, etc.).
  - **Ecological Land Classification (ELC)** for the Subject Property and Adjacent Lands.
    - *Note, Adjacent Lands will be characterized and mapped based on observations from publicly-accessible locations and aerial photograph interpretation.
  - Two (2) rounds of early spring **Snake Emergence Surveys**, plus an additional eight (8) rounds of snake surveys in accordance with the Survey Protocol for Ontario's Species at Risk Snakes (Dec. 2016).
  - Two (2) rounds of **Breeding Bird Surveys** according to the OBBA
    - First survey to be completed between May 24 and June 15
    - Second survey to be completed between June 16 and July 10.

  - Two (2) season **Vascular Plant Inventory**.
    - Spring survey to be completed between early May and late June
    - Summer survey to be completed between July and August
  - **Tree Inventory** covering all trees > 10 cm DBH (through the Natural Site Features Inventory & Preservation Plan).
  - Raw digital data forms (e.g., excel and/or shapefile format) will be provided summarizing the field data (e.g., anuran calling surveys, etc.) upon request.
  - Characterization and delineation of all significant natural features identified.
  - Incidental wildlife (including butterflies, odonates, and bumblebees) to be recorded during all site visits.
- **Significance Assessment**
  - Determination of whether any confirmed or potential significant natural heritage features and/or natural hazards are present within the Subject Property (or Adjacent Lands), particularly (among others) SWH, SAR, Significant Woodland, etc.
  - Mapping of significant natural heritage feature boundaries (e.g., staked and approved dripline for the Significant Woodland).
  - Full screening for SWH (based on the Ecoregion 7E Criteria Schedule).
  - Full screening for Species at Risk (SAR).
  - If any Endangered/Threatened species are documented, their locations will be mapped and the extent of their habitat will be delineated. Correspondence with MECP will be appended to the EER.
    - Due to known presence of several SAR snakes in the general area (e.g., Eastern Foxsnake, Butlers Gartersnake), MECP will be engaged through submission of an Information Gathering Form (IGF).
  - A list of all species documented will be provided including their relevant local, provincial, and federal rankings.
  - If any S1 to S3 species are found on site, their locations and habitat extent will be mapped and considered through the impact assessment.
- **Impact Assessment and Recommendations**
  - Description of the proposed development plan and any related technical plans/documents where available.
  - Mapping which indicates the proposed development plan overlaid with the significant natural feature mapping on a current airphoto base.
  - Impact assessment for all natural heritage/hazard features identified and their functions from an ecological perspective, including direct, indirect, and cumulative effects.
  - Recommendations for an ecologically and policy-appropriate buffer/setback/VPZ to the Significant Woodland on the data collected, impact assessment, and conformity with applicable policies and legislation.
  - Mitigation measures to avoid/minimize impacts (e.g., tree removal timing window, ESC measures, etc.).
  - Inclusion of a Tree Protection Plan including relevant details and specifications.
- **Policy Conformity Assessment**
  - An overall assessment of whether the proposed consent application, combined with any design changes and mitigation measures, conforms to relevant natural heritage policies in the City's OP, Spring Garden Secondary Plan, Provincial Policy Statement, *Endangered Species Act*, *Migratory Birds Convention Act*, and any other applicable natural heritage policies/legislation.

Appendix 2. Representative Photographs

Photo 1. Existing residence facing eastward (15 April 2024).

Photo 2. Subject Property facing southward (15 April 2024).

Photo 3. Subject Property facing northward (15 April 2024).

Photo 4. Subject Property facing eastward (15 April 2024).

City Council Agenda - Monday, July 28, 2025
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Appendix 3. Vascular Plant List

Scientific Name	Common Name	Family	S-Rank (per NHIC)	Local Rank (per Oldham 2017)	Coefficient of Conservatism	Coefficient of Wetness
Acer negundo	Manitoba Maple	Aceraceae	S5	X	0	0
Acer saccharum	Sugar Maple	Aceraceae	S5	X	4	3
Achillea millefolium	Common Yarrow	Asteraceae	SNA	-	n/a	3
Actaea pachypoda	White Baneberry	Ranunculaceae	S5	X	6	5
Ageratina altissima	Common White Snakeroot	Asteraceae	S5	X	5	3
Agrimonia gryposepala	Hooked Agrimony	Rosaceae	S5	X	2	3
Ambrosia artemisiifolia	Common Ragweed	Asteraceae	S5	X	0	3
Ambrosia trifida	Great Ragweed	Asteraceae	S5	X	0	0
Andropogon gerardii	Big Bluestem	Poaceae	S4	X	7	3
Arctium minus	Common Burdock	Asteraceae	SNA	IX	n/a	3
Asclepias syriaca	Common Milkweed	Asclepiadaceae	S5	X	0	5
Axyris amaranthoides	Russian Pigweed	Chenopodiaceae	SNA	-	n/a	0
Berberis thunbergii	Japanese Barberry	Berberidaceae	SNA	IX	n/a	3
Botrypus virginianus	Rattlesnake Fern	Ophioglossaceae	S5	X	5	3
Bromus inermis	Smooth Brome	Poaceae	SNA	IX	n/a	5
Bromus latiglumis	Broad-glumed Brome	Poaceae	S4	R	7	-3
Calystegia sepium	Hedge False Bindweed	Convolvulaceae	S5	X	2	0
Carex rosea	Rosy Sedge	Cyperaceae	S5	C	2	5
Carya cordiformis	Bitternut Hickory	Juglandaceae	S5	X	6	0
Celastrus scandens	Climbing Bittersweet	Celastraceae	S5	X	3	3
Celtis occidentalis	Common Hackberry	Ulmaceae	S4	X	8	0
Chenopodium album	White Goosefoot	Chenopodiaceae	SNA	IX	n/a	3
Circaea canadensis	Broad-leaved Enchanter's Nightshade	Onagraceae	S5	X	2	3
Cirsium arvense	Canada Thistle	Asteraceae	SNA	IX	n/a	3
Cirsium vulgare	Bull Thistle	Asteraceae	SNA	IX	n/a	3
Convolvulus arvensis	Field Bindweed	Convolvulaceae	SNA	IX	n/a	5
Cornus alternifolia	Alternate-leaved Dogwood	Cornaceae	S5	X	6	3
Cornus racemosa	Gray Dogwood	Cornaceae	S5	X	2	0
Cornus sericea	Red-osier Dogwood	Cornaceae	S5	X	2	-3
Dactylis glomerata	Orchard Grass	Poaceae	SNA	IX	n/a	3
Daucus carota	Wild Carrot	Apiaceae	SNA	IX	n/a	5
Echinochloa crus-galli	Large Barnyard Grass	Poaceae	SNA	IX	n/a	-3
Echinocystis lobata	Wild Mock-cucumber	Cucurbitaceae	S5	X	3	-3
Elaeagnus umbellata	Autumn Olive	Elaeagnaceae	SNA	IR	n/a	3
Elymus hystrix	Bottlebrush Grass	Poaceae	S5	C	5	5
Elymus virginicus	Virginia Wildrye	Poaceae	S5	X	5	-3
Erigeron canadensis	Canada Horseweed	Asteraceae	S5	X	0	3
Erigeron strigosus	Rough Fleabane	Asteraceae	S5	X	4	3
Fagus grandifolia	American Beech	Fagaceae	S4	X	6	3
Fallopia dumetorum	Hedge Bindweed	Polygonaceae	SNA	-	n/a	0
Festuca subverticillata	Nodding Fescue	Poaceae	S4	X	6	3
Fraxinus americana	White Ash	Oleaceae	S4	X	4	3

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Scientific Name	Common Name	Family	S-Rank (per NHIC)	Local Rank (per Oldham 2017)	Coefficient of Conservatism	Coefficient of Wetness
Galium circaezans	Wild Licorice	Rubiaceae	S5	X	7	3
Geum canadense	White Avens	Rosaceae	S5	C	3	0
Glechoma hederacea	Ground Ivy	Lamiaceae	SNA	IX	n/a	3
Helianthus giganteus	Tall Sunflower	Asteraceae	S5	X	6	-3
Heliopsis helianthoides	False Sunflower	Asteraceae	S4S5	R	3	3
Hesperis matronalis	Dame's Rocket	Brassicaceae	SNA	IX	n/a	3
Juglans nigra	Black Walnut	Juglandaceae	S4?	X	5	3
Lactuca serriola	Prickly Lettuce	Asteraceae	SNA	IX	n/a	3
Leersia virginica	Virginia Cutgrass	Poaceae	S4	X	6	-3
Lindera benzoin	Spicebush	Lauraceae	S4	C	6	-3
Lotus corniculatus	Garden Bird's-foot Trefoil	Fabaceae	SNA	IX	n/a	3
Maianthemum canadense	Wild Lily-of-the-valley	Liliaceae	S5	X	5	3
Medicago sativa	Alfalfa	Fabaceae	SNA	IX	n/a	5
Melilotus albus	White Sweet-clover	Fabaceae	SNA	IX	n/a	3
Menispermum canadense	Canada Moonseed	Menispermaceae	S4	X	7	0
Monarda fistulosa	Wild Bergamot	Lamiaceae	S5	X	6	3
Morus alba	White Mulberry	Moraceae	SNA	IX	n/a	0
Nepeta cataria	Catnip	Lamiaceae	SNA	IX	n/a	3
Osmorhiza claytonii	Hairy Sweet Cicely	Apiaceae	S5	X	5	0
Ostrya virginiana	Eastern Hop-hornbeam	Betulaceae	S5	C	4	3
Parthenocissus vitacea	Thicket Creeper	Vitaceae	S5	X	4	3
Persicaria virginiana	Virginia Smartweed	Polygonaceae	S4	C	6	0
Phryma leptostachya	Lopseed	Verbenaceae	S4S5	X	6	3
Plantago lanceolata	English Plantain	Plantaginaceae	SNA	IX	n/a	3
Poa compressa	Canada Bluegrass	Poaceae	SNA	IX	n/a	3
Podophyllum peltatum	May-apple	Berberidaceae	S5	C	5	3
Polygonatum pubescens	Hairy Solomon's Seal	Liliaceae	S5	X	5	5
Populus deltoides	Eastern Cottonwood	Salicaceae	S5	X	4	0
Prunus serotina	Black Cherry	Rosaceae	S5	X	3	3
Quercus muehlenbergii	Chinquapin Oak	Fagaceae	S4	X	7	3
Ratibida pinnata	Gray-headed Prairie Coneflower	Asteraceae	S3	R	9	5
Rhamnus cathartica	Common Buckthorn	Rhamnaceae	SNA	IC	n/a	0
Rhus typhina	Staghorn Sumac	Anacardiaceae	S5	X	1	3
Rubus occidentalis	Black Raspberry	Rosaceae	S5	C	2	5
Rudbeckia laciniata	Cut-leaved Coneflower	Asteraceae	S5	X	7	-3
Rumex crispus	Curly Dock	Polygonaceae	SNA	IX	n/a	0
Sanguinaria canadensis	Bloodroot	Papaveraceae	S5	X	5	3
Setaria viridis	Green Foxtail	Poaceae	SNA	IX	n/a	5
Smilax herbacea	Herbaceous Carrionflower	Smilacaceae	S4?	R	5	0
Smilax tamnoides	Hispid Greenbrier	Smilacaceae	S5	X	6	0
Solidago altissima	Tall Goldenrod	Asteraceae	S5	X	1	3
Sorghastrum nutans	Yellow Indiangrass	Poaceae	S4	X	8	3

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Scientific Name	Common Name	Family	S-Rank (per NHIC)	Local Rank (per Oldham 2017)	Coefficient of Conservatism	Coefficient of Wetness
Symphyotrichum ericoides	White Heath Aster	Asteraceae	S5	X	4	3
Symphyotrichum pilosum	White Heath Aster	Asteraceae	S5	X	0	3
Tilia americana	American Basswood	Tiliaceae	S5	C	4	3
Trifolium pratense	Red Clover	Fabaceae	SNA	IX	n/a	3
Trifolium repens	White Clover	Fabaceae	SNA	IX	n/a	3
Urtica dioica	Stinging Nettle	Urticaceae	S5	-	2	0
Urtica gracilis	Slender Stinging Nettle	Urticaceae	S5	X	2	0
Verbascum thapsus	Common Mullein	Scrophulariaceae	SNA	IX	n/a	5
Xanthium strumarium	Rough Cocklebur	Asteraceae	S5	X	2	0

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Appendix 4. Breeding Bird Survey Results

1 BREEDING BIRD SURVEY METHODOLOGY

Two breeding bird surveys were conducted following Ontario Breeding Bird Atlas (OBBA) protocols (Bird Studies Canada et al. 2001). Surveys occurred within the appropriate season (May 24–July 10), time of day (between dawn and five hours after dawn), and weather conditions (no rain, wind speed ≤3 on the Beaufort Wind Scale). The station was surveyed for a minimum duration of ten (10) minutes.

One (1) survey station was established and situated to cover the variety of bird habitats on-site, particularly habitats with a high potential to support significant bird species and those that occur within or adjacent to proposed areas of disturbance. The locations of point count stations and significant bird species were recorded in the field with a high-accuracy GPS.

Signs of breeding activity accompanied each bird record (e.g., singing male, probable pair, agitation, carrying nest material, etc.). The OBBA provides four (4) breeding categories to accompany each observation:

> ***Observed:*** Species observed during its breeding season (no evidence of breeding).
>
> ***Possible Breeding:*** Includes any of the following observation types: 1) species observed in its breeding season in suitable nesting habitat, and 2) singing male present, or breeding calls heard, in its breeding season in suitable nesting habitat.
>
> ***Probable Breeding:*** Includes any of the following observation types: 1) pair observed in their breeding season in suitable nesting habitat, 2) permanent territory presumed through registration of territorial song on at least 2 days, a week or more apart, at the same place, 3) courtship or display between a male and a female or 2 males, including courtship feeding or copulation, 4) visiting probable nest site, 5) agitated behaviour or anxiety calls of an adult, 6) brood patch on adult female or cloacal protuberance on adult male, and 7) nest-building or excavation of nest hole.
>
> ***Confirmed Breeding:*** Includes any of the following observation types: 1) distraction display or injury feigning, 2) used nest or egg shell found (occupied or laid within the period of the study), 3) recently fledged young or downy young, including young incapable of sustained flight, 4) adults leaving or entering nest site in circumstances indicating occupied nest, 5) adult carrying faecal sac, 6) adult carrying food for young, 7) nest containing eggs, and 8) nest with young seen or heard.

2 RESULTS

Table 1. Results of Breeding Bird Surveys.

Common Name	Scientific Name	Breeding Status within the Study Area	General Location of Observation
American Robin	*Turdus migratorius*	Co	Throughout survey area.
Black-capped Chickadee	*Poecile atricapillus*	Po	Deciduous swamp on Adjacent Lands.
Blue Jay	*Cyanocitta cristata*	Pr	Woodland on Adjacent Lands.
Brown-headed Cowbird	*Molothrus ater*	Po	Manicured area adjacent existing dwelling.
Carolina Wren	*Thryothorus ludovicianus*	Po	Deciduous swamp on Adjacent Lands.
Cedar Waxwing	*Bombycilla cedrorum*	Po	Deciduous swamp edge on Adjacent Lands.
Common Grackle	*Quiscalus quiscula*	Po	Deciduous swamp on Adjacent Lands.
Downy Woodpecker	*Picoides pubescens*	Pr	Manicured areas and forest on Adjacent Lands.
Eastern Kingbird	*Tyrannus tyrannus*	Po	Manicured area adjacent existing dwelling.
Eastern Wood-pewee	*Contopus virens*	Po	Deciduous swamp on Adjacent Lands.
European Starling	*Sturnus vulgaris*	Co	Manicured area adjacent existing dwelling.
House Wren	*Troglodytes aedon*	Pr	Deciduous swamp edge on Adjacent Lands.
Mourning Dove	*Zenaida macroura*	Po	Meadow on Adjacent Lands to the west.
Northern Cardinal	*Cardinalis cardinalis*	Po	Manicured area on Adjacent Lands.
Ring-billed Gull	*Larus delawarensis*	O	Flyover.
Red-bellied Woodpecker	*Melanerpes carolinus*	Pr	Deciduous swamp and woodland on Adjacent Lands.
Red-winged Blackbird	*Agelaius phoeniceus*	Po	Manicured areas on Subject Property and Adjacent Lands to the west.
Song Sparrow	*Melospiza melodia*	Pr	Manicured areas within and adjacent the Subject Property.
Tree Swallow	*Tachycineta bicolor*	Co	Manicured areas on Adjacent Lands.
Warbling Vireo	*Vireo gilvus*	Pr	Deciduous swamp edge on Adjacent Lands.
White-breasted Nuthatch	*Sitta carolinensis*	Po	Deciduous swamp edge on Adjacent Lands.

1 Location of breeding bird survey station is indicated on **Figure 2.**

2 Co = Confirmed Breeder; Pr = Probable Breeder; Po = Possible Breeder; O = Observed (no evidence of breeding). Breeding status determined based on the results of the formal breeding bird surveys; where a higher level of breeding status was documented incidentally (i.e., during other field surveys), this is noted in within the main body of the report (where applicable).

Appendix 5. Significant Wildlife Habitat Assessment

1 SIGNIFICANT WILDLIFE HABITAT ASSESSMENT METHODOLGY

The PPS protects Significant Wildlife Habitat (SWH) from development and site alteration unless it can be demonstrated that no negative impacts on the feature or its function will occur. As outlined in the SWH Technical Guide (OMNR 2000) and supporting Ecoregion Criteria Schedules (OMNRF 2015), SWH is composed of four (4) principal components:

- Seasonal Concentration Areas of Animals;
- Rare Vegetation Communities or Specialized Habitats;
- Habitat of Species of Conservation Concern; and
- Animal Movement Corridors.

The process for identifying SWH is outlined in s. 9.2.3 of the Natural Heritage Reference Manual (OMNR 2010). Step 1 considers the nature of the development application proposed and involves the assembly of background ecological information for the Study Area and Adjacent Lands. If the application triggers a need to protect SWH (e.g., change in land-use that requires approval under the Planning Act, etc.), a more thorough investigation of potential SWH features within the Study Area or Adjacent Lands must occur. Any confirmed SWH for the Study Area and Adjacent Lands as identified in relevant planning documents or by the MNRF should be noted at this stage.
Where a need to protect SWH is triggered, step 2 involves undertaking a more thorough analysis of features, functions, and habitats within the Study Area via Ecological Land Classification (see Section 2.8). The list of ELC Ecosite codes generated for the Study Area is compared to those codes considered candidate SWH in the relevant Ecoregion Criterion Schedule (i.e., 5E, 6E, or 7E) in step 3. Where a positive match between an ELC Ecosite and candidate SWH exists, the area is considered candidate SWH.

Two options are available for candidate SWH: 1) the area may be protected without further study, or 2) the area may be evaluated to ascertain whether confirmed SWH is present. Evaluation may involve generating more detailed maps of vegetation cover, or conducting surveys of the wildlife population within the candidate SWH including reproductive, feeding, and movement patterns. If the area is confirmed SWH, the final step in the process is the completion of an impact assessment to demonstrate that no negative impacts to the confirmed SWH or its function will occur. The impact assessment process is assisted by SWH Mitigation Support Tool (OMNRF 2014).

2 RESULTS

Table 1. Results of the Significant Wildlife Habitat Assessment.

Ecoregion 7E	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Candidate SWH?	Do any Features, Habitats, or Areas o within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Confirmed SWH?	Likelihood that Negative Effects to SWH (i.e., "degradation that threatens the health and integrity" as defined in the 2020 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities.
Seasonal Concentration Areas of Animals			
Waterfowl Stopover and Staging Areas (Terrestrial)	**No.** Meadows, fields, and/or thickets that annually flood during spring and could support significant congregations of migrating waterfowl are absent.	--	--
Waterfowl Stopover and Staging Areas (Aquatic)	**No.** Large surface water features (e.g., ponds, lakes, bays, coastal inlets, large watercourses, etc.) and/or wetlands that annually flood during spring could support significant congregations of migrating waterfowl are absent.	--	--
Shorebird Migratory Stopover Areas	**No.** Unvegetated open areas adjacent to surface water features (e.g., shorelines, beaches, mudflats, etc.) and able to support significant congregations of migrating shorebirds are absent	--	--
Raptor Wintering Areas	**No.** Treed and meadow habitats within the Study Area are too small to support significant congregations of wintering raptors.	--	--
Bat Hibernacula	**No.** Natural features and habitats that could support hibernating bats (e.g., caves, mine shafts, crevices, karsts, etc.) are absent.	--	--
Bat Maternity Colonies	**Yes.** Mature deciduous swamp with a high-density (i.e., >10/ha) of large-diameter (i.e., ≥25 cm DBH) trees containing cracks/cavities are present on Adjacent Lands.	**Unknown.** Targeted surveys were not undertaken on Adjacent Lands to assess presence/absence of bats and/or suitable snags within the deciduous swamp.	**Negligible.** Development activities will be restricted to the Subject Property, and a timing window restriction will be applied to necessary individual tree removal activities within the Subject Property to avoid impacting roosting bats occupying "day roosts".
Turtle Wintering Areas	**No.** Surface water features and/or wetlands with soft muddy substrate which do not freeze to the bottom during winter are absent.	--	--
Reptile Hibernaculum	**Yes.** Features (e.g., small mammal burrows, rock crevices, etc.) and/or habitats (e.g., certain wetlands with a fluctuating water table, etc.) that could provide snakes with access below the frost line are present.	**Unknown.** Snake surveys undertaken during the 2024 fieldwork season did not identify any features being used by reptiles (i.e., snakes) for overwintering within the Subject Property and areas accessible by public ROW. Snake overwintering habitat may occur on Adjacent Lands.	**Negligible.** Development activities will be restricted to the Subject Property.
Colonially - Nesting Bird Breeding Habitat (Bank and Cliff)	**No.** Features that could support nesting by Cliff Swallow and Northern Rough-winged Swallow (e.g., eroding banks, sandy hills, borrow pits, steep slopes, cliff faces, etc.) are absent.	--	--
Colonially - Nesting Bird Breeding Habitat Breeding Habitat (Tree/Shrubs)	**No.** Swamp and treed fen communities of sufficient size are absent.	--	--
Colonially - Nesting Bird Breeding Habitat (Ground)	**No.** Rocky islands or peninsulas along lakes or large rivers are absent.	--	--

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Ecoregion 7E	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Candidate SWH?	Do any Features, Habitats, or Areas o within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Confirmed SWH?	Likelihood that Negative Effects to SWH (i.e., "degradation that threatens the health and integrity" as defined in the 2020 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities.
Migratory Butterfly Stopover Areas	**No.** A mixture of fields and forests within 5 km from the shoreline of Lake Erie or Lake Ontario are absent.	--	--
Landbird Migratory Stopover Areas	**No.** While migrating landbirds may temporarily stopover to feed and rest, the Subject Property is unlikely to support significant congregations of migrating landbirds as it is greater than 5 km from the shoreline of Lake Erie.	--	--
Deer Winter Congregation Areas	**No.** The Subject Property and/or Adjacent Lands have not been identified as a deer wintering area by MNRF.	--	--
Rare Vegetation Communities or Specialized Habitats for Wildlife			
Cliffs and Talus Slopes	**No.** Cliffs and talus slope communities are absent.	--	--
Sand Barren	**No.** Sand barren communities are absent.	--	--
Alvar	**No.** Flora characteristic of alvars are absent.	--	--
Old Growth Forest	**No.** Based on a review of historic air photos, old growth forest is absent.	--	--
Savannah	**No.** Flora characteristic of savannahs are absent.	--	--
Tallgrass Prairie	**No.** Flora characteristic of tallgrass prairies are absent.	--	--
Other Rare Vegetation Community	**No.** Provincially rare vegetation communities are absent.	--	--
Waterfowl Nesting Area	**No.** Wetlands which may support nesting waterfowl are absent.	--	--
Bald Eagle and Osprey Nesting, Foraging and Perching Habitat	**No.** Forest communites adjacent to large surface water features are absent.	--	--
Woodland Raptor Nesting Habitat	**No.** On-site forest communities which may support nesting raptors are absent.	--	--
Turtle Nesting Areas	**No.** Exposed mineral soils adjacent to surface water features (e.g., lakes, ponds, etc.) and/or wetlands that may support turtles are absent.	--	--
Seeps and Springs	**No.** Areas where groundwater emerges at the surface and may support specialized habitat for plants and wildlife are absent.	--	--
Amphibian Breeding Habitat (Woodland)	**Yes.** Forests with wetlands, ponds, and/or pools that may support significant congregations of breeding amphibians are present.	**Unknown**. No amphibian call surveys were conducted to assess the deciduous swamp on Adjacent Lands.	**Negligible.** Proposed development and disturbance are restricted to the Subject Property, and is not anticipated to impact breeding amphibians.
Amphibian Breeding Habitat (Wetlands)	**No.** Wetlands and surface water features (e.g., ponds, lakes, etc.) that may support significant congregations of breeding amphibians are absent.	--	--

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Ecoregion 7E	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Candidate SWH?	Do any Features, Habitats, or Areas o within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Confirmed SWH?	Likelihood that Negative Effects to SWH (i.e., "degradation that threatens the health and integrity" as defined in the 2020 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities.
Woodland Area-Sensitive Bird Breeding Habitat	**No.** Interior forest interior conditions (i.e., >200 m from edge) are absent	--	--
Habitat for Species of Conservation Concern			
Marsh Bird Breeding Habitat	**No.** Wetlands with shallow water and emergent aquatic vegetation are absent.	--	--
Open Country Bird Breeding Habitat	**No.** Meadow habitats of sufficient size are absent.	--	--
Shrub/Early Successional Bird Breeding Habitat	**No.** Shrub/early-successional habitats of sufficient size are absent.	--	--
Terrestrial Crayfish	**Yes.** Swamp communities are present on Adjacent Lands.	**No.** Terrestrial Crayfish chimneys were not documented within the Subject Property.	--
Special Concern and Rare Wildlife Species	**Yes.** See **Table 2** below.	**Yes.** See **Table 2** below.	**Possible.** See **Table 2** below.
Animal Movement Corridors			
Amphibian Movement Corridors	**No.** The Subject Property is not expected to act as a significant movemen: corridor between breeding and summer habitat for amphibians owing to the presence of Malden Road and Spring Garden Road as barriers to movement.	--	--

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Table 2. Results of the Special Concern and Provincially Rare Species Assessment.

Species	Status per O. Reg. 230/08 under the ESA and/or NHIC	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy or Use within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "degradation that threatens the health and integrity" as defined in the 2024 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Birds					
Bald Eagle (*Haliaeetus leucocephalus*)	SC	OBBA; "NHIC Rare Species" iNaturalist project	• Generally found feeding along waterbodies and shorelines, and adjacent deciduous and mixed forests. • Super-canopy trees are used for nesting and roosting. • Feeds largely on fish and carrion.	**Negligible.** Suitable breeding habitat is absent from the Subject Property.	--
Barn Swallow (*Hirundo rustica*)	SC	OBBA; "NHIC Rare Species" iNaturalist project	• Nests in barns, bridge/culvert undersides, awnings/overhangs on sides of buildings, and (historically) tree cavities. • Forages in a variety of open areas including agricultural lands, meadows, prairies, woodland clearings, marshes, and above waterbodies.	**Negligible.** While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	--
Black-crowned Night Heron (*Nycticorax nycticorax*)	S3	"NHIC Rare Species" iNaturalist project	• Occupies a variety of wetlands including marshes, swamps, streams, rivers, lakes, ponds, lagoons, canals, reservoirs, and wet agricultural fields. • Nests in trees or in cattails usually in a habitat safe from predators such as on an island, in a swamp, or over water.	**Negligible.** Suitable breeding habitat is absent from the Subject Property.	--
Eastern Wood-pewee (*Contopus virens*)	SC	OBBA; "NHIC Rare Species" iNaturalist project	• Breeds and forages in relatively open, deciduous and mixed forests of various sizes (including urban forest fragments) and along forest edges.	**Confirmed.** Eastern Wood-pewee was recorded on one (1) occasion on Adjacent Lands during breeding bird surveys as a "Possible" breeder.	**Negligible.** Location of singing individual (and suitable breeding habitat) > 30 m from the proposed retained lot and > 40 m from the nearest proposed severed lot.
Purple Martin (*Progne subis*)	S3B	OBBA	• Forages over towns, cities, parks, open fields, dunes, streams, wet meadows, beaver ponds, and other open areas. • Nests in cavities (both artificial and natural), though is almost entirely dependent on human constructed nesting structures (martin houses) in Ontario.	**Negligible.** While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	--
Rusty Blackbird (*Euphagus carolinus*)	SC	"NHIC Rare Species" iNaturalist project	• Flooded woods, swamps, and edge of open water habitats.	**Negligible.** Suitable breeding habitat is absent from the Subject Property.	--
Tufted Titmouse (*Baeolophus bicolor*)	S3B	"NHIC Rare Species" iNaturalist project	• Breeds in deciduous woods or mixed evergreen-deciduous woods, typically in areas with a dense canopy and many tree species. • May also occupy orchards, parks, and suburban areas.	**Negligible.** Suitable breeding habitat is absent from the Subject Property.	--
Short-eared Owl (*Asio flammeus*)	SC	OBBA	• Breeds and forages in a variety of open habitats. • Overwinters in similar habitats as breeding and foraging areas.	**Negligible.** Suitable breeding habitat is absent from the Subject Property.	--

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Species	Status per O. Reg. 230/08 under the ESA and/or NHIC	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy or Use within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "degradation that threatens the health and integrity" as defined in the 2024 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Wood Thrush (*Hylocichla mustelina*)	SC	OBBA; "NHIC Rare Species" iNaturalist project	• Breeds and forages in second-growth and mature deciduous and mixed forests with a well-developed understory.	**Negligible.** The species was not detected during breeding bird surveys and suitable habitat is absent from the Subject Property.	--
Crayfish					
Digger Crayfish (*Creaserinus fodiens*)	S3	NHIC	• Occupies seasonally flooded areas in lowlands.	**Negligible**. The species (and/or burrows) was not documented within the Subject Property during the 2024 fieldwork program.	--
Painted hand Mudbug (*Lacunicambarus polychromatus*)	S1S2	"NHIC Rare Species" iNaturalist project	• Floodplains and other low-lying habitats near the water table, such as ditches, wetlands, and river banks.	**Negligible**. The species (and/or burrows) was not documented within the Subject Property during the 2024 fieldwork program.	--
Insects					
A moth species (*Eucosma kiscana*)	S3S4	"NHIC Rare Species" iNaturalist project	• Known from extreme southeastern Canada, little is known about habitat or foraging preferences although it has been recorded in open woodlands.	**Negligible**. Suitable habitat is absent from the Subject Property.	--
A potter wasp species (*Parazumia symmorpha*)	S3	"NHIC Rare Species" iNaturalist project	• Known to utilize existing nesting cavities. Although little is known about the species' habitat needs, the literature shows it has been reported near ever edges.	**Negligible**. Suitable habitat is absent from the Subject Property.	--
A red milkweed beetle (*Tetraopes quinquemaculatus*)	S1	"NHIC Rare Species" iNaturalist project	• Larvae are known to feed on Milkweed (*Asclepias* spp.).	**Negligible**. Suitable larval food sources are absent from the Subject Property.	--
American Bumble Bee (*Bombus pensylvanicus*)	SC	Species distribution	• Occupies a range of open areas with nectaring sites. • Nests above ground in dense mats of long grasses but has also been known to nest in abandoned rodent burrows and bird nests high above the ground.	**Possible.** Species is a habitat generalist and occupies a wide range of areas.	**Negligible.** Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect nectaring opportunities for this species.
Black Dash (*Euphyes conspicua*)	S3	"NHIC Rare Species" iNaturalist project	• Occupies sedgy marshes, fens, and wet meadows. • Host plants are narrow-leaved sedges, predominantly Tussock Sedge (*Carex stricta*).	**Negligible**. Suitable habitat is absent from the Study Area.	--
Black Diabrotica (*Diabrotica cristata*)	S1S2	"NHIC Rare Species" iNaturalist project	• Generalist feeders known to feed on the roots of several plants including Big Bluestem (*Andropogon gerardii*), brome species (*Bromus* spp.), Panicgrass (*Panicum virgatum*), and plants in the aster family (Asteraceae).	**Negligible.** Food sources are absent from the Subject Property.	--
Bold-feathered Grass Moth (*Herpetogramma pertextalis*)	SU	"NHIC Rare Species" iNaturalist project	• Generalist feeders known to feed on Red Clover (*Trifolium pratense*), raspberries (*Rubus* spp.), burdock (*Arctium* spp.), ground cherries (*Physalis* spp.) and plants in the aster family (Asteraceae).	**Negligible.** Food sources are absent from the Subject Property.	--
Differential Grasshopper (*Melanoplus differentialis*)	S3	"NHIC Rare Species" iNaturalist project	• Generalist known to occupy grasslands, disturbed weedy areas, and urban areas.	**Possible.** Species is a habitat generalist and occupies a wide range of areas.	**Negligible.** Proposed development is restricted to areas consisting of manicured lawn. Proposed development and

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					disturbance will not adversely affect available habitat for this species.
Double-striped Bluet (*Enallagma basidens*)	S3	"NHIC Rare Species" iNaturalist Project	• Borders of lakes, ponds, and slow-moving streams.	**Negligible**. Suitable habitat is absent from the Study Area.	--
Duke's Skipper (*Euphyes dukesi*)	SC	"NHIC Rare Species" iNaturalist Project	• Deciduous swamps, treed floodplain habitats, and roadside ditches containing dense growth of sedges (*Carex* spp.).	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Faint-spotted Palthis Moth (*Palthis asopialis*)	S3S4	"NHIC Rare Species" iNaturalist Project	• Known to feed on beggarticks (*Bidens* spp.), oak (*Quercus* spp.), and agricultural crops.	**Negligible.** Suitable food sources are absent from the Subject Property.	--
Fraternal Potter Wasp (*Eumenes fraternus*)	S3	"NHIC Rare Species" iNaturalist Project	• Woodland edges and shrub-dominated open areas.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Giant Leopard Moth (*Hypercompe scribonia*)	S3	"NHIC Rare Species" iNaturalist Project	• Woodland edges, meadows, and old fields.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Gray Archips Moth (*Archips grisea*)	S3	"NHIC Rare Species" iNaturalist Project	• Larvae are known to feed on hickory (*Carya* spp.).	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Gray Marvel Moth (*Anterastria teratophora*)	S3S4	"NHIC Rare Species" iNaturalist Project	• Larvae are known to feed on mint (*Mentha* spp.) and beebalm (*Monarda* spp.).	**Negligible**. Suitable larval food sources are absent from the Study Area.	--
Great Blue Skimmer (*Libellula vibrans*)	S1	"NHIC Rare Species" iNaturalist Project	• Slow-moving streams, wet areas in swamps and bottomlands.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Greater Spreadwing (*Archilestes grandis*)	S1	"NHIC Rare Species" iNaturalist Project	• Streams and small, heavily vegetated ponds.	**Negligible**. Suitable habitat is absent from the Study Area.	--
Hungerford's Scorpionfly (*Panorpa hungerfordi*)	S1?	"NHIC Rare Species" iNaturalist Project	• Woodlands and riparian habitats.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Jumping Bristletail (*Pedetontus saltator*)	S3	"NHIC Rare Species" iNaturalist Project	• Crevices in limestone cliffs, leaf litter between boulders, and in old stone walls.	**Negligible**. Suitable habitat is absent from the Study Area.	--
Locust Underwing (*Euparthenos nubilis*)	S3S4	"NHIC Rare Species" iNaturalist Project	• Black Locust (*Robinia pseudoacacia*) is the larval host for this species.	**Negligible**. Suitable larval hosts are absent from the Study Area.	--

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Monarch (*Danaus plexippus*)	SC	"NHIC Rare Species" iNaturalist Project	• Oviposits on Milkweeds (*Asclepias* spp.). • Generalist foraging that nectars in most areas with wildflowers.	**Negligible.** Suitable ovipositing sites (i.e., Milkweed species) are absent from the Subject Property.	--
Northern Bush Katydid (*Scudderia septentrionalis*)	S3?	"NHIC Rare Species" iNaturalist Project	• Occupies canopies of deciduous trees.	**Possible.** Suitable habitat is present within the Study Area.	**Negligible.** Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect available habitat for this species.
Obtuse Yellow (*Azenia obtusa*)	S3	"NHIC Rare Species" iNaturalist Project	• Known to feed on dodder species (*Cuscuta* spp.).	**Negligible**. Suitable food sources are absent from the Study Area.	--
Orange-tipped Oakworm Moth (*Anisota senatoria*)	S3	"NHIC Rare Species" iNaturalist Project	• Oak species (*Quercus* spp.) are the primary food source for this species.	**Negligible**. Suitable food sources are absent from the Subject Property.	--
Pink Hairstreak (*Dargida rubripennis*)	S2	"NHIC Rare Species" iNaturalist Project	• Switchgrass species (*Panicum* spp.) are the primary food source for this species.	**Negligible**. Suitable food sources are absent from the Study Area.	--
Pink-legged Tiger Moth (*Spilosoma latipennis*)	S3S4	"NHIC Rare Species" iNaturalist Project	• Larval hosts include ash species (*Fraxinus* spp.), dandelions (*Taraxacum* spp.), jewelweed species (*Impatiens* spp.), and plantain species (*Plantago* spp.).	**Negligible**. Suitable food sources are absent from the Subject Property.	--
Pecan Spittlebug (*Clastoptera achatina*)	S1	"NHIC Rare Species" iNaturalist Project	• Larval hosts include hickories (*Carya* spp.).	**Negligible**. Suitable host species are absent from the Subject Property.	--
Pertinent Underwing (*Catocala piatrix*)	S3	"NHIC Rare Species" iNaturalist Project	• Hickories (*Carya* spp.) are the primary food source for this species.	**Negligible**. Suitable host species are absent from the Subject Property.	--
Rabid Wolf Spider (*Rabidosa rabida*)	S3?	"NHIC Rare Species" iNaturalist Project	• Known to inhabit fields and wooded areas.	**Negligible**. Suitable habitat is absent from the Subject Property.	--
Say's Mantidfly (*Dicromantispa sayi*)	SU	"NHIC Rare Species" iNaturalist Project	• Forest edges and prairies.	**Negligible**. Suitable habitat is absent from the Study Area.	--
Scudder's Shortwing Grasshopper (*Melanoplus scudderi*)	S1	"NHIC Rare Species" iNaturalist Project	• Open woodlands, forest edges, and areas with brush piles.	**Negligible**. Suitable habitat is absent from the Subject Property.	--
Skiff Moth (*Prolimacodes badia*)	S3S4	"NHIC Rare Species" iNaturalist Project	• Larvae are known to feed on a wide variety of tree and shrub species.	**Possible.** Suitable food sources are present within the Subject Property.	**Negligible.** Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect available food sources for this species.
Sleepy Duskywing (*Erynnis brizo*)	S1	NHIC	• Oviposits on oak (*Quercus* spp.).	**Negligible**. Suitable oviposition sites are absent from the Subject Property.	--

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			• Restricted to three (3) areas within the Carolnian Zone (Pinery Provincial Park, St. Williams Area, Hamilton-Grimsby Area) with remnant oak woodlands.		
Slowpoke Moth (*Athetis tarda*)	S3	"NHIC Rare Species" iNaturalist Project	• Commonly found in oak woodlands.	**Negligible.** Suitable habitat is absent from the Study Area.	--
Smaller Sand Cricket (*Ellipes minuta*)	S3?	"NHIC Rare Species" iNaturalist Project	• Areas of sandy soil around waterbodies.	**Negligible.** Suitable habitat is absent from the Study Area.	--
Southern Cloudywing (*Thorybes bathyllus*)	S3	"NHIC Rare Species" iNaturalist Project	• Areas along streams, meadows, savannahs, fields, and woodlands.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Spiny Oakworm Moth (*Anisota stigma*)	S2	"NHIC Rare Species" iNaturalist Project	• Known to feed on oak species (*Quercus* spp.), hazel species (*Corylus* spp.), and Basswood (*Tilia americana*).	**Negligible.** Suitable food sources are absent from the Subject Property.	--
Spotted Apatelodes Moth (*Apatelodes torrefacta*)	S3	"NHIC Rare Species" iNaturalist Project	• A generalist known to feed on a variety of native tree species.	**Negligible.** Suitable food sources are absent from the Subject Property.	--
Swamp Darner (*Epiaeschna heros*)	S3S4	NHIC	• Occupies shaded ponds, streams, swamps, and temporary ponds.	**Negligible.** Suitable habitat is absent from the Study Area.	--
Texas Mocis Moth (*Mocis texana*)	S1S2	"NHIC Rare Species" iNaturalist Project	• Savannahs, prairies, and grasslands.	**Negligible.** Suitable habitat is absent from the Study Area.	--
Thinker Moth (*Lacinipolia meditata*)	S3S4	"NHIC Rare Species" iNaturalist Project	• Moist forest and grassland habitats.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Turbulent Phosphila Moth (*Phosphila turbulenta*)	S2S3	"NHIC Rare Species" iNaturalist Project	• Wet forested areas, including floodplains, ponds, and lakeshores.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Two-spotted Cobweb Spider (*Asagena americana*)	S2S3	"NHIC Rare Species" iNaturalist Project	• Known to occupy rotting logs, leaf litter, and moss.	**Possible.** Suitable habitat is present within the Study Area.	**Negligible.** Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect available habitat for this species.
Walnut Caterpillar Moth (*Datana integerrima*)	S3S4	"NHIC Rare Species" iNaturalist Project	• This species occupies deciduous forests and is known to feed on hickories and pecans (*Carya* spp.) and walnut species (*Juglans* spp.).	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Wavy Mudsucker (*Orthonevra nitida*)	S3	"NHIC Rare Species" iNaturalist Project	• Wetlands and marshes.	**Negligible.** Suitable habitat is absent from the Subject Property.	--

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White-banded Crab Spider (*Misumenoides formosipes*)	S2S3	"NHIC Rare Species" iNaturalist Project	• Known to occupy fields and pastures, hiding within members of the aster family (Asteraceae) to ambush prey.	**Negligible**. Suitable habitat is absent from the Subject Property.	--
Yellow-Gray Underwing (*Catocala retecta*)	S3S4	"NHIC Rare Species" iNaturalist Project	• Known to feed on hickories (*Carya* spp.) and walnuts (*Juglans* spp.).	**Negligible**. Suitable food sources are absent from the Subject Property.	--
Zabulon Skipper (*Lon zabulon*)	S1	"NHIC Rare Species" iNaturalist Project	• Woodland edges, woodland openings, parks, and grasslands.	**Negligible**. Suitable habitat is absent from the Subject Property.	--
Plants					
American Lotus (*Nelumbo lutea*)	S2S3	NHIC	• Areas of moderately still water within lacustrine or riverine systems.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Arrowfeather Threeawn Grass (*Aristida purpurascens*)	S1	NHIC	• Dry to seasonally dry open habitats such as sand plains, prairies, and savannahs.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Bicknell's Sedge (*Carex bicknellii*)	S2	NHIC	• Dry to moist prairies, woodlands, and other sunny areas with rocky soils.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Biennial Gaura (*Oenothera gaura*)	S3	NHIC	• Open fields, roadsides, and prairies.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Black Tupelo (*Nyssa sylvatica*)	S3	NHIC	• Occupies moist or dry woods and savannas; restricted to the Carolinian Zone.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Blood Milkwort (*Polygala sanguinea*)	S3	NHIC	• Savannahs, dry to mesic prairies, and woodland edges. Favouring areas with recently disturbed soils.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Bushy Aster (*Symphyotrichum dumosum*)	S2	NHIC	• Sunny areas with dry to mesic soils, including prairies, old fields, and open woods.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Bushy Seedbox (*Ludwigia alternifolia*)	S1	NHIC	• Areas of full to partial sun in marshes, wet meadows, and swamps.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Buttonbush Dodder (*Cuscuta cephalanthi*)	S2	NHIC	• Mesic woodlands, marshes, and wet prairies. Commonly known to parasitize a variety of woody and herbaceous hosts.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Clinton's Clubrush (*Trichophorum clintonii*)	S2S3	NHIC	• Open dry to mesic prairies and wet meadows.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Climbing Prairie Rose (*Rosa setigera*)	SC	NHIC	• Open habitats with moist clay soils, including old fields, thickets, and prairie remnants.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Culver's Root (*Veronicastrum virginicum*)	S2	NHIC	• Wet meadows, mesic prairies, savannahs, and woodland edges.	**Negligible**. Suitable habitat is absent from Subject Property.	--

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Early-branching Panicgrass (*Dichanthelium praecocius*)	S3	NHIC	• Dry, open, sandy or rocky woodlands, woodland edges, and prairies.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Eastern Stiff Goldenrod (*Solidago rigida* ssp. *rigida*)	S3	NHIC	• Tallgrass prairies, mix prairies, old fields, and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Eastern Yellow Stargrass (Hypoxis hirsuta)	S2S3	NHIC	• Dry prairies, savannahs, and open woodlands.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Fall Witchgrass (*Digitaria cognata*)	S1?	NHIC	• Occupies dry sandy open ground in southwestern Ontario and locally east to Northumberland County	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Field Sedge (*Carex conoidea*)	S3	NHIC	• Moist prairies and meadows.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Field Thistle (*Cirsium discolor*)	S3	NHIC	• Areas with moist soils, including fields, open woodlands, and woodland edges.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Gentian-leaved St. John's-wort (*Hypericum gentianoides*)	S1	NHIC	• Open dry to mesic, sandy areas, including prairies, dry fields, and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Giant Ironweed (*Vernonia gigantea*)	S1?	NHIC	• Grasslands, prairies, old fields, roadsides, savannahs, and woodlands.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Grass-leaved Rush (*Juncus marginatus*)	S3	NHIC	• Habitats with wet, sandy soils.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Great Plains Ladies'-tresses (*Spiranthes magnicamporum*)	S3	NHIC	• Dry to wet meadows, prairies, and fens.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Greater Poverty Rush (*Juncus anthelatus*)	S1	NHIC	• Wet fields, swamp edges, and areas where vegetation clearing activities are ongoing.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Greene's Rush (Juncus greenei)	S3	NHIC	• Dry to moist areas receiving full sun, such as prairies, meadows, and swales.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Grey-headed Prairie Coneflower (*Ratibida pinnata*)	S3	NHIC	• Prairies, roadsides, thickets, and woodland edges.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Hairy Mountain-mint (*Pycnanthemum verticillatum* var. *pilosum*)	S1	NHIC	• Prairies, rocky slopes, woodlands, and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Hairy Pinweed (*Lechea mucronata*)	S3	NHIC	• Dry sandy or rocky sites, including prairies and savannah edges.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Heart-leaved Groundsel (*Packera pseudaurea* var. *semicordata*)	S2	NHIC	• Moist prairies, fens, and moist meadows.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Hoary Frostweed (Crocanthemum bicknellii)	S3	NHIC	• Open areas with sandy soils, including old fields, meadows, prairies, and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--

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Hoary Puccoon (*Lithospermum canescens*)	S3	NHIC	• Dry prairies, savannahs, and open woodlands.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Illinois Carrionflower (*Smilax illinoensis*)	S2?	NHIC	• Partially shaded areas with dry to moist soils, including deciduous woodlands, thickets, and floodplains.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Large-flowered Purple False Foxglove (*Agalinis purpurea* var. *purpurea*)	S1	NHIC	• Wet meadows, woodlands, roadsides, and open habitats.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Leggett's Pinweed (*Lechea pulchella*)	S1	NHIC	• Areas with sandy soils in prairies and savannahs.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Many-fruited Seedbox (*Ludwigia polycarpa*)	S2	NHIC	• Moist prairies, wet meadows, marshes, and at the edge of lakes and rivers.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Matted Panicgrass (*Dichanthelium meridionale*)	S1	NHIC	• Fields and sandy, oak-dominated forests.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Mead's Sedge (*Carex meadii*)	S2	NHIC	• Dry to mesic prairies, wet meadows, and woodland edges.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Missouri Ironweed (*Vernonia missurica*)	S3	NHIC	• Moist prairies, woodland edges, and wet meadows.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Muskingum Sedge (Carex muskingumensis)	S3	NHIC	• Treed swamps, vernal pools, and floodplains with clay soils.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Northern Pin Oak (*Quercus ellipsoidalis*)	S3	NHIC	• Occupies dry, sandy or rocky woods, roadsides, and fencerows in southwestern Ontario and northwestern Ontario	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Pignut Hickory (*Carya glabra*)	S3	NHIC	• Occupies dry deciduous woods and savannahs, often on sandy soil with oaks, in the Carolinian Zone of southwestern Ontario.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Prairie Dock (*Silphium terebinthinaceum*)	S1	NHIC	• Prairies, meadows, and railway right of ways with dry soils.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Prairie Milkweed (*Asclepias sullivantii*)	S2S3	NHIC	• Moist prairies, ditches, and along railroad right of ways.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Prairie Straw Sedge (*Carex suberecta*)	S2	NHIC	• Moist to wet calcareous meadows and prairies, fens.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Purple Milkweed (*Asclepias purpurascens*)	S1	NHIC	• Dry fields, prairies, and oak-dominated open woodlands	**Negligible**. Suitable habitat is absent from Subject Property.	--
Riddell's Goldenrod (*Solidago riddellii*)	SC	NHIC	• Moist to wet tallgrass prairies.	**Negligible**. Suitable habitat is absent from Subject Property.	--

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Round-fruited Panicgrass (*Dichanthelium sphaerocarpon*)	S3	NHIC	• Dry, open woods and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Rough Blazing-star (*Liatris aspera*)	S2	NHIC	• Dry to mesic prairies, meadows, utility corridors, and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Sharp-fruited Rush (*Juncus acuminatus*)	S3	NHIC	• Swamps, wet meadows, ditches, and shorelines.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Short-fruited Rush (*Juncus brachycarpus*)	S1	NHIC	• Wet and wet-mesic prairies.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Skunk Meadow-rue (*Thalictrum amphibolum*)	S3	NHIC	• Dry, open woods, thickets, and prairies.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Slender Fragrant Goldenrod (*Euthamia caroliniana*)	S1	NHIC	• Moist forests, savannahs, ditches, and disturbed areas.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Slender Knotweed (*Polygonum tenue*)	S2	NHIC	• Dry sandy soils, meadows, prairies, and woodland edges.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Slender Paspalum (*Paspalum setaceum*)	S2	NHIC	• Areas with open, sandy soil including savannahs, roadsides, woodland edges, and areas with disturbed soils.	**Confirmed** within the Subject Property through 2024 fieldwork program.	**Unlikely** Species is to be relocated. See report for further details.
Slim-spike Threeawn Grass (*Aristida longespica* var. *longespica*)	S2	NHIC	• Moist fields, prairie remnants, meadows, and open woods.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Stiff Cowbane (*Oxypolis rigidior*)	S2	NHIC	• Wet prairies, marshes, swamps, and fens.	**Negligible**. Suitable habitat is absent from Subject Property.	--
Stiff Goldenrod (*Solidago rigida*)	S3	NHIC	• Tallgrass prairies, mix prairies, old fields, and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Sundial Lupine (*Lupinus perennis*)	S2S3	NHIC	• Dry, sandy clearings in open woods, prairies, and roadsides.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Tall Tickseed (*Coreopsis tripteris*)	S1S2	NHIC	• Prairies, savannahs, open woods, old fields, roadsides, and railroad right of ways.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Two-flowered Dwarf Dandelion (*Krigia biflora*)	S2	NHIC	• Prairies, open woods, meadows, old fields, and anthropogenic habitats.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Two-flowered Rush (*Juncus biflorus*)	S1	NHIC	• Interdunal swales, wet meadows, low fields, ditches, and moist clay soils in open areas.	**Negligible**. Species was not documented during site visits undertaken throughout the growing season.	--
Whip Nutrush (*Scleria triglomerata*)	S1	NHIC	• Prairies, savannahs, and marsh edges in sandy ground.	**Negligible**. Suitable habitat is absent from Subject Property.	--
White Blue-eyed Grass (*Sisyrinchium albidum*)	S1	NHIC	• Mesic prairies, savannahs, open woodlands, and railroad right of ways.	**Negligible**. Suitable habitat is absent from Subject Property.	--

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Species	Status per O. Reg. 230/08 under the ESA and/or NHIC	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy or Use within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "degradation that threatens the health and integrity" as defined in the 2024 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Winged Loosestrife (*Lythrum alatum*)	S3	NHIC	• Prairies, wet thickets, ditches, and marshes.	**Negligible.** Species was not documented during site visits undertaken throughout the growing season.	--
Yellow-fruited Sedge (*Carex annectens*)	S2	NHIC	• Meadows, prairie swales, marshes, fields, and roadside ditches.	**Negligible.** Species was not documented during site visits undertaken throughout the growing season.	--
Yellow Wild Indigo (*Baptisia tinctora*)	S1S2	NHIC	• Dry meadows, open woods, and clearings.	**Negligible.** Species was not documented during site visits undertaken throughout the growing season.	--
Reptiles					
Northern Map Turtle (*Graptemys geographica*)	SC	NHIC	• Occupies lakes and large rivers with slow moving currents. • Nests in exposed, usually coarse, friable substrate.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Snapping Turtle (*Chelydra serpentina*)	SC	NHIC	• Occupies a variety of aquatic habitats with slow moving water. • Nests in exposed, usually coarse, friable substrate. • Known to make long-distance overland movements (i.e., several kilometers) between habitats.	**Negligible.** Suitable habitat is absent from the Subject Property.	--

[1] Likelihood categories should be interpreted as follows:

Negligible: so limited that the assessed species can be assumed absent.

Unlikely: while theoretically conceivable, species presence very improbable or temporary based on available information (e.g., habitat conditions, range, abundance in local landscape, etc.).

Possible: species presence plausible based on available information; no convincing evidence suggesting species could not occur on-site.

Probable: while not confirmed, available information suggests species has a high likelihood of being present.

Confirmed: species observed and/or evidence of occupation (e.g., tracks, etc.) documented.

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Appendix 6. Endangered and Threatened Species Assessment

Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Birds					
Bank Swallow (*Riparia riparia*)	THR	OBBA	• Nests in natural or anthropogenically derived exposed, sandy substrates on vertical or steep surfaces. • Forages in a variety of open areas including agricultural lands, meadows, prairies, woodland clearings, marshes, and above waterbodies.	**Negligible.** While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	--
Bobolink (*Dolichonyx oryzivorus*)	THR	OBBA	• Breeds and forages in hayfields, pastures, meadows, grasslands, and prairies which are often (but not always) greater 4 ha. • May be found in more marginal habitats (e.g., shrubby fields, smaller fields, etc.) during migration or following disturbance to breeding habitats (e.g., hay cutting).	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Chimney Swift (*Chaetura pelagica*)	THR	OBBA	• Nests in large, uncapped chimneys and (historically) tree cavities. • May forage above a wide variety of anthropogenic (e.g., cities, towns) and natural (e.g., fields, forests) areas.	**Negligible.** While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	--
Eastern Meadowlark (*Sturnella magna*)	THR	OBBA	• Breeds and forages in hayfields, savannahs, pastures, meadows, grasslands, prairies, and shrubby fields.	**Negligible.** Suitable breeding habitat is absent from the Subject Property.	--
Least Bittern (*Ixobrychus exilis*)	THR	Species distribution and on-site habitats	• Breeds and forages in marshes dominated by robust emergent vegetation containing areas of open water (i.e., interspersion).	**Negligible.** Suitable breeding habitat is absent from the Subject Property.	--
Prothonotary Warbler (*Protonotaria citrea*)	END	Species distribution and on-site habitats	• Breeds and forages in mature deciduous swamps with areas of open water, and deciduous and mixed forests.	**Negligible.** Species was not documented during breeding bird surveys.	--
Red-headed Woodpecker (*Melanerpes erythrocephalus*)	END	OBBA	• Breeds and forages in open forests, savannahs, and forest edges that tend to contain large, mature trees.	**Negligible.** Species was not documented during breeding bird surveys and Subject Property lacks suitable breeding habitat; Adjacent Lands (> 30 m) could support nesting by this species.	--
Yellow-breasted Chat (*Icteria virens*)	END	OBBA	• Breeds and forages in prefer dense thickets around woodland edges, riparian areas, and in overgrown clearings	**Negligible.** Species was not documented during breeding bird surveys.	--
Insects					
Rusty-patched Bumble Bee (*Bombus affinis*)	END	NHIC	• Occupies a range of open areas with nectaring sites. • Nests underground in abandoned rodent burrows or decomposing logs.	**Negligible.** Most records in Ontario are historical (before 1970). The species was last observed from Pinery Provincial Park in 2009 (Colla and Taylor-Pindar 2011).	--
Northern Oak Hairstreak (*Satyrium favonius ontario*)	THR	Ont. Butterfly Atlas	• Inhabits oak forests with a closed canopy. White Oak (*Quercus alba*) is the preferred tree species of the Northern Oak Hairstreak. • Adults visit meadows close to oak forest edges for nectar.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
False-foxglove Sun Moth (*Pyrrhia aurantiago*)	END	NHIC	• Inhabits oak-dominated savannas and open woodlands. • Host plants in Ontario include false foxgloves (*Aureolaria* spp.)	**Unlikely.** While species may occur nearby, host plant is absent from the Study Area.	--

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Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Reversed Haploa Moth (*Haploa reversa*)	THR	NHIC	• Inhabits Oak savanna, Oak woodland and dune habitats. • Moth larvae in the *Haploa* genus are polyphagous, meaning they are able to feed on plants of many species. • Moths in the *Haploa* genus are commonly associated with *Eupatorium*, as well as plants in the sunflower (Asteraceae) and borage (Boraginaceae) families. • Reversed Haploa Moth larvae have been observed feeding on Hairy Puccoon (*Lithospermum carolinienese*) in Canada.	**Unlikely.** While species may occur nearby, host plants are absent from the Study Area.	--
Mammals					
Eastern Small-footed Myotis (*Myotis leibii*)	END	Species distribution and on-site habitats	• Maternal roosting sites include exposed rock outcrops, crevices, and cliffs. • Overwinters in caves and mines that maintain temperatures above 0°C.	**Unlikely.** While species may forage above open habitats on the Subject Property or Adjacent Lands, potential maternal roosting habitat (e.g., rock outcrops, cliffs, etc.) is absent.	--
Little Brown Myotis (*Myotis lucifugus*)	END	Species distribution and on-site habitats	• Maternity roosts sites most often include buildings and large diameter trees with cracks, crevices, and/or exfoliating bark. • Overwinters in caves and mines that maintain temperatures above 0°C.	**Possible.** Forest/woodland communities that could provide roosting opportunities for maternity colonies of this species within larger-diameter snags, cavity trees, or trees with cracks/crevices/loose bark are absent from the Subject Property. Other trees within or outside forest/woodland communities (including smaller-diameter trees) may offer non-specific roosting habitat (i.e., "day roosts") for individual bats (males or non-reproductive females). Bats may occasionally forage within the Subject Property.	**Negligible.** A timing window restriction will be applied to necessary individual tree removal activities to avoid impacting roosting bats occupying "day roosts".
Northern Myotis (*Myotis septentrionalis*)	END	Species distribution and on-site habitats	• Maternity roosts most often include large diameter trees with cracks, crevices, and/or exfoliating bark (buildings rarely used). • Overwinters in caves and mines that maintain temperatures above 0°C.	**Possible.** Forest/woodland communities that could provide roosting opportunities for maternity colonies of this species within larger-diameter snags, cavity trees, or trees with cracks/crevices/loose bark are absent from the Subject Property. Other trees within or outside forest/woodland communities (including smaller-diameter trees) may offer non-specific roosting habitat (i.e., "day roosts") for individual bats (males or non-reproductive females). Bats may occasionally forage within the Subject Property.	**Negligible.** A timing window restriction will be applied to necessary individual tree removal activities to avoid impacting roosting bats occupying "day roosts".
Tri-colored Bat (*Perimyotis subflavus*)	END	Species distribution and on-site habitats	• Maternal roosting sites include Maple (*Acer* spp.) and Oak (*Quercus* spp) with dead/dying leaf clusters. • Overwinters in caves and mines that maintain temperatures above 0°C.	**Possible.** Silver Maple amenity trees are present within the Subject Property.	**Negligible.** A timing window restriction will be applied to necessary individual tree removal activities.
Plants					
American Chestnut (*Castanea dentata*)	END	NHIC	• Occupies dry deciduous forests.	**Negligible.** Species is absent.	--
Black Ash (*Fraxinus nigra*)	END	"NHIC Rare Species" iNaturalist Project	• Occupies deciduous swamps (often peaty), floodplains, and wet woods.	**Negligible.** Species is absent.	--

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Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Butternut (*Juglans cinerea*)	END	"NHIC Rare Species" iNaturalist Project	• Occupies a variety of treed habitats including mature forests, early-successional forests, and hedgerows.	**Negligible.** Species is absent.	--
Dense Blazing-star (*Liatris spicata*)	THR	NHIC	• Occupies moist prairies, grassland savannahs, wet areas between sand dunes, and abandoned fields.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Fern-leaved Yellow False Foxglove (*Aureolaria pedicularia*)	THR	NHIC	• Inhabits open savanna and woodland habitats along with Black Oak (*Quercus velutina*), its preferred host tree.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Goldenseal (*Hydrastis canadensis*)	THR	Critical Habitat for Species at Risk National Dataset - Canada	• Occupies rich deciduous forests.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Heart-leaved Plantain (*Plantago cordata*)	END	NHIC	• Occupies undisturbed wet woods, often along the rocky or gravelly limestone beds of shallow, slow-moving clear streams.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Pink Milkwort (*Polygala incarnata*)	END	NHIC	• Occupies moist to dry, sandy, prairie habitats, where it is often found growing with Little Bluestem grass (*Schizachyrium saxparium*). Periodic fire is important to maintain open prairie conditions.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Pumpkin Ash (*Fraxinus profunda*)	END	NHIC	• Occupies intermediate-mature deciduous swamps often dominated by Silver Maple and floodplain forest.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Purple Twayblade (*Liparis liliifolia*)	THR	NHIC	• Occupies a variety of habitats including open oak woodland and savannah, mixed deciduous forest, shrub thicket, shrub alvar, deciduous swamp, and even conifer plantations.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Red Mulberry (*Morus rubra*)	END	NHIC	• Occupies moist, forested habitats on both sandy and limestone-based loamy soils.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Slender Bush-clover (*Lespedeza virginica*)	END	NHIC	• Occupies dry, sandy soil in tallgrass prairies. This plant does not do well in the shade and can be harmed by other plants that compete for light and space. • The open and sunny prairie habitat it prefers is maintained by natural disturbances, such as fire and drought, which naturally remove many unwanted trees and shrubs.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Smooth Yellow False Foxglove (*Aureolaria flava*)	THR	NHIC	• Occupies dry, open to semi-open upland oak forests typically with White Oak (*Quercus alba*) present, on well-drained soils.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Spoon-leaved Moss (*Bryoandersonia illecebra*)	END	Species distribution and on-site habitats	• Occupies moist or low-lying areas that are seasonally flooded under trees or shrub thickets. • May be found in a variety of vegetation communities including disturbed open woodlands, cultural thicket, savannah, and meadow.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Spotted Wintergreen (*Chimaphila maculata*)	THR	NHIC	• Occupies oak-pine woodland habitats with sandy soils.	**Negligible.** Suitable habitat is absent from the Subject Property.	--

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Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
			• Typically, dominant tree species include White Pine, Red Oak, Black Oak, and American Beech. The species does best in semi-open habitats.		
White Colicroot (*Aletris farinosa*)	END	NHIC	• Occupies open, sunny, and moist habitats with sandy or mucky soil, such as prairies and old abandoned fields.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
White Prairie Gentian (*Gentiana alba*)	END	"NHIC Rare Species" iNaturalist Project	• Occupies open and sunny oak-hickory savannah, a rare type of habitat with grassland prairie growing between scattered mature trees.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Willowleaf Aster (*Symphyotrichum praealtum*)	THR	"NHIC Rare Species" iNaturalist Project	• Occupies openings of oak savannahs, a very rare type of vegetation community containing many tallgrass prairie herbs and oak trees. It has also been found along railways, roadsides and in abandoned farm fields.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Reptiles					
Common Five-lined Skink (*Plestiodon fasciatus*)	END (Carolinian pop.)	Critical Habitat for Species at Risk National Dataset - Canada	• Occupies forests, rock barrens, grasslands, and shorelines.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Eastern Foxsnake (Carolinian) (*Pantherophis gloydi*)	END	Ont. Reptile and Amph. Atlas	• Occupies old fields, marshes, along hedgerows, drainage canals and shorelines.	**Possible.** While this species was not documented over the course of 10 surveys per the Survey Protocol for Ontario's Species at Risk Snakes and suitable habitat is deemed absent, species is known to occur in the local landscape.	**Negligible.** MECP has confirmed no impacts are anticipated to this species or its habitat; see **Appendix 7.**
Blanding's Turtle (*Emydoidea blandingii*)	THR	Species distribution and on-site habitats	• Occupies freshwater lakes, permanent or temporary pools, slow-flowing streams, marshes, and swamps. • Nests in exposed, usually coarse, friable substrate. • Known to make long-distance overland movements (i.e., several kilometers) between habitats.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Butler's Gartersnake (*Thamnophis butleri*)	THR	Ont. Reptile and Amph. Atlas	• Prefers open, moist habitats, such as dense grasslands and old fields, with small wetlands where it can feed on leeches and earthworms. • Burrows made by small mammals and even crayfish are sometimes used as hibernacula. This species is also commonly found in rock piles or old stonewalls.	**Negligible.** Species was not documented over the course of 10 surveys per the Survey Protocol for Ontario's Species at Risk Snakes. Subject Property consists of mowed grass, a small number of amenity trees, and a residence/driveway. Suitable habitat is deemed absent.	--
Massasauga (*Sistrurus catenatus*)	THR	Ont. Reptile and Amph. Atlas	• Occupies generally open habitats including tallgrass prairies, peatlands, and shorelines. • Two (2) extant populations in Ecoregion 7 (Ojibway Prairie and Wainfleet Bog).	**Unlikely.** Suitable habitat is absent from the Subject Property. Species is only known from a small number of locations in LaSalle (e.g., Brunet Park).	--
Spiny Softshell (*Apalone spinifera*)	END	Species distribution and on-site habitats	• Occupies larger waterbodies (i.e., lakes and rivers) but may be found in smaller creeks and ponds near rivers. • Nests in exposed, usually coarse, friable substrate.	**Negligible.** Suitable habitat is absent from the Subject Property.	--

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Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Spotted Turtle (*Clemmys guttata*)	END	Species distribution and on-site habitats	• Occupies ponds, marshes, bogs and ditches with slow-moving water. • Nests in exposed, usually coarse, friable substrate.	**Negligible.** Suitable habitat is absent from the Subject Property.	--
Terrestrial Snails					
Striped Whitelip (*Webbhelix multilineata*)	END	"NHIC Rare Species" iNaturalist Project	• Wet, lowland forests at the margins of periodically flooded areas.	**Negligible.** Suitable habitat is absent from the Subject Property.	--

[1] Likelihood categories are to be interpreted as follows:

Negligible: so limited that the assessed species can be assumed absent.

Unlikely: while theoretically conceivable, species presence very improbable or temporary based on available information (e.g., habitat conditions, range, abundance in local landscape, etc.).

Possible: species presence plausible based on available information; no convincing evidence suggesting species could not occur on-site.

Probable: while not confirmed, available information suggests species has a high likelihood of being present.

Confirmed: species observed and/or evidence of occupation (e.g., tracks, etc.) documented.

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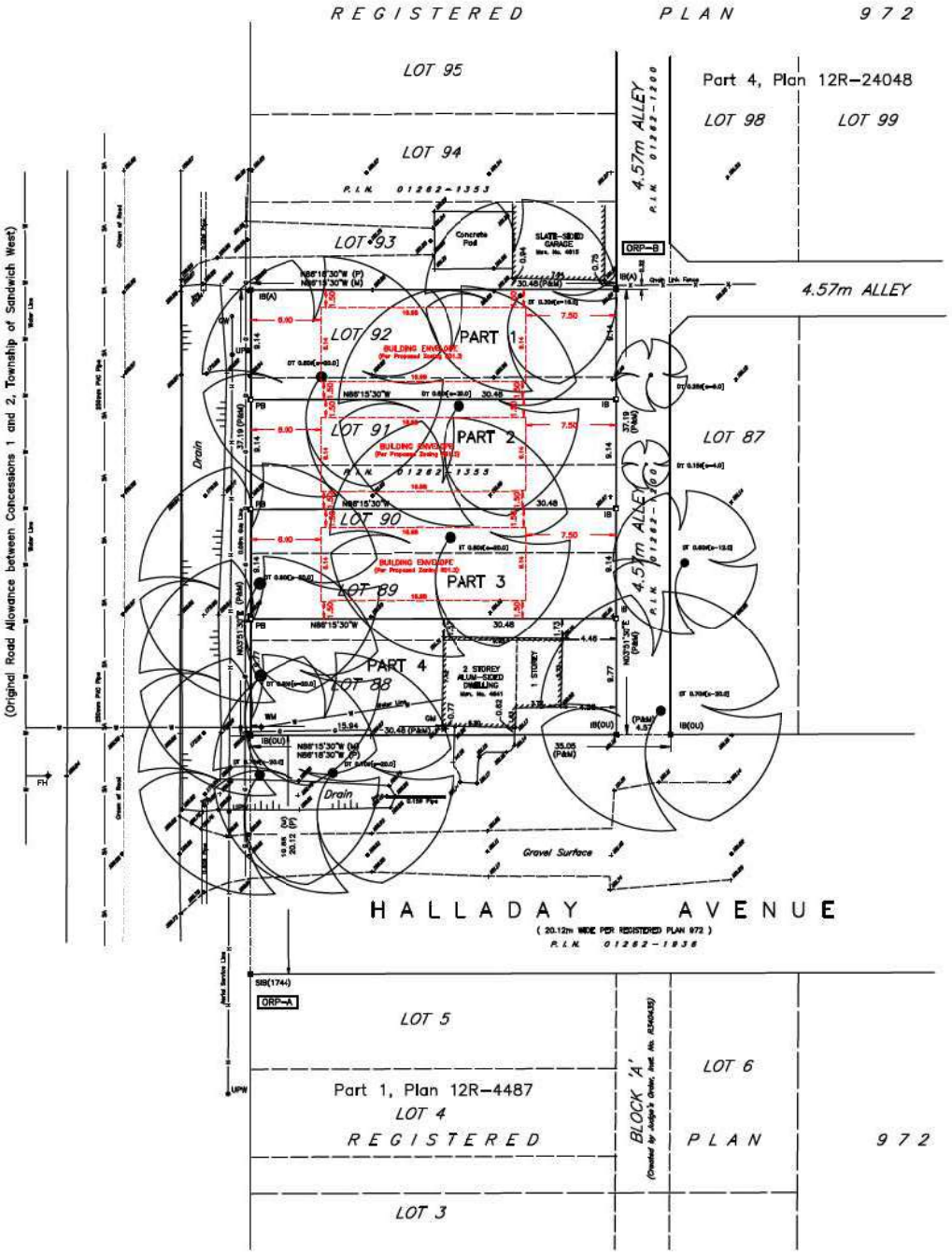
Appendix 7. MECP Correspondence

Appendix 8. Proposed Development Plan.

SURVEYOR'S REAL PROPERTY REPORT
PART 1 OF 2 PARTS – THE PLAN

ASSOCIATION OF ONTARIO LAND SURVEYORS
RLW SURVEYOR PERM
2218442
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR



PLAN OF SURVEY
OF
LOTS 88 to 92, (Incl.)
REGISTERED PLAN 972
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO

© VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

SCALE = 1:200
METRES
0 2.00 4.00 8.00 12.00 20.00

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP–A	4681755.99	330185.74
ORP–B	4681820.93	330200.03

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

THE RESULTANT TIE BETWEEN ORP–A AND ORP–B IS IN 31°57'50" E. 67.77m.

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999807.

ALL SIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11(4) OF O.REG. 525/91.

ALL MONUMENTS SHOWN THUSLY ☐ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.

SIB DENOTES 20mm X 20mm X 1.22m STANDARD IRON BAR
SSIB DENOTES 20mm X 20mm X 0.61m SHORT STANDARD IRON BAR
IB DENOTES 16mm X 16mm X 0.61m IRON BAR
⊙ or ● DENOTES 19mm diameter X 0.61m ROUND IRON BAR
CC DENOTES CUT–CROSS
SBP DENOTES Strap X 50mm STEEL PIN
PB DENOTES PLASTIC BAR
DENOTES SURVEY MONUMENT FOUND
SSMP DENOTES SURVEY MONUMENT SET AND MARKED JDB
WIT. DENOTES WITNESS L DENOTES PERPENDICULAR
(M) DENOTES MEASURED (D) DENOTES INST. No.
SMP DENOTES OBSERVED REFERENCE POINT
(NA) DENOTES NOT IDENTIFIABLE (OU) DENOTES ORIGIN UNKNOWN
(S/P) DENOTES SET PROPORTIONALLY
(R) DENOTES REGISTERED PLAN 972
(1744) DENOTES VERHAEGEN SURVEYORS INC., O.L.S.
(JDB) DENOTES J.D. BARNES LIMITED, O.L.S.
(CA) DENOTES C.G.R. ARMSTRONG, O.L.S.

MH	DENOTES HYDRO MANHOLE	FH	DENOTES FIRE HYDRANT
MS	DENOTES SEWER MANHOLE	WM	DENOTES WATER METER
MT	DENOTES TELEPHONE MANHOLE	WV	DENOTES WATER VALVE (Service)
MTR	DENOTES TRAFFIC MANHOLE	WV	DENOTES WATER VALVE (Main)
MW	DENOTES WATER MANHOLE	GM	DENOTES GAS METER
CB	DENOTES CATCH BASIN	GV	DENOTES GAS VALVE
DCB	DENOTES DOUBLE CATCH BASIN	HM	DENOTES HYDRO METER
LSc	DENOTES LIGHT STANDARD CONCRETE	PedT	DENOTES TELEPHONE PEDESTAL
LSs	DENOTES LIGHT STANDARD STEEL	PedCTV	DENOTES CABLE TV PEDESTAL
LSw	DENOTES LIGHT STANDARD WOOD	TRs	DENOTES TRAFFIC SIGN
UPc	DENOTES UTILITY POLE CONCRETE	TRsg	DENOTES TRAFFIC SIGNAL
UPs	DENOTES UTILITY POLE STEEL	TRsb	DENOTES TRAFFIC SIGNAL BOX
UPw	DENOTES UTILITY POLE WOOD	TH	DENOTES TESTHOLE
GP	DENOTES GUY POLE	BM	DENOTES BENCH MARK
GW	DENOTES GUY WIRE	HCP	DENOTES HORIZONTAL CONTROL POINT
Bol	DENOTES BOLLARD	VCP	DENOTES VERTICAL CONTROL POINT
PM	DENOTES PARKING METER		DENOTES SHRUB
INV	DENOTES INVERT	SC	DENOTES SEWER CLEANOUT

DECIDUOUS AND CONIFEROUS TREES ARE DENOTED DT AND CT RESPECTIVELY.
A PREFIX TO THE DESCRIPTION DESIGNATES THE NUMBER OF TREE TRUNKS WHEN TREES ARE CLUMPED TOGETHER AND A SUFFIX DENOTES THE TREE DIAMETER OR SPAN) NOT TO SCALE.

C (pipe size) C	DENOTES OVERHEAD CABLE TV LINE
G (pipe size) G	DENOTES GAS LINE
H (pipe size) H	DENOTES OVERHEAD HYDRO LINE
CS (pipe size) CS	DENOTES COMBINED SEWER
SA (pipe size) SA	DENOTES SANITARY SEWER
ST (pipe size) ST	DENOTES STORM SEWER
T (pipe size) T	DENOTES OVERHEAD TELEPHONE LINE
W (pipe size) W	DENOTES WATER LINE

UNDERGROUND CABLE, HYDRO OR TELEPHONE LINES ARE PREFIXED WITH THE LETTER "u" (CABLE = uC HYDRO = uH TELEPHONE = uT)

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

ELEVATIONS

ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES TO CAN-NET/SMARTNET NETWORK (H.T.V. 2.0)

BENCH MARK

BENCH MARK 825 ELEVATION 180.225m
SOMS MALDEN ROAD, NORTHEAST CORNER OF KENT and MALDEN ROAD; PLATE IS LOCATED PH THE SOUTHERN WALL, 0.70m FROM THE WESTERN WALL OF THE GARAGE AND 0.60m ABOVE GRADE.

SITE BENCH MARK

ELEVATION 181.63m
TOP OF FIRE HYDRANT ACROSS FROM THE SUBJECT PROPERTY.

THIS PLAN MUST BE READ IN CONJUNCTION WITH PART 2 AS SHOWN BELOW
THIS REPORT WAS PREPARED FOR MARSHALL PATON.

SURVEYOR'S REAL PROPERTY REPORT PART 2 OF 2 PARTS
Please note the following:
1. Survey Monuments mark all corners of the proposed parcels.
2. Underground services shown are from records only and should be verified prior to construction.
3. There are no easements or right-of-ways obstructed against the parcel.
4. The individual property areas are:
   a. Parts 1, 2 and 3 are 278.58 Sq.m.
   b. Part 4 is 297.79 Sq.m.
5. Existing grades are as shown on the plan.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 20th DAY OF NOVEMBER, 2024.

DATE NOVEMBER 24, 2024

ANDREW S. MANTHA
ONTARIO LAND SURVEYOR

VERHAEGEN LAND SURVEYORS
SURVEYING MAPPING GIS
A DIVISION OF J.D. BARNES LTD.
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
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DRAWN BY:	CHECKED BY:	REFERENCE NO.:
A.S.M.	A.S.M.	24-47-560-00
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Appendix 9. Summary of Technical Recommendations

Natural Feature	Technical Recommendations (per Section 5 of report)
Provincially Significant Wetland	• An Erosion and Sediment Control Plan will be prepared and implemented prior to construction.
Significant Wildlife Habitat	• A Relocation and Monitoring Plan for Slender Paspalum will be prepared and implemented prior to construction.
Habitat of Endangered and Threatened Species	• All recommendations offered by MECP in **Appendix** 7 are to be implemented. • All necessary tree removals will be completed outside the primary bat activity period (i.e., to be completed between October 1 and March 31). If limited tree removal is required during the restricted timing window, consult a qualified ecologist and/or MECP for further direction. • If construction activities occur during the active bat season (i.e., April 1 and September 30), work will be restricted to daylight hours only and the use of artificial lighting will be avoided. • Any lighting incorporated into the final building designs should be directed downward (i.e., towards the ground) and/or away from the adjacent woodlot (i.e., directed eastward) to the extent practicable. • The proposed development area will be isolated by reptile exclusion fencing at construction, which may be represented by silt fencing. • During the active season for herpetofauna (i.e., March 15 to November 30) an inspection will be conducted each morning by construction personnel prior to the commencement of construction activities to ensure that no Endangered or Threatened snakes have breached the reptile exclusion fencing and entered the work zone. • If an Endangered or Threatened snake is encountered during construction, all construction activities must cease within 30 m of the individual. A qualified Ecologist and/or MECP should then be contacted for direction on how to proceed. The location of the snake will be monitored while awaiting direction.
Other Natural Environment Considerations	• The removal of trees will generally be restricted to areas in direct conflict with the footprints of the proposed development features (e.g., residences, driveways, etc.) and grading, along with any hazardous trees in the immediate vicinity that pose an unacceptable risk to human life or property. • All necessary vegetation removal (e.g., trees) will be completed outside the primary bird nesting period (i.e., to be completed between September 1 and March 31). Should minor vegetation removal be proposed during the restricted timing window within readily searchable habitat types, a bird nesting survey will be undertaken to confirm the presence or absence of nesting birds or bird nests within or adjacent to the areas subject to vegetation clearance. The bird nesting survey is to take place within 48 hours of vegetation removal. • Incorporation of Bird-Friendly Guidelines into the residence designs such as those published in City of Toronto's "Best Practices for Bird-Friendly Glass" and "Best Practices for Effective Lighting" should be considered at detailed design.

NATURAL SITE FEATURES INVENTORY AND PRESERVATION STUDY

Consent and Zoning By-law Amendment

4641 Malden Road, City of Windsor

2 January 2025

TERRASTORY
environmental consulting inc.

Natural Site Features Inventory and Preservation Study

Consent and Zoning By-law Amendment
4641 Malden Road, City of Windsor

Prepared for:

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ISA-certified Arborist ON-1663A
ISA Tree Risk Assessment Qualified

Project No.: 24044
2 January 2025

This report has been prepared by Terrastory Environmental Consulting Inc. (hereinafter "Terrastory") for the client. All information, conclusions, and recommendations contained in this report are subject to the scope and limitations set out in the agreement between Terrastory and the client and qualifications contained in this report. This report shall not be relied upon by any third parties without the prior written consent of Terrastory. Terrastory is not responsible for any injury, loss, or damages arising from improper use of this report by third parties. Excerpts of this report or alterations to this report taken without the authorization of Terrastory invalidates the report and any conclusions therein.

Notwithstanding the determinations of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress. The overall tree condition assessment(s) as reported herein is valid at the time of the site inspection only and may not reflect current conditions.

Notwithstanding any recommendations concerning tree preservation or removal made herein, this report does not supersede or expunge any civil or common law property rights as they pertain to shared/boundary trees or trees occurring on adjacent properties. This report does not confirm tree ownership nor authorize the client to encroach or enter onto adjacent properties to destroy or injure trees situated on adjacent properties without the owner's consent.

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1 INTRODUCTION

Terrastory Environmental Consulting Inc. (hereinafter "Terrastory") was retained by Skyscape Consulting to prepare this Natural Site Features Inventory and Preservation Study in support of Consent (severance) and Zoning By-law Amendment (ZBA) applications at 4641 Malden Road (hereinafter "Subject Property") in the City of Windsor. The Subject Property is an approximately 0.11-hectare (0.28 acre) parcel on the east side of Malden Road between Herb Gray Parkway/Highway 401 and Chappus Street. The Subject Property consists of an existing residence surrounded by manicured amenity space (grass) with a few scattered amenity trees.

It is understood that the Applicant wishes to create three (3) new residential lots, each to contain a single dwelling, while the existing two-storey residential dwelling is to remain. The proposed development must be facilitated by consent (severance) and rezoning applications, as confirmed through a 13 February 2024 pre-consultation letter (i.e., Stage 1 Planning Consultation) received from the City. To support the severance/rezoning applications, the City has requested a supporting Natural Site Features Inventory and Preservation Study (provided herein) and Environmental Evaluation Report (authored by Terrastory under separate cover).

Several private trees occur within or adjacent to the proposed development area. The purpose of this study is to inventory and characterize trees with the potential to be adversely affected by the proposed development plan (over the short- or long-term), and to provide mitigation measures and other recommendations to address relevant tree protection requirements. It is understood that this report will form part of the consent and ZBA package to be submitted for consideration by the City.

2 APPROACH AND METHODS

This Study is composed of three discrete components which are outlined briefly below and further described in the following sections.

- **Conduct a tree inventory and condition assessment** for trees that may be impacted by the proposed development plan (see **Section 2.1**).
- **Predict the effects** of the application on the assessed trees and ascertain the net effects once mitigation measures and other technical recommendations are implemented (see **Section 2.2**).
- **Determine whether the application considered herein addresses applicable tree protection and related policies** (see **Section 2.3**).

2.1 Tree Inventory and Condition Assessment

A tree inventory and condition assessment was carried out by a Terrastory ISA-certified Arborist (J. Consiglio) on 31 July 2024. All private trees 10 cm diameter at breast height (DBH) or greater and all municipal trees regardless of size (where present), located within or immediately adjacent to the proposed area of disturbance (e.g., building envelopes, grading, servicing), were inventoried and assessed from the ground. Trees situated on adjacent private properties within 6 m and those with driplines overlapping or near the proposed areas of disturbance were reviewed as necessary and to the extent possible from areas in which access was granted, with DBH estimated within a 10 cm range.

Unless otherwise specified all assessed trees were: (1) labeled using metal number-stamped tags, (2) identified to species, (3) measured at breast-height (approximately 1.37 metres above ground) with

calipers and/or DBH tape, (4) assessed for crown diameter, and (5) assessed for risk features, indicators of decline, and growth constraints (e.g., open wounds, live crown ratio, disease). Trees assessed on private properties to which access was not granted were not tagged; where possible tags were affixed to the nearest fence. The tree health and structural assessment was undertaken consistent with accepted arboricultural techniques and is reflective of a "Level 1 (Limited Visual Assessment)" as defined by the ISA. None of the assessed trees were cored, probed, or climbed, nor were their roots exposed for detailed assessment.

Based on the information collected an overall visual assessment of tree health and structural integrity as viewed from the ground is provided, supported by preservation/removal direction based on each tree's characteristics (e.g., health, location, ecological value, cultural value) and the nature of the proposed development plan. Locations of the assessed trees were recorded on-site with a high-accuracy GPS supported by representative photographs. Where access was restricted, the location of trees on adjacent private properties was approximated using current orthorectified aerial photographs.

Notwithstanding the determinations of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress.

2.2 Effects Assessment and Mitigation

Trees may be negatively impacted during construction, grading, and/or other activities associated with implementation of the proposed development plan via the following pathways:

- Direct tree removal in areas where trees conflict with the development envelopes or areas of site alteration (e.g., grading).
- Physical injury to the trunk, roots, branches, and/or foliage during construction, excavation, or grading.
- Soil compaction within the rooting zone.
- Smothering or exposure of roots due to changes in grade.
- Alterations to any biophysical condition or parameter (e.g., light regime, soil moisture regime) in which a tree was previously accustomed.

An assessment of the potential for tree impacts associated with implementation of the proposed development plan is provided in **Section 4.2**.

2.3 Tree Protection Policy Context

There is no private tree protection by-law in force within the City of Windsor. Where appropriate, private tree protection is effectuated through the planning approvals process. Development activities which may impact public trees occurring on City-owned land (including road allowances) are regulated through By-law #135-2004.

This Study has been prepared in accordance with the following by-laws, policies, and guidelines in force within the City of Windsor:

- *City of Windsor OP Section 5.3.6.7* – may require proponents of development and infrastructure undertakings to submit an inventory of trees on site and prepare and implement a tree conservation and replacement plan.
- *City of Windsor OP Section 10.2.14* – may require mitigation measures to be included as a condition of approval.
- *City of Windsor By-law 135-2004* – restricts the planting of certain trees on City rights-of-way and protects trees on all City properties.
- City of Windsor *Terms of Reference for Tree Inventory and Preservation Study.*
- City of Windsor *Landscape Manual Section 3.1 (Existing Trees)*

Provincial/federal legislative requirements related to the protection of breeding birds and bird nests apply to on-site trees (and vegetation of any size) pursuant to the *Migratory Birds Convention Act* (for designated migratory birds) and *Fish and Wildlife Conservation Act* (for certain Corvids and other designated non-migratory birds). Several bat species may roost in cracks/crevices and/or foliage of the larger-diameter on-site trees, some of which (particularly Myotis species and Tri-colored Bat) are afforded protection under the provincial *Endangered Species Act.*

Subsection 10(3) of the provincial *Forestry Act* prohibits the injury or destruction of a tree growing on the boundary of an adjoining property without the neighbouring landowners' consent. Per case law in Ontario a tree is considered shared if any portion of its trunk (i.e., area between the root collar and lowest canopy branch) extends across a property line.

The mitigation measures and technical recommendations offered herein are aimed at demonstrating consistency of the application with the aforementioned municipal, provincial, and federal requirements.

3 TREE INVENTORY AND CONDITION ASSESSMENT

A total of 14 trees situated within or adjacent to the potential area of disturbance were inventoried and assessed. The full results of the tree inventory and condition assessment are provided in **Appendix 1**. The locations of all trees assessed are shown in **Figure 1**. Select photographs of the assessed trees and Subject Property are provided in **Appendix 2**. A brief description of the overall tree composition and conditions observed is provided below and in **Table 1**.

Table 1. Composition and Abundance of Trees within and/or adjacent to the proposed Areas of Development and Disturbance.

Species	Total Assessed	Percentage of Total (%)
Apricot (*Prunus armeniaca*)	1	7.1
Cherry Species (*Prunus* sp.)	2	14.3
Common Apple (*Malus domestica*)	1	7.1
Eastern Cottonwood (*Populus deltoides* ssp. *deltoides*)	1	7.1
Freeman's Maple (*Acer* × *freemanii*)	7	50.0
Manitoba Maple (*Acer negundo*)	1	7.1
White Mulberry (*Morus alba*)	1	7.1

Species	Total Assessed	Percentage of Total (%)
TOTAL	**14**	**~100**

4 TREE EFFECTS ASSESSMENT AND MITIGATION

4.1 Proposed Development Plan

The following tree effects assessment provides an evaluation of the potential for the proposed development plan to result in negative effects to regulated trees and offers several technical recommendations to mitigate such effects. The effects assessment herein is based on the site plan provided in **Appendix 3** which are overlaid with the assessed tree locations on the TPP in **Figure 1**.

The proposed development and site alteration activities consist of the following elements:

- Retention of the existing single-detached dwelling within the proposed retained lot;
- Creation of three (3) new residential lots through consent (severance) ; and
- Construction of three (3) single-detached dwellings fronting onto Malden Road on municipal servicing.

The major project phases for which effects on trees are assessed include site preparation (e.g., clearing/grubbing, grading), construction, and servicing.

4.2 Tree Effects Assessment and Technical Recommendations

4.2.1 Trees to be Removed

Based on the proposed site plan shown in **Figure 1**, a total of five (5) (35.7%) assessed trees require removal to implement the proposed development plan. A rationale for the removal of each individual tree is provided in **Appendix 1**. Tree removals are required to construct the dwellings, install servicing, and/or grade the proposed lots.

As noted in **Section 4.1**, no detailed development plans have been received at this time. The determination of tree preservation potential made herein is based on our understanding of the extent of disturbance (through discussions with the project team) and each tree's location as determined via the property survey corroborated by Terrastory field exercise.

Given the possibility that nesting birds or roosting bats may occupy on-site trees during their activity periods, the following measures are recommended to guide the necessary tree removals:

- **All necessary tree removals will be completed outside the primary bird nesting and bat activity periods (i.e., to be completed between October 1 and March 31). If limited tree removal is required during this period, a survey will be conducted by a qualified Ecologist within two (2) days of the commencement of tree removal activities to determine habitat suitability and/or confirm the presence/absence of nesting birds and roosting bats.**

- **Should a nesting bird or roosting bat be identified, a mitigation plan must be developed (which may include discussions with relevant agencies) to address regulatory requirements.**

4.2.2 Trees to be Retained

In general, tree protection on development sites is effectuated by restricting development and/or site alteration from the prescribed minimum Tree Protection Zone (TPZ). A minimum TPZ is generally accepted to be the minimum setback distance required to maintain the structural integrity of a tree's anchor roots (i.e., "root plate"). In Ontario, minimum TPZs are often established by multiplying a tree's diameter at breast height (DBH) by a factor of 6. Trees with a similar diameter (e.g., 41 to 50 cm DBH) are lumped into a single size class, with the minimum TPZ established by the largest diameter tree in that particular size class. For example, all trees which are 41 to 50 cm DBH would be afforded a minimum 3 m setback as 50 cm represents the largest tree in that size class (50 cm x 6 = 300 cm or 3 m). It follows that trees on the smaller end of their respective size class would be afforded a slightly greater minimum setback than trees on the higher end. The calculated TPZ represents the radius of a circle that extends from a tree's base to the specified distance (or up to existing hard surfaces, where applicable). Minimum TPZs for each tree inventoried are shown on **Figure 1**.

Protection of the remaining 9 assessed trees (64.3%) can be accommodated by the proposed development plan.

The most effective approach to protecting retainable trees situated in proximity to development and/or site alteration activities is the installation of a tree protection barrier (e.g., hoarding, fencing) consistent with specifications outlined in Section 3.1 of the City of Windsor *Landscape Manual*. The following measures are recommended to protect retainable trees situated near the proposed development limit:

- **Construction activities will treat all trees recommended for retention on Figure 1 as constraints.**
- **Tree protection fence will be installed per Figure 1 prior to the commencement of site preparation and other construction activities.**
- **A qualified Arborist will inspect the tree protection fence following installation and prior to the commencement of site preparation or other construction activities.**
- **No development, site alteration (e.g., grading, excavation, soil stockpiling), machinery movement, or storage of equipment or materials will occur within any area isolated by tree protection fence.**
- **Tree protection fence will remain in place and be in good condition during implementation of the proposed development plan. Tree protection fence will not be removed until all site disturbances associated with the proposed development plan have concluded.**

Trees to be retained may require minor pruning to facilitate clearance (e.g., for construction vehicles), improve crown structure, or eliminate deadwood. Should pruning be deemed necessary, the following measure is recommended.

- **All necessary pruning of branches and/or roots shall be conducted by a qualified Arborist and shall be in accordance with good arboricultural standards and practices.**

5 CONCLUSIONS

A total of 14 trees were inventoried and assessed at 4641 Malden Road in the City of Windsor. Of these, a total of five (5) assessed trees require removal to support the proposed development plan, which involves the creation of three new residential dwellings.

Provided that the technical recommendations offered herein are implemented in full, Terrastory is satisfied that anticipated and potential tree impacts will be adequately addressed and that the application meets relevant tree protection policies. As part of the application review process, all technical recommendations offered herein should be incorporated into any necessary planning approvals that facilitate implementation of the proposed development plan.

TREE REMOVAL AND PRESERVATION NOTES:

GENERAL:

1. CONSTRUCTION ACTIVITIES WILL TREAT ALL TREES RECOMMENDED FOR RETENTION SHOWN HEREIN AS CONSTRAINTS.

TREE REMOVAL:

2. ALL NECESSARY TREE REMOVALS WILL BE COMPLETED OUTSIDE THE PRIMARY BIRD NESTING AND BAT ACTIVITY PERIODS (I.E., TO BE COMPLETED BETWEEN OCTOBER 1 AND MARCH 31). IF LIMITED TREE REMOVAL IS REQUIRED DURING THIS PERIOD, A SURVEY WILL BE CONDUCTED BY A QUALIFIED ECOLOGIST WITHIN TWO (2) DAYS OF THE COMMENCEMENT OF TREE REMOVAL ACTIVITIES TO DETERMINE HABITAT SUITABILITY AND/OR CONFIRM THE PRESENCE/ABSENCE OF NESTING BIRDS AND ROOSTING BATS.

3. SHOULD A NESTING BIRD OR ROOSTING BAT BE IDENTIFIED, A MITIGATION PLAN MUST BE DEVELOPED (WHICH MAY INCLUDE DISCUSSIONS WITH RELEVANT AGENCIES) TO ADDRESS REGULATORY REQUIREMENTS.

TREE PROTECTION BARRIER:

4. TREE PROTECTION BARRIER WILL BE INSTALLED PRIOR TO THE COMMENCEMENT OF SITE PREPARATION AND OTHER CONSTRUCTION ACTIVITIES. NO DEVELOPMENT, SITE ALTERATION (E.G., GRADING, EXCAVATION, SOIL STOCKPILING, ETC.), MACHINERY MOVEMENT, OR STORAGE OF EQUIPMENT OR MATERIALS WILL OCCUR WITHIN ANY AREA ISOLATED BY TREE PROTECTION BARRIER.

5. A QUALIFIED ARBORIST WILL INSPECT THE TREE PROTECTION BARRIER FOLLOWING INSTALLATION AND PRIOR TO THE COMMENCEMENT OF SITE PREPARATION OR OTHER CONSTRUCTION ACTIVITIES.

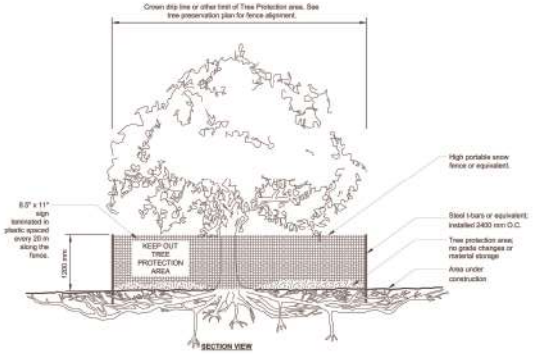
6. TREE PROTECTION BARRIER WILL REMAIN IN PLACE AND BE IN GOOD CONDITION DURING IMPLEMENTATION OF THE PROPOSED DEVELOPMENT PLAN. TREE PROTECTION BARRIER WILL NOT BE REMOVED UNTIL ALL SITE DISTURBANCES ASSOCIATED WITH THE PROPOSED DEVELOPMENT PLAN HAVE CONCLUDED.

PRUNING:

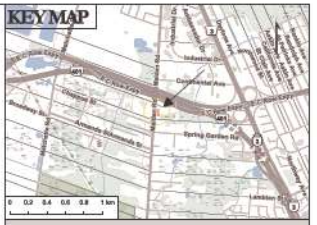
7. ALL NECESSARY PRUNING OF BRANCHES AND/OR ROOTS SHALL BE CONDUCTED BY A QUALIFIED ARBORIST AND SHALL BE IN ACCORDANCE WITH GOOD ARBORICULTURAL STANDARDS AND PRACTICES.

Tag No.	Common Name	Scientific Name	DBH (cm)	Crown Radius (m)	Risk Features, Decline Indicators, and Growth Comments	Health Condition[1]	Structural Condition[1]	Ownership[2]	Min. TPZ (m)	Regulated by City Tree By-law?	Tree Preservation Recommendation[3]
T28	Freeman's Maple	*Acer* × *freemanii*	70	8	Upper stem holes or decay, slight dead wood in canopy	Fair	Fair	Applicant	4.2	No	Retain - beyond the proposed limit of disturbance.
T29	Cherry species	*Prunus* sp.	30	3		Dead	Dead	Applicant	2.4	No	Retain - beyond the proposed limit of disturbance.
T30	Cherry species	*Prunus* sp.	5	0		Dead	Dead	Applicant	1.2	No	Retain - beyond the proposed limit of disturbance.
D1	Common Apple	*Malus domestica*	10.5	4	Upper stem holes or decay, split stem/weak union, advantitious branching (epicormic shoots), slight crown dieback	Fair/Poor	Fair/Poor	Applicant	1.2	No	Retain - beyond the proposed limit of disturbance.
D2	Manitoba Maple	*Acer negundo*	±2	3	Tree large (>50 cm DBH) dead trunks with hollow tops, tree at/spanning with epicormic shoots (<5 cm DBH).	Poor	Poor	Applicant	1.2	No	Retain - beyond the proposed limit of disturbance.
D3	White Mulberry	*Morus alba*	40	6	Removed/removed.	Fair	Fair	Applicant	2.4	No	Remove - conflicts with the proposed development.
D4	Freeman's Maple	*Acer* × *freemanii*	51	5	Root damage as decay, hollow or severed pioneer limbs, asymmetric crown, advantitious branching (epicormic shoots), slight crown dieback.	Fair/Poor	Fair/Poor	Applicant	3	No	Remove - conflicts with the proposed development.
D5	Freeman's Maple	*Acer* × *freemanii*	70.5	8		Good	Good	Applicant	4.8	No	Remove - conflicts with the proposed development.
D6	Apricot	*Prunus armeniaca*	30.5, 21.5	6	Bottom cut, upper stem holes or decay, bird, split stem/weak union, wound (bark damage, large pruning cuts). No fruit as flowers visible. Moderate crown dieback.	Poor	Poor	Applicant	2.4	No	Remove - conflicts with the proposed development.
D7	Eastern Cottonwood	*Populus deltoides* ssp. *deltoides*	72	7	Upper stem holes or decay, bottom cut, union or trunk, wound (bark damage, large pruning cuts).	Fair/Poor	Fair/Poor	Applicant	4.8	No	Remove - conflicts with the proposed development.
D8	Freeman's Maple	*Acer* × *freemanii*	47	8	Upper stem holes or decay, bottom cut, poor damage or decay, moderate crown dieback.	Fair/Poor	Fair/Poor	Applicant	4.2	No	Retain - beyond the proposed limit of disturbance.
D9	Freeman's Maple	*Acer* × *freemanii*	42.5	6	Bottom cut, upper stem holes or decay, union or trunk, bird, hollow or severed pioneer limbs, advantitious branching (epicormic shoots), moderate crown dieback.	Poor	Poor	Municipality	4.2	Yes	Retain - beyond the proposed limit of disturbance.
D10	Freeman's Maple	*Acer* × *freemanii*	81	9	Split stem/weak union, wound (bark damage, large pruning cuts), slight crown dieback.	Fair/Poor	Fair/Poor	Municipality	5.4	Yes	Retain - beyond the proposed limit of disturbance.
D1A	Freeman's Maple	*Acer* × *freemanii*	20 +40	6	Split stem/weak union, slight crown dieback	Good/Fair	Good/Fair	4615 Malden Road	2.4	No	Retain - beyond the proposed limit of disturbance.

[1] - Notwithstanding the determination of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress.
[2] - All determinations of tree ownership are approximate and have been made in the absence of an on-site property boundary survey or other direction from a licensed surveyor.
[3] - Notwithstanding any recommendations concerning tree preservation or removal made herein, this report does not supersede or expunge any civil or common law property rights as they pertain to shared/boundary trees or trees occurring on adjacent properties. It is expected that the Applicant will seek approval to retain/remove any and all shared boundary or neighbouring tree from relevant owners.



1 TREE PROTECTION FENCE



Legend

Area of Assessment
- Subject Property

Proposed Development
- Proposed Dwelling Envelope
- Proposed Lot Configuration

Tree Assessment
- Tree to be Retained
- Tree to be Removed
- Minimum Tree Protection Zone (m)

Tree Protection Measures
- Tree Protection Barrier

GENERAL NOTES:
-Tree inventory completed by ISA-certified Arborist J. Consiglio on 31 July 2024.
-The tree health and structural assessment was undertaken consistent with accepted arboricultural techniques. None of the assessed trees were cored, probed, or climbed, nor were their roots exposed for detailed assessment.
-Notwithstanding the determinations of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress.
-Notwithstanding any recommendations concerning tree preservation or removal made herein, this plan does not supersede or expunge any civil or common law property rights as they pertain to shared/boundary trees or trees occurring on adjacent properties. This plan does not confirm tree ownership nor authorize the client to encroach or enter onto adjacent properties to destroy or injure trees situated on adjacent properties without the owner's consent.
-Verify all drawing dimensions.
-Numeric scale is for a 24x36 inch print. Do not scale.
-Contractor to report any discrepancies, errors, or omissions to the project Arborist before proceeding.

TERRASTORY
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Specialists in Natural Heritage, Tree Protection, and Environmental Policy

Jessica Consiglio
#ON-2668A

1:125 | 0 5 10 m

Location:
4641 Malden Road,
City of Windsor

Project No.: 24044	Figure 1.
Date: 2024-12-06	Tree Protection Plan
By: JC Checked: TK	
Orthophotograph Date: Google Maps, 2023.	

Appendix 1. Tree Inventory and Condition Assessment

Tag No.	Common Name	Scientific Name	DBH (cm)	Crown Radius (m)	Risk Features, Decline Indicators, and Growth Constraints	Health Condition[1]	Structural Condition[1]	Ownership[2]	Min. TPZ (m)	Regulated by City Tree By-law?	Tree Preservation Recommendation[3]
228	Freeman's Maple	*Acer × freemanii*	70	8	Upper stem holes or decay, slight dead wood in canopy.	Fair	Fair	Applicant	4.2	No	Retain - beyond the proposed limit of disturbance.
229	Cherry species	*Prunus* sp.	30	0		Dead	Dead	Applicant	2.4	No	Retain - beyond the proposed limit of disturbance.
230	Cherry species	*Prunus* sp.	8	0		Dead	Dead	Applicant	1.2	No	Retain - beyond the proposed limit of disturbance.
231	Common Apple	*Malus domestica*	10.5	4	Upper stem holes or decay, split stem/weak crotch, adventitious branching (epicormic shoots), slight crown dieback.	Fair/Poor	Fair/Poor	Applicant	1.2	No	Retain - beyond the proposed limit of disturbance.
232	Manitoba Maple	*Acer negundo*	<5	3	Two large (>50 cm DBH) dead trunks with broken tops, tree re-sprouting with epicormic shoots (<5 cm DBH).	Poor	Poor	Applicant	1.5	No	Retain - beyond the proposed limit of disturbance.
233	White Mulberry	*Morus alba*	40	6	Bacterial wetwood.	Fair	Fair	Applicant	2.4	No	**Remove** - conflicts with the proposed development.
234	Freeman's Maple	*Acer × freemanii*	91	8	Root damage or decay, broken or severed primary limbs, asymmetric crown, adventitious branching (epicormic shoots), slight crown dieback.	Fair/Poor	Fair/Poor	Applicant	6	No	**Remove** - conflicts with the proposed development.
235	Freeman's Maple	*Acer × freemanii*	78.5	9		Good	Good	Applicant	4.8	No	**Remove** - conflicts with the proposed development.
236	Apricot	*Prunus armeniaca*	30.5, 31.5	6	Buttress rot, upper stem holes or decay, burl, split stem/weak crotch, wound (bark damage, large pruning cuts). No fruit or flowers visible. Moderate crown dieback.	Poor	Poor	Applicant	2.4	No	**Remove** - conflicts with the proposed development.
237	Eastern Cottonwood	*Populus deltoides* ssp. *deltoides*	78	7	Upper stem holes or decay, buttress rot, seam or crack, wound (bark damage, large pruning cuts).	Fair/Poor	Fair/Poor	Applicant	4.8	No	**Remove** - conflicts with the proposed development.
238	Freeman's Maple	*Acer × freemanii*	67	8	Upper stem holes or decay, buttress rot, root damage or decay, moderate crown dieback.	Fair/Poor	Fair/Poor	Applicant	4.2	No	Retain - beyond the proposed limit of disturbance.
239	Freeman's Maple	*Acer × freemanii*	62.5	6	Buttress rot, upper stem holes or decay, seam or crack, burl, broken or severed primary limbs, adventitious branching (epicormic shoots), moderate crown dieback.	Poor	Poor	Municipality	4.2	Yes	Retain - beyond the proposed limit of disturbance.
240	Freeman's Maple	*Acer × freemanii*	81	8	Split stem/weak crotch, wound (bark damage, large pruning cuts), slight crown dieback.	Fair/Poor	Fair/Poor	Municipality	5.4	Yes	Retain - beyond the proposed limit of disturbance.
00A	Freeman's Maple	*Acer × freemanii*	30 - 40	6	Split stem/weak crotch, slight crown dieback.	Good/Fair	Good/Fair	4615 Malden Road	2.4	No	Retain - beyond the proposed limit of disturbance.

[1] - Notwithstanding the determinations of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress.

[2] - All determinations of tree ownership are approximate and have been made in the absence of on-site property boundary markers or other direction from a licensed surveyor.

[3] - Notwithstanding any recommendations concerning tree preservation or removal made herein, this report does not supersede or expunge any civil or common law property rights as they pertain to shared/boundary trees or trees occurring on adjacent properties. It is expected that the Applicant will seek approval to injure/remove any and all shared/boundary or neighbouring trees from relevant owners.

City Council Agenda - Monday, July 28, 2025
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Appendix 2. Representative Photographs

Photo 1. Existing residence facing eastward (15 April 2024).

Photo 2. Subject Property facing southward (15 April 2024).

Photo 3. Subject Property facing northward (15 April 2024).

Photo 4. Subject Property facing eastward (15 April 2024).

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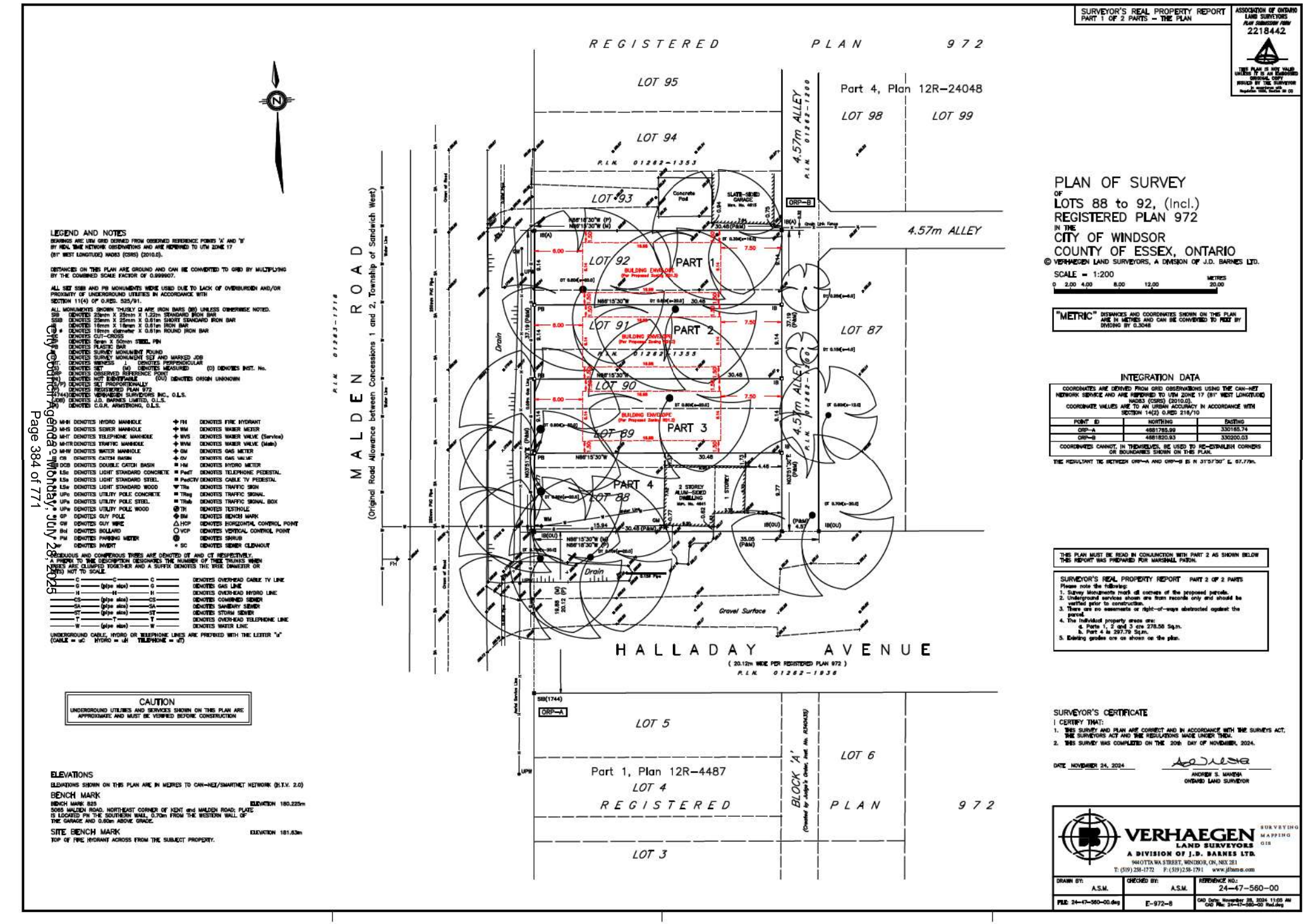
Appendix 3. Proposed Site Plan



SURVEYOR'S REAL PROPERTY REPORT
PART 1 OF 2 PARTS – THE PLAN

ASSOCIATION OF ONTARIO LAND SURVEYORS
REAL PROPERTY REPORT
2218442
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR

PLAN OF SURVEY
OF
LOTS 88 to 92, (Incl.)
REGISTERED PLAN 972
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO

© VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

SCALE = 1:200

0 2.00 4.00 8.00 12.00 20.00 METRES

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP-A	4661782.99	330185.74
ORP-B	4661820.93	330200.03

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

THE RESULTANT TIE BETWEEN ORP-A AND ORP-B IS N 31°57'30" E 67.77m.

THIS PLAN MUST BE READ IN CONJUNCTION WITH PART 2 AS SHOWN BELOW
THIS REPORT WAS PREPARED FOR MARSHALL PATON.

SURVEYOR'S REAL PROPERTY REPORT PART 2 OF 2 PARTS

Please note the following:
1. Survey Monuments mark all corners of the proposed parcels.
2. Underground services shown are from records only and should be verified prior to construction.
3. There are no easements or right-of-ways obstructed against the parcel.
4. The individual property areas are:
   a. Parts 1, 2 and 3 are 278.58 Sq.m.
   b. Part 4 is 297.79 Sq.m.
5. Existing grades are as shown on the plan.

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999907.

ALL SIB1 SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11(4) OF O.REG. 525/91.

ALL MONUMENTS SHOWN THUSLY ☐ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.

SIB	DENOTES 20mm X 20mm X 1.22m STANDARD IRON BAR
SSIB	DENOTES 20mm X 20mm X 0.61m SHORT STANDARD IRON BAR
■	DENOTES 16mm X 16mm X 0.61m IRON BAR
● & ⊕	DENOTES 19mm diameter X 0.61m ROUND IRON BAR
⊗	DENOTES CUT-CROSS
SP	DENOTES 5mm X 50mm STEEL PIN
PB	DENOTES PLASTIC BAR
SMF	DENOTES SURVEY MONUMENT FOUND
SMS	DENOTES SURVEY MONUMENT SET AND MARKED JDB
WIT.	DENOTES WITNESS | DENOTES PERPENDICULAR
(M)	DENOTES SET (M) DENOTES MEASURED (D) DENOTES INST. No.
OBP	DENOTES OBSERVED REFERENCE POINT
(NA)	DENOTES NOT IDENTIFIABLE (OU) DENOTES ORIGIN UNKNOWN
(S/P)	DENOTES SET PROPORTIONALLY
(R)	DENOTES REGISTERED PLAN 972
(1744)	DENOTES VERHAEGEN SURVEYORS INC., O.L.S.
(JDB)	DENOTES J.D. BARNES LIMITED, O.L.S.
(CA)	DENOTES C.G.R. ARMSTRONG, O.L.S.

MH	DENOTES HYDRO MANHOLE	FH	DENOTES FIRE HYDRANT
MS	DENOTES SEWER MANHOLE	WM	DENOTES WATER METER
MT	DENOTES TELEPHONE MANHOLE	WVS	DENOTES WATER VALVE (Service)
MTR	DENOTES TRAFFIC MANHOLE	WVM	DENOTES WATER VALVE (Main)
MW	DENOTES WATER MANHOLE	GM	DENOTES GAS METER
CB	DENOTES CATCH BASIN	GV	DENOTES GAS VALVE
DCB	DENOTES DOUBLE CATCH BASIN	HM	DENOTES HYDRO METER
LSc	DENOTES LIGHT STANDARD CONCRETE	PedT	DENOTES TELEPHONE PEDESTAL
LSs	DENOTES LIGHT STANDARD STEEL	PedCTV	DENOTES CABLE TV PEDESTAL
LSw	DENOTES LIGHT STANDARD WOOD	TRs	DENOTES TRAFFIC SIGN
UPc	DENOTES UTILITY POLE CONCRETE	TRsg	DENOTES TRAFFIC SIGNAL
UPs	DENOTES UTILITY POLE STEEL	TRsb	DENOTES TRAFFIC SIGNAL BOX
UPw	DENOTES UTILITY POLE WOOD	TH	DENOTES TESTHOLE
GP	DENOTES GUY POLE	BM	DENOTES BENCH MARK
GW	DENOTES GUY WIRE	HCP	DENOTES HORIZONTAL CONTROL POINT
Bol	DENOTES BOLLARD	VCP	DENOTES VERTICAL CONTROL POINT
PM	DENOTES PARKING METER		DENOTES SHRUB
INV	DENOTES INVERT	SC	DENOTES SEWER CLEANOUT

DECIDUOUS AND CONIFEROUS TREES ARE DENOTED DT AND CT RESPECTIVELY. A PREFIX TO THE DESCRIPTION DESIGNATES THE NUMBER OF TREE TRUNKS WHEN TREES ARE CLUMPED TOGETHER AND A SUFFIX DENOTES THE TREE DIAMETER OR SPAN) NOT TO SCALE.

C — C — C —	DENOTES OVERHEAD CABLE TV LINE
G — G — (pipe size) — G —	DENOTES GAS LINE
H — H — H —	DENOTES OVER-HEAD HYDRO LINE
CS — (pipe size) — CS —	DENOTES COMBINED SEWER
SA — (pipe size) — SA —	DENOTES SANITARY SEWER
ST — (pipe size) — ST —	DENOTES STORM SEWER
T — T — T —	DENOTES OVER-HEAD TELEPHONE LINE
W — (pipe size) — W —	DENOTES WATER LINE

UNDERGROUND CABLE, HYDRO OR TELEPHONE LINES ARE PREFIXED WITH THE LETTER "u" (CABLE = uC HYDRO = uH TELEPHONE = uT)

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

ELEVATIONS

ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES TO CAN-NET/SMARTNET NETWORK (H.T.V. 2.0)

BENCH MARK

BENCH MARK 825 ELEVATION 180.225m
SOMS MALDEN ROAD. NORTHEAST CORNER OF KENT and MALDEN ROAD; PLATE IS LOCATED PH THE SOUTHERN WALL, 0.70m FROM THE WESTERN WALL OF THE GARAGE AND 0.60m ABOVE GRADE.

SITE BENCH MARK

ELEVATION 181.63m
TOP OF FIRE HYDRANT ACROSS FROM THE SUBJECT PROPERTY.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 20th DAY OF NOVEMBER, 2024.

DATE NOVEMBER 24, 2024

ANDREW S. MANTHA
ONTARIO LAND SURVEYOR

VERHAEGEN LAND SURVEYORS
SURVEYING MAPPING GIS
A DIVISION OF J.D. BARNES LTD.
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY:	CHECKED BY:	REFERENCE NO.:
A.S.M.	A.S.M.	24-47-560-00
FILE: 24-47-560-00.dwg	E-972-8	CAD Date: November 25, 2024 11:05 AM CAD File: 24-47-560-00 Red.dwg

akoustik engineering limited

138 Angstrom Cres.
Amherstburg, ON N9V 3S3
Phone: (519)903-7193
Fax: (800) 241-9149

November 26, 2024

Attention: Mr. Jonathan Seguin
Poirier Seguin Holdings Ltd.
T: 519-980-5667

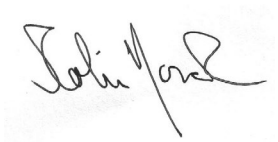
Re: Environmental Noise Assessment in support of Zoning By-Law Amendment Application, 4641 Malden Road, City of Windsor.

Dear Mr. Seguin,

Please find enclosed a noise assessment report in support of a severance and rezoning application for 4641 Malden Road, in the City of Windsor. This assessment pertains to the noise impacts from the nearby roadways which impact the subject site.

I trust that the enclosed information meets your requirements. Please do not hesitate to contact me if you have any questions.

Sincerely,



Colin Novak PhD, PEng

Noise Assessment in support of Zoning By-Law Amendment Application, 4641 Malden Road, City of Windsor

Attention: Mr. Jonathan Seguin
Poirier Seguin Holdings Ltd.
T: 519-980-5667

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Statement of Liability

Akoustik Engineering Limited prepared this report for Poirier Seguin Holdings Ltd.. The material in it reflects Dr. Helen Ule's and Dr. Colin Novak's judgement considering the information available to them and Akoustik Engineering Limited at the time of the measurements and report preparation, under the stated test conditions. Any use that a Third Party makes of this report, or any reliance on decisions made based on it, is the responsibility of such Third Parties. Akoustik Engineering Limited accepts no responsibility for damages, if any, suffered by any Third Party resulting from decisions made or actions based on this report.

Introduction

This report is a noise assessment in support of a land severance and rezoning application for 4641 Malen Road, in the City of Windsor. The application proposes to divide the existing property into four lots by adding three new lots and retaining the existing home on a fourth lot. Each added lot is proposed to have lot areas of 278.7 m^2 with frontage of 9.14 m and a depth of 30.48 m. The retained lot would thus have a lot area of 297.2 m^2 with a frontage of 9.75 m and a depth of 30.48 m. There were no proposed site plans that show the location and orientation of future houses on the divided lots available at the time of this report, other than details detailing the proposed lot sizes and orientation. It is assumed that a future single residential home is to be constructed on each of the new lots.

This assessment pertains to the environmental noise impact from the nearby roadways. An illustration of the geographical area of the proposed development location is given in Appendix A. A zoning map of the area is given in Appendix B. The expected noise impacts from the roads have been predicted using the Ministry of the Environment, Conservation and Parks (MECP) prediction software STAMSON and are based on the available road traffic volumes, which have been projected 10 years forward. Given that the road traffic occurs during all periods of a 24-hour day, as defined by the applicable Noise Pollution Control document NPC-300, the assessment has been carried out for the entire 24-hour period. All assumptions used for the calculations given in this report are detailed in Appendix C. Any recommended abatement measures, if required to control noise, are included in this report.

Identification of Noise Sources

The proposed development is bordered by residential lands to the north, west and east. The current zoning of the land is DRD1.1, Development Reserve District. The rezoning application is to rezone the property to RD1.3, Low Density Residential District. The Ministry of the Environment (MECP) typical specifications for the identification of existing or future major sources of noise impact on a development is whether they are within 500 metres of the site. The transportation noise sources which could possibly produce an impact on the proposed development are Malden Road and the E.C. Row Expressway. The E.C. Row Expressway will be considered as two sources: Eastbound and Westbound. It should be noted that the proposed lots are protected rom the expressway noise by a substantial noise barrier wall located along the expressway. There are no sources of stationary noise or vibration which may impact this property.

Given that the land of the proposed development falls outside the Windsor International Airport's NEF/NEP 25 contours, no consideration for aircraft noise is warranted. There are no other significant sources of noise which are expected to have an impact on the proposed development.

Ministry of the Environment and Climate Change Noise Criteria

Transportation Sources

In accordance with the MECP Guideline NPC-300, the following sound level limits for residential developments of Class 2 have been set and are shown for roadway noise in Table 1 below. Select pages from the NPC-300 guideline have been included in Appendix D: NPC-300 Reference Pages for reference. The proposed development is classified as a Class 2 area, given that the region exhibits features of both a Class 1 and a Class 3 area, based on the environmental noise characteristics. It is worth noting that when the sound level limits presented in Table 1 are exceeded, noise control abatement is required.

Table 1: Ministry of the Environment, Conservation and Parks Noise Criteria for Roadway Noise

Location	Daytime L_{eq} [dBA]	Nighttime L_{eq} [dBA]
Outdoor Living Area (OLA)	55	--
Plane of Window (Indoor)	55 (45)	50 (40)

From Table 1, daytime refers to the period from 07:00 to 23:00 and nighttime refers to the period from 23:00 to 07:00 hours. An outdoor living area (OLA) refers to a location such as a patio, yard, or barbeque area. For this project it will be assumed that an OLA would be present at the rear of any proposed residential development.

The limits presented in Table 1 are the limits before noise control measures are required. The noise level limit in an OLA may be exceeded by up to 5 dBA if proper warning clauses are inserted in the titles, deeds, and any tenancy agreements relating to the property and only after barriers or other noise control measures have been found to be impractical or unfeasible. A noise attenuation barrier is required to protect and bring the sound level down to 55 dBA in the OLA if the noise level exceeds 60 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with the appropriate warning clause; in this situation, any excess above the noise limit will not be deemed acceptable if it exceeds 5 dB.

The guideline also recommends the provision for the installation of central air conditioning when the noise level outside the plane of a window exceeds 55 dBA for the daytime or 50 dBA for the nighttime. If the noise level exceeds 65 dBA for the daytime or 60 dBA for the nighttime, the installation of central air conditioning should be implemented. Further, building components including exterior walls, windows and doors should be designed to have sufficient Sound Transmission Class (STC) ratings to meet the indoor noise guidelines.

Noise Source Data

Prior to modelling the noise, road traffic volume data for Malden Road was obtained from the City of Windsor in the form of annual average daily traffic (AADT) volumes. The projected road traffic volumes along with the breakdown of vehicle types are given in Appendix E. Also, given in Appendix E are the distances used for the noise prediction model between the representative receptor locations and the roadway. The volume of commercial traffic for Malden Road was taken as 10 percent with an equal mix of heavy and medium trucks.

Road traffic volume data for the E.C. Row Expressway was obtained from the MTO's (Ministry of Transportation) iCorridor website in the form of annual average daily traffic (AADT) volumes. The

projected road traffic volumes along with the breakdown of vehicle types are given in Appendix E. Also, given in Appendix E are the distances used in the noise prediction model between the representative receptor locations and the Expressway. Data provided on iCorridor showed a vehicle distribution of 84% automobiles and 16% truck traffic with an assumed equal mix of heavy and medium trucks.

A conservative approach was taken to use the latest and most up to date traffic volume, which has been included in Appendix E. Based on historical data, a calculated growth rate of 0.37% was used for E.C. Row Expressway. Malden Road had a negative calculated growth rate, and it was therefore assumed that there is a 0% growth rate in order to be conservative in the calculation methodology Day and night traffic volumes were calculated using an assumed 66% day and 33 % night for highways and 90%-day and 10%-night for municipal roadways.

Identification of the Representative Receptor Locations

Since no site plan is available for the proposed three new lots, a proposed worst-case footprint was used to calculate the noise impacts. Proposed Lot 1 (north most lot) is chosen as the worst-case residential development given that it is nearest to the E.C. Row Expressway. The front façade is taken to be located 6 metres from the west property line and the home is assumed to have a depth of 13 m. POR1A and POR1B are located on the north façade of this proposed home at a height of 1.5 m and 4.5 m. An OLA (outdoor living area) is located 3 m away from the rear (east) façade of the proposed home.

Assessment Approach

The predicted sound levels from the nearby road traffic have been determined through the application of the prediction noise modelling software STAMSON 5.0. All input data pertaining to the lot layout parameters was based on the severance plan provided at the time of the study, as shown in Appendix A: Site Location. The input data used to calculate the predicted sound level exposures for the proposed lot impacted by the road traffic noise, and the resulting outputs, are given in Appendix F: Noise Model Printout.

The acoustic propagation model used to predict the noise levels at the proposed lots was developed to determine the noise impacts and extent of the noise control measures required (if any). The MECP requires the calculation of the noise impacts at the outdoor living area (OLA) and plane of window of the dwellings, in this case the residential sleeping quarters.

Results and Noise Control Requirements

The following section is a summary and assessment of the modeled results for the proposed lot.

Road Noise

As specified by the MECP Environmental Noise Guideline NPC-300, the outdoor and indoor sound level limits (based on one-hour LA_{eq} values) at a residence for road traffic noise are categorized into three (3) limits, based on the type of space assessed. The document also specifies the recommended noise control measures, if required, that should be followed for the OLA, plane of a window (ventilation requirements) and the indoor living area (building components) noise assessments. Select pages from the NPC-300

guideline are given in Appendix D: NPC-300 Reference Pages, which includes the stated warning clauses and other requirements based on the predicted noise levels.

The predicted noise level impacts for the daytime and nighttime periods for the representative Points of Reception (POR)s with no control measures are given in Table 3.

Table 3: Predicted Noise Levels – Plane of Window and Outdoor Living Area

POR (height in metres)	Daytime Period LAeq (dBA) – plane of window	Nighttime Period LAeq (dBA) – plane of window
1 (1.5 m)	63	58
1 (4.5 m)	64	59
OLA (1.5 m)	55	N/A

- red text denotes exceedance

Notes taken from NPC-300 (where applicable):

Note A: Noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

Note B: Noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B.

Note C: The dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

Note D: Installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2.

Note E: Building components including windows, walls and doors, where applicable, need to be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) needs to be specified.

For all buildings and units that are applicable to Note E, it is recommended that the building plans be inspected and approved by a qualified acoustical engineer prior to the issuance of a building permit to ensure that the proposed building materials and design comply with the noise control requirements.

If required, the following warning clauses are to be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease of each dwelling unit:

Warning Clause(s) (where applicable):

Type A: “Purchasers/tenants are advised that sound levels due to increasing road traffic and rail traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

Type B: "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Type C: “This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

Type D: “This dwelling unit has been equipped with central air conditioning in order to allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks. Air conditioning units are to be installed in a noise insensitive area.”

Comparing the predicted road noise levels given in Table 3 to the MECP noise guidelines detailed in Table 1, it is concluded that the predicted worst-case impacts from transportation sources exceed the MECP guidelines during the daytime and nighttime periods. While no physical noise control measures are required for the transportation noise, warning clause(s) are needed for all three proposed lots. It should be noted that the sound level in the outdoor living area does not exceed the noise guideline limits, and as such, noise abatement to protect the OLA (noise barrier) is not required.

Results Summary

Table 5 summarizes the required warning clauses and building requirements, if any, for the three proposed lots. It is required that any necessary warning clauses be implemented in all future development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease for any future development. Given that this report is only in support of the severance and rezoning application, there is no proposed site plan available. As such, any future proposed development should be verified for noise control and warning clauses requirements based on the final orientation and position of the homes on the proposed lot.

Table 5: Summary of Warning Clauses and Building Component Requirements

Lot(s)	Noise Barrier Requirement (Y/N)	Warning Clause(s)	Building Component Requirement(s)	Ventilation Requirement(s)
Proposed Lots #1, #2 and #3	N/A	Type A, C	Minimum Building Code	Provision for the installation of central air conditioning

Conclusion

A noise impact assessment was carried out for the proposed lots at 4641 Malden Road, in the City of Windsor, in support for a severance and rezoning application. For this, the nearby Malden Road and E.C. Row Expressway were considered as contributing transportation sources of noise. It is shown in this report that the measured and predicted levels exceed the limits set by the Ontario Ministry of the Environment, Conservation and Parks. However, given that the noise impacts can be mitigated with the installation of central air conditioning and inclusion of warning clauses, it is recommended that the severance and rezoning application be given approval for noise impacts with the understanding that any future development on the proposed new lots verify the stated warning clauses and conditions and that these warning clauses and conditions will be implemented.

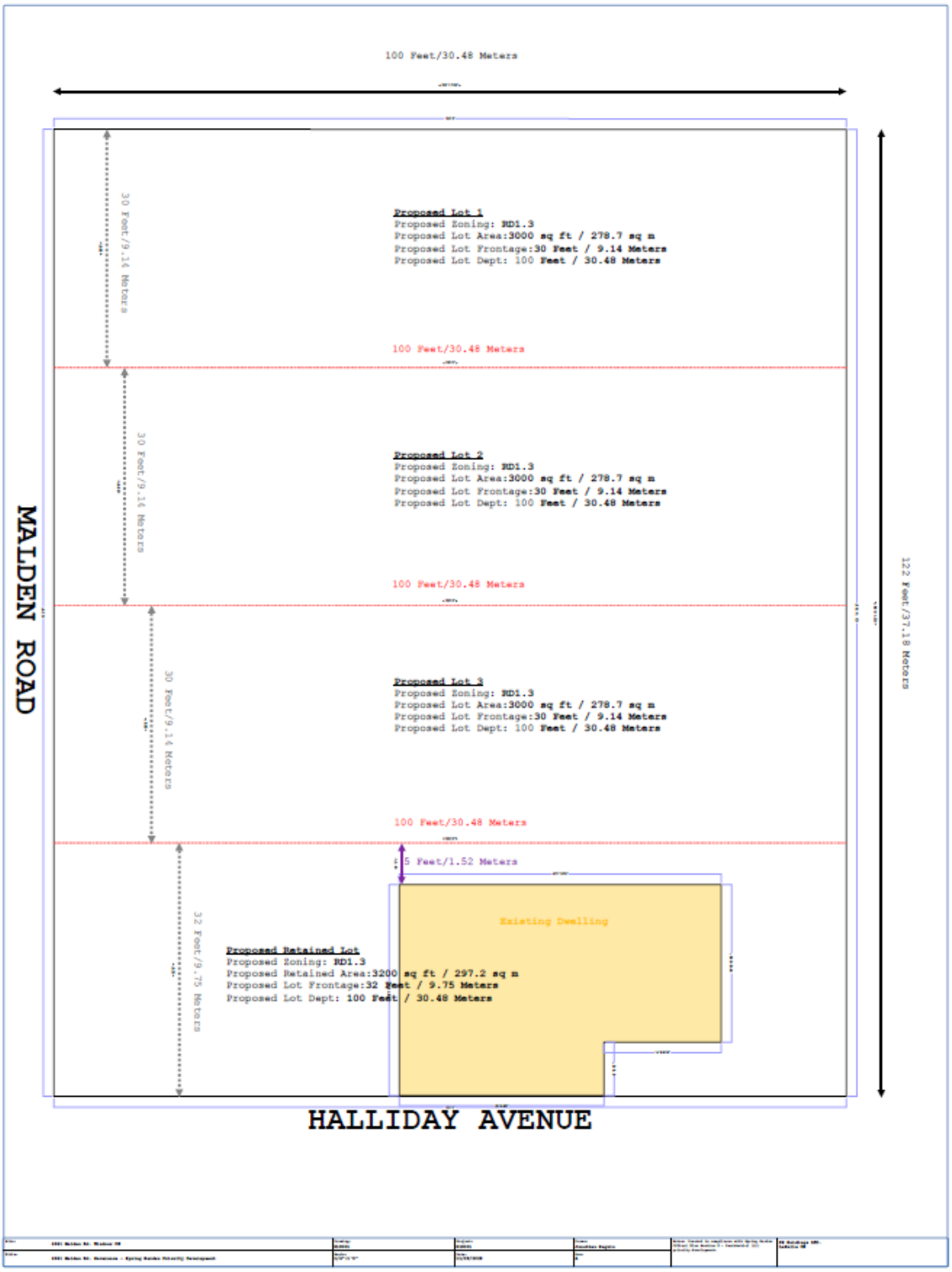
For akoustik engineering limited		
	Prepared by: **Helen Ule, Ph.D., PEng**	**Reviewed by:** **Colin Novak, Ph.D., PEng**

LICENSED PROFESSIONAL ENGINEER
H. J. ULE
100138148
PROVINCE OF ONTARIO

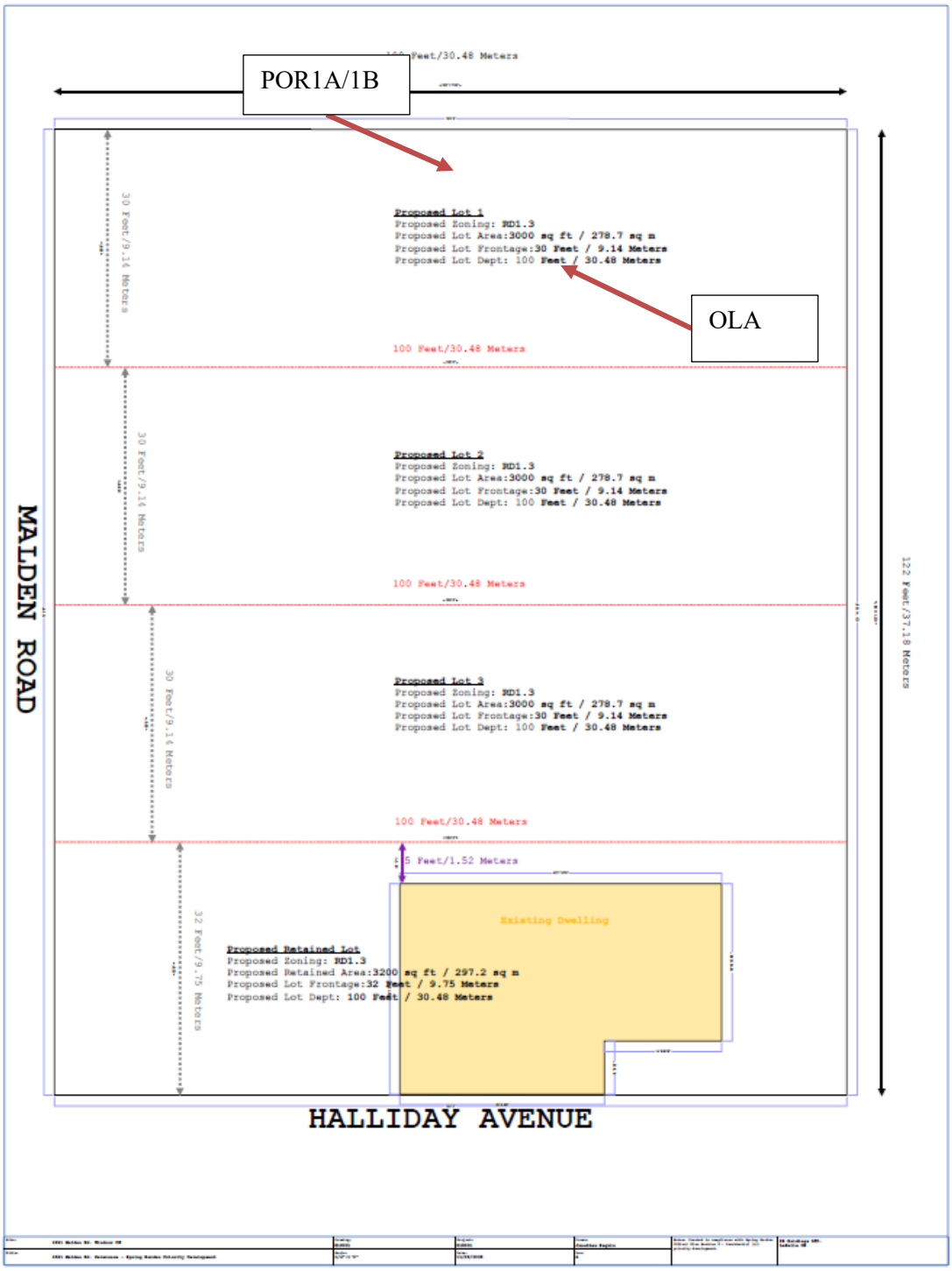
Appendix A: Site Location

A 1: General Location of Proposed Development and Nearby Surrounding Area

A 2:Proposed Development Site showing detailed Surrounding Area Features

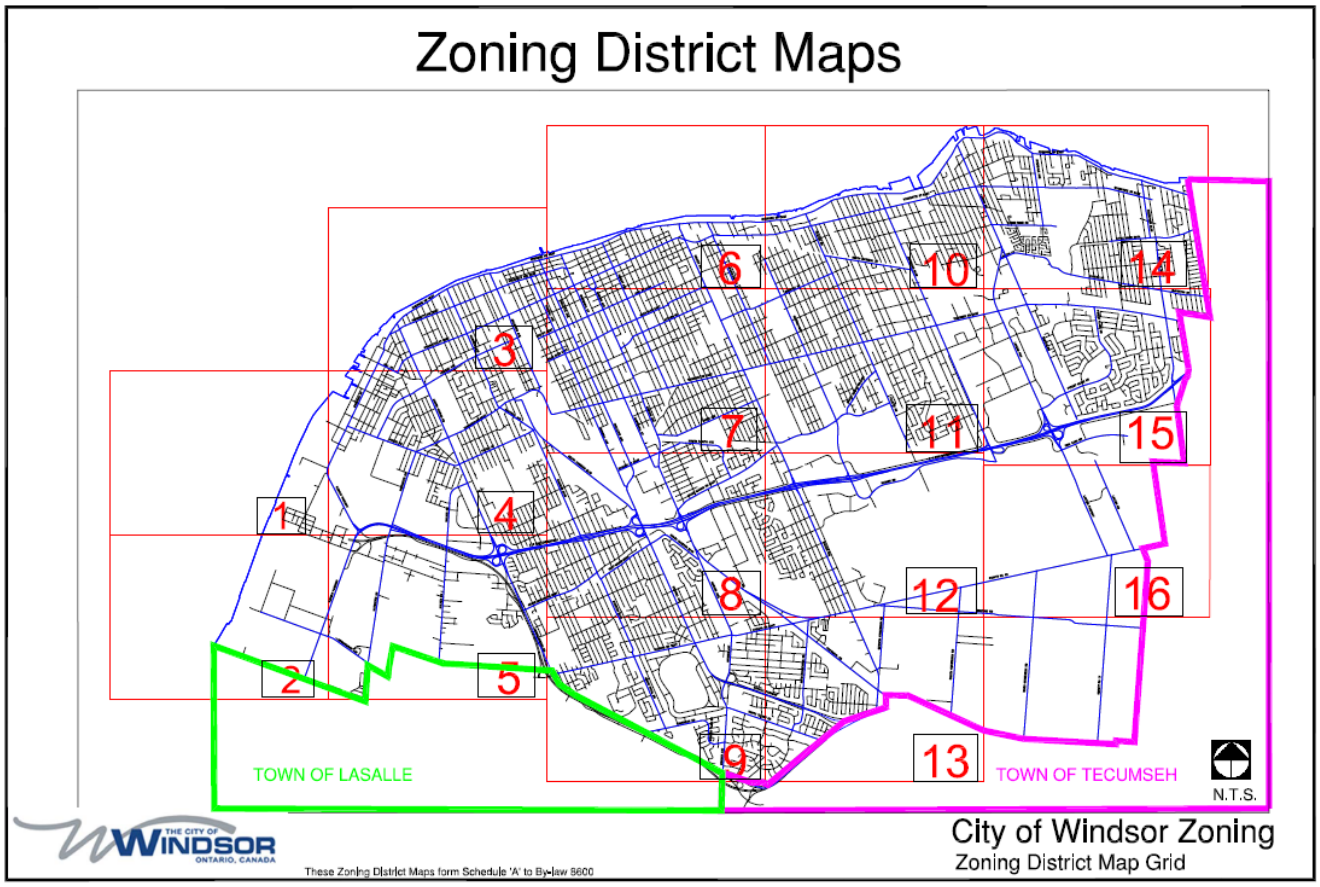


A 3: Proposed Severance Drawing (dated November 29, 2023)



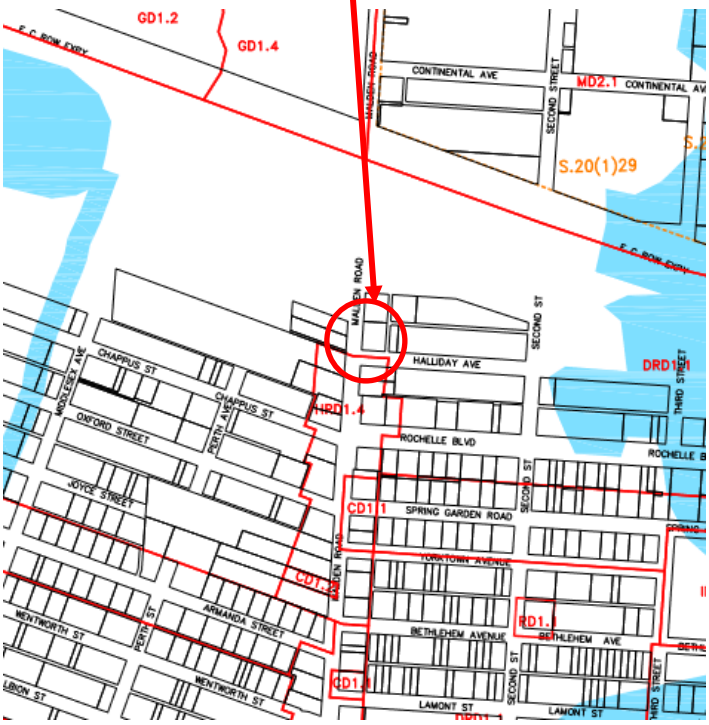
A 4: Proposed Development with Representative PORs Identified

Appendix B: Land-use Zoning Map of Area



B 1: City of Windsor Zoning – Zoning District Map Grid

B 2: City of Windsor Zoning Map #5



B 3: City of Windsor Zoning Map #5, site location

Appendix C: Report and Model Assumptions

Malden Road:

- Traffic counts (AADT) provided by Dinesh Dhamotharan, City of Windsor
- Traffic volumes projected to 2034
- Historical roadway data:
    - Malden Road, North of Spring Garden Road:
        - 2013 7,100
        - 2017 6,400
        - 2034 6,400 (projected)
- 90% of traffic during day period and 10% during night period
- 90% cars, 5% medium trucks, 5% heavy trucks
- Growth rate of 0% assumed

POR	Floor	Height (m)	Malden	
			Angle	Distance (m)
1	1	1.5	-90-90	15
1	2	4.5	-90-90	15
OLA1	1	1.5	-90-90	22

- 2034 Road Volume
    - Malden Road, North of Spring Garden Road
        - Cars – 5,760 day, 640 night
        - Commercial –
            - Medium – 288 day, 32 night
            - Heavy – 288 day, 32 night
- Speed:
    - Malden Road – 50 km/h

E.C. Row Expressway:

- Traffic counts (AADT) provided by MTO's iCorridor webpage (https://icorridor-mto-on-ca.hub.arcgis.com/apps/4f4b6a27ee0a4a4e86ab9a94597475f3/explore)
- Traffic volumes projected to 2034
- Historical roadway data:
    - E.C. Row Expressway (EB and WB combined), Malden to Huron Church Road:
        - 2015 21,300
        - 2016 21,300
        - 2017 21,400
        - 2018 21,500
        - 2019 21,600
        - 2034 22,830 (projected)
- 66% of traffic during day period and 33% during night period
- 84% cars, 8% medium trucks, 8% heavy trucks
- Growth rate of 0.37% calculated

POR	Floor	Height (m)	ECRow (WB & EB)	
			Angle	Distance (m)
1	1	1.5	-90-90	204/128
1	2	4.5	-90-90	204/128
OLA1	1	1.5	-90-90	204/128

- 2034 Road Volume
    - E.C. Row Expressway (EB and WB, each), Malden to Huron Church Road
        - Cars – 6,328 day, 3,260 night
        - Commercial –
            - Medium – 603 day, 310 night
            - Heavy – 603 day, 310 night
- Speed:
    - Malden Road – 100 km/h

PROPERTY:

- Assume:
    - POR heights: 1.5m, 4.5m
    - POR1A and POR1B facing north
    - OLA behind home facing east

General:

- Model is 16 hour day, 8 hour night
- Height of E.C. Row Expressway is 5 m
- Barrier height on E.C. Row Expressway is 4.2 m
- 90% density of houses built on proposed three lots
- Maximum footprint of home to be built on proposed lot is 20’x44’ with 5’ side yards and 6 m to front property line

Appendix D: NPC-300 Reference Pages

L_{eq} (8). For complete description on assessing road traffic impacts, refer to ORNAMENT. Other traffic noise prediction models have been and are being developed by various authorities and may be adopted from time to time for use in Ontario by the MOE.

In order to be consistent with MOE guidelines, the sound level should be assessed in an OLA, such as a rear yard or a patio, and in indoor living areas, such as bedrooms and living rooms. Where the noise impact exceeds the applicable sound level limits, mitigation measures such as site planning, architectural design, noise barriers, building envelope elements (windows, exterior walls, doors) with upgraded sound isolation performance and/or central air conditioning may be required. Noise control measures are not required if the sound level estimated in the OLA is 55 dBA or less during the daytime and 50 dBA or less in the plane of bedroom windows during either daytime or nighttime.

C3.2.2 Daytime Outdoor Sound Level Limit

Table C-1 gives the equivalent sound level (L_{eq}) limit for designated OLAs. The limit applies to the entire daytime period from 07:00 to 23:00.

Table C-1
Sound Level Limit for Outdoor Living Areas
Road and Rail

Time Period	L_{eq} (16) (dBA)
16-hour, 07:00 – 23:00	55

C3.2.3 Indoor Sound Level Limits

Table C-2 gives the equivalent sound level (L_{eq}) limits and the applicable time periods for the indicated types of indoor spaces. The specified indoor sound level limits are maxima and apply to the indicated indoor spaces with windows and doors closed.

Table C-2
Indoor Sound Level Limits
Road and Rail

Type of Space	Time Period	L_{eq} (dBA)	
		Road	Rail
Living/dining, den areas of residences, hospitals, nursing homes, schools, daycare centres, etc.	07:00 – 23:00	45	40
Living/dining, den areas of residences, hospitals, nursing homes, etc. (except schools or daycare centres)	23:00 – 07:00	45	40
Sleeping quarters	07:00 – 23:00	45	40

D 1: Daytime Outdoor and Daytime/Nighttime Indoor Sound Level Limits

the emissions are not required to be included with the overall noise assessment of a stationary source facility.

In addition, sound level limits do not apply to emergency equipment operating in emergency situations.

C4.5.4 Sound Level Limits for Layover Sites

The sound level limit for noise from a layover site in any hour, expressed in terms of the One-Hour Equivalent Sound Level (L_{eq}) is the higher of either 55 dBA or the background sound level.

C5 Noise Impact Assessment – Multiple Sources

Impulse sources, non-impulse sources and emergency equipment are to be analyzed separately. Where there are multiple, non-impulse sources at a stationary source, the noise assessment should be based on the combined effect of all sources comprising the stationary source, added together on an energy basis.

C6 Noise Impact Assessment – Supplementary Noise Limits

Indoor limits for transportation sources applicable to noise sensitive land uses are specified in Table C-2 and Table C-4. Table C-9 and Table C-10 are expanded versions of Table C-2 and Table C-4, and present guidelines for acceptable indoor sound levels that are extended to land uses and developments which are not normally considered noise sensitive. The specified values are maximum sound levels and apply to the indicated indoor spaces with the windows and doors closed. The sound level limits in Table C-9 and Table C-10 are presented as information, for good-practice design objectives.

Table C-9
Supplementary Indoor Sound Level Limits
Road and Rail

Type of Space	Time Period	L_{eq} (Time Period) (dBA)	
		Road	Rail
General offices, reception areas, retail stores, etc.	16 hours between 07:00 – 23:00	50	45
Living/dining areas of residences, hospitals, schools, nursing/retirement homes, daycare centres, theatres, places of worship, libraries, individual or semi-private offices, conference rooms, reading rooms, etc.	16 hours between 07:00 – 23:00	45	40
Sleeping quarters of hotels/motels	8 hours between 23:00 – 07:00	45	40
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	8 hours between 23:00 – 07:00	40	35

D 2: Noise Impact Assessment – Supplementary Noise Limits

Table C-10
Supplementary Indoor Aircraft Noise Limits
(Applicable over 24-hour period)

Type of Space	Indoor NEF/NEP*
General offices, reception areas, retail stores, etc.	15
Individual or semi-private offices, conference rooms, etc.	10
Living/dining areas of residences, sleeping quarters of hotels/motels, theatres, libraries, schools, daycare centres, places of worship, etc.	5
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	0

* The indoor NEF/NEP values listed in Table C-10 are not obtained from NEF/NEP contour maps. The values are representative of the indoor sound levels and are used as assessment criteria for the evaluation of acoustical insulation requirements.

C7 Noise Control Measures

The following sections provide MOE guidance for appropriate noise control measures. These sections constitute requirements that are applied to MOE approvals for stationary sources. This information is also provided as guidance which land use planning authorities may consider adopting.

The definition in Part A describes the various types and application of noise control measures. All the noise control measures described in the definition are appropriate to address the impact of noise of transportation sources (road, rail and aircraft) on planned sensitive land uses. Only some of the noise control measures described in the definition are appropriate to address the noise impact of stationary sources on planned sensitive land uses.

C7.1 Road Noise Control Measures

C7.1.1 Outdoor Living Areas

If the 16-Hour Equivalent Sound Level, L_{eq} (16) in the OLA is greater than 55 dBA and less than or equal to 60 dBA, noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

If the 16-Hour Equivalent Sound Level, L_{eq} (16) in the OLA is greater than 60 dBA, noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B. In the above situations, any excess above the limit will not be acceptable if it exceeds 5 dBA.

D 3: Noise Control Measures – Road Noise Control Measures

C7.1.2 Plane of a Window – Ventilation Requirements

C7.1.2.1 Daytime Period, 07:00 – 23:00 Hours

Noise control measures may not be required if the L_{eq} (16) daytime sound level in the plane of a bedroom or living/dining room window is less than or equal to 55 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 55 dBA and less than or equal to 65 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the daytime sound level in the plane of a bedroom or living/dining room window is greater than 65 dBA, installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.2.2 Nighttime Period, 23:00 – 07:00 Hours

Noise control measures may not be required if the L_{eq} (8) nighttime sound level in the plane of a bedroom or living/dining room window is less than or equal to 50 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 50 dBA and less than or equal to 60 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the nighttime sound level in the plane of a bedroom or living/dining room window is greater than 60 dBA, installation of central air conditioning should be implemented, with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.3 Indoor Living Areas – Building Components

If the nighttime sound level outside the bedroom or living/dining room windows exceeds 60 dBA or the daytime sound level outside the bedroom or living/dining area windows exceeds 65 dBA, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the

D 4: Noise Control Measures – Road Noise Control Measures (Continued)

In Class 4 areas, where windows for noise sensitive spaces are assumed to be closed, the use of central air conditioning may be acceptable if it forms an essential part of the overall building designs.

C7.9 Verification of Noise Control Measures

It is recommended that the implementation of noise control measures be verified by qualified individuals with experience in environmental acoustics.

C8 Warning Clauses

The use of warning clauses or easements in respect of noise are recommended when circumstances warrant. Noise warning clauses may be used to warn of potential annoyance due to an existing source of noise and/or to warn of excesses above the sound level limits. Direction on the use of warning clauses should be included in agreements that are registered on title to the lands in question. The warning clauses would be included in agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations. Alternatively, the use of easements in respect of noise may be appropriate in some circumstances. Additional guidance on the use of noise warning clauses is provided in Section C7.1.1, Section C7.1.2.1, Section C7.1.2.2, Section C7.3 and Section C7.4.

C8.1 Transportation Sources

The following warning clauses may be used individually or in combination:

TYPE A: (see Section C7.1.1)

> "Purchasers/tenants are advised that sound levels due to increasing road traffic (rail traffic) (air traffic) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment."

TYPE B: (see Section C7.1.1 and Section C7.4)

> "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic (rail traffic) (air traffic) may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment."

TYPE C: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

> "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of

D 5: Noise Control Measures – Warning Clauses

central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

TYPE D: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

C8.2 Stationary Sources

It is not acceptable to use warning clauses in place of physical noise control measures to identify an excess over the MOE sound level limits. Warning clause (Type E) for stationary sources may identify a potential concern due to the proximity of the facility but it is not acceptable to justify exceeding the sound level limits.

TYPE E: (see Section C7.6)

"Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible."

C8.3 Class 4 Area Notification

TYPE F: (see Section B9.2 and Section C4.4.2)

"Purchasers/tenants are advised that sound levels due to the adjacent industry (facility) (utility) are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed."

D 6: Noise Control Measures – Warning Clauses (Continued)

Appendix E: Road Traffic Volume Data

E 1: Predicted Road Traffic

Year	Road	Location	AADT
2034	Malden Road	North of Spring Garden Road	6,400
2034	E.C. Row Expressway Eastbound	Malden to Huron Church Road	11,415
2034	E.C. Row Expressway Westbound	Malden to Huron Church Road	11,415

E 2: Predicted Hourly Traffic Volumes per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks – Malden Road

Period	Hourly Traffic Volume (Vehicles/hr)	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day	360	324	18	18
Night	80	72	4	4

E 3: Predicted Hourly Traffic Volumes per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks – E.C. Row Expressway Eastbound

Period	Hourly Traffic Volume (Vehicles/hr)	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day	471	396	38	38
Night	485	408	38	38

E 4: Predicted Hourly Traffic Volumes per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks – E.C. Row Expressway Westbound

Period	Hourly Traffic Volume (Vehicles/hr)	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day	471	396	38	38
Night	485	408	38	38

Appendix F: Noise Model Printouts

POR5 (7.5m height)

```
STAMSON 5.0        NORMAL REPORT        Date: 25-11-2024 15:08:06
MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: POR1a.te             Time Period: Day/Night 16/8 hours
Description: Malden POR1A


Road data, segment # 1: Malden (day/night)
-----------------------------------------
Car traffic volume  :  5184/576   veh/TimePeriod
Medium truck volume :   288/32    veh/TimePeriod
Heavy truck volume  :   288/32    veh/TimePeriod
Posted speed limit  :    50 km/h
Road gradient       :     0 %
Road pavement       :     1 (Typical asphalt or concrete)

Data for Segment # 1: Malden (day/night)
---------------------------------------
Angle1   Angle2           : -90.00 deg   90.00 deg
Wood depth                :      0       (No woods.)
No of house rows          :      0 / 0
Surface                   :      1       (Absorptive ground surface)
Receiver source distance  :  15.00 / 15.00  m
Receiver height           :   1.50 / 1.50   m
Topography                :      1       (Flat/gentle slope; no barrier)
Reference angle           :   0.00

Road data, segment # 2: EC Row EB (day/night)
---------------------------------------------
Car traffic volume  :  6328/3260  veh/TimePeriod
Medium truck volume :   603/310   veh/TimePeriod
Heavy truck volume  :   603/310   veh/TimePeriod
Posted speed limit  :   100 km/h
Road gradient       :     0 %
Road pavement       :     1 (Typical asphalt or concrete)

Data for Segment # 2: EC Row EB (day/night)
-------------------------------------------
Angle1   Angle2           : -90.00 deg   90.00 deg
Wood depth                :      1       (Wood depth 30 to less than 60
metres)
No of house rows          :      0 / 0
Surface                   :      1       (Absorptive ground surface)
Receiver source distance  : 128.00 / 128.00 m
Receiver height           :   1.50 / 1.50   m
Topography                :      4       (Elevated; with barrier)
Barrier angle1            : -90.00 deg   Angle2 : 90.00 deg
Barrier height            :   4.20 m
Elevation                 :   5.00 m
```

```
Barrier receiver distance : 120.00 / 120.00 m
Source elevation          :   5.00 m
Receiver elevation        :   0.00 m
Barrier elevation         :   5.00 m
Reference angle           :   0.00

Road data, segment # 3: EC Row WB (day/night)
-------------------------------------------
Car traffic volume  :  6328/3260  veh/TimePeriod
Medium truck volume :   603/310   veh/TimePeriod
Heavy truck volume  :   603/310   veh/TimePeriod
Posted speed limit  :   100 km/h
Road gradient       :     0 %
Road pavement       :     1 (Typical asphalt or concrete)

Data for Segment # 3: EC Row WB (day/night)
-----------------------------------------
Angle1   Angle2           : -90.00 deg   90.00 deg
Wood depth                :      1       (Wood depth 30 to less than 60
metres)
No of house rows          :      0 / 0
Surface                   :      1       (Absorptive ground surface)
Receiver source distance  : 204.00 / 204.00 m
Receiver height           :   1.50 / 1.50   m
Topography                :      4       (Elevated; with barrier)
Barrier angle1            : -90.00 deg   Angle2 : 90.00 deg
Barrier height            :   4.20 m
Elevation                 :   5.00 m
Barrier receiver distance : 120.00 / 120.00 m
Source elevation          :   5.00 m
Receiver elevation        :   0.00 m
Barrier elevation         :   5.00 m
Reference angle           :   0.00

Results segment # 1: Malden (day)
---------------------------------

Source height = 1.50 m

ROAD (0.00 + 62.99 + 0.00) = 62.99 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj
SubLeq
-------------------------------------------------------------------------
--
   -90     90   0.66  64.44   0.00   0.00  -1.46   0.00   0.00   0.00
62.99
-------------------------------------------------------------------------
--

Segment Leq : 62.99 dBA
```

```
Results segment # 2: EC Row EB (day)
-----------------------------------

Source height = 1.68 m

Barrier height for grazing incidence
------------------------------------
Source      ! Receiver    ! Barrier     ! Elevation of
Height  (m) ! Height  (m) ! Height  (m) ! Barrier Top  (m)
------------+-------------+-------------+--------------
       1.68 !        1.50 !        1.36 !         6.36

ROAD (0.00 + 49.07 + 0.00) = 49.07 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj
SubLeq
-------------------------------------------------------------------------
--
   -90     90   0.20  72.95   0.00 -11.22  -0.55  -5.00   0.00   0.00
56.19
   -90     90   0.25  72.95   0.00 -11.66  -0.66   0.00   0.00 -11.55
49.07
-------------------------------------------------------------------------
--

Segment Leq : 49.07 dBA


Results segment # 3: EC Row WB (day)
-----------------------------------

Source height = 1.68 m

Barrier height for grazing incidence
------------------------------------
Source      ! Receiver    ! Barrier     ! Elevation of
Height  (m) ! Height  (m) ! Height  (m) ! Barrier Top  (m)
------------+-------------+-------------+--------------
       1.68 !        1.50 !       -0.45 !         4.55

ROAD (0.00 + 48.99 + 0.00) = 48.99 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj
SubLeq
-------------------------------------------------------------------------
--
   -90     90   0.20  72.95   0.00 -13.65  -0.55  -5.00   0.00   0.00
53.75
   -90     90   0.25  72.95   0.00 -14.20  -0.66   0.00   0.00  -9.10
48.99
-------------------------------------------------------------------------
--

Segment Leq : 48.99 dBA

Total Leq All Segments: 63.33 dBA
```

```
Results segment # 1: Malden (night)
-----------------------------------

Source height = 1.50 m

ROAD (0.00 + 56.45 + 0.00) = 56.45 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj
SubLeq
-------------------------------------------------------------------------
--
   -90     90   0.66  57.91   0.00   0.00  -1.46   0.00   0.00   0.00
56.45
-------------------------------------------------------------------------
--

Segment Leq : 56.45 dBA


Results segment # 2: EC Row EB (night)
--------------------------------------

Source height = 1.68 m

Barrier height for grazing incidence
------------------------------------
Source      ! Receiver    ! Barrier     ! Elevation of
Height  (m) ! Height  (m) ! Height  (m) ! Barrier Top  (m)
------------+-------------+-------------+--------------
       1.68 !        1.50 !        1.36 !         6.36

ROAD (0.00 + 49.19 + 0.00) = 49.19 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj
SubLeq
-------------------------------------------------------------------------
--
   -90     90   0.20  73.07   0.00 -11.22  -0.55  -5.00   0.00   0.00
56.31
   -90     90   0.25  73.07   0.00 -11.66  -0.66   0.00   0.00 -11.56
49.19
-------------------------------------------------------------------------
--

Segment Leq : 49.19 dBA


Results segment # 3: EC Row WB (night)
--------------------------------------

Source height = 1.68 m

Barrier height for grazing incidence
------------------------------------
Source      ! Receiver    ! Barrier     ! Elevation of
Height  (m) ! Height  (m) ! Height  (m) ! Barrier Top  (m)
```

```
------------+-------------+-------------+--------------
       1.68 !        1.50 !       -0.45 !         4.55

ROAD (0.00 + 49.11 + 0.00) = 49.11 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj
SubLeq
-------------------------------------------------------------------------------
--
   -90     90   0.20  73.07   0.00 -13.65  -0.55  -5.00   0.00   0.00
53.87
   -90     90   0.25  73.07   0.00 -14.20  -0.66   0.00   0.00  -9.10
49.11
-------------------------------------------------------------------------------
--

Segment Leq : 49.11 dBA

Total Leq All Segments: 57.82 dBA



TOTAL Leq FROM ALL SOURCES (DAY): 63.33
                           (NIGHT): 57.82
```

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PHASE I
ENVIRONMENTAL SITE ASSESSMENT

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GLOSSARY OF ACRONYMS

ACM	Asbestos-Containing Material
asl:	Above Sea Level
AST:	Aboveground Storage Tank
bgs:	Below Ground Surface
BTEX:	Benzene, Toluene, Ethylbenzene and Xylenes
CA:	Certificate of Approval
CPC:	Contaminant of Potential Concern
CSA:	Canadian Standards Association
EASR:	Environmental Activity and Sector Registry
EBR:	Environmental Registry
ECA:	Environmental Compliance Approval
EPA:	Environmental Protection Act
ESA:	Environmental Site Assessment
FIP:	Fire Insurance Plan
HVAC:	Heating, Ventilation, and Air Conditioning
MECP:	Ministry of the Environment, Conservation and Parks
MNRF:	Ministry of Natural Resources and Forestry
MOE:	Ministry of the Environment
MOL:	Ministry of Labour
NPRI:	National Pollutant Release Inventory
NAD:	North American Datum
O. Reg.:	Ontario Regulation
ODS:	Ozone Depleting Substance
OHSA:	Occupational Health and Safety Act
PAHs:	Polycyclic Aromatic (Polyaromatic) Hydrocarbons
PCA:	Potentially Contaminating Activity
PCBs:	Polychlorinated Biphenyls
PHC (F1-F4):	Petroleum Hydrocarbons Fractions F1 to F4
RSC:	Record of Site Condition
TSSA:	Technical Standards and Safety Authority
UFFI:	Urea Formaldehyde Foam Insulation
UST:	Underground Storage Tank
VOCs:	Volatile Organic Compounds

1. EXECUTIVE SUMMARY

Fisher Engineering Limited (Fisher) was retained by Jonathan Sequin and Marshall Paton to conduct a Phase I Environmental Site Assessment (ESA) of the property located at 4641 Malden Road, Windsor, Ontario, herein referred to as the "Site". The purpose of the Phase I ESA was to conduct an environmental due diligence and liability assessment in support of City of Windsor approval for redevelopment of the Site.

The Phase I ESA was conducted in general accordance with the Canadian Standards Association (CSA) Standard Z768-01 (reaffirmed 2022), *Phase I Environmental Site Assessment*.

The Site is located on the northeast corner of Malden Road and former Halliday Avenue. It has an area of approximately 1,500 m^2. The Site is bounded by residential properties to the north and south, undeveloped land to the east and Malden Road, followed by undeveloped land, to the west.

Historical records available for the Site and properties within 250 m surrounding the Site (the "phase I study area") were reviewed. Findings from the records review indicated that the Site was undeveloped land, and was developed for the current residential use, prior to 1953.

Based on our Site reconnaissance on May 12, 2025, the southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement (the "subject building"). There is a concrete pad, south of the subject building, which leads to a dirt road (former Halliday Avenue). The remaining areas of the Site are covered with landscaped or overgrown grass and trees.

The potential presence of asbestos or lead containing building materials are not considered of concern provided they are not disturbed or properly managed and disposed of. However, a designated substance survey (DSS) should be conducted at the Site prior to any demolition or significant renovation of the building.

The findings of the current Phase I ESA have revealed no evidence of actual and/or potential surface or sub-surface contamination associated with the Site and other properties within the phase I study area. It is expected that the Site could continue to be used for residential purposes.

For the purpose of this Phase I ESA, no further investigation is recommended at this time.

2. INTRODUCTION

2.1. Objectives

Fisher Engineering Limited (Fisher) was retained by Jonathan Sequin and Marshall Paton (the "Client") to conduct a Phase I Environmental Site Assessment (ESA) of the property located at 4641 Malden Road, Windsor, Ontario, herein referred to as the "Site". The purpose of the Phase I ESA was to conduct an environmental due diligence and liability assessment in support of City of Windsor approval for redevelopment of the Site.

The Phase I ESA was conducted to develop a preliminary determination of the likelihood that one or more contaminants have affected any land or water on, in or under the Site, and to determine the need and provide the basis for carrying out any Phase II ESA, if required.

2.2. Regulatory Framework

The Phase I ESA carried out by Fisher on the Site was conducted in general accordance with the Canadian Standards Association (CSA) Standard Z768-01 (reaffirmed 2022), *Phase I Environmental Site Assessment*. A Phase I ESA is the systematic preliminary process by which an assessor seeks to determine whether a particular property is subject to actual or potential contamination. A Phase I ESA does not involve the investigative procedures of sampling, analyzing, and measuring, unless enhancements are agreed upon between the Client and the assessor.

The roles and powers of the Ministry of the Environment, Conservation and Parks (MECP) when dealing with contaminated sites are outlined primarily in the Environmental Protection Act (EPA), R.S.O. 1990. The MECP has a mandate to address conditions where there is an adverse effect, or the likelihood of an adverse effect, associated with the presence or discharge of a contaminant. Ontario Regulation (O. Reg.) 153/04 (Records of Site Condition – Part XV.1 of the EPA), as amended, provides roles and responsibilities to property owners and consultants to use when assessing the environmental condition of a property, when determining whether or not restoration is required, and in determining the kind of restoration needed to allow continued use or reuse of the property. The O. Reg. 153/04, as amended, also establishes a standard work program for conducting Phase I ESA in support of filing a Record of Site Condition (RSC) in the Environmental Site Registry for proposed changes in property use to more sensitive land use.

Since it is not the Client's intention to file a RSC for the Site, this Phase I ESA conducted for the Site does not meet all requirements of the O. Reg. 153/04, as amended, and cannot be used to support the filing of RSC.

2.3. Scope of Work

The scope of work for this Phase I ESA consisted of the following:

1. A records review;
2. Site reconnaissance;
3. Interviews;
4. Identification of recognized environmental conditions at the Site;
5. Evaluation of collected information;
6. Preparation of a written report; and
7. Submission of the report to the Client (Jonathan Sequin and Marshall Paton).

3. CURRENT SITE DESCRIPTION

The Site is located on the northeast corner of Malden Road and former Halliday Avenue. It has an area of approximately 1,500 m^2. The Site is bounded by residential properties to the north and south, undeveloped land to the east and Malden Road, followed by undeveloped land, to the west. Please refer to Appendix A for the Site Location Map (Figure A).

Based on our Site reconnaissance on May 12, 2025, the southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement (the "subject building"). There is a concrete pad, south of the subject building, which leads to a dirt road (former Halliday Avenue). The remaining areas of the Site are covered with landscaped or overgrown grass and trees.

A general description of the Site is presented in the following table:

TABLE 1: Site Information	
Municipal Address:	4641 Malden Road, Windsor, Ontario N9E 3T4
Legal Description:	Not provided
Geographical Coordinates of the Centroid of the Site:	Universal Transverse Mercator (UTM) Grid Coordinates, based on North American Datum of 1983 (NAD83): 17T 330230 m Easting 4681751 m Northing
Site Area:	Approximately 1,500 m^2

TABLE 1: Site Information	
Utility Providers:	Water: City of Windsor
	Sanitary Sewer: Private septic system
	Electricity: Enwin Utilities Ltd.
	Natural gas: Enbridge
Building Area:	Approximately 120 m²
Number of Levels:	2
Basement:	Yes
Year Built:	Prior to 1953
General Construction:	Concrete block and metal siding, concrete foundation with basement, shingled roof
Building Use:	Residential

4. RECORDS REVIEW

The specific objectives of a records review are to obtain information on the current and past uses of, and activities at, or affecting the Site in order to determine if a recognized environmental condition exists at the Site and to interpret any recognized environmental condition at the Site. Additionally, a review of records that relate to neighbouring properties, determines if a recognized environmental condition exists at the Site and assists interpretation of any recognized environmental condition at the Site.

4.1 Documentation of Sources and Search Distances

The applicable search distance for records review included the Site, properties located, wholly or partly, within 250 m from the nearest point on a boundary of the Site (the “phase I study area”), and other neighbouring properties where activities considered to be potential sources of environmental contamination, were apparent.

4.1.1. Aerial Photographs

Aerial photographs of various years from 1962 to 2023 were obtained from Environmental Risk Information Services (ERIS). A copy of the aerial photographs (Figures E.1 to E.4) is included in Appendix A. The aerial photographs were examined stereoscopically to assess Site conditions and were described below:

TABLE 2: Description of Aerial Photographs		
Year	Site	Surrounding Area
1962	Developed with a residential building.	North and South: Developed with a residential building. East: Undeveloped land West: Developed with residential buildings and undeveloped land
1970	Same as in 1962	Same as in 1962
1992	Same as in 1970	Same as in 1970
2023	Same as in 1992	Same as in 1992, however only undeveloped land to the west

Based on a review of aerial photographs, no potential sources of environmental concern were noted at the Site or neighbouring properties within the phase I study area.

4.1.2. Fire Insurance Plans

Fire Insurance Plans (FIPs) were originally created to provide insurance companies with detailed information so that they could assess insurance risks as a fire hazard.

ERIS was contacted to obtain FIPs related to the Site and surrounding properties through a Verisk Enviroscan™ report. A 1953 FIP was available for review. Please refer to Appendix B for a copy of the FIP included in the Verisk Enviroscan™ report. The FIP was reviewed and described below:

TABLE 3: Description of FIPs		
Year	Site	Surrounding Area
1953	The Site is north of Halliday Avenue, and was developed with a two-storey residential dwelling.	Surrounding areas were mainly developed with residential dwellings. A store was located 165 m south of the Site, a gasoline station with two gasoline USTs was located 205 m south and a machine shop was a gasoline UST was located 205 m north of the Site.

Based on a review of the FIP, no potential sources of environmental concern were noted at the Site. Due to the nature of operations, intervening distances and downgradient locations from the Site, other properties within the phase I study area are considered unlikely to represent a source of contamination on and/or under the Site.

4.1.3. Municipal Directories

A review of municipal directories was conducted to obtain a listing of previous occupants for the Site and areas within 250 m surrounding the Site. This information is useful in determining the past and/or present uses and associated environmental risks in the phase I study area.

Since the Site and other properties within the phase I study area had always been predominantly used for residential purposes, a municipal directory search was determined not to be particularly useful nor necessary to meet the objective of this investigation, and therefore was not performed.

4.1.4. Title Search and Assessment Rolls

A title or assessment roll search was not performed as part of this assessment.

4.1.5. Previous Environmental, Geological and Geotechnical Reports

No previous reports were available for review.

4.1.6. Company Records

No company records were available for review.

4.1.7. Environmental Source Information

Reasonable accessible information and documents pertaining to the Site and other properties within the phase I study area have been searched by making inquiries to various Federal and Provincial environmental sources, including an ERIS Database Report that assists in the assessment and evaluation of environmental risks. Please refer to the ERIS Database Report attached in Appendix B. Relevant results from the search are presented as follows:

TABLE 4A: Environmental Sources of Information – Site

Source	Relevant Findings
National Pollutant Release Inventory (NPRI) information maintained by Environment Canada	Based on the ERIS report, the Site was not listed in the database.
Ontario Inventory of PCB Storage Sites (OPCB), October 2004 and December 2013, and National Inventory of PCB in Use and PCB Wastes in Storage in Canada (NPCB), information maintained by Environmental Canada 2008	Based on the ERIS report, the Site was not listed in the databases.

TABLE 4A: Environmental Sources of Information – Site	
Source	Relevant Findings
Certificates of Approval (CA), Environmental Bill of Rights Registry (EBR), Environmental Compliance Approval (ECA), Chemical Manufacturers and Distributors (CHEM), Chemical Register (CHM), Permit to Take Water (PTTW), Certificates of Property Use (CPU) or similar instruments	Based on the ERIS report, no records of any CA, EBR, ECA, CHEM, CHM, PTTW, CPU or similar instruments were listed for the Site.
Inventory of Coal Gasification Plant Waste Sites in Ontario, MOE, April 1987	The Site was not listed as a former coal gasification plant waste site.
Compliance and conviction records regarding environmental notices, orders, offences, spills and inspection reports of the Ministry, or submitted to the Ministry	Based on the ERIS report, no spill records were reported for the Site.
Private and retail fuel storage tanks and other information maintained by the Technical Standards and Safety Authority (TSSA) Fuels Safety Division of TSSA did not register private USTs or ASTs for fuel prior to January 1990 or furnace oil tanks prior to May 1, 2002.	Based on the ERIS report, no records of fuel tanks were reported for the Site. A reply to Fisher's electronic inquiry to TSSA, indicated that no records of fuel storage tanks were found for the Site. A copy of the TSSA response is provided in Appendix B.
MECP Regulation 347 Public Information Data Set and the MOE's Hazardous Waste Information Network (HWIN)	Based on the ERIS report, the Site was not listed in the HWIN database.
Waste Disposal Site Inventories, MOE, June 1991; Anderson's Waste Disposal Sites, O. Reg. 347 Waste Receiver.	Based on the ERIS Report, the Site was not listed as a waste disposal site.
Notices and instruments, including Record of Site Condition (RSC), posted in the Environmental Site Registry	Based on the ERIS Report, no RSC, under O. Reg. 153/04 (Part XV.1 of the EPA), had been registered for the Site.
Well head protection areas (WHPA) information from planning authorities	Based on the MECP - Source Protection Information Atlas, the Site and phase I study area is located within the vicinity of the Essex Source Protection Area. The Site is not located within a WHPA. Areas east and west of the Site are located within an event based area. A copy of the map is provided in Appendix B.
Information on areas of natural significance maintained by the Ministry of Natural Resources and Forestry (MNRF)	The MNRF Natural Heritage Areas online interface was used to identify any areas of natural significance in or around the phase I study area. Woodlands and provincially significant wetlands are situated southwest of the Site. A copy of the MNRF Natural Heritage Area Map is provided in Appendix B.

Databases reported for other properties and the unplottable records were reviewed. Based on a review of records from the ERIS report and various environmental sources, no potential sources of environmental concern were noted at the Site or other properties within the phase I study area.

4.1.8. Topographical, Geological and Hydrogeological Sources

Regional Topographical, Geological and Hydrogeological Conditions are presented in the following table:

TABLE 5: Topographical, Geological and Hydrogeological Sources	
Topography and Drainage	
Source:	Natural Resources Canada – The Atlas of Canada online topography map; Google Earth.
Regional Conditions:	Grade elevation is all directions from the Site is relatively flat at approximately 181 m above sea level (asl).
Site Conditions:	The Site area is generally flat. Run-off drainage is expected to be directed towards ditches along the roadways or infiltration at unpaved areas.
Surficial Geology	
Source:	Surficial Geology of Southern Ontario, Ontario Geological Survey 2010; ERIS report MECP Water Well Records.
Regional Stratigraphic Conditions:	Coarse-textured Lacustrine Deposits: sand, gravel, minor silt and clay. A review of the well records listed within the phase I study area indicated that the local stratigraphy generally consists of brown sand fill and topsoil (0 – 0.61 m below ground surface, bgs) overlying clay till (0.31 – 31.08 m bgs) and limestone (31.08 – 36.57 m bgs).
Site Conditions:	It is expected that subsurface soil conditions at the Site approach regional stratigraphic conditions.
Bedrock Geology	
Source:	Bedrock Geology of Ontario, Ontario Geological Survey 2011; Bedrock Topography and Overburden Thickness Mapping, Southern Ontario, Figure A-6, Sediment Geoscience Section, Ontario Geological Survey, 2006; ERIS report MECP Water Well Records.
Regional Bedrock Conditions:	Limestone, dolostone, shale. Dundee Formation. Approximate depth to bedrock in the area is approximately 30 m bgs. A review of MECP Well Records available for the phase I study area indicated that the bedrock was encountered at 31.08 m bgs.
Site Conditions:	It is expected that bedrock conditions underlying the Site approach regional stratigraphic conditions.

TABLE 5: Topographical, Geological and Hydrogeological Sources	
Hydrogeology	
Source:	Freeze and Cheery 1979; Holtz and Kovacs 1981;
Regional Conditions:	The surficial deposits within the study area consist mainly of clay till, with a typical range of hydraulic conductivity of 10^{-7} – 10^{-10} cm/sec.
Site Conditions:	It is expected that hydrogeological conditions underlying the Site approach regional conditions.
Nearest Open Water Body:	A tributary of Turkey Creek, located approximately 380 m west of the Site. Detroit River is located 3.35 km west of the Site.
Inferred Groundwater Flow Direction:	West, based on proximity to nearest open water body.

Regional Topographical and Geological Maps (Figures B, C and D) that include the phase I study area are attached in Appendix A.

4.2 Other Available Records

No other records pertaining to the phase I study area were available for review.

5. SITE RECONNAISSANCE

A visit at the Site, and at remaining publicly accessible phase I study area, was conducted by Sean Fisher of Fisher on May 12, 2025. The assessor was not accompanied during the Site visit. Selected photographs taken at the phase I study area visit are included in Appendix C.

5.1. General

The objectives of the site reconnaissance are to determine if recognized environmental conditions exist on, in or under the Site, and to identify details of potential contaminants of concern, potential contaminant pathways and potential source areas of contamination on, in or under the Site.

5.1.1. Methodology

Methodology of the site reconnaissance is presented in the following table:

TABLE 6: Site Reconnaissance Methodology	
Date and Time of Investigation:	May 12, 2025, 1:00 p.m.
Weather Conditions:	Sunny, 10°C
Duration of the Investigation:	½ hour
Operational Industrial or Commercial Facility:	No, Residential
Observation Methods:	Visual assessment and photographs of the Site's features.
Name and Qualifications of Assessor:	Sean Fisher, M.Env.Sc.

5.1.2. Limitations

Fisher was permitted access to all exterior areas of the Site, but not within the subject building. The roof was not accessed, as it was not part of the scope of work for this investigation.

5.1.3. Current Property Use and Activities

The southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement. The remaining areas of the Site are covered with landscaped or overgrown grass and trees. No current Site activities representing a potential environmental concern to the Site were identified at the time of the Site visit.

5.1.4. Hazardous Materials Inventory

No hazardous materials were identified at the time of our visit.

5.1.5. Fuels and Chemicals

No fuels or chemicals were observed at the time of our visit.

5.1.6. Waste Generation and Storage

No waste materials, other than domestic wastes, are generated at the Site, which are collected in household garbage bins provided by the municipality.

5.1.7. Unidentified Substances

No unidentified substances or unidentified substances storage were noted at the time of our visit.

5.1.8. Air Discharges and Odours

No sources of air emissions that are suspected to result in residual contamination to the property were identified on the Site. Furthermore, no strong, pungent, or unusual odours were identified during the Site visit.

5.1.9. Potable Water Supply

Properties within the phase I study area rely on municipal water obtained from surface water bodies as a source of drinking water.

5.2. Exterior Observations

5.2.1. Exterior of Building and Structures

The Site has an area of approximately 1,500 m^2. The southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement. There is a concrete pad, south of the subject building, which leads to a dirt road (former Halliday Avenue). The remaining areas of the Site are covered with landscaped or overgrown grass and trees.

The exterior concrete and metal siding walls, as well as shingled roof, were in good condition, with no evident signs of cracks, structural damage or staining.

5.2.2. Wells, Pits, Lagoons, Watercourses, Ditches or Standing Water

No evidence of abandoned or existing wells, pits, lagoons, watercourses, ditches or standing water was identified on the Site.

5.2.3. Sewage and Waste Water Disposal

Storm water accumulated on the paved areas is draining by overland flow towards ditches along Malden Road to the west. No wastewater discharges, other than domestic wastewater, were identified to be produced on the Site at the time of the visit. Domestic wastewater is inferred to be discharged into the on-site septic bed located east of the subject building.

5.2.4. Stained Materials, Stressed Vegetation and Fill Materials

No stained material or stressed vegetation was observed at the Site.

The grade of the Site is similar to adjacent properties. No evidence of imported fill materials was noted. Considering the on-site property use, it is unlikely that significant quantities of fill materials from uncontrolled sources were brought onto the Site prior to or during Site development.

5.3. Interior Observations

5.3.1. Interior of Building and Structures

The two-storey single-family residential building, has an area of approximately 120 m². Fisher had no access to the inside of the building during the Site visit, and therefore, the building materials were not observed, other than through a basement window.

5.3.2. Heating and Cooling

The building is provided with heating by a natural gas fired furnace and provided with cooling by an electric air conditioning unit.

5.3.3. Hydraulic Equipment

No hydraulic equipment related to building systems and/or on-site operations was identified.

5.3.4. Designated Substances and Other Special Attention Items

The Occupational Health and Safety Act, R.S.O. 1990 defines a toxic substance as a chemical, biological or physical agent whose presence or use in the workplace may endanger the health and safety of a worker. The parts of the Act that deals with toxic substances are intended to:

1) ensure that worker exposure to toxic substances is controlled;
2) ensure that toxic substances in the workplace are clearly identified and that workers receive enough information about them to be able to handle them safely; and
3) provide the general public with access to information about toxic substances used by industry in their communities.

The Act allows a toxic substance to be “designated”, and its use in the workplace to be either prohibited or strictly controlled. Designation is reserved for substances that are particularly hazardous. The assessment for potential presence of hazardous building materials was based on the age of the building. No sampling of materials was conducted.

TABLE 7: Designated Substances and Other Special Attention Items				
Designated Substances and Other Special Attention Items	Matrix/ Source	Present On-Site	Location On-Site	Source Condition
Friable Asbestos-Containing Materials (ACMs)	Drywall Joint Compound, Plaster	Potentially	Interior of building	Not observed
Non-friable ACMs	Vinyl Floor Tiles	Potentially	Interior of building	Not observed
Polychlorinated Biphenyls (PCBs)	Fluorescent Light Ballasts	No	Not Applicable	Not Applicable
Lead-Based Material	Interior Paint	Potentially	Interior of building	Not observed
Urea Formaldehyde Foam Insulation (UFFI)	Wall Insulation	No	Not Applicable	Not Applicable
Ozone-Depleting Substances (ODSs)	Air Conditioner	No	Not Applicable	Not Applicable
Mould	Interior Walls, Ceilings	No	Not Applicable	Not Applicable
Radon Gas	Uranium rich Black shale and/or granite bedrock	No	Not Applicable	Not tested
Noise and Vibration	Not Applicable	No	Not Applicable	Not Applicable

Potential concerns and recommendations related to potential designated substances are listed and described in the following table:

TABLE 8: Potential Concerns & Recommendations Associated with Designated Substances				
Matrix/ Source	Potentially Impacted Media	Potential Concern	Comments	Relative Degree of Environmental Risk and Recommendations
Plaster and Drywall Joint Compound in subject building	Air	Friable ACMs	All building materials installed prior to 1980 should be presumed to contain asbestos unless conclusive sampling and analysis reveals otherwise.	Moderate If tests are positive, and removal or disturbance of the any ACM is required, then prior asbestos abatement works should be undertaken in accordance to O. Reg. 278/05.

TABLE 8: Potential Concerns & Recommendations Associated with Designated Substances				
Matrix/ Source	Potentially Impacted Media	Potential Concern	Comments	Relative Degree of Environmental Risk and Recommendations
Vinyl floor tiles in subject building	Air	Non-friable ACMs	All vinyl tiles installed prior to the mid-1980's should be presumed to contain asbestos unless conclusive sampling and analysis reveals otherwise.	Low The removal of vinyl asbestos tile would require the use of Ontario MOL Type I or II procedures dependent upon removal practices undertaken.
Interior paint	Air	Lead-Based Materials	In 1976, the lead content in interior paint was limited to 0.5% by weight under the Federal Hazardous Products Act; however, exterior paint was not included in this legislative act.	Low If renovation/ demolition is planned, lead containing paint removal should be conducted in accordance to O. Reg. 843 made under the Ontario OHSA, and 2004 MOL Lead on Construction Projects.

The potential presence of asbestos or lead containing building materials are not considered of concern provided they are not disturbed or properly managed and disposed of. However, a designated substance survey (DSS) should be conducted at the Site prior to any demolition or significant renovation of the building.

5.4. Adjoining Properties Observation and Information

Surrounding properties to the Site observed at the time of the visit were identified as follows:

TABLE 9: Current Use of Neighbouring Properties			
Direction/Distance from/to Site	Address	Occupant	Across
North/ 0 m	4615 Malden Road	Dwelling	N/A
East/ 0 m	N/A	Undeveloped land	N/A
South / 0 m	4657 Malden Road	Dwelling	N/A
West / 15 m	4626 and 4632 Malden Road	Undeveloped land	Malden Road

Based on the nature of property use, operations on surrounding properties within the phase I study area are unlikely to represent a source of contamination on and/or under the Site.

6. INTERVIEWS

Interviews with persons relevant to the objectives of the Phase I ESA are conducted to obtain information determining if a recognized environmental condition exists at the Site, and to identify details of potentially contaminating activities or potential pathways in, on or under the Site.

6.1. Methodology

Fisher's Standard Questionnaire was used to conduct interviews with the Site owner. Interviews were conducted in writing by electronic mail.

6.2. Limitations

All interview participants answered the asked questions to the best of their knowledge.

6.3. Interview Participants

a. **Property Owner:** Marshall Paton

The date, time, duration, method and place of the interview, name of interviewed person and reason for person selection, key questions and answers for each of the topics of the interview are included in Documentation of Interview form in Appendix D.

7. CONCLUSIONS AND RECOMMENDATIONS

The findings of the current Phase I ESA have revealed no evidence of actual and/or potential surface or sub-surface contamination associated with the Site and other properties within the phase I study area. It is expected that the Site could continue to be used for residential purposes.

For the purpose of this Phase I ESA, no further investigation is recommended at this time.

8. LIMITATIONS

This report was prepared for use by Jonathan Sequin and Marshall Paton and is based on the work as described in the Scope of Work. The conclusions presented in this report reflect existing Site conditions within the scope of this assignment.

As conducted, the current investigation may lack information that are specific requirements for the purpose of filling a Record of Site Condition (RSC). Should a RSC be required, then complementary investigations should be undertaken under the RSC filing process.

There is no warranty, expressed or implied, by Fisher Engineering Limited that this environmental assessment has identified all potential sources of contaminants or contaminants at the Site or adjacent properties, or that the Site is free from any and all contamination from past or current practices other than that noted, nor that all issues of environmental compliance have been addressed.

It should be clearly understood that the scope of work of the Phase I ESA (CSA Standard), as well as the findings and conclusions of this report, will not fully satisfy all of the requirements related to characterization of site soils for the purpose of off-site relocation and/or disposal of such soils, whether as part of future site redevelopment or site remediation works. If such activities are planned or possible at the site, additional site characterization and reporting works are necessary, in accordance with the Rules for Soil Management and Excess Soil Quality Standards adopted by reference in O. Reg. 406/19 (On-Site and Excess Soil Management) made under the *Environmental Protection Act*. A separate cost estimate for conducting Excess Soil Characterization and Excess Soil Management works will be provided upon client's written request.

Some information presented in this report was provided through existing documents and interviews. Although attempts were made, whenever possible, to consult alternative sources of information, in certain cases Fisher Engineering Limited has been required to assume that the information provided is accurate. We accept no responsibility for any deficiency, misstatements or inaccuracies contained in this report as a result of omissions, misinterpretations or fraudulent acts of the persons contacted.

No investigation method can eliminate the possibility of obtaining partially imprecise or incomplete information; it can only reduce the possibility to an acceptable level. Professional judgment was exercised in gathering and analyzing the information obtained and the formulation of the conclusions and recommendations. Like all professional persons rendering advice, we do not act as absolute insurers of the conclusions reached, but commit ourselves to care and competence in reaching those conclusions. No warranty, whether expressed or implied, is included or intended in this report.

The scope of services performed may not be appropriate for the purposes of other users. This report should not be used in contexts other than pertaining to the evaluation of the property at the current time. Written authorization must be obtained from Fisher Engineering Limited prior to use by any other parties, or any future use of this document or its findings, conclusions, or recommendations represented herein. Any use that a third party makes of this report, or any reliance on or decisions made on the basis of it, are the responsibility of the third parties. Fisher Engineering Limited accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

9. QUALIFICATIONS OF THE ASSESSOR

The Site visit was conducted by Mr. Sean Fisher. The current investigation was conducted and managed by Mrs. Lena Johnston, CET, who has been trained and has 11 years of experience in conducting Phase I ESAs in accordance with the CSA Standard. Mrs. Johnston has conducted more than 400 Phase I ESAs for commercial/industrial/residential clients and government agencies and is routinely engaged in this field.

This report was reviewed by Ms. Yvonne Hoogeveen, P.Eng., who is a Professional Engineer with Professional Engineers of Ontario and has over 18 years of experience in conducting, management and supervision of Phase I ESAs.

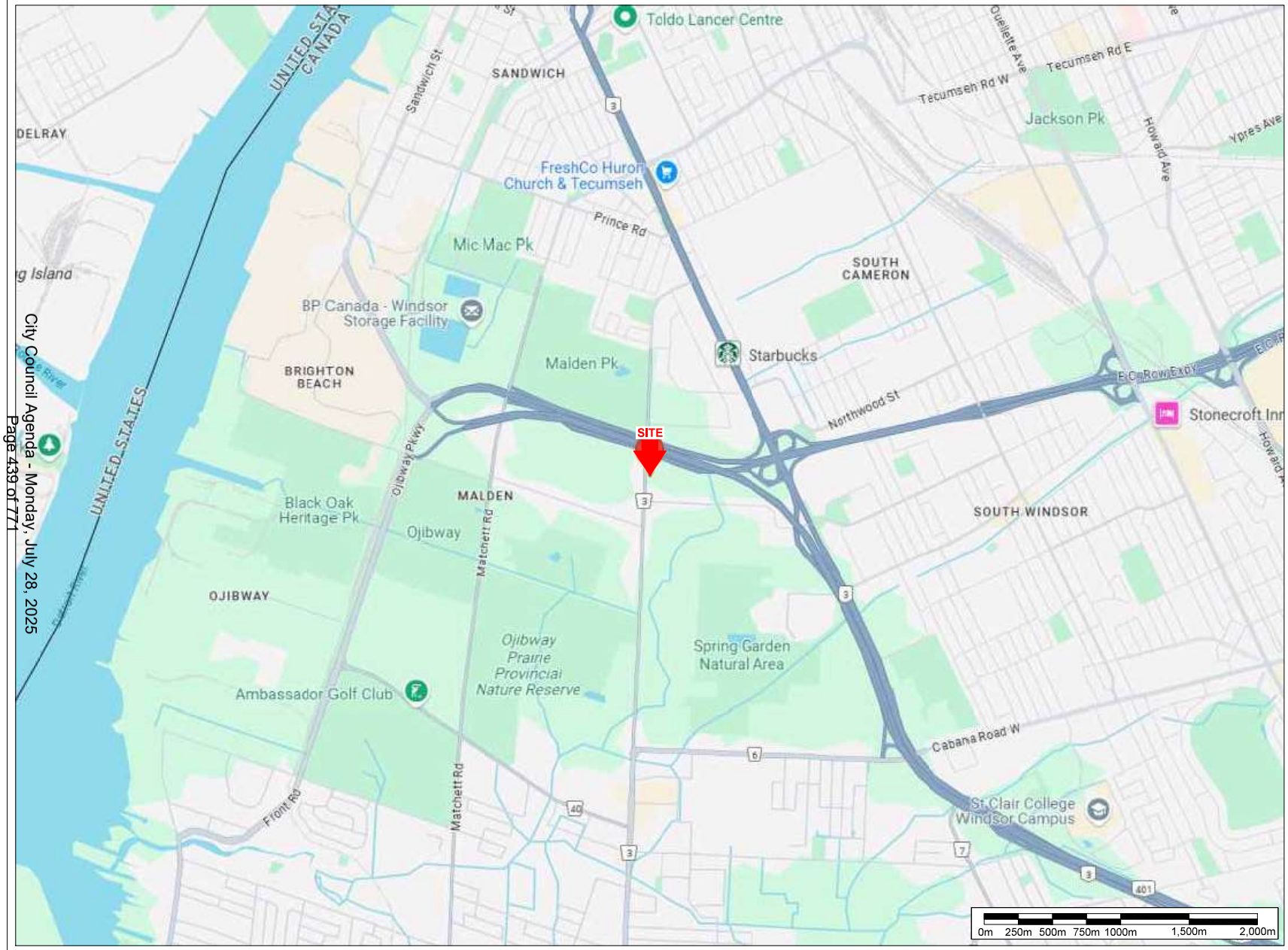
As a Qualified Person who conducts and supervises Phase I ESAs, Mr. David Fisher, president of Fisher Engineering Limited, is a senior Managerial and Environmental Engineering Specialist with over 30 years of progressive, innovative experience in the Petrochemical and Environmental Engineering Industry. Mr. Fisher is responsible for the development and management of a progressive environmental consulting engineering company specializing in environmental site assessments and remediation, geotechnical and hydrogeological investigations, tank removals, PCB waste treatment, land reclamation, recycling, hazardous waste disposal, and associated laboratory analytical practices.

Fisher Engineering Limited has been established as a team of engineers and consultants since 1989, and continues to develop a strong, wide client base. The company is staffed with personnel holding graduate or postgraduate qualifications at the Toronto headquarters, as well as specialist associates offering a broad range of expertise and knowledge in environmental consulting. With a background in the petroleum industry, extensive experience has been gained in the prevention and cleanup of contamination in air, water and soil.

10. REFERENCES

- Canadian Standards Association (CSA) Standard Z768-01 (reaffirmed in 2022), *Phase I Environmental Site Assessment*;
- Ontario Regulation 153/04 (Records of Site Condition – Part XV.1 of the EPA), as amended;
- Occupational Health and Safety Act (OHSA), R.S.O. 1990, Ministry of Labour;
- ERIS Aerial Photograph Database, Aerial Photographs 1962, 1970, 1992 and 2023;
- Google Earth Maps, Aerial Photographs 2024;
- Verisk Analytics (Verisk) – Enviroscan™ Report, Fire Insurance Plans;
- ERIS Database Report, Project No. 25050601097, dated May 9, 2025;
- Technical Standards and Safety Authority (TSSA);
- Ontario Environmental Site Registry;
- Ministry of Natural Resources and Forestry (MNRF) Natural Heritage Map;
- Natural Resources Canada – The Atlas of Canada online topography map;
- *Surficial Geology of Southern Ontario,* Ontario Geological Survey, 2010;
- *Bedrock Geology of Ontario,* Ontario Geological Survey 2011;
- *Groundwater,* Freeze and Cherry 1979; and
- *An Introduction to Geotechnical Engineering,* Holtz and Kovacs 1981.

APPENDIX A – FIGURES



FISHER ENGINEERING
400 Esna Park Dr., #15
Markham, Ontario
L3R 3K2
Tel: 905 475-7755

NORTH

LEGEND

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE A:

SITE LOCATION MAP

PROJECT NO.	SHEET NO.
FE 25-14744	A
DATE: 20 May, 2025	
SCALE: AS SHOWN	

City Council Agenda - Monday, July 28, 2025
Page 440 of 771

FISHER ENGINEERING
400 Esna Park Dr., #15
Markham, Ontario
L3R 3K2
Tel: 905 475-7755

NORTH

LEGEND

SITE BOUNDARY

PROJECT NAME AND ADDRESS

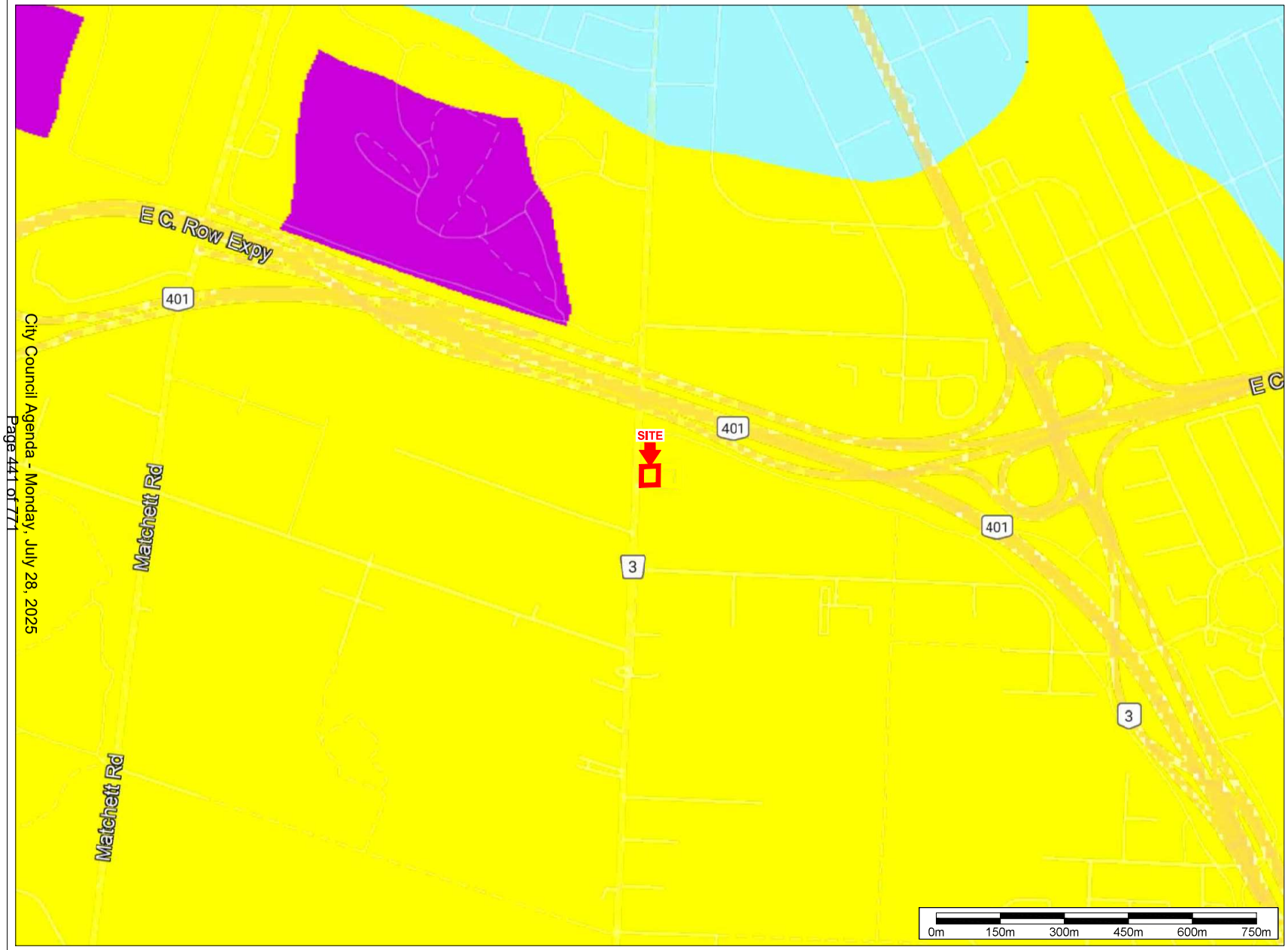
PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE B:

TOPOGRAPHICAL MAP

PROJECT NO.	SHEET NO.
FE 25-14744	B
DATE: 20 May, 2025	
SCALE: AS SHOWN	



FISHER ENGINEERING
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Markham,Ontario
L3R 3K2
Tel: 905 475-7755

NORTH

N

LEGEND

8A FINE-TEXTURED GLACIOLACUSTRINE DEPOSITS
Silt and clay, minor sand and gravel
Massive to well laminated

14B COARSE-TEXTURED LACUSTRINE DEPOSITS
Sand, gravel, minor silt and clay
Littoral deposits

21 MAN-MADE DEPOSITS
Fill, sewage lagoon, landfill, urban development

PROJECT NAME AND ADDRESS

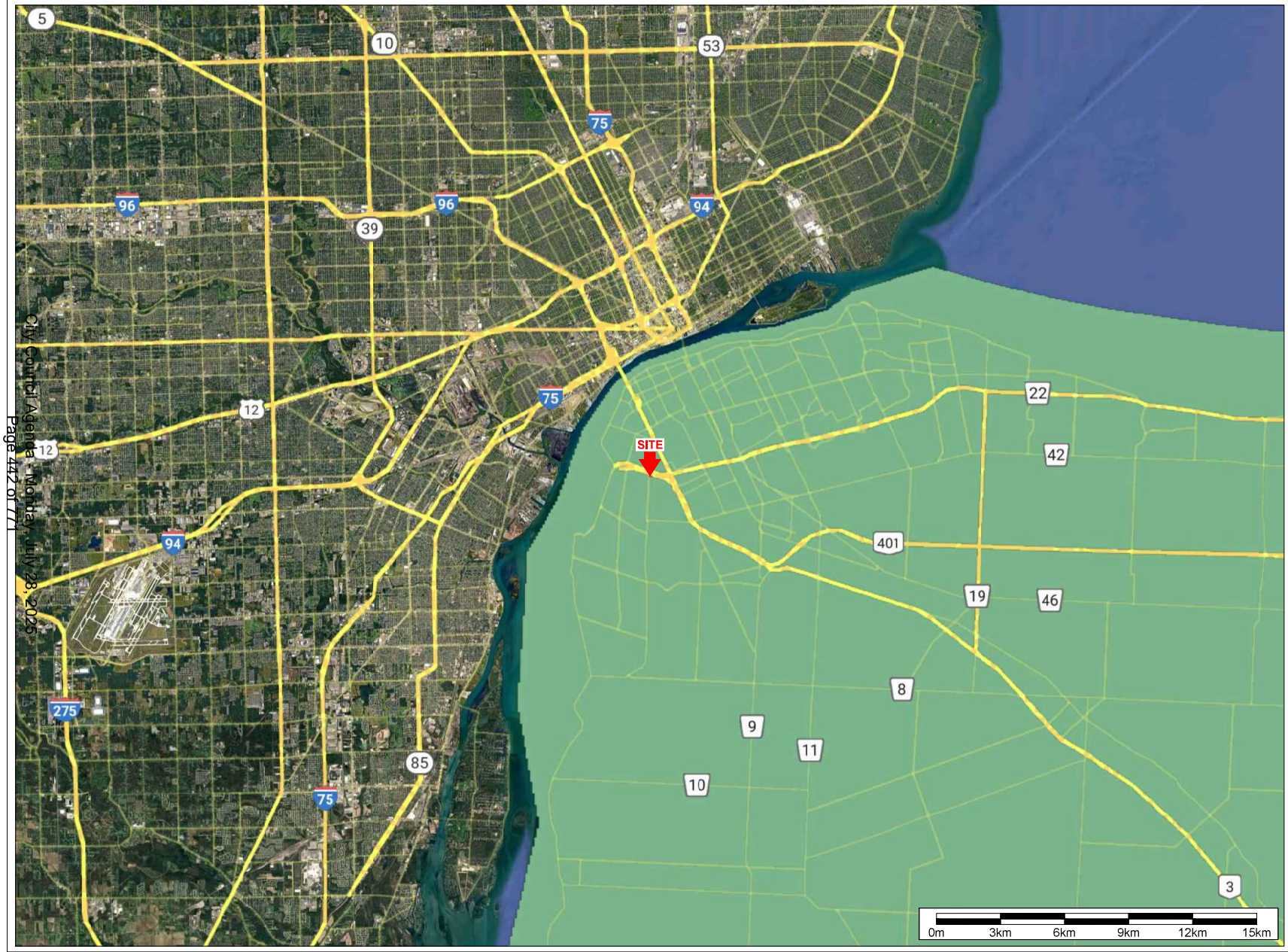
PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE C:

SURFICIAL GEOLOGY

PROJECT NO.	SHEET NO.
FE 25-14744	C
DATE: 20 May, 2025	
SCALE: AS SHOWN	



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Page 442 of 477

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400 Esna Park Dr., #15
Markham,Ontario
L3R 3K2

Tel: 905 475-7755

NORTH

N

LEGEND

- **59A:** Limestone, dolostone, shale
  Hamilton Group
- **59C:** Limestone, dolostone, shale
  Dundee Formation
- **59D:** Limestone, dolostone, shale
  Detroit River Group; Onondaga Formation

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE D:

BEDROCK GEOLOGY

PROJECT NO.	SHEET NO.
FE 25-14744	D
DATE: 20 May, 2025	
SCALE: AS SHOWN	

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Markham, Ontario
L3R 3K2
Tel: 905 475-7755

NORTH

N

LEGEND

SITE BOUNDARY

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE E.1:

AERIAL PHOTOGRAPH 1962

PROJECT NO.	SHEET NO.
FE 25-14744	E.1
DATE: 20 May, 2025	
SCALE: AS SHOWN	

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400 Esna Park Dr., #15
Markham, Ontario
L3R 3K2
Tel: 905 475-7755

NORTH

N

LEGEND

SITE BOUNDARY

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE E.2:

AERIAL PHOTOGRAPH 1970

PROJECT NO.	SHEET NO.
FE 25-14744	E.2
DATE: 20 May, 2025	
SCALE: AS SHOWN	

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400 Esna Park Dr., #15
Markham, Ontario
L3R 3K2
Tel: 905 475-7755

NORTH

N

LEGEND

SITE BOUNDARY

PROJECT NAME AND ADDRESS

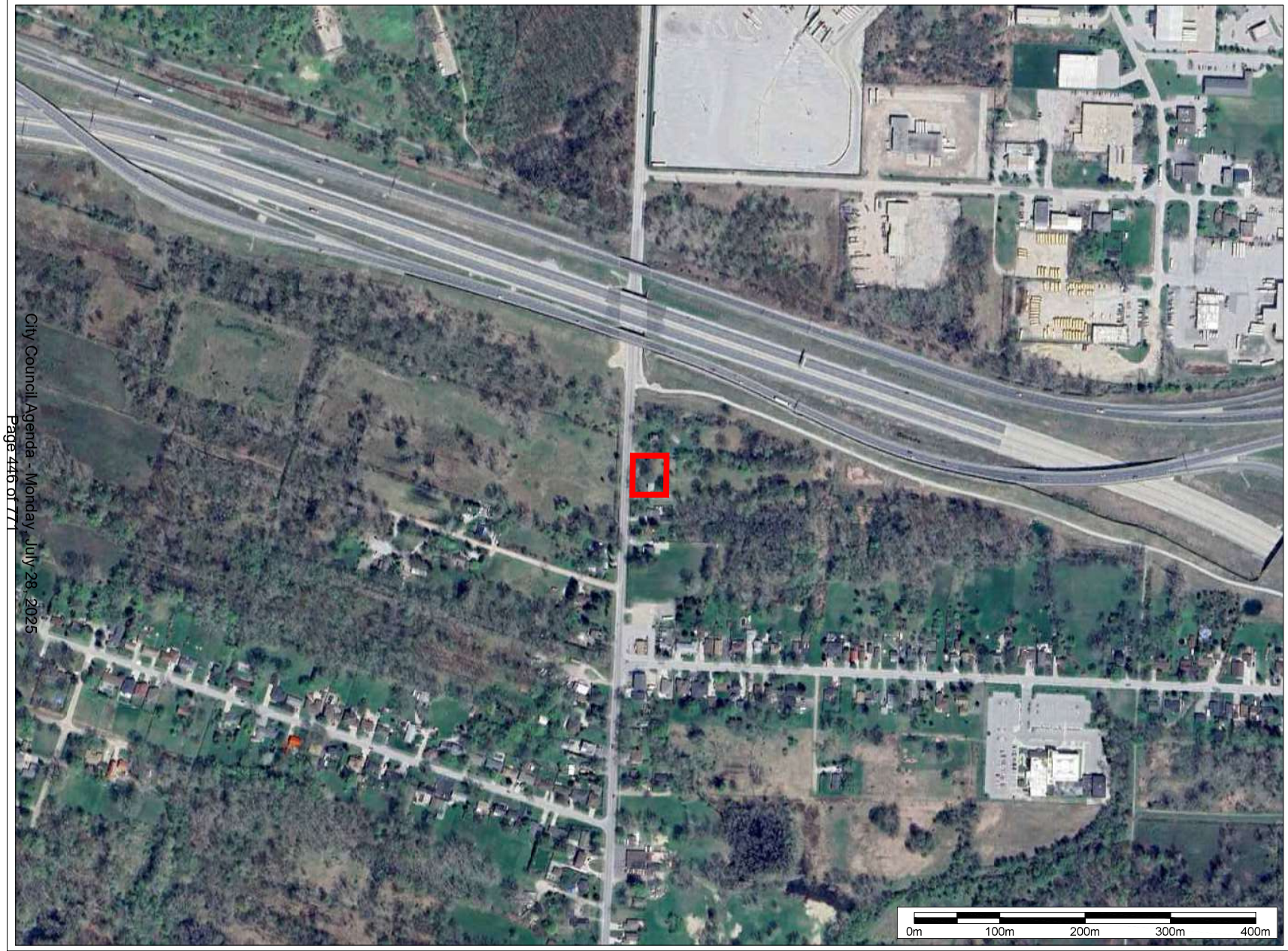
PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE E.3:

AERIAL PHOTOGRAPH 1992

PROJECT NO.	SHEET NO.
FE 25-14744	E.3
DATE: 20 May, 2025	
SCALE: AS SHOWN	



FISHER ENGINEERING

400 Esna Park Dr., #15
Markham, Ontario
L3R 3K2

Tel: 905 475-7755

NORTH

N

LEGEND

SITE BOUNDARY

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE E.4:

AERIAL PHOTOGRAPH 2024

PROJECT NO.	SHEET NO.
FE 25-14744	E.4
DATE: 20 May, 2025	
SCALE: AS SHOWN	

APPENDIX B – RECORDS REVIEW DOCUMENTS

DATABASE REPORT

Project Property:	*Phase I ESA* *4641 Malden Road* *Windsor ON N9E 3T4*
Project No:	
Report Type:	*Standard Report*
Order No:	*25050601097*
Requested by:	*Fisher Engineering Limited*
Date Completed:	*May 9, 2025*

Environmental Risk Information Services
A division of Glacier Media Inc.
1.866.517.5204 | info@erisinfo.com | erisinfo.com

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Executive Summary

Property Information:

Project Property:	*Phase I ESA* *4641 Malden Road Windsor ON N9E 3T4*
Project No:	
Coordinates:	
Latitude:	*42.2698052*
Longitude:	*-83.0591746*
UTM Northing:	*4,681,786.11*
UTM Easting:	*330,182.80*
UTM Zone:	*17T*
Elevation:	*600 FT* *182.85 M*

Order Information:

Order No:	*25050601097*
Date Requested:	*May 6, 2025*
Requested by:	*Fisher Engineering Limited*
Report Type:	*Standard Report*

Historical/Products:

Aerial Photographs	*Aerials - National Collection*
ERIS Xplorer	*ERIS Xplorer*
Insurance Products	*Fire Insurance Maps/Inspection Reports/Site Plans*

Executive Summary: Report Summary

Database	Name	Searched	Project Property	Within 0.25 km	Total
AAGR	***Abandoned Aggregate Inventory***	*Y*	*0*	*0*	*0*
AGR	***Aggregate Inventory***	*Y*	*0*	*0*	*0*
AMIS	***Abandoned Mine Information System***	*Y*	*0*	*0*	*0*
ANDR	***Anderson's Waste Disposal Sites***	*Y*	*0*	*0*	*0*
AST	***Aboveground Storage Tanks***	*Y*	*0*	*0*	*0*
AUWR	***Automobile Wrecking & Supplies***	*Y*	*0*	*0*	*0*
BORE	***Borehole***	*Y*	*0*	*7*	*7*
CA	***Certificates of Approval***	*Y*	*0*	*0*	*0*
CDRY	***Dry Cleaning Facilities***	*Y*	*0*	*0*	*0*
CFOT	***Commercial Fuel Oil Tanks***	*Y*	*0*	*0*	*0*
CHEM	***Chemical Manufacturers and Distributors***	*Y*	*0*	*0*	*0*
CHM	***Chemical Register***	*Y*	*0*	*0*	*0*
CNG	***Compressed Natural Gas Stations***	*Y*	*0*	*0*	*0*
COAL	***Inventory of Coal Gasification Plants and Coal Tar Sites***	*Y*	*0*	*0*	*0*
CONV	***Compliance and Convictions***	*Y*	*0*	*0*	*0*
CPU	***Certificates of Property Use***	*Y*	*0*	*0*	*0*
DRL	***Drill Hole Database***	*Y*	*0*	*0*	*0*
DTNK	***Delisted Fuel Tanks***	*Y*	*0*	*0*	*0*
EASR	***Environmental Activity and Sector Registry***	*Y*	*0*	*0*	*0*
EBR	***Environmental Registry***	*Y*	*0*	*0*	*0*
ECA	***Environmental Compliance Approval***	*Y*	*0*	*0*	*0*
EEM	***Environmental Effects Monitoring***	*Y*	*0*	*0*	*0*
EHS	***ERIS Historical Searches***	*Y*	*0*	*0*	*0*
EIIS	***Environmental Issues Inventory System***	*Y*	*0*	*0*	*0*
EMHE	***Emergency Management Historical Event***	*Y*	*0*	*0*	*0*
EPAR	***Environmental Penalty Annual Report***	*Y*	*0*	*0*	*0*
EXP	***List of Expired Fuels Safety Facilities***	*Y*	*0*	*0*	*0*
FCON	***Federal Convictions***	*Y*	*0*	*0*	*0*
FCS	***Contaminated Sites on Federal Land***	*Y*	*0*	*0*	*0*
FOFT	***Fisheries & Oceans Fuel Tanks***	*Y*	*0*	*0*	*0*
FRST	***Federal Identification Registry for Storage Tank Systems (FIRSTS)***	*Y*	*0*	*0*	*0*
FST	***Fuel Storage Tank***	*Y*	*0*	*0*	*0*
FSTH	***Fuel Storage Tank - Historic***	*Y*	*0*	*0*	*0*
GEN	***Ontario Regulation 347 Waste Generators Summary***	*Y*	*0*	*0*	*0*
GHG	***Greenhouse Gas Emissions from Large Facilities***	*Y*	*0*	*0*	*0*
HINC	***TSSA Historic Incidents***	*Y*	*0*	*0*	*0*
IAFT	***Indian & Northern Affairs Fuel Tanks***	*Y*	*0*	*0*	*0*

Database	Name	Searched	Project Property	Within 0.25 km	Total
INC	Fuel Oil Spills and Leaks	Y	0	0	0
LIMO	Landfill Inventory Management Ontario	Y	0	0	0
MINE	Canadian Mine Locations	Y	0	0	0
MNR	Mineral Occurrences	Y	0	0	0
NATE	National Analysis of Trends in Emergencies System (NATES)	Y	0	0	0
NCPL	Non-Compliance Reports	Y	0	0	0
NDFT	National Defense & Canadian Forces Fuel Tanks	Y	0	0	0
NDSP	National Defense & Canadian Forces Spills	Y	0	0	0
NDWD	National Defence & Canadian Forces Waste Disposal Sites	Y	0	0	0
NEBI	National Energy Board Pipeline Incidents	Y	0	0	0
NEBP	National Energy Board Wells	Y	0	0	0
NEES	National Environmental Emergencies System (NEES)	Y	0	0	0
NPCB	National PCB Inventory	Y	0	0	0
NPR2	National Pollutant Release Inventory	Y	0	0	0
NPRI	National Pollutant Release Inventory - Historic	Y	0	0	0
OGWE	Oil and Gas Wells	Y	0	0	0
OOGW	Ontario Oil and Gas Wells	Y	0	0	0
OPCB	Inventory of PCB Storage Sites	Y	0	0	0
ORD	Orders	Y	0	0	0
PAP	Canadian Pulp and Paper	Y	0	0	0
PCFT	Parks Canada Fuel Storage Tanks	Y	0	0	0
PES	Pesticide Register	Y	0	0	0
PFAS	Ontario PFAS Spills	Y	0	0	0
PFCH	NPRI Reporters - PFAS Substances	Y	0	0	0
PFHA	Potential PFAS Handlers from NPRI	Y	0	0	0
PINC	Pipeline Incidents	Y	0	0	0
PPHA	Potential PFAS Handlers from EASR	Y	0	0	0
PRT	Private and Retail Fuel Storage Tanks	Y	0	0	0
PTTW	Permit to Take Water	Y	0	0	0
REC	Ontario Regulation 347 Waste Receivers Summary	Y	0	0	0
RSC	Record of Site Condition	Y	0	0	0
RST	Retail Fuel Storage Tanks	Y	0	0	0
SCT	Scott's Manufacturing Directory	Y	0	0	0
SPL	Ontario Spills	Y	0	1	1
SRDS	Wastewater Discharger Registration Database	Y	0	0	0
TANK	Anderson's Storage Tanks	Y	0	0	0
TCFT	Transport Canada Fuel Storage Tanks	Y	0	0	0
VAR	Variances for Abandonment of Underground Storage Tanks	Y	0	0	0
WDS	Waste Disposal Sites - MOE CA Inventory	Y	0	0	0
WDSH	Waste Disposal Sites - MOE 1991 Historical Approval Inventory	Y	0	0	0
WWIS	Water Well Information System	Y	0	2	2

Database	Name	Searched	Project Property	Within 0.25 km	Total
Total:		0		10	10

Executive Summary: Site Report Summary - Project Property

Map Key	DB	Company/Site Name	Address	Dir/Dist (m)	Elev diff (m)	Page Number

No records found in the selected databases for the project property.

Executive Summary: Site Report Summary - Surrounding Properties

Map Key	DB	Company/Site Name	Address	Dir/Dist (m)	Elev Diff (m)	Page Number
1	SPL	THE CORPORATION OF THE CITY OF WINDSOR	42.27117153240688, -83.05989526940184 WINDSOR ON	NNW/163.0	1.00	14
2	WWIS		EC ROW EXPWY & MALDEN ROAD Windsor ON ***Well ID:*** 7112328	N/174.1	1.32	15
3	WWIS		ON ***Well ID:*** 7175412	N/174.5	1.85	19
4	BORE		ON	N/205.2	2.00	20
4	BORE		ON	N/205.2	2.00	21
5	BORE		ON	N/219.6	2.00	22
5	BORE		ON	N/219.6	2.00	23
6	BORE		ON	N/235.7	2.00	24
7	BORE		ON	N/239.9	2.00	26
7	BORE		ON	N/239.9	2.00	26

Executive Summary: Summary By Data Source

BORE - Borehole

A search of the BORE database, dated 1875-Jul 2018 has found that there are 7 BORE site(s) within approximately 0.25 kilometers of the project property.

Equal/Higher Elevation	Address	Direction	Distance (m)	Map Key
	ON	N	205.20	4
	ON	N	205.20	4
	ON	N	219.57	5
	ON	N	219.57	5
	ON	N	235.68	6
	ON	N	239.92	7
	ON	N	239.92	7

SPL - Ontario Spills

A search of the SPL database, dated 1988-Jun 2024; Aug-Jan 2025 has found that there are 1 SPL site(s) within approximately 0.25 kilometers of the project property.

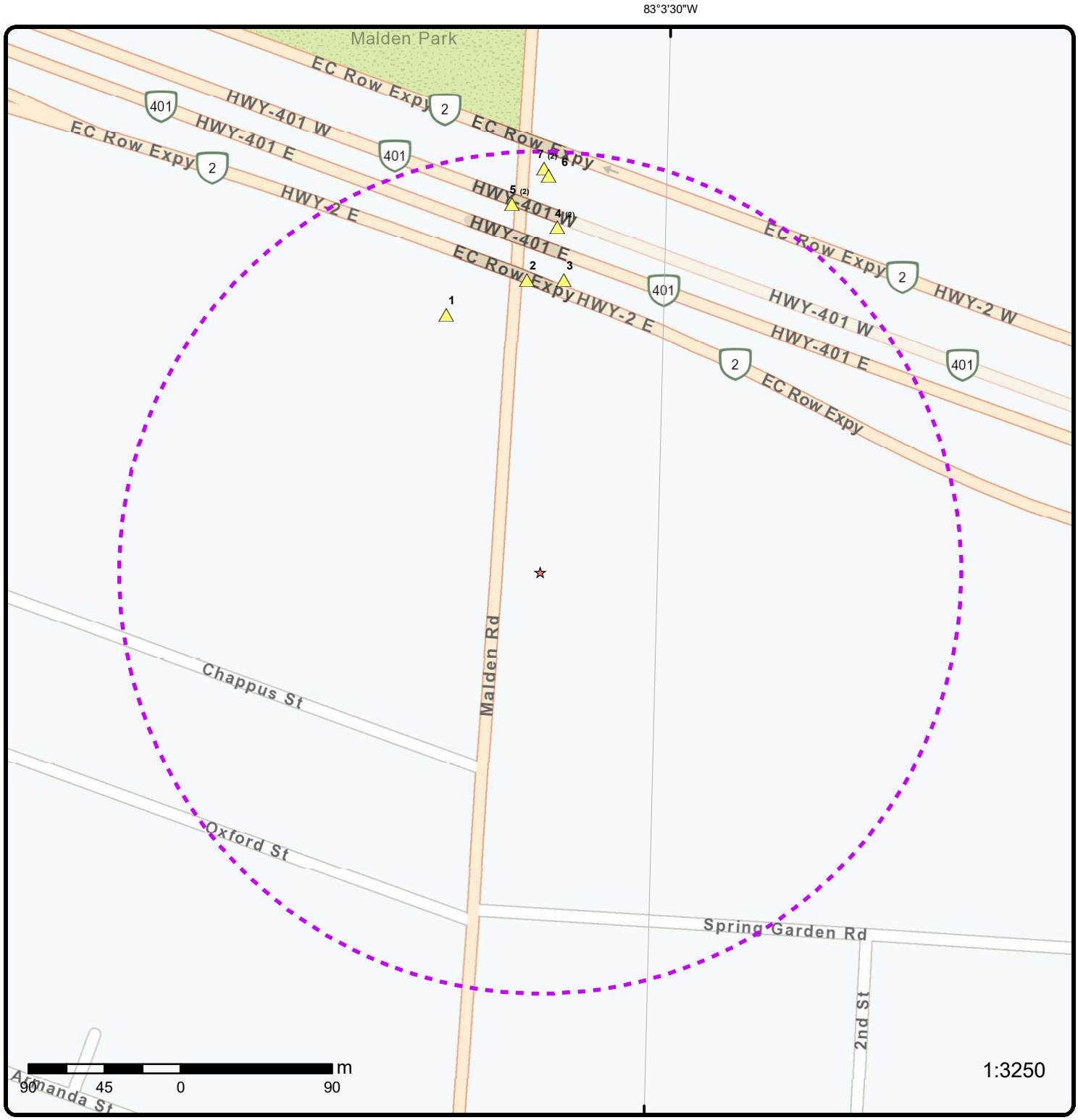
Equal/Higher Elevation	Address	Direction	Distance (m)	Map Key
THE CORPORATION OF THE CITY OF WINDSOR	42.27117153240688, -83.05989526940184 WINDSOR ON	NNW	162.99	1

Equal/Higher Elevation	Address	Direction	Distance (m)	Map Key

WWIS - Water Well Information System

A search of the WWIS database, dated Dec 31 2023 has found that there are 2 WWIS site(s) within approximately 0.25 kilometers of the project property.

Equal/Higher Elevation	Address	Direction	Distance (m)	Map Key
	EC ROW EXPWY & MALDEN ROAD Windsor ON ***Well ID:*** 7112328	N	174.07	2
	ON ***Well ID:*** 7175412	N	174.47	3



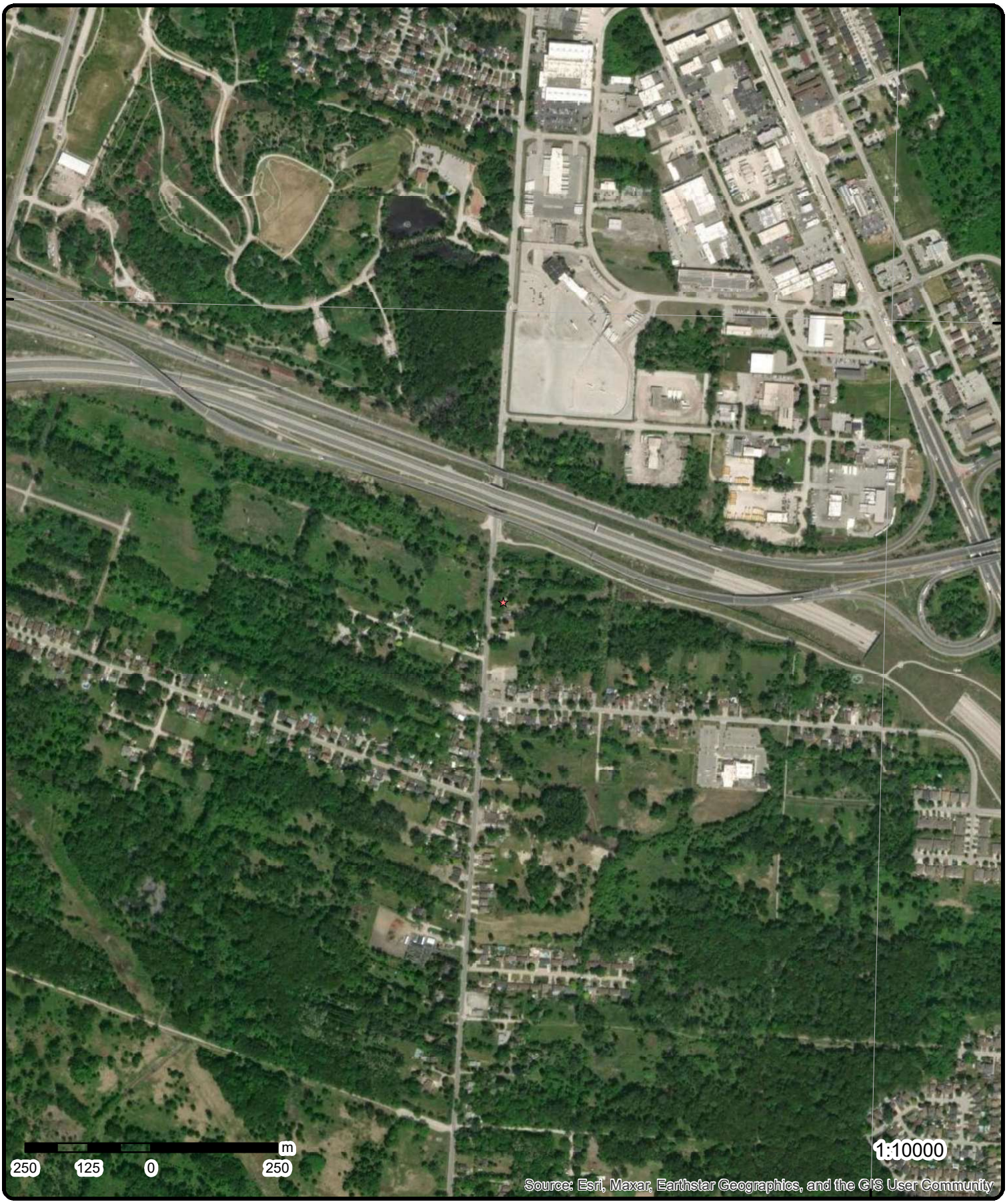
Map: 0.25 Kilometer Radius

Order Number: 25050601097

Address: 4641 Malden Road, Windsor, ON

- Project Property
- Buffer Outline
- Eris Sites with Higher Elevation
- Eris Sites with Same Elevation
- Eris Sites with Lower Elevation
- Eris Sites with Unknown Elevation
- Freeways; Highways
- Traffic Circle; Ramp
- Major Arterial; Minor Arterial
- Local Road
- Service Road; Traffic Circle; Ramp
- Rail
- Beach
- Airport
- Industrial Area
- Military Base
- Aircraft Roads
- Native Reservation
- Hospital
- Shopping & Sports Area
- University/College
- Cemetery; Golf Course
- Parkt (National)
- Park (City/County)

Source: © 2021 ESRI StreetMap Premium. © ERIS Information Limited Partnership



Aerial **Year: 2023**

Order Number: 25050601097

Address: 4641 Malden Road, Windsor, ON

Source: ESRI World Imagery

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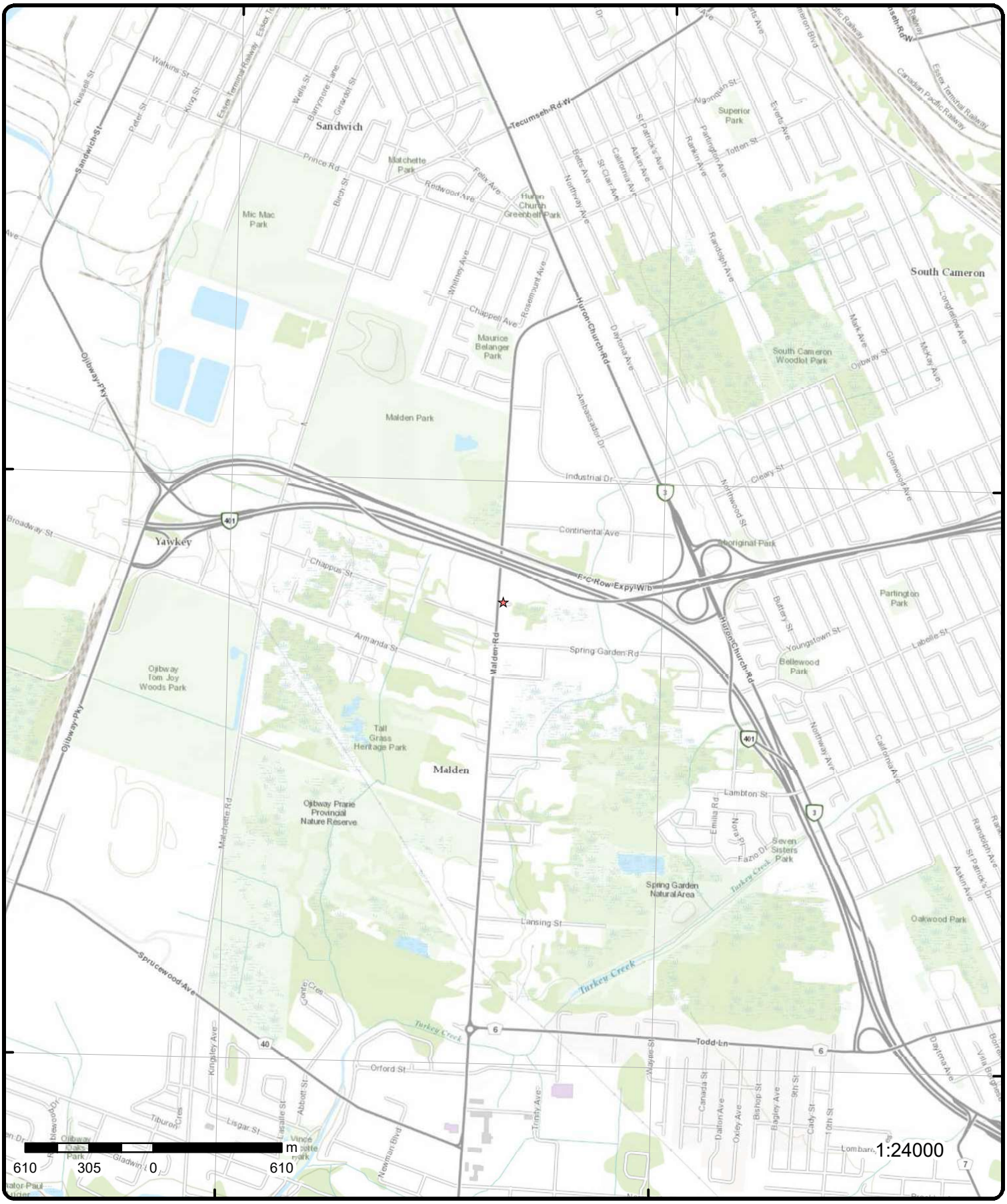

Topographic Map

Order Number: 25050601097

Address: 4641 Malden Road, ON

Source: ESRI World Topographic Map

© ERIS Information Limited Partnership

Detail Report

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
1	1 of 1	NNW/163.0	183.9 / 1.00	THE CORPORATION OF THE CITY OF WINDSOR 42.27117153240688, -83.05989526940184 WINDSOR ON	SPL

Ref No:	1-DNDJZZ	**Municipality No:**	
Year:		**Nature of Damage:**	
Incident Dt:	Nov 15,2024 10:04:44 AM	**Discharger Report:**	
Dt MOE Arvl on Scn:		**Material Group:**	
MOE Reported Dt:	Nov 20,2024 04:41:45 PM	**Impact to Health:**	
Dt Document Closed:		**Agency Involved:**	
Site No:			

MOE Response:	Field Response
Site County/District:	
Site Geo Ref Meth:	
Site District Office:	Windsor Area Office
Nearest Watercourse:	could impact Turkey Creek
Site Name:	
Site Address:	42.27117153240688, -83.05989526940184
Site Region:	
Site Municipality:	WINDSOR
Site Lot:	
Site Conc:	
Site Geo Ref Accu:	
Site Map Datum:	
Northing:	
Easting:	
Entity Operating Name:	
Client Name:	THE CORPORATION OF THE CITY OF WINDSOR
Client Type:	Government, Municipal
Source Type:	Unknown / N/A
Incident Cause:	
Incident Preceding Spill:	Weather Event
Incident Reason:	Unknown
Incident Summary:	City of Windsor reporting late oil spill to ditch, unknown vol, ongoing , cntd
Environment Impact:	
Health Env Consequence:	Moderate
Nature of Impact:	
Contaminant Qty:	0 other - see notes
Contaminant Qty 1:	
Contaminant Unit:	
Contaminant Code:	
Contaminant Name:	% OIL
Contaminant Limit 1:	
Contam Limit Freq 1:	
Contaminant UN No 1:	
Receiving Medium:	Land
Activity Preceding Spill:	Other (specify)
Property 2nd Watershed:	02G | Northern Lake Erie
Property Tertiary Watershed:	02GHA | Detroit River
Sector Type:	MUNICIPAL REGULATORY SERVICES
SAC Action Class:	
Call Report Locatn Geodata:	{"integration_ids":["PR00000245883"],"wkts":["POINT (-83.0598952694 42.2711715324)"],"creation_date":"2024-11-20"}
Time Reported:	
System Facility Address:	

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
2	1 of 1	N/174.1	184.2 / 1.32	EC ROW EXPWY & MALDEN ROAD Windsor ON	WWIS

Well ID:	7112328	**Flowing (Y/N):**	
Construction Date:		**Flow Rate:**	
Use 1st:	Monitoring and Test Hole	**Data Entry Status:**	
Use 2nd:	0	**Data Src:**	
Final Well Status:	Monitoring and Test Hole	**Date Received:**	09/15/2008
Water Type:		**Selected Flag:**	TRUE
Casing Material:		**Abandonment Rec:**	
Audit No:	Z82827	**Contractor:**	6809
Tag:	A066755	**Form Version:**	7
Constructn Method:		**Owner:**	
Elevation (m):		**County:**	ESSEX
Elevatn Reliabilty:		**Lot:**	
Depth to Bedrock:		**Concession:**	
Well Depth:		**Concession Name:**	
Overburden/Bedrock:		**Easting NAD83:**	
Pump Rate:		**Northing NAD83:**	
Static Water Level:		**Zone:**	
Clear/Cloudy:		**UTM Reliability:**	
Municipality:	WINDSOR CITY		
Site Info:			

PDF URL (Map): https://d2khazk8e83rdv.cloudfront.net/moe_mapping/downloads/2Water/Wells_pdfs/711\7112328.pdf

Additional Detail(s) (Map)

Well Completed Date:	07/25/2008
Year Completed:	2008
Depth (m):	36.576
Latitude:	42.2713685869639
Longitude:	-83.0593200885708
X:	-83.05931994868236
Y:	42.27136858880338
Path:	711\7112328.pdf

Bore Hole Information

Bore Hole ID:	1001825782	**Elevation:**	
DP2BR:		**Elevrc:**	
Spatial Status:		**Zone:**	17
Code OB:		**East83:**	330175.00
Code OB Desc:		**North83:**	4681960.00
Open Hole:		**Org CS:**	UTM83
Cluster Kind:		**UTMRC:**	3
Date Completed:	07/25/2008	**UTMRC Desc:**	margin of error : 10 - 30 m
Remarks:		**Location Method:**	wwr
Location Method Desc:	on Water Well Record		
Elevrc Desc:			
Location Source Date:			
Improvement Location Source:			
Improvement Location Method:			
Source Revision Comment:			
Supplier Comment:			

Overburden and Bedrock Materials Interval

Formation ID:	1001960586
Layer:	2

Color:	6
General Color:	BROWN
Material 1:	28
Material 1 Desc:	SAND
Material 2:	
Material 2 Desc:	
Material 3:	
Material 3 Desc:	
Formation Top Depth:	0.5
Formation End Depth:	2.0
Formation End Depth UOM:	ft

Overburden and Bedrock Materials Interval

Formation ID:	1001960587
Layer:	3
Color:	6
General Color:	BROWN
Material 1:	05
Material 1 Desc:	CLAY
Material 2:	34
Material 2 Desc:	TILL
Material 3:	
Material 3 Desc:	
Formation Top Depth:	2.0
Formation End Depth:	12.0
Formation End Depth UOM:	ft

Overburden and Bedrock Materials Interval

Formation ID:	1001960585
Layer:	1
Color:	8
General Color:	BLACK
Material 1:	02
Material 1 Desc:	TOPSOIL
Material 2:	
Material 2 Desc:	
Material 3:	
Material 3 Desc:	
Formation Top Depth:	0.0
Formation End Depth:	0.5
Formation End Depth UOM:	ft

Overburden and Bedrock Materials Interval

Formation ID:	1001960588
Layer:	4
Color:	2
General Color:	GREY
Material 1:	05
Material 1 Desc:	CLAY
Material 2:	34
Material 2 Desc:	TILL
Material 3:	
Material 3 Desc:	
Formation Top Depth:	12.0
Formation End Depth:	52.0
Formation End Depth UOM:	ft

Overburden and Bedrock Materials Interval

Formation ID:	1001960589
Layer:	5
Color:	2
General Color:	GREY
Material 1:	28
Material 1 Desc:	SAND
Material 2:	
Material 2 Desc:	
Material 3:	
Material 3 Desc:	
Formation Top Depth:	52.0
Formation End Depth:	60.0
Formation End Depth UOM:	ft

Overburden and Bedrock Materials Interval

Formation ID:	1001960590
Layer:	6
Color:	2
General Color:	GREY
Material 1:	05
Material 1 Desc:	CLAY
Material 2:	34
Material 2 Desc:	TILL
Material 3:	
Material 3 Desc:	
Formation Top Depth:	60.0
Formation End Depth:	102.0
Formation End Depth UOM:	ft

Overburden and Bedrock Materials Interval

Formation ID:	1001960591
Layer:	7
Color:	2
General Color:	GREY
Material 1:	15
Material 1 Desc:	LIMESTONE
Material 2:	26
Material 2 Desc:	ROCK
Material 3:	
Material 3 Desc:	
Formation Top Depth:	102.0
Formation End Depth:	120.0
Formation End Depth UOM:	ft

Annular Space/Abandonment Sealing Record

Plug ID:	1001960596
Layer:	3
Plug From:	98.0
Plug To:	120.0
Plug Depth UOM:	ft

Annular Space/Abandonment Sealing Record

Plug ID: 1001960594
Layer: 1
Plug From: 0.0
Plug To: 5.0
Plug Depth UOM: ft

Annular Space/Abandonment Sealing Record

Plug ID: 1001960595
Layer: 2
Plug From: 5.0
Plug To: 98.0
Plug Depth UOM: ft

Method of Construction & Well Use

Method Construction ID: 1001960603
Method Construction Code: E
Method Construction: Auger
Other Method Construction:

Pipe Information

Pipe ID: 1001960584
Casing No: 0
Comment:
Alt Name:

Construction Record - Casing

Casing ID: 1001960598
Layer: 1
Material: 5
Open Hole or Material: PLASTIC
Depth From: 0.0
Depth To: 100.0
Casing Diameter: 1.25
Casing Diameter UOM: inch
Casing Depth UOM: ft

Construction Record - Casing

Casing ID: 1001960599
Layer: 2
Material: 5
Open Hole or Material: PLASTIC
Depth From: 110.0
Depth To: 120.0
Casing Diameter: 1.25
Casing Diameter UOM: inch
Casing Depth UOM: ft

Construction Record - Screen

Screen ID: 1001960600
Layer: 1
Slot: 10
Screen Top Depth: 100.0

Screen End Depth:	110.0
Screen Material:	5
Screen Depth UOM:	ft
Screen Diameter UOM:	inch
Screen Diameter:	1.25

Water Details

Water ID:	1001960597
Layer:	
Kind Code:	
Kind:	
Water Found Depth:	
Water Found Depth UOM:	ft

Hole Diameter

Hole ID:	1001960593
Diameter:	3.5
Depth From:	5.0
Depth To:	120.0
Hole Depth UOM:	ft
Hole Diameter UOM:	inch

Hole Diameter

Hole ID:	1001960592
Diameter:	8.0
Depth From:	0.0
Depth To:	5.0
Hole Depth UOM:	ft
Hole Diameter UOM:	inch

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3 | ***1 of 1*** | ***N/174.5*** | ***184.7 / 1.85*** | ***ON*** | ***WWIS***

Well ID:	7175412	**Flowing (Y/N):**	
Construction Date:		**Flow Rate:**	
Use 1st:		**Data Entry Status:**	Yes
Use 2nd:		**Data Src:**	
Final Well Status:		**Date Received:**	01/20/2012
Water Type:		**Selected Flag:**	TRUE
Casing Material:		**Abandonment Rec:**	
Audit No:	M10032	**Contractor:**	6894
Tag:	A066755	**Form Version:**	5
Constructn Method:		**Owner:**	
Elevation (m):		**County:**	ESSEX
Elevatn Reliabilty:		**Lot:**	
Depth to Bedrock:		**Concession:**	
Well Depth:		**Concession Name:**	
Overburden/Bedrock:		**Easting NAD83:**	
Pump Rate:		**Northing NAD83:**	
Static Water Level:		**Zone:**	
Clear/Cloudy:		**UTM Reliability:**	
Municipality:	WINDSOR CITY		
Site Info:			

PDF URL (Map): https://d2khazk8e83rdv.cloudfront.net/moe_mapping/downloads/2Water/Wells_pdfs/717\7175412.pdf

Additional Detail(s) (Map)

Well Completed Date: 12/01/2011

Year Completed:	2011
Depth (m):	
Latitude:	42.2713733758105
Longitude:	-83.0590534807478
X:	-83.05905334046558
Y:	42.271373377459724
Path:	717\7175412.pdf

Bore Hole Information

Bore Hole ID:	1003635774	**Elevation:**	
DP2BR:		**Elevrc:**	
Spatial Status:		**Zone:**	17
Code OB:		**East83:**	330197.00
Code OB Desc:		**North83:**	4681960.00
Open Hole:		**Org CS:**	UTM83
Cluster Kind:		**UTMRC:**	4
Date Completed:	12/01/2011	**UTMRC Desc:**	margin of error : 30 m - 100 m
Remarks:		**Location Method:**	wwr
Location Method Desc:	on Water Well Record		
Elevrc Desc:			
Location Source Date:			
Improvement Location Source:			
Improvement Location Method:			
Source Revision Comment:			
Supplier Comment:			

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4 | ***1 of 2*** | ***N/205.2*** | ***184.9 / 2.00*** | ***ON*** | ***BORE***

Borehole ID:	830185	**Inclin FLG:**	No
OGF ID:	215571542	**SP Status:**	Initial Entry
Status:	Decommissioned	**Surv Elev:**	No
Type:	Borehole	**Piezometer:**	No
Use:	Geotechnical/Geological Investigation	**Primary Name:**	
Completion Date:	22-FEB-1968	**Municipality:**	
Static Water Level:	0.6	**Lot:**	
Primary Water Use:		**Township:**	
Sec. Water Use:		**Latitude DD:**	42.271652
Total Depth m:	33	**Longitude DD:**	-83.059111
Depth Ref:	Ground Surface	**UTM Zone:**	17
Depth Elev:		**Easting:**	330193
Drill Method:	Hollow stem auger	**Northing:**	4681991
Orig Ground Elev m:	180	**Location Accuracy:**	
Elev Reliabil Note:		**Accuracy:**	Within 10 metres
DEM Ground Elev m:	185		
Concession:			
Location D:	E.C.ROW EXPWY. HWY 18 TO DOMINION BLVD *STRUCTURES		
Survey D:			
Comments:			

Borehole Geology Stratum

Geology Stratum ID:	218610188	**Mat Consistency:**	
Top Depth:	31.3	**Material Moisture:**	
Bottom Depth:	33	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Bedrock	**Geologic Formation:**	
Material 2:	Limestone	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Limestone bedrock **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610185	**Mat Consistency:**	
Top Depth:	0	**Material Moisture:**	
Bottom Depth:	1.2	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Sand	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Silty sand **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610187	**Mat Consistency:**	Very Dense
Top Depth:	28.4	**Material Moisture:**	
Bottom Depth:	31.3	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Sand	**Geologic Group:**	
Material 3:	Gravel	**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Sandy silt, some gravel, very dense **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610186	**Mat Consistency:**	Firm
Top Depth:	1.2	**Material Moisture:**	
Bottom Depth:	28.4	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Clay	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Clayey silt, some sand and trace of gravel, firm to very stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.		

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4 **2 of 2** **N/205.2** **184.9 / 2.00** **ON** **BORE**

Borehole ID:	830261	**Inclin FLG:**	No
OGF ID:	215571614	**SP Status:**	Initial Entry
Status:	Decommissioned	**Surv Elev:**	No
Type:	Borehole	**Piezometer:**	No
Use:	Geotechnical/Geological Investigation	**Primary Name:**	
Completion Date:	22-FEB-1968	**Municipality:**	
Static Water Level:	0.4	**Lot:**	
Primary Water Use:		**Township:**	
Sec. Water Use:		**Latitude DD:**	42.271652
Total Depth m:	33	**Longitude DD:**	-83.059111
Depth Ref:	Ground Surface	**UTM Zone:**	17
Depth Elev:		**Easting:**	330193
Drill Method:	Hollow stem auger	**Northing:**	4681991
Orig Ground Elev m:	180	**Location Accuracy:**	
Elev Reliabil Note:		**Accuracy:**	Within 10 metres
DEM Ground Elev m:	185		
Concession:			
Location D:	E.C.ROW EXPWY & MALDEN RD; 1.2 MI E OF HWY 18 - WINDSOR		
Survey D:			
Comments:			

Borehole Geology Stratum

Geology Stratum ID:	218610364	**Mat Consistency:**	
Top Depth:	31.3	**Material Moisture:**	

Bottom Depth:	33	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Bedrock	**Geologic Formation:**	
Material 2:	Limestone	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Limestone bedrock, sound **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610362	**Mat Consistency:**	Firm
Top Depth:	1.2	**Material Moisture:**	
Bottom Depth:	28.4	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Clay	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Silty clay to clayey silt, some sand, trace of gravel, firm to very stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610363	**Mat Consistency:**	Very Dense
Top Depth:	28.4	**Material Moisture:**	
Bottom Depth:	31.3	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Sand	**Geologic Group:**	
Material 3:	Gravel	**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Sandy silt, some gravel, very dense **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610361	**Mat Consistency:**	Compact
Top Depth:	0	**Material Moisture:**	
Bottom Depth:	1.2	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Sand	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Silty sand, compact **Note: Many records provided by the department have a truncated [Stratum Description] field.		

5 | ***1 of 2*** | ***N/219.6*** | ***184.9 / 2.00*** | ***ON*** | ***BORE***

Borehole ID:	830188	**Inclin FLG:**	No
OGF ID:	215571545	**SP Status:**	Initial Entry
Status:	Decommissioned	**Surv Elev:**	No
Type:	Borehole	**Piezometer:**	No
Use:	Geotechnical/Geological Investigation	**Primary Name:**	
Completion Date:	27-FEB-1968	**Municipality:**	
Static Water Level:		**Lot:**	
Primary Water Use:		**Township:**	
Sec. Water Use:		**Latitude DD:**	42.271772
Total Depth m:	13.1	**Longitude DD:**	-83.059442
Depth Ref:	Ground Surface	**UTM Zone:**	17
Depth Elev:		**Easting:**	330166
Drill Method:	Hollow stem auger	**Northing:**	4682005
Orig Ground Elev m:	180	**Location Accuracy:**	
Elev Reliabil Note:		**Accuracy:**	Within 10 metres
DEM Ground Elev m:	186		
Concession:			

Location D: E.C.ROW EXPWY. HWY 18 TO DOMINION BLVD *STRUCTURES
Survey D:
Comments:

Borehole Geology Stratum

Geology Stratum ID:	218610195	**Mat Consistency:**	Firm
Top Depth:	1.2	**Material Moisture:**	
Bottom Depth:	13.1	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Clay	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	
Gsc Material Description:			

Stratum Description: Silty clay, some sand, trace of gravel, firm **Note: Many records provided by the department have a truncated [Stratum Description] field.

Geology Stratum ID:	218610194	**Mat Consistency:**	
Top Depth:	0	**Material Moisture:**	
Bottom Depth:	1.2	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Sand	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			

Stratum Description: Silty sand **Note: Many records provided by the department have a truncated [Stratum Description] field.

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5 ***2 of 2*** ***N/219.6*** ***184.9 / 2.00*** ***ON*** ***BORE***

Borehole ID:	830264	**Inclin FLG:**	No
OGF ID:	215571617	**SP Status:**	Initial Entry
Status:	Decommissioned	**Surv Elev:**	No
Type:	Borehole	**Piezometer:**	No
Use:	Geotechnical/Geological Investigation	**Primary Name:**	
Completion Date:	27-FEB-1968	**Municipality:**	
Static Water Level:		**Lot:**	
Primary Water Use:		**Township:**	
Sec. Water Use:		**Latitude DD:**	42.271772
Total Depth m:	13.1	**Longitude DD:**	-83.059442
Depth Ref:	Ground Surface	**UTM Zone:**	17
Depth Elev:		**Easting:**	330166
Drill Method:	Hollow stem auger	**Northing:**	4682005
Orig Ground Elev m:	180	**Location Accuracy:**	
Elev Reliabil Note:		**Accuracy:**	Within 10 metres
DEM Ground Elev m:	186		
Concession:			

Location D: E.C.ROW EXPWY & MALDEN RD; 1.2 MI E OF HWY 18 - WINDSOR
Survey D:
Comments: Water level not established

Borehole Geology Stratum

Geology Stratum ID:	218610370	**Mat Consistency:**	Compact
Top Depth:	0	**Material Moisture:**	
Bottom Depth:	1.2	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Sand	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	

Gsc Material Description:
Stratum Description: Silty sand, compact **Note: Many records provided by the department have a truncated [Stratum Description] field.

Geology Stratum ID:	218610371	**Mat Consistency:**	Firm
Top Depth:	1.2	**Material Moisture:**	
Bottom Depth:	13.1	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Clay	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	

Gsc Material Description:
Stratum Description: Silty clay to clayey silt, some sand, trace of gravel, firm to stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.

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6 | **1 of 1** | **N/235.7** | **184.9 / 2.00** | **ON** | **BORE**

Borehole ID:	603696	**Inclin FLG:**	No
OGF ID:	215505505	**SP Status:**	Initial Entry
Status:		**Surv Elev:**	No
Type:	Borehole	**Piezometer:**	No
Use:	Geotechnical/Geological Investigation	**Primary Name:**	
Completion Date:	FEB-1968	**Municipality:**	
Static Water Level:	0.1	**Lot:**	
Primary Water Use:	Not Used	**Township:**	
Sec. Water Use:		**Latitude DD:**	42.271927
Total Depth m:	33	**Longitude DD:**	-83.059183
Depth Ref:	Ground Surface	**UTM Zone:**	17
Depth Elev:		**Easting:**	330188
Drill Method:	Power auger	**Northing:**	4682022
Orig Ground Elev m:	180	**Location Accuracy:**	
Elev Reliabil Note:		**Accuracy:**	Not Applicable
DEM Ground Elev m:	185		
Concession:			
Location D:			
Survey D:			
Comments:			

Borehole Geology Stratum

Geology Stratum ID:	218362026	**Mat Consistency:**	Loose
Top Depth:	0	**Material Moisture:**	
Bottom Depth:	1.2	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Sand	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	

Gsc Material Description:
Stratum Description: SAND,SILT. VERY LOOSE.

Geology Stratum ID:	218362027	**Mat Consistency:**	Firm
Top Depth:	1.2	**Material Moisture:**	
Bottom Depth:	2.4	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Clay	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	

Gsc Material Description:
Stratum Description: SILT,CLAY,SAND, GRAVEL. FIRM, WATER STABLE AT 592.6 FEET.

Geology Stratum ID:	218362030	**Mat Consistency:**	Dense

Top Depth:	28.3	**Material Moisture:**	
Bottom Depth:	31.3	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Sand	**Geologic Group:**	
Material 3:	Gravel	**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	SILT,SAND,GRAVEL. VERY DENSE.		

Geology Stratum ID:	218362029	**Mat Consistency:**	Firm
Top Depth:	5.2	**Material Moisture:**	
Bottom Depth:	28.3	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Clay	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	SILT(48),CLAY(30), SAND(21),GRAVEL. FIRM.		

Geology Stratum ID:	218362031	**Mat Consistency:**	
Top Depth:	31.3	**Material Moisture:**	
Bottom Depth:	33	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Bedrock	**Geologic Formation:**	
Material 2:	Limestone	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	BEDROCK,LIMESTONE. 024 015019031 0180220300004000500080019 **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218362028	**Mat Consistency:**	Stiff
Top Depth:	2.4	**Material Moisture:**	
Bottom Depth:	5.2	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Clay	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	SILT(44),CLAY(39), SAND(16),GRAVEL. STIFF.		

Source

Source Type:	Data Survey	**Source Appl:**	Spatial/Tabular
Source Orig:	Geological Survey of Canada	**Source Iden:**	1
Source Date:	1956-1972	**Scale or Res:**	Varies
Confidence:	H	**Horizontal:**	NAD27
Observatio:		**Verticalda:**	Mean Average Sea Level
Source Name:	Urban Geology Automated Information System (UGAIS)		
Source Details:	File: NIAGARA.txt RecordID: 011090 NTS_Sheet: 40J06A		
Confiden 1:	Logged by professional. Exact and complete description of material and properties.		

Source List

Source Identifier:	1	**Horizontal Datum:**	NAD27
Source Type:	Data Survey	**Vertical Datum:**	Mean Average Sea Level
Source Date:	1956-1972	**Projection Name:**	Universal Transverse Mercator
Scale or Resolution:	Varies		
Source Name:	Urban Geology Automated Information System (UGAIS)		
Source Originators:	Geological Survey of Canada		

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
7	1 of 2	N/239.9	184.9 / 2.00	ON	BORE

Borehole ID:	830186	**Inclin FLG:**	No
OGF ID:	215571543	**SP Status:**	Initial Entry
Status:	Decommissioned	**Surv Elev:**	No
Type:	Borehole	**Piezometer:**	No
Use:	Geotechnical/Geological Investigation	**Primary Name:**	
Completion Date:	23-FEB-1968	**Municipality:**	
Static Water Level:	0.8	**Lot:**	
Primary Water Use:		**Township:**	
Sec. Water Use:		**Latitude DD:**	42.271965
Total Depth m:	12.6	**Longitude DD:**	-83.059218
Depth Ref:	Ground Surface	**UTM Zone:**	17
Depth Elev:		**Easting:**	330185
Drill Method:	Hollow stem auger	**Northing:**	4682026
Orig Ground Elev m:	180	**Location Accuracy:**	
Elev Reliabil Note:		**Accuracy:**	Within 10 metres
DEM Ground Elev m:	186		
Concession:			
Location D:	E.C.ROW EXPWY. HWY 18 TO DOMINION BLVD *STRUCTURES		
Survey D:			
Comments:			

Borehole Geology Stratum

Geology Stratum ID:	218610190	**Mat Consistency:**	Firm
Top Depth:	1.2	**Material Moisture:**	
Bottom Depth:	12.6	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Silt	**Geologic Formation:**	
Material 2:	Clay	**Geologic Group:**	
Material 3:	Sand	**Geologic Period:**	
Material 4:	Gravel	**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Clayey silt, some sand, trace of gravel, firm **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610189	**Mat Consistency:**	
Top Depth:	0	**Material Moisture:**	
Bottom Depth:	1.2	**Material Texture:**	
Material Color:		**Non Geo Mat Type:**	
Material 1:	Sand	**Geologic Formation:**	
Material 2:	Silt	**Geologic Group:**	
Material 3:		**Geologic Period:**	
Material 4:		**Depositional Gen:**	
Gsc Material Description:			
Stratum Description:	Silty sand **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
7	2 of 2	N/239.9	184.9 / 2.00	ON	BORE

Borehole ID:	830262	**Inclin FLG:**	No
OGF ID:	215571615	**SP Status:**	Initial Entry
Status:	Decommissioned	**Surv Elev:**	No
Type:	Borehole	**Piezometer:**	No
Use:	Geotechnical/Geological Investigation	**Primary Name:**	
Completion Date:	23-FEB-1968	**Municipality:**	
Static Water Level:	0.6	**Lot:**	
Primary Water Use:		**Township:**	
Sec. Water Use:		**Latitude DD:**	42.271965
Total Depth m:	12.6	**Longitude DD:**	-83.059218
Depth Ref:	Ground Surface	**UTM Zone:**	17

Depth Elev:		***Easting:***	330185
Drill Method:	Hollow stem auger	***Northing:***	4682026
Orig Ground Elev m:	180	***Location Accuracy:***	
Elev Reliabil Note:		***Accuracy:***	Within 10 metres
DEM Ground Elev m:	186		
Concession:			
Location D:	E.C.ROW EXPWY & MALDEN RD; 1.2 MI E OF HWY 18 - WINDSOR		
Survey D:			
Comments:			

Borehole Geology Stratum

Geology Stratum ID:	218610366	***Mat Consistency:***	Firm
Top Depth:	1.2	***Material Moisture:***	
Bottom Depth:	12.6	***Material Texture:***	
Material Color:		***Non Geo Mat Type:***	
Material 1:	Clay	***Geologic Formation:***	
Material 2:	Silt	***Geologic Group:***	
Material 3:	Sand	***Geologic Period:***	
Material 4:	Gravel	***Depositional Gen:***	
Gsc Material Description:			
Stratum Description:	Silty clay to clayey silt, some sand, trace of gravel, firm to very stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Geology Stratum ID:	218610365	***Mat Consistency:***	Compact
Top Depth:	0	***Material Moisture:***	
Bottom Depth:	1.2	***Material Texture:***	
Material Color:		***Non Geo Mat Type:***	
Material 1:	Sand	***Geologic Formation:***	
Material 2:	Silt	***Geologic Group:***	
Material 3:		***Geologic Period:***	
Material 4:		***Depositional Gen:***	
Gsc Material Description:			
Stratum Description:	Silty sand, compact **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Unplottable Summary

Total: 11 Unplottable sites

DB	Company Name/Site Name	Address	City	Postal
CA	2029078 Ontario Inc.	Chappus Street	Windsor ON	
CA		Chappus Street	Windsor ON	
EHS		Chappus St	Windsor ON	
LIMO		Lot 58 Concession 1 PETITE COTE SANDWICH Windsor	ON	
LIMO		Lot 58 Concession 1 PETITE COTE SANDWICH, Malden Park Landfill Windsor	ON	
SPL	Parkway Infrastructure Constructors	off Spring Garden Rd	Windsor ON	
SPL	AMEC Earth & Environmental Limited; AMEC	Spring Garden Road	Windsor ON	
SPL		Malden Rd	Windsor ON	
WDS	The Corporation of the City of Windsor	Malden Rd	Windsor ON	N9C 4A5
WDS	The Corporation of the City of Windsor	Malden Rd	Windsor ON	N9C 4A5
WDS	The Corporation of the City of Windsor	Malden Rd	Windsor ON	N9C 4A5

Unplottable Report

Site: ***2029078 Ontario Inc.***
Chappus Street Windsor ON

Database: ***CA***

Certificate #:	5684-654QWE
Application Year:	2004
Issue Date:	9/23/2004
Approval Type:	Municipal and Private Sewage Works
Status:	Approved
Application Type:	
Client Name:	
Client Address:	
Client City:	
Client Postal Code:	
Project Description:	
Contaminants:	
Emission Control:	

Site:
Chappus Street Windsor ON

Database: ***CA***

Certificate #:	4996-5ATNQZ
Application Year:	02
Issue Date:	6/10/02
Approval Type:	Municipal & Private water
Status:	Approved
Application Type:	New Certificate of Approval
Client Name:	Ontario Power Generation Inc.
Client Address:	700 University Avenue
Client City:	Toronto
Client Postal Code:	M5G 1X6
Project Description:	Construction of watermains
Contaminants:	
Emission Control:	

Site:
Chappus St Windsor ON

Database: ***EHS***

Order No:	20090612020	***Nearest Intersection:***	
Status:	C	***Municipality:***	
Report Type:	Custom Report	***Client Prov/State:***	ON
Report Date:	6/22/2009	***Search Radius (km):***	0.5
Date Received:	6/12/2009	***X:***	-83.080329
Previous Site Name:		***Y:***	1
Lot/Building Size:			
Additional Info Ordered:	Fire Insur. Maps and/or Sire Plans; City Directory		

Site:
Lot 58 Concession 1 PETITE COTE SANDWICH Windsor ON

Database: ***LIMO***

ECA/Instrument No:	X6058	***Natural Attenuation:***	
Operation Status:	Historic	***Liners:***	
C of A Issue Date:		***Cover Material:***	
C of A Issued to:		***Leachate Off-Site:***	
Lndfl Gas Mgmt (P):		***Leachate On Site:***	
Lndfl Gas Mgmt (F):		***Req Coll Lndfll Gas:***	
Lndfl Gas Mgmt (E):		***Lndfll Gas Coll:***	

Lndfl Gas Mgmt Sys:
Landfill Gas Mntr:
Leachate Coll Sys:
ERC Est Vol (m3):
ERC Volume Unit:
ERC Dt Last Det:
Landfill Type:
Source File Type: Historic and Closed Landfills
Fill Rate:
Fill Rate Unit:
Tot Fill Area (ha):
Tot Site Area (ha):
Footprint:
Tot Apprv Cap (m3):
Contam Atten Zone:
Grndwtr Mntr:
Surf Wtr Mntr:
Air Emis Monitor:
Approved Waste Type:
Client Site Name:
ERC Methodology:
Site Name:
Site Location Details: Lot 58 Concession 1 PETITE COTE SANDWICH

Windsor
Service Area:
Page URL:

Total Waste Rec:
TWR Methodology:
TWR Unit:
Tot Aprv Cap Unit:
Financial Assurance:
Last Report Year:
Region:
District Office:
Site County:
Lot:
Concession:
Latitude:
Longitude:
Easting:
Northing:
UTM Zone:
Data Source:

Site:
Lot 58 Concession 1 PETITE COTE SANDWICH, Malden Park Landfill Windsor ON

Database: ***LIMO***

ECA/Instrument No: X6056
Operation Status: Historic
C of A Issue Date:
C of A Issued to:
Lndfl Gas Mgmt (P):
Lndfl Gas Mgmt (F):
Lndfl Gas Mgmt (E):
Lndfl Gas Mgmt Sys:
Landfill Gas Mntr:
Leachate Coll Sys:
ERC Est Vol (m3):
ERC Volume Unit:
ERC Dt Last Det:
Landfill Type:
Source File Type: Historic and Closed Landfills
Fill Rate:
Fill Rate Unit:
Tot Fill Area (ha):
Tot Site Area (ha):
Footprint:
Tot Apprv Cap (m3):
Contam Atten Zone:
Grndwtr Mntr:
Surf Wtr Mntr:
Air Emis Monitor:
Approved Waste Type:
Client Site Name:
ERC Methodology:
Site Name:
Site Location Details: Lot 58 Concession 1 PETITE COTE SANDWICH, Malden Park Landfill

Windsor
Service Area:
Page URL:

Natural Attenuation:
Liners:
Cover Material:
Leachate Off-Site:
Leachate On Site:
Req Coll Lndfll Gas:
Lndfll Gas Coll:
Total Waste Rec:
TWR Methodology:
TWR Unit:
Tot Aprv Cap Unit:
Financial Assurance:
Last Report Year:
Region:
District Office:
Site County:
Lot:
Concession:
Latitude:
Longitude:
Easting:
Northing:
UTM Zone:
Data Source:

Site: ***Parkway Infrastructure Constructors*** ***Database:***

off Spring Garden Rd Windsor ON

SPL

Ref No:	0211-9RRNW7	***Municipality No:***	
Year:		***Nature of Damage:***	
Incident Dt:	2014/12/13	***Discharger Report:***	
Dt MOE Arvl on Scn:		***Material Group:***	
MOE Reported Dt:	2014/12/13	***Impact to Health:***	
Dt Document Closed:	2014/12/15	***Agency Involved:***	
Site No:	NA		
MOE Response:	N		
Site County/District:			
Site Geo Ref Meth:			
Site District Office:			
Nearest Watercourse:			
Site Name:	Herb Grey Parkway<UNOFFICIAL>		
Site Address:	off Spring Garden Rd		
Site Region:			
Site Municipality:	Windsor		
Site Lot:			
Site Conc:			
Site Geo Ref Accu:			
Site Map Datum:			
Northing:			
Easting:			
Entity Operating Name:			
Client Name:	Parkway Infrastructure Constructors		
Client Type:			
Source Type:			
Incident Cause:	Operator/Human error		
Incident Preceding Spill:			
Incident Reason:	Unknown / N/A		
Incident Summary:	AMEC: 5 L of diesel from generator to asphalt, contained		
Environment Impact:			
Health Env Consequence:			
Nature of Impact:	Land		
Contaminant Qty:	20 L		
Contaminant Qty 1:	20		
Contaminant Unit:	L		
Contaminant Code:	13		
Contaminant Name:	DIESEL FUEL		
Contaminant Limit 1:			
Contam Limit Freq 1:			
Contaminant UN No 1:			
Receiving Medium:			
Activity Preceding Spill:			
Property 2nd Watershed:			
Property Tertiary Watershed:			
Sector Type:	Tank - Above Ground		
SAC Action Class:	Land Spills		
Call Report Locatn Geodata:			
Time Reported:			
System Facility Address:			

Site: ***AMEC Earth & Environmental Limited; AMEC Spring Garden Road Windsor ON***

Database: ***SPL***

Ref No:	8662-9TGKD3	***Municipality No:***	
Year:		***Nature of Damage:***	
Incident Dt:	2/6/2015	***Discharger Report:***	
Dt MOE Arvl on Scn:		***Material Group:***	
MOE Reported Dt:	2/6/2015	***Impact to Health:***	
Dt Document Closed:	3/30/2015	***Agency Involved:***	
Site No:	NA		
MOE Response:	N		
Site County/District:			
Site Geo Ref Meth:			
Site District Office:			
Nearest Watercourse:			

Site Name:	Amec - Tunnel 1<UNOFFICIAL>
Site Address:	Spring Garden Road
Site Region:	
Site Municipality:	Windsor
Site Lot:	
Site Conc:	
Site Geo Ref Accu:	
Site Map Datum:	
Northing:	
Easting:	
Entity Operating Name:	
Client Name:	AMEC Earth & Environmental Limited; AMEC
Client Type:	
Source Type:	
Incident Cause:	Leak/Break
Incident Preceding Spill:	
Incident Reason:	Equipment Failure
Incident Summary:	Amec: 10L propylene glycol to groung -cleaned-
Environment Impact:	
Health Env Consequence:	
Nature of Impact:	Land
Contaminant Qty:	10 L
Contaminant Qty 1:	10
Contaminant Unit:	L
Contaminant Code:	24
Contaminant Name:	PROPYLENE GLYCOL
Contaminant Limit 1:	
Contam Limit Freq 1:	
Contaminant UN No 1:	
Receiving Medium:	
Activity Preceding Spill:	
Property 2nd Watershed:	
Property Tertiary Watershed:	
Sector Type:	
SAC Action Class:	Land Spills
Call Report Locatn Geodata:	
Time Reported:	
System Facility Address:	

Site:

Malden Rd Windsor ON

Database:
SPL

Ref No:	5238-BCNNFD	***Municipality No:***	
Year:		***Nature of Damage:***	
Incident Dt:	5/30/2019	***Discharger Report:***	
Dt MOE Arvl on Scn:		***Material Group:***	
MOE Reported Dt:	5/30/2019	***Impact to Health:***	2 - Minor Environment
Dt Document Closed:		***Agency Involved:***	

Site No:	NA
MOE Response:	No
Site County/District:	County of Essex
Site Geo Ref Meth:	
Site District Office:	Windsor
Nearest Watercourse:	
Site Name:	MTO Project<UNOFFICIAL>
Site Address:	Malden Rd
Site Region:	Southwestern
Site Municipality:	Windsor
Site Lot:	
Site Conc:	
Site Geo Ref Accu:	
Site Map Datum:	
Northing:	
Easting:	
Entity Operating Name:	
Client Name:	
Client Type:	
Source Type:	

Incident Cause:	
Incident Preceding Spill:	Unknown / N/A
Incident Reason:	Unknown / N/A
Incident Summary:	MTO Project trail system: oil in culvert
Environment Impact:	
Health Env Consequence:	
Nature of Impact:	
Contaminant Qty:	0 other - see incident description
Contaminant Qty 1:	0
Contaminant Unit:	other - see incident description
Contaminant Code:	15
Contaminant Name:	MOTOR OIL
Contaminant Limit 1:	
Contam Limit Freq 1:	
Contaminant UN No 1:	1993
Receiving Medium:	Land
Activity Preceding Spill:	
Property 2nd Watershed:	
Property Tertiary Watershed:	
Sector Type:	
SAC Action Class:	Land Spills
Call Report Locatn Geodata:	
Time Reported:	
System Facility Address:	

Site: ***The Corporation of the City of Windsor***
Malden Rd Windsor ON N9C 4A5

Database: ***WDS***

Approval No:	A010103	***Total Area (ha):***	
Mob Unit Cert No:		***Landfill Cap (m^3):***	
EBR Registry No:		***Transfer Area (ha):***	
Status:	Revoked and/or Replaced	***Transfer Cap (m^3):***	
Facility Type:		***Transfer Cert No:***	
Record Type:	ECA	***Inciner. Area (ha):***	
Link Source:	IDS	***Inciner. Cap (t):***	
Project Type:	WASTE DISPOSAL SITES	***Process Area (m^3):***	
Application Status:		***Process Cap (m^3/d):***	
Issue Date:	2008-03-14	***Process Vol (m^3):***	
Input Date:		***Process Feed (m^3):***	
Date Received:		***Site Concession:***	
Est Closure Date:		***Site Region/County:***	
Mobile Capacity:		***SWP Area Name:***	
Mobile Units:		***MOE District:***	
Mobile Description:		***District Office:***	
Prop City:		***Latitude:***	
Prop Postal:		***Longitude:***	
Prop Phone:		***Geometry X:***	
Serial Link:		***Geometry Y:***	
Approval Type:	ECA-WASTE DISPOSAL SITES		
Proponent:			
Prop Address:			
Proponent County/District:			
Full Address:	Malden Rd		
Site Lot:			
Waste Class Code:			
Waste Class:			
Waste Type:			
Waste Type Other:			
Waste Description:			
Landfill Monitoring:			
Landfill Ctrl Type:			
Site Closing Description:			
Project Description:			
Municipalities Served:			
Approval Description:			
Other Approvals/Permits:			
PDF URL:			
PDF Site Location:			

Site: ***The Corporation of the City of Windsor***
Malden Rd Windsor ON N9C 4A5

Database: ***WDS***

Approval No:	A010103	***Total Area (ha):***	
Mob Unit Cert No:		***Landfill Cap (m³):***	
EBR Registry No:		***Transfer Area (ha):***	
Status:	Revoked and/or Replaced	***Transfer Cap (m³):***	
Facility Type:		***Transfer Cert No:***	
Record Type:	ECA	***Inciner. Area (ha):***	
Link Source:	IDS	***Inciner. Cap (t):***	
Project Type:	WASTE DISPOSAL SITES	***Process Area (m³):***	
Application Status:		***Process Cap (m³/d):***	
Issue Date:	2008-10-30	***Process Vol (m³):***	
Input Date:		***Process Feed (m³):***	
Date Received:		***Site Concession:***	
Est Closure Date:		***Site Region/County:***	
Mobile Capacity:		***SWP Area Name:***	
Mobile Units:		***MOE District:***	
Mobile Description:		***District Office:***	
Prop City:		***Latitude:***	
Prop Postal:		***Longitude:***	
Prop Phone:		***Geometry X:***	
Serial Link:		***Geometry Y:***	

Approval Type: ECA-WASTE DISPOSAL SITES
Proponent:
Prop Address:
Proponent County/District:
Full Address: Malden Rd
Site Lot:
Waste Class Code:
Waste Class:
Waste Type:
Waste Type Other:
Waste Description:
Landfill Monitoring:
Landfill Ctrl Type:
Site Closing Description:
Project Description:
Municipalities Served:
Approval Description:
Other Approvals/Permits:
PDF URL: https://www.accessenvironment.ene.gov.on.ca/instruments/7540-7CHNFN-14.pdf
PDF Site Location:

Site: ***The Corporation of the City of Windsor***
Malden Rd Windsor ON N9C 4A5

Database: ***WDS***

Approval No:	A010103	***Total Area (ha):***	
Mob Unit Cert No:		***Landfill Cap (m³):***	
EBR Registry No:		***Transfer Area (ha):***	
Status:	Amended	***Transfer Cap (m³):***	
Facility Type:		***Transfer Cert No:***	
Record Type:	ECA	***Inciner. Area (ha):***	
Link Source:	IDS	***Inciner. Cap (t):***	
Project Type:	WASTE DISPOSAL SITES	***Process Area (m³):***	
Application Status:		***Process Cap (m³/d):***	
Issue Date:	2014-02-26	***Process Vol (m³):***	
Input Date:		***Process Feed (m³):***	
Date Received:		***Site Concession:***	
Est Closure Date:		***Site Region/County:***	
Mobile Capacity:		***SWP Area Name:***	
Mobile Units:		***MOE District:***	
Mobile Description:		***District Office:***	
Prop City:		***Latitude:***	
Prop Postal:		***Longitude:***	
Prop Phone:		***Geometry X:***	

Serial Link:	***Geometry Y:***
Approval Type:	ECA-WASTE DISPOSAL SITES
Proponent:	
Prop Address:	
Proponent County/District:	
Full Address:	Malden Rd
Site Lot:	
Waste Class Code:	
Waste Class:	
Waste Type:	
Waste Type Other:	
Waste Description:	
Landfill Monitoring:	
Landfill Ctrl Type:	
Site Closing Description:	
Project Description:	
Municipalities Served:	
Approval Description:	
Other Approvals/Permits:	
PDF URL:	https://www.accessenvironment.ene.gov.on.ca/instruments/2773-96TRJ4-14.pdf
PDF Site Location:	

Appendix: Database Descriptions

Environmental Risk Information Services (ERIS) can search the following databases. The extent of historical information varies with each database and current information is determined by what is publicly available to ERIS at the time of update. ***Note:*** *Databases denoted with " * " indicates that the database will no longer be updated. See the individual database description for more information.*

Abandoned Aggregate Inventory: Provincial AAGR

The MAAP Program maintains a database of abandoned pits and quarries. Please note that the database is only referenced by lot and concession and city/town location. The database provides information regarding the location, type, size, land use, status and general comments.*

Government Publication Date: Sept 2002*

Aggregate Inventory: Provincial AGR

This database of licensed and permitted pits and quarries is maintained by the Ontario Ministry of Natural Resources and Forestry (MNRF), as regulated under the Aggregate Resources Act, R.S.O. 1990. Aggregate site data has been divided into active and inactive sites. Active sites may be further subdivided into partial surrenders. In partial surrenders, defined areas of a site are inactive while the rest of the site remains active.

Government Publication Date: Up to Nov 2024

Abandoned Mine Information System: Provincial AMIS

The Abandoned Mines Information System contains data on known abandoned and inactive mines located on both Crown and privately held lands. The information was provided by the Ministry of Northern Development and Mines (MNDM), with the following disclaimer: "the database provided has been compiled from various sources, and the Ministry of Northern Development and Mines makes no representation and takes no responsibility that such information is accurate, current or complete". Reported information includes official mine name, status, background information, mine start/end date, primary commodity, mine features, hazards and remediation.

Government Publication Date: 1800-Apr 2024

Anderson's Waste Disposal Sites: Private ANDR

The information provided in this database was collected by examining various historical documents which aimed to characterize the likely position of former waste disposal sites from 1860 to present. The research initiative behind the creation of this database was to identify those sites that are missing from the Ontario MOE Waste Disposal Site Inventory, as well as to provide revisions and corrections to the positions and descriptions of sites currently listed in the MOE inventory. In addition to historic waste disposal facilities, the database also identifies certain auto wreckers and scrap yards that have been extrapolated from documentary sources. Please note that the data is not warranted to be complete, exhaustive or authoritative. The information was collected for research purposes only.

Government Publication Date: 1860s-Present

Aboveground Storage Tanks: Provincial AST

Historical listing of aboveground storage tanks made available by the Department of Natural Resources and Forestry. Includes tanks used to hold water or petroleum. This dataset has been retired as of September 25, 2014 and will no longer be updated.

Government Publication Date: May 31, 2014

Automobile Wrecking & Supplies: Private AUWR

This database provides an inventory of known locations that are involved in the scrap metal, automobile wrecking/recycling, and automobile parts & supplies industry. Information is provided on the company name, location and business type.

Government Publication Date: 1999-Apr 30, 2024

Borehole: Provincial BORE

A borehole is the generalized term for any narrow shaft drilled in the ground, either vertically or horizontally. The information here includes geotechnical investigations or environmental site assessments, mineral exploration, or as a pilot hole for installing piers or underground utilities. Information is from many sources such as the Ministry of Transportation (MTO) boreholes from engineering reports and projects from the 1950 to 1990's in Southern Ontario. Boreholes from the Ontario Geological Survey (OGS) including The Urban Geology Analysis Information System (UGAIS) and the York Peel Durham Toronto (YPDT) database of the Conservation Authority Moraine Coalition. This database will include fields such as location, stratigraphy, depth, elevation, year drilled, etc. For all water well data or oil and gas well data for Ontario please refer to WWIS and OOGW.

Government Publication Date: 1875-Jul 2018

Certificates of Approval: Provincial CA

This database contains the following types of approvals: Air & Noise, Industrial Sewage, Municipal & Private Sewage, Waste Management Systems and Renewable Energy Approvals. The MOE in Ontario states that any facility that releases emissions to the atmosphere, discharges contaminants to ground or surface water, provides potable water supplies, or stores, transports or disposes of waste, must have a Certificate of Approval before it can operate lawfully. Fields include approval number, business name, address, approval date, approval type and status. This database will no longer be updated, as CofA's have been replaced by either Environmental Activity and Sector Registry (EASR) or Environmental Compliance Approval (ECA). Please refer to those individual databases for any information after Oct.31, 2011.

Government Publication Date: 1985-Oct 30, 2011*

Dry Cleaning Facilities: Federal CDRY

List of dry cleaning facilities made available by Environment and Climate Change Canada. Environment and Climate Change Canada's Tetrachloroethylene (Use in Dry Cleaning and Reporting Requirements) Regulations (SOR/2003-79) are intended to reduce releases of tetrachloroethylene to the environment from dry cleaning facilities.

Government Publication Date: Jan 2004-Dec 2022

Commercial Fuel Oil Tanks: Provincial CFOT

Locations of commercial underground fuel oil tanks. This is not a comprehensive or complete inventory of commercial fuel tanks in the province; this listing is a copy of records of registered commercial underground fuel oil tanks obtained under Access to Public Information.
Note that the following types of tanks do not require registration: waste oil tanks in apartments, office buildings, residences, etc.; aboveground gas or diesel tanks. Records are not verified for accuracy or completeness.

Government Publication Date: Oct 2023

Chemical Manufacturers and Distributors: Private CHEM

This database includes information from both a one time study conducted in 1992 and private source and is a listing of facilities that manufacture or distribute chemicals. The production of these chemical substances may involve one or more chemical reactions and/or chemical separation processes (i.e. fractionation, solvent extraction, crystallization, etc.).

Government Publication Date: 1999-Jan 31, 2020

Chemical Register: Private CHM

This database includes a listing of locations of facilities within the Province or Territory that either manufacture and/or distributes chemicals.

Government Publication Date: 1999-Apr 30, 2024

Compressed Natural Gas Stations: Private CNG

Canada has a network of public access compressed natural gas (CNG) refuelling stations. These stations dispense natural gas in compressed form at 3,000 pounds per square inch (psi), the pressure which is allowed within the current Canadian codes and standards. The majority of natural gas refuelling is located at existing retail gasoline that have a separate refuelling island for natural gas. This list of stations is made available by the Canadian Natural Gas Vehicle Alliance.

Government Publication Date: Dec 2012 -Feb 2025

Inventory of Coal Gasification Plants and Coal Tar Sites: Provincial COAL

This inventory includes both the "Inventory of Coal Gasification Plant Waste Sites in Ontario-April 1987" and the Inventory of Industrial Sites Producing or Using Coal Tar and Related Tars in Ontario-November 1988) collected by the MOE. It identifies industrial sites that produced and continue to produce or use coal tar and other related tars. Detailed information is available and includes: facility type, size, land use, information on adjoining properties, soil condition, site operators/occupants, site description, potential environmental impacts and historic maps available. This was a one-time inventory.*

Government Publication Date: Apr 1987 and Nov 1988*

Compliance and Convictions: Provincial CONV

This database summarizes the fines and convictions handed down by the Ontario courts beginning in 1989. Companies and individuals named here have been found guilty of environmental offenses in Ontario courts of law.

Government Publication Date: 1989-Mar 2025

Certificates of Property Use: Provincial CPU

This is a subset taken from Ontario's Environmental Registry (EBR) database. It will include CPU's on the registry such as (EPA s. 168.6) - Certificate of Property Use.

Government Publication Date: 1994 - Feb 28, 2025

Drill Hole Database: Provincial DRL

The Ontario Drill Hole Database (ODHD) is offered by the Province of Ontario's Ministry of Mines. The dataset contains information for over 164,000 percussion, overburden, sonic and diamond-drill holes. The presence of assay results with cutoff values for gold, silver, copper, zinc, lead, nickel and platinum group elements is noted. Drill hole data are compiled from assessment files that have been submitted to the ministry in accordance with the Ontario Mining Act (OMA). Source assessment file numbers are captured for cross reference with the Ontario Assessment File Database (OAFD). Please note that limited data is available for southern Ontario, as it was the last area to be completed. The database was created when surveys submitted to the Ministry were converted in the Assessment File Research Image Database (AFRI) project. However, the degree of accuracy (coordinates) as to the exact location of drill holes is dependent upon the source document submitted. Levels of accuracy used to locate holes are: centering on the mining claim; a sketch of the mining claim; a 1:50,000 map; a detailed company map; or from submitted a "Report of Work".

Government Publication Date: 1886 - Aug 2024

Delisted Fuel Tanks: Provincial DTNK

List of fuel storage tank sites that were once found in - and have since been removed from - the list of fuel storage tanks made available by the regulatory agency under Access to Public Information.

Government Publication Date: Oct 2023

Environmental Activity and Sector Registry: Provincial EASR

On October 31, 2011, a smarter, faster environmental approvals system came into effect in Ontario. The EASR allows businesses to register certain activities with the ministry, rather than apply for an approval. The registry is available for common systems and processes, to which preset rules of operation can be applied. The EASR is currently available for: heating systems, standby power systems and automotive refinishing. Businesses whose activities aren't subject to the EASR may apply for an ECA (Environmental Compliance Approval), Please see our ECA database.

Government Publication Date: Oct 2011-Mar 31, 2025

Environmental Registry: Provincial EBR

The Environmental Registry lists proposals, decisions and exceptions regarding policies, Acts, instruments, or regulations that could significantly affect the environment. Through the Registry, thirteen provincial ministries notify the public of upcoming proposals and invite their comments. For example, if a local business is requesting a permit, license, or certificate of approval to release substances into the air or water; these are notified on the registry. Data includes: Approval for discharge into the natural environment other than water (i.e. Air) - EPA s. 9, Approval for sewage works - OWRA s. 53(1), and EPA s. 27 - Approval for a waste disposal site. For information regarding Permit to Take Water (PTTW), Certificate of Property Use (CPU) and (ORD) Orders please refer to those individual databases.

Government Publication Date: 1994 - Feb 28, 2025

Environmental Compliance Approval: Provincial ECA

On October 31, 2011, a smarter, faster environmental approvals system came into effect in Ontario. In the past, a business had to apply for multiple approvals (known as certificates of approval) for individual processes and pieces of equipment. Today, a business either registers itself, or applies for a single approval, depending on the types of activities it conducts. Businesses whose activities aren't subject to the EASR may apply for an ECA. A single ECA addresses all of a business's emissions, discharges and wastes. Separate approvals for air, noise and waste are no longer required. This database will also include Renewable Energy Approvals. For certificates of approval prior to Nov 1st, 2011, please refer to the CA database. For all Waste Disposal Sites please refer to the WDS database.

Government Publication Date: Oct 2011-Mar 31, 2025

Environmental Effects Monitoring: Federal EEM

The Environmental Effects Monitoring program assesses the effects of effluent from industrial or other sources on fish, fish habitat and human usage of fisheries resources. Since 1992, pulp and paper mills have been required to conduct EEM studies under the Pulp and Paper Effluent Regulations. This database provides information on the mill name, geographical location and sub-lethal toxicity data.

Government Publication Date: 1992-2007*

ERIS Historical Searches: Private EHS

ERIS has compiled a database of all environmental risk reports completed since March 1999. Available fields for this database include: site location, date of report, type of report, and search radius. As per all other databases, the ERIS database can be referenced on both the map and "Statistical Profile" page.

Government Publication Date: 1999-Aug 31, 2024

Environmental Issues Inventory System: Federal EIIS

The Environmental Issues Inventory System was developed through the implementation of the Environmental Issues and Remediation Plan. This plan was established to determine the location and severity of contaminated sites on inhabited First Nation reserves, and where necessary, to remediate those that posed a risk to health and safety; and to prevent future environmental problems. The EIIS provides information on the reserve under investigation, inventory number, name of site, environmental issue, site action (Remediation, Site Assessment), and date investigation completed.

Government Publication Date: 1992-2001*

Emergency Management Historical Event: Provincial EMHE

List of locations of historical occurrences of emergency events, including those assigned to the Ministry of Natural Resources by Order-In-Council (OIC) under the Emergency Management and Civil Protection Act, as well as events where MNR provided requested emergency response assistance. Many of these events will have involved community evacuations, significant structural loss, and/or involvement of MNR emergency response staff. These events fall into one of ten (10) type categories: Dam Failure; Drought / Low Water; Erosion; Flood; Forest Fire; Soil and Bedrock Instability; Petroleum Resource Center Event, EMO Requested Assistance, Continuity of Operations Event, Other Requested Assistance. EMHE record details are reproduced by ERIS under License with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2017.

Government Publication Date: Apr 30, 2022

Environmental Penalty Annual Report: Provincial EPAR

This database contains data from Ontario's annual environmental penalty report published by the Ministry of the Environment, Conservation and Parks (MECP). These reports provide information on environmental penalties for land or water violations issued to companies in one of the nine industrial sectors covered by the Municipal Industrial Strategy for Abatement (MISA) regulations.

Government Publication Date: Jan 1, 2011 - Dec 31, 2024

List of Expired Fuels Safety Facilities: Provincial EXP

List of facilities and tanks for which there was once a fuel registration. This is not a comprehensive or complete inventory of expired tanks/tank facilities in the province; this listing is a copy of previously registered tanks and facilities obtained under Access to Public Information. Includes private fuel outlets, bulk plants, fuel oil tanks, gasoline stations, marinas, propane filling stations, liquid fuel tanks, piping systems, etc; includes tanks which have been removed from the ground.
Notes: registration was not required for private fuel underground/aboveground storage tanks prior to January 1990, nor for furnace oil tanks prior to May 1, 2002; registration is not required for waste oil tanks in apartments, office buildings, residences, etc., or aboveground gas or diesel tanks. Records are not verified for accuracy or completeness.

Government Publication Date: Oct 2023

Federal Convictions: Federal FCON

Environment Canada maintains a database referred to as the "Environmental Registry" that details prosecutions under the Canadian Environmental Protection Act (CEPA) and the Fisheries Act (FA). Information is provided on the company name, location, charge date, offence and penalty.

Government Publication Date: 1988-Jun 2007*

Contaminated Sites on Federal Land: Federal FCS

The Federal Contaminated Sites Inventory includes information on known federal contaminated sites under the custodianship of departments, agencies and consolidated Crown corporations as well as those that are being or have been investigated to determine whether they have contamination arising from past use that could pose a risk to human health or the environment. The inventory also includes non-federal contaminated sites for which the Government of Canada has accepted some or all financial responsibility. It does not include sites where contamination has been caused by, and which are under the control of, enterprise Crown corporations, private individuals, firms or other levels of government. Includes fire training sites and sites at which Per- and Polyfluoroalkyl Substances (PFAS) are a concern.

Government Publication Date: Jun 2000-Jan 2025

Fisheries & Oceans Fuel Tanks: Federal FOFT

Fisheries & Oceans Canada maintains an inventory of aboveground & underground fuel storage tanks located on Fisheries & Oceans property or controlled by DFO. Our inventory provides information on the site name, location, tank owner, tank operator, facility type, storage tank location, tank contents & capacity, and date of tank installation.

Government Publication Date: 1964-Sep 2019

Federal Identification Registry for Storage Tank Systems (FIRSTS): Federal FRST

A list of federally regulated Storage tanks from the Federal Identification Registry for Storage Tank Systems (FIRSTS). FIRSTS is Environment and Climate Change Canada's database of storage tank systems subject to the Storage Tank for Petroleum Products and Allied Petroleum Products Regulations. The main objective of the Regulations is to prevent soil and groundwater contamination from storage tank systems located on federal and aboriginal lands. Storage tank systems that do not have a valid identification number displayed in a readily visible location on or near the storage tank system may be refused product delivery.

Government Publication Date: Oct 31, 2021

Fuel Storage Tank: Provincial FST

List of registered private and retail fuel storage tanks. This is not a comprehensive or complete inventory of private and retail fuel storage tanks in the province; this listing is a copy of registered private and retail fuel storage tanks, obtained under Access to Public Information.
Notes: registration was not required for private fuel underground/aboveground storage tanks prior to January 1990, nor for furnace oil tanks prior to May 1, 2002; registration is not required for waste oil tanks in apartments, office buildings, residences, etc., or aboveground gas or diesel tanks. Records are not verified for accuracy or completeness.

Government Publication Date: Oct 2023

Fuel Storage Tank - Historic: Provincial FSTH

The Fuels Safety Branch of the Ontario Ministry of Consumer and Commercial Relations maintained a database of all registered private fuel storage tanks. Public records of private fuel storage tanks are only available since the registration became effective in September 1989. This information is now collected by the Technical Standards and Safety Authority.

Government Publication Date: Pre-Jan 2010*

Ontario Regulation 347 Waste Generators Summary: Provincial GEN

Regulation 347 of the Ontario EPA defines a waste generation site as any site, equipment and/or operation involved in the production, collection, handling and/or storage of regulated wastes. A generator of regulated waste is required to register the waste generation site and each waste produced, collected, handled, or stored at the site. This database contains the registration number, company name and address of registered generators including the types of hazardous wastes generated. It includes data on waste generating facilities such as: drycleaners, waste treatment and disposal facilities, machine shops, electric power distribution etc. This information is a summary of all years from 1986 including the most currently available data. As of January 1, 2023, businesses and institutions subject to the amended Reg. 347: General – Waste Management are required to report their activities and pay fees through Resource Productivity & Recovery Authority (RPRA) online Hazardous Waste Program Registry (HWPR) rather than the Hazardous Waste Information Network (HWIN) system previously operated by the Ministry of the Environment, Conservation and Parks (MECP). Some records may contain, within the company name, the phrase "See & Use..." followed by a series of letters and numbers. This occurs when one company is amalgamated with or taken over by another registered company. The number listed as "See & Use", refers to the new ownership and the other identification number refers to the original ownership. This phrase serves as a link between the 2 companies until operations have been fully transferred.

Government Publication Date: 1986-Jun 30, 2024

Greenhouse Gas Emissions from Large Facilities: Federal GHG

List of greenhouse gas emissions from large facilities made available by Environment Canada. Greenhouse gas emissions in kilotonnes of carbon dioxide equivalents (kt CO2 eq).

Government Publication Date: 2013-Apr 2024

TSSA Historic Incidents: Provincial HINC

List of historic incidences of spills and leaks of diesel, fuel oil, gasoline, natural gas, propane, and hydrogen recorded by the TSSA in their previous incident tracking system. The TSSA's Fuels Safety Program administers the Technical Standards & Safety Act 2000, providing fuel-related safety services associated with the safe transportation, storage, handling and use of fuels such as gasoline, diesel, propane, natural gas and hydrogen. Under this Act, the TSSA regulates fuel suppliers, storage facilities, transport trucks, pipelines, contractors and equipment or appliances that use fuels. Records are not verified for accuracy or completeness. This is not a comprehensive or complete inventory of historical fuel spills and leaks in the province. This listing is a copy of the data captured at one moment in time and is hence limited by the record date provided here.

Government Publication Date: 2006-June 2009*

Indian & Northern Affairs Fuel Tanks: Federal IAFT

The Department of Indian & Northern Affairs Canada (INAC) maintains an inventory of aboveground & underground fuel storage tanks located on both federal and crown land. Our inventory provides information on the reserve name, location, facility type, site/facility name, tank type, material & ID number, tank contents & capacity, and date of tank installation.

Government Publication Date: 1950-Aug 2003*

Fuel Oil Spills and Leaks: Provincial INC

Listing of spills and leaks of diesel, fuel oil, gasoline, natural gas, propane, and hydrogen reported to the Spills Action Centre (SAC). This is not a comprehensive or complete inventory of fuel-related leaks, spills, and incidents in the province; this listing in a copy of incidents reported to the SAC, obtained under Access to Public Information. Includes incidents from fuel-related hazards such as spills, fires, and explosions. Records are not verified for accuracy or completeness.

Government Publication Date: 31 Oct, 2023

Landfill Inventory Management Ontario: Provincial LIMO

The Landfill Inventory Management Ontario (LIMO) database is updated every year, as the Ministry of the Environment, Conservation and Parks compiles new and updated information. Includes small and large landfills currently operating as well as those which are closed and historic. Operators of larger landfills provide landfill information for the previous operating year to the ministry for LIMO including: estimated amount of total waste received, landfill capacity, estimated total remaining landfill capacity, fill rates, engineering designs, reporting and monitoring details, size of location, service area, approved waste types, leachate of site treatment, contaminant attenuation zone and more. The small landfills include information such as site owner, site location and certificate of approval # and status.

Government Publication Date: Mar 31, 2022

Canadian Mine Locations: Private MINE

This information is collected from the Canadian & American Mines Handbook. The Mines database is a national database that provides over 290 listings on mines (listed as public companies) dealing primarily with precious metals and hard rocks. Listed are mines that are currently in operation, closed, suspended, or are still being developed (advanced projects). Their locations are provided as geographic coordinates (x, y and/or longitude, latitude). As of 2002, data pertaining to Canadian smelters and refineries has been appended to this database.

Government Publication Date: 1998-2009*

Mineral Occurrences: Provincial MNR

In the early 70's, the Ministry of Northern Development and Mines created an inventory of approximately 19,000 mineral occurrences in Ontario, in regard to metallic and industrial minerals, as well as some information on building stones and aggregate deposits. Please note that the "Horizontal Positional Accuracy" is approximately +/- 200 m. Many reference elements for each record were derived from field sketches using pace or chain/tape measurements against claim posts or topographic features in the area. The primary limiting factor for the level of positional accuracy is the scale of the source material. The testing of horizontal accuracy of the source materials was accomplished by comparing the plan metric (X and Y) coordinates of that point with the coordinates of the same point as defined from a source of higher accuracy.

Government Publication Date: 1846-Feb 2025

National Analysis of Trends in Emergencies System (NATES): Federal NATE

In 1974 Environment Canada established the National Analysis of Trends in Emergencies System (NATES) database, for the voluntary reporting of significant spill incidents. The data was to be used to assist in directing the work of the emergencies program. NATES ran from 1974 to 1994. Extensive information is available within this database including company names, place where the spill occurred, date of spill, cause, reason and source of spill, damage incurred, and amount, concentration, and volume of materials released.

Government Publication Date: 1974-1994*

Non-Compliance Reports: Provincial NCPL

The Ministry of the Environment Conservation and Parks (MECP) provides information about non-compliant discharges of contaminants to air and water that exceed legal allowable limits, from regulated industrial and municipal facilities. A reported non-compliance failure may be in regard to a Control Order, Certificate of Approval, Sectoral Regulation or specific regulation/act. MECP publicly releases the Environmental Compliance Report (ECR) on the Ontario Data Catalogue. In Ontario, all facilities with regulated wastewater discharges or air emissions under the Ontario Water Resources Act and the Environmental Protection Act must monitor and report any cases where approved operating limits have been exceeded.

Government Publication Date: Dec 31, 2023

National Defense & Canadian Forces Fuel Tanks: Federal NDFT

The Department of National Defense and the Canadian Forces maintains an inventory of all aboveground & underground fuel storage tanks located on DND lands. Our inventory provides information on the base name, location, tank type & capacity, tank contents, tank class, date of tank installation, date tank last used, and status of tank as of May 2001. This database will no longer be updated due to the new National Security protocols which have prohibited any release of this database.

Government Publication Date: Up to May 2001*

National Defense & Canadian Forces Spills: Federal NDSP

The Department of National Defense and the Canadian Forces maintains an inventory of spills to land and water. All spill sites have been classified under the "Transportation of Dangerous Goods Act - 1992". Our inventory provides information on the facility name, location, spill ID #, spill date, type of spill, as well as the quantity of substance spilled & recovered.

Government Publication Date: Mar 1999-Nov 2023

National Defence & Canadian Forces Waste Disposal Sites: Federal NDWD

The Department of National Defence and the Canadian Forces maintains an inventory of waste disposal sites located on DND lands. Where available, our inventory provides information on the base name, location, type of waste received, area of site, depth of site, year site opened/closed and status.

Government Publication Date: 2001-Apr 2007*

National Energy Board Pipeline Incidents: Federal NEBI

Locations of pipeline incidents from 2008 to present, made available by the Canada Energy Regulator (CER) - previously the National Energy Board (NEB). Includes incidents reported under the Onshore Pipeline Regulations and the Processing Plant Regulations related to pipelines under federal jurisdiction, does not include incident data related to pipelines under provincial or territorial jurisdiction.

Government Publication Date: 2008-Dec 31, 2024

National Energy Board Wells: Federal NEBP

The NEBW database contains information on onshore & offshore oil and gas wells that are outside provincial jurisdiction(s) and are thereby regulated by the National Energy Board. Data is provided regarding the operator, well name, well ID No./UWI, status, classification, well depth, spud and release date.

Government Publication Date: 1920-Feb 2003*

National Environmental Emergencies System (NEES): Federal NEES

In 2000, the Emergencies program implemented NEES, a reporting system for spills of hazardous substances. For the most part, this system only captured data from the Atlantic Provinces, some from Quebec and Ontario and a portion from British Columbia. Data for Alberta, Saskatchewan, Manitoba and the Territories was not captured. However, NEES is also a repository for previous Environment Canada spill datasets. NEES is composed of the historic datasets ' or Trends ' which dates from approximately 1974 to present. NEES Trends is a compilation of historic databases, which were merged and includes data from NATES (National Analysis of Trends in Emergencies System), ARTS (Atlantic Regional Trends System), and NEES. In 2001, the Emergencies Program determined that variations in reporting regimes and requirements between federal and provincial agencies made national spill reporting and trend analysis difficult to achieve. As a consequence, the department has focused efforts on capturing data on spills of substances which fall under its legislative authority only (CEPA and FA). As such, the NEES database will be decommissioned in December 2004.

Government Publication Date: 1974-2003*

National PCB Inventory: Federal NPCB

Environment Canada's National PCB inventory includes information on in-use PCB containing equipment in Canada including federal, provincial and private facilities. Federal out-of-service PCB containing equipment and PCB waste owned by the federal government or by federally regulated industries such as airlines, railway companies, broadcasting companies, telephone and telecommunications companies, pipeline companies, etc. are also listed. Although it is not Environment Canada's mandate to collect data on non-federal PCB waste, the National PCB inventory includes some information on provincial and private PCB waste and storage sites. Some addresses provided may be Head Office addresses and are not necessarily the location of where the waste is being used or stored.

Government Publication Date: 1988-2008*

National Pollutant Release Inventory: Federal NPR2

The National Pollutant Release Inventory (NPRI) is Canada's public inventory of pollutant releases (to air, water and land), disposals, and transfers for recycling. The inventory, managed by Environment and Climate Change Canada, tracks over 300 substances. Under the authority of the Canadian Environmental Protection Act (CEPA), owners or operators of facilities that meet published reporting requirements are required to report to the NPRI.

Government Publication Date: Feb 2024

National Pollutant Release Inventory - Historic: Federal NPRI

Environment Canada has defined the National Pollutant Release Inventory ("NPRI") as a federal government initiative designed to collect comprehensive national data regarding releases to air, water, or land, and waste transfers for recycling for more than 300 listed substances. This data holds historic records; current records are found in NPR2.

Government Publication Date: 1993-May 2017

Oil and Gas Wells: Private OGWE

The Nickle's Energy Group (publisher of the Daily Oil Bulletin) collects information on drilling activity including operator and well statistics. The well information database includes name, location, class, status and depth. The main Nickle's database is updated on a daily basis, however, this database is updated on a monthly basis. More information is available at www.nickles.com.

Government Publication Date: 1988-May 31, 2024

Ontario Oil and Gas Wells: Provincial OOGW

In 1998, the Ministry of Natural Resources (MNR) handed over to the Ontario Oil, Gas and Salt Resources (OGSR) Corporation, the responsibility of maintaining a database of oil and gas wells drilled in Ontario. The OGSR Library has over 20,000+ wells in their database. Information available for all wells in the ERIS database includes well owner/operator, location, permit issue date, and well cap date, license number, status, depth and the primary target (rock unit) of the well being drilled. All geology/stratigraphy table information, plus all water table information is also provided for each well record.

Government Publication Date: 1800-Aug 2024

Inventory of PCB Storage Sites: Provincial OPCB

The Ontario Ministry of Environment, Waste Management Branch, maintains an inventory of PCB storage sites within the province. Ontario Regulation 11/82 (Waste Management - PCB) and Regulation 347 (Generator Waste Management) under the Ontario EPA requires the registration of inactive PCB storage equipment and/or disposal sites of PCB waste with the Ontario Ministry of Environment. This database contains information on: 1) waste quantities; 2) major and minor sites storing liquid or solid waste; and 3) a waste storage inventory.

Government Publication Date: 1987-Oct 2004; 2012-Dec 2013

Orders: Provincial ORD

This is a subset taken from Ontario's Environmental Registry (EBR) database. It will include Orders on the registry such as (EPA s. 17) - Order for remedial work, (EPA s. 18) - Order for preventative measures, (EPA s. 43) - Order for removal of waste and restoration of site, (EPA s. 44) - Order for conformity with Act for waste disposal sites, (EPA s. 136) - Order for performance of environmental measures.

Government Publication Date: 1994 - Feb 28, 2025

Canadian Pulp and Paper: Private PAP

This information is part of the Pulp and Paper Canada Directory. The Directory provides a comprehensive listing of the locations of pulp and paper mills and the products that they produce.

Government Publication Date: 1999, 2002, 2004, 2005, 2009-2014

Parks Canada Fuel Storage Tanks: Federal PCFT

Canadian Heritage maintains an inventory of known fuel storage tanks operated by Parks Canada, in both National Parks and at National Historic Sites. The database details information on site name, location, tank install/removal date, capacity, fuel type, facility type, tank design and owner/operator.

Government Publication Date: 1920-Jan 2005*

Pesticide Register: Provincial PES

The Ontario Ministry of the Environment and Climate Change maintains a database of licensed operators and vendors of registered pesticides.

Government Publication Date: Oct 2011-Mar 31, 2025

Ontario PFAS Spills: Provincial PFAS

This specific list of spills includes those incidents where one or more of the listed contaminants are identified in the PFAS Structure List and/or PFAS Chemicals Without Explicit Structure List made available by the United States Environmental Protection Agency (US EPA), is originally sourced from the Ministry of the Environment, Conservation and Parks spills related data. Information from 1988-2002 was part of the ORIS (Occurrence Reporting Information System). The SAC (Spills Action Centre) handles all spills reported in Ontario. Regulations for spills in Ontario are part of the MOE's Environmental Protection Act, Part X.

Government Publication Date: 1988-Jun 2024; Aug 2024; Oct-Nov 2024

NPRI Reporters - PFAS Substances: Federal PFCH

The National Pollutant Release Inventory (NPRI) is Canada's public inventory of releases, disposals, and transfers, tracking over 320 pollutants. Per - and polyfluoroalkyl substances (PFAS) are a group of over 4,700 human-made substances for which adverse environmental and health effects have been observed. This listing of PFAS substance reporters includes those NPRI facilities that reported substances that are found in either: a) the Comprehensive Global Database of PFASs compiled by the Organisation for Economic Co-operation and Development (OECD), b) the US Environmental Protection Agency (US EPA) Master List of PFAS Substances, c) the US EPA list of PFAS chemicals without explicit structures, or d) the US EPA list of PFAS structures (encompassing the largest set of structures having sufficient levels of fluorination to potentially impart PFAS-type properties).

Government Publication Date: Feb 2024

Potential PFAS Handlers from NPRI: Federal PFHA

The National Pollutant Release Inventory (NPRI) is Canada's public inventory of releases, disposals, and transfers, tracking over 320 pollutants. Per - and polyfluoroalkyl substances (PFAS) are a group of over 4,700 human-made substances for which adverse environmental and health effects have been observed. This list of potential PFAS handlers includes those NPRI facilities that reported business activity (NAICS code) included in the US Environmental Protection Agency (US EPA) list of Potential PFAS-Handling Industry Sectors, further described as operating in industry sectors where literature reviews indicate that PFAS may be handled and/or released. Inclusion of a facility in this listing does not indicate that PFAS are being manufactured, processed, used, or released by the facility - these are facilities that potentially handle PFAS based on their industrial profile.

Government Publication Date: Feb 2024

Pipeline Incidents: Provincial PINC

List of pipeline incidents (strikes, leaks, spills). This is not a comprehensive or complete inventory of pipeline incidents in the province; this listing in an historical copy of records previously obtained under Access to Public Information. Records are not verified for accuracy or completeness.

Government Publication Date: Feb 28, 2021

Potential PFAS Handlers from EASR: Provincial PPHA

The Ontario Environmental Activity and Sector Registry (EASR), described in Ontario Regulation 245/11, allows businesses with less complex operations - and hence not requiring an Environmental Compliance Approval - to register their activities with the Ontario Ministry of the Environment, Conservation and Parks (MECP). This list of potential PFAS handlers includes those EASR facilities that reported business activity (NAICS code) included in the US Environmental Protection Agency (US EPA) list of Potential PFAS-Handling Industry Sectors, further described as operating in industry sectors where literature reviews indicate that PFAS may be handled and/or released. Inclusion of a facility in this listing does not indicate that PFAS are being manufactured, processed, used.

Government Publication Date: Jun 30, 2024

Private and Retail Fuel Storage Tanks: Provincial PRT

The Fuels Safety Branch of the Ontario Ministry of Consumer and Commercial Relations maintained a database of all registered private fuel storage tanks and licensed retail fuel outlets. This database includes an inventory of locations that have gasoline, oil, waste oil, natural gas and/or propane storage tanks on their property. The MCCR no longer collects this information. This information is now collected by the Technical Standards and Safety Authority (TSSA).

Government Publication Date: 1989-1996*

Permit to Take Water: Provincial PTTW

This is a subset taken from Ontario's Environmental Registry (EBR) database. It will include PTTW's on the registry such as OWRA s. 34 - Permit to take water.

Government Publication Date: 1994 - Feb 28, 2025

Ontario Regulation 347 Waste Receivers Summary: Provincial REC

Part V of the Ontario Environmental Protection Act ("EPA") regulates the disposal of regulated waste through an operating waste management system or a waste disposal site operated or used pursuant to the terms and conditions of a Certificate of Approval or a Provisional Certificate of Approval. Regulation 347 of the Ontario EPA defines a waste receiving site as any site or facility to which waste is transferred by a waste carrier. A receiver of regulated waste is required to register the waste receiving facility. This database represents registered receivers of regulated wastes, identified by registration number, company name and address, and includes receivers of waste such as: landfills, incinerators, transfer stations, PCB storage sites, sludge farms and water pollution control plants. This information is a summary of all years from 1986 including the most currently available data.

Government Publication Date: 1986-1990, 1992-2021

Record of Site Condition: Provincial RSC

The Record of Site Condition (RSC) is part of the Ministry of the Environment's Brownfields Environmental Site Registry. Protection from environmental cleanup orders for property owners is contingent upon documentation known as a record of site condition (RSC) being filed in the Environmental Site Registry. In order to file an RSC, the property must have been properly assessed and shown to meet the soil, sediment and groundwater standards appropriate for the use (such as residential) proposed to take place on the property. The Record of Site Condition Regulation (O. Reg. 153/04) details requirements related to site assessment and clean up. RSCs filed after July 1, 2011 will also be included as part of the new (O.Reg. 511/09). The Government of Ontario states that it is not responsible for the accuracy of the information in this Registry.

Government Publication Date: 1997-Sept 2001, Oct 2004-Mar 2025

Retail Fuel Storage Tanks: Private RST

This database includes an inventory of retail fuel outlet locations (including marinas) that have on their property gasoline, oil, waste oil, natural gas and / or propane storage tanks.

Government Publication Date: 1999-Apr 30, 2024

Scott's Manufacturing Directory: Private SCT

Scott's Directories is a data bank containing information on over 200,000 manufacturers across Canada. Even though Scott's listings are voluntary, it is the most comprehensive database of Canadian manufacturers available. Information concerning a company's address, plant size, and main products are included in this database.

Government Publication Date: 1992-Mar 2011*

Ontario Spills: Provincial SPL

List of spills and incidents made available by the Ministry of the Environment, Conservation and Parks. This database identifies information such as location (approximate), type and quantity of contaminant, date of spill, environmental impact, cause, nature of impact, etc. Information from 1988-2002 was part of the ORIS (Occurrence Reporting Information System). The SAC (Spills Action Centre) handles all spills reported in Ontario. Regulations for spills in Ontario are part of the MOE's Environmental Protection Act, Part X.

Government Publication Date: 1988-Jun 2024; Aug-Jan 2025

Wastewater Discharger Registration Database: Provincial SRDS

Facilities that report either municipal treated wastewater effluent or industrial wastewater discharges under the Effluent Monitoring and Effluent Limits (EMEL) and Municipal/Industrial Strategy for Abatement Regulations. The Municipal/Industrial Strategy for Abatement (MISA) division of the Ontario Ministry of Environment keeps record of direct dischargers of toxic pollutants within nine sectors including: Electric Power Generation, Mining, Petroleum Refining, Organic Chemicals, Inorganic Chemicals, Pulp & Paper, Metal Casting, Iron & Steel, and Quarries.

Government Publication Date: 1990-Dec 31, 2021

Anderson's Storage Tanks: Private TANK

The information provided in this database was collected by examining various historical documents, which identified the location of former storage tanks, containing substances such as fuel, water, gas, oil, and other various types of miscellaneous products. Information is available in regard to business operating at tank site, tank location, permit year, permit & installation type, no. of tanks installed & configuration and tank capacity. Data contained within this database pertains only to the city of Toronto and is not warranted to be complete, exhaustive or authoritative. The information was collected for research purposes only.

Government Publication Date: 1915-1953*

Transport Canada Fuel Storage Tanks: Federal TCFT

List of fuel storage tanks currently or previously owned or operated by Transport Canada. This inventory also includes tanks on The Pickering Lands, which refers to 7,530 hectares (18,600 acres) of land in Pickering, Markham, and Uxbridge owned by the Government of Canada since 1972; properties on this land has been leased by the government since 1975, and falls under the Site Management Policy of Transport Canada, but is administered by Public Works and Government Services Canada. This inventory provides information on the site name, location, tank age, capacity and fuel type.

Government Publication Date: 1970 - Apr 2024

Variances for Abandonment of Underground Storage Tanks: Provincial VAR

Listing of variances granted for storage tank abandonment. This is not a comprehensive or complete inventory of tank abandonment variances in the province; this listing is a copy of tank abandonment variance records previously obtained under Access to Public Information. In Ontario, registered underground storage tanks must be removed within two years of disuse; if removal of a tank is not feasible, an application may be sought for a variance from this code requirement.
Records are not verified for accuracy or completeness.

Government Publication Date: Feb 28, 2022

Waste Disposal Sites - MOE CA Inventory: Provincial WDS

The Ontario Ministry of Environment, Waste Management Branch, maintains an inventory of known open (active or inactive) and closed disposal sites in the Province of Ontario. Active sites maintain a Certificate of Approval, are approved to receive and are receiving waste. Inactive sites maintain Certificate(s) of Approval but are not receiving waste. Closed sites are not receiving waste. The data contained within this database was compiled from the MOE's Certificate of Approval database. Locations of these sites may be cross-referenced to the Anderson database described under ERIS's Private Source Database section, by the CA number. All new Environmental Compliance Approvals handed out after Oct 31, 2011 for Waste Disposal Sites will still be found in this database.

Government Publication Date: Oct 2011 - Mar 31, 2025

Waste Disposal Sites - MOE 1991 Historical Approval Inventory: Provincial WDSH

In June 1991, the Ontario Ministry of Environment, Waste Management Branch, published the "June 1991 Waste Disposal Site Inventory", of all known active and closed waste disposal sites as of October 30st, 1990. For each "active" site as of October 31st 1990, information is provided on site location, site/CA number, waste type, site status and site classification. For each "closed" site as of October 31st 1990, information is provided on site location, site/CA number, closure date and site classification. Locations of these sites may be cross-referenced to the Anderson database described under ERIS's Private Source Database section, by the CA number.

Government Publication Date: Up to Oct 1990*

Water Well Information System: Provincial WWIS

This database describes locations and characteristics of water wells found within Ontario in accordance with Regulation 903. It includes such information as coordinates, construction date, well depth, primary and secondary use, pump rate, static water level, well status, etc. Also included are detailed stratigraphy information, approximate depth to bedrock and the approximate depth to the water table.

Government Publication Date: Dec 31 2023

Definitions

Database Descriptions: This section provides a detailed explanation for each database including: source, information available, time coverage, and acronyms used. They are listed in alphabetic order.

Detail Report: This is the section of the report which provides the most detail for each individual record. Records are summarized by location, starting with the project property followed by records in closest proximity.

Distance: The distance value is the distance between plotted points, not necessarily the distance between the sites' boundaries. All values are an approximation.

Direction: The direction value is the compass direction of the site in respect to the project property and/or center point of the report.

Elevation: The elevation value is taken from the location at which the records for the site address have been plotted. All values are an approximation. Source: Google Elevation API.

Executive Summary: This portion of the report is divided into 3 sections:

'Report Summary'- Displays a chart indicating how many records fall on the project property and, within the report search radii.

'Site Report Summary'-Project Property'- This section lists all the records which fall on the project property. For more details, see the 'Detail Report' section.

'Site Report Summary-Surrounding Properties'- This section summarizes all records on adjacent properties, listing them in order of proximity from the project property. For more details, see the 'Detail Report' section.

Map Key: The map key number is assigned according to closest proximity from the project property. Map Key numbers always start at #1. The project property will always have a map key of '1' if records are available. If there is a number in brackets beside the main number, this will indicate the number of records on that specific property. If there is no number in brackets, there is only one record for that property.

The symbol and colour used indicates 'elevation': the red inverted triangle will dictate 'ERIS Sites with Lower Elevation', the yellow triangle will dictate 'ERIS Sites with Higher Elevation' and the orange square will dictate 'ERIS Sites with Same Elevation.'

Unplottables: These are records that could not be mapped due to various reasons, including limited geographic information. These records may or may not be in your study area, and are included as reference.

Ontario

Ministry of Natural Resources

Make-a-Map: Natural Heritage Areas

Natural Heritage Maps

Map created:5/20/2025

Legend

- Assessment Parcel
- ANSI
- Earth Science Provincially Significant/sciences de la terre d'importance provinciale
- Earth Science Regionally Significant/sciences de la terre d'importance régionale
- Life Science Provincially Significant/sciences de la vie d'importance provinciale
- Life Science Regionally Significant/sciences de la vie d'importance régionale
- Evaluated Wetland
- Provincially Significant/considérée d'importance provinciale
- Non-Provincially Significant/non considérée d'importance provinciale
- Unevaluated Wetland
- Woodland
- Conservation Reserve
- Provincial Park
- Natural Heritage System

Notes:

0.3 0 0.17 0.3 Kilometres

Absence of a feature in the map does not mean they do not exist in this area.

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources(OMNR) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map.

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APPENDIX C – SITE PHOTOGRAPHS

1. Front view (south wall) of the on-site residential building, looking north.

2. View of east wall of the on-site residential building, looking northwest.

3. View of the north and west walls of the on-site building, facing southeast.

4. View of basement area of the subject building.

5. View of woodland / wetland area, east of the Site.

6. View of the undeveloped land, west of the Site.

APPENDIX D – DOCUMENTATION OF INTERVIEW

Phase I ESA Documentation of Interviews

Interviewed Participants:

(a) **Current Site Owner**

Date, Time and Duration of Interview:	May 12, 2025, 10:00 am
Method and Place of Interview:	In writing
Name of Person:	Mr. Marshall Paton
Reason for Person Selection:	Person with detailed knowledge of current site activities.

Key Questions:	Answers:
1. Have a Phase I ESA, Phase II ESA and/or other reports been previously conducted for the Site, when, and are they available for review?	None
2. What is (was) the main current (past) activity conducted at the Site? Since when?	The site is occupied by a residential dwelling.
3. Was there any construction activity conducted at the site in the past years?	Unknown
4. Are there any company records available for review, such as: site plans, process control diagrams, utility drawings, inventory of chemicals, MSDS, waste management records?	None
5. Do you have knowledge of any current or former underground or aboveground storage tanks, and their location at the site?	None
6. Are there any spill reporting and emergency response plans, asbestos surveys and C of A available?	None
7. Do you have knowledge of any activities and events occurred at neighbouring properties that may have affected their environmental condition?	None

6 Royal Cres., PO Box 188
Pain Court, Ontario N0P 1Z0
(519) 809-4539
rbrown@oakviewlup.ca

Date: **March 14, 2025**

To: **City of Windsor, Planning Department**

RE: **Planning Justification Report for**
Proposed Application for Zoning By-law Amendment
4641 Malden Road, Lots 88 to 92, Plan 972

Roll # 3739 080 670 08900

Author: **Robert Brown, H. Ba, MCIP, RPP**

Purpose

To provide an overview of the related land use planning considerations in support of a Zoning By-law amendment from Development Reserve District 1.1 (DRD1.1) to Residential District 1.3 (RD1.3).

Background

The subject property at 4641 Malden Road (Figure One) consists of five existing lots on a plan of subdivision (Figure Two) with a total lot area of 1,133.55 sq. m (12,201.8 sq. ft.) and lot frontage of 37.19 m (122 ft.). There is one existing dwelling located toward the south end of the property which was constructed in the 1940's. The lands around the subject parcel are mostly vacant and undeveloped with only seven single detached homes located in the section of Malden Road between Chappus St. and the EC Row. There is no specific style of home in the area however many are smaller one to one and a half storey frame dwellings common in the mid to late 1940's.

The property owner has made an application for a zoning by-law amendment to rezone the property from Development Reserve District 1.1 (DRD 1.1) to Residential District 1.3 (RD1.3) to allow for the construction of three new single detached dwellings. The zoning amendment would also facilitate the reconfiguration of the five plan lots into a total of four lots, three vacant and one for the existing dwelling.

Each of the new lots (Parts 1, 2 and 3) would have a lot area of 278.5 sq. m (2,998.78 sq. ft.) and frontage of 9.14 m (29.98 ft.). The remaining lot (Part 4) would be 297.79 sq. m (3,205.5 sq. ft.) in lot area with a lot frontage of 9.77 m (32.05 ft.). (Figure One/Two)

LOCATION MAP

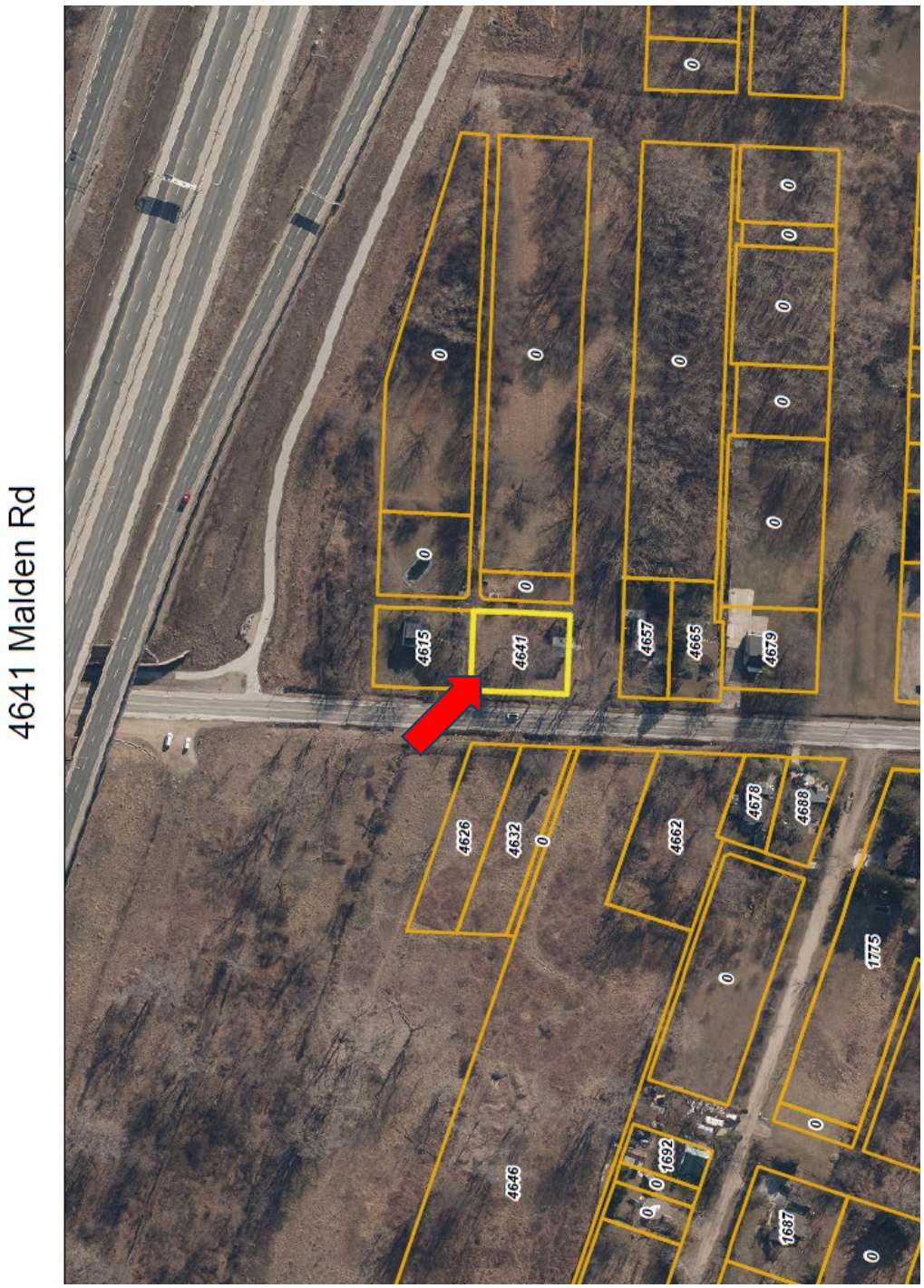
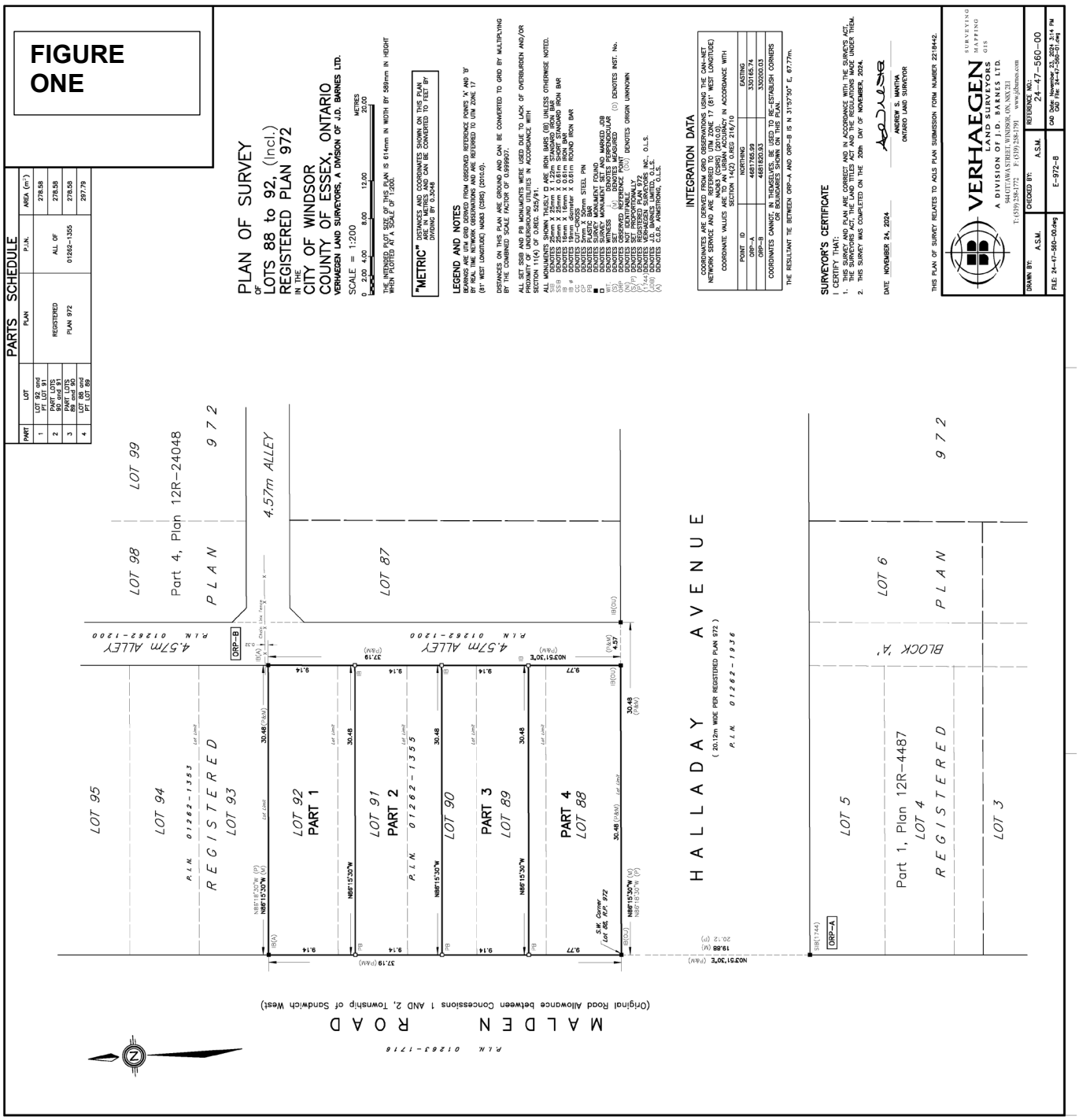


FIGURE ONE


PARTS SCHEDULE
PART | LOT | PLAN | P.I.N. | AREA (m²)
1 | LOT 92 and PT. LOT 91 | REGISTERED PLAN 972 | ALL OF 01262-1355 | 278.58
2 | PART LOTS 90 and 91 | | | 278.58
3 | PART LOTS 89 and 90 | | | 278.58
4 | LOT 88 and PT. LOT 89 | | | 297.79
PLAN OF SURVEY
OF
LOTS 88 to 92, (Incl.)
REGISTERED PLAN 972
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO
VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.
SCALE = 1:200
METRES
0 2.00 4.00 8.00 12.00 20.00
THE INTENDED PLOT SIZE OF THIS PLAN IS 614mm IN WIDTH BY 589mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200.
"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
LEGEND AND NOTES
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATION AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996031.
ALL SIB, SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PAVEMENT AS AGREED TO IN ACCORDANCE WITH PARAGRAPH 11(3) OF O.REG. 525/91.
ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.
IB 19mm X 750mm IRON BAR
SSIB DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR
SIB DENOTES 19mm X 610mm STANDARD IRON BAR
PB DENOTES 19mm ø x 0.61m ROUND IRON BAR
CC DENOTES CUT-CROSS
CP DENOTES 19mm ø STEEL PIN
PB DENOTES PLASTIC BAR
SIB DENOTES STANDARD IRON BAR
■ DENOTES SURVEY MONUMENT FOUND
○ DENOTES SURVEY MONUMENT SET AND MARKED JOB
(SIS) DENOTES SET STANDARD IRON BAR
(M) DENOTES MEASURED
(D) DENOTES INST. No.
(ORP) DENOTES OBSERVED REFERENCE POINT
(OP) DENOTES ORIGIN POINT
(SP) DENOTES SET PROPORTIONALLY
(P) DENOTES REGISTERED PLAN 972
(1744) DENOTES VERHAEGEN SURVEYORS INC., O.L.S.
(100) DENOTES J.D. BARNES LIMITED, O.L.S.
(A) DENOTES C.O.R. ARMSTRONG, O.L.S.
INTEGRATION DATA
COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG 216/10
POINT ID | NORTHING | EASTING
ORP-A | 4681765.99 | 332783.74
ORP-B | 4681853.53 | 332720.03
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.
THE RESULTANT TIE BETWEEN ORP-A AND ORP-B IS N 315°50" E, 67.77m.
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 20th DAY OF NOVEMBER, 2024.
DATE NOVEMBER 24, 2024.
ANDREW S. MANTHA
ONTARIO LAND SURVEYOR
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2218442.
VERHAEGEN LAND SURVEYORS
A DIVISION OF J.D. BARNES LTD.
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
T: (519) 256-1772 F: (519) 254-1791 www.jdbarnes.com
SURVEYING MAPPING GIS
DRAWN BY: A.S.M. | CHECKED BY: A.S.M. | REFERENCE NO.: 24-47-560-00
FILE: 24-47-560-00.dwg | E-972-8 | CAD Date: November 25, 2024 3:14 PM
LOT 99
LOT 98
Part 4, Plan 12R-24048
PLAN 972
4.57m ALLEY
LOT 87
LOT 95
LOT 94
R.I.N. 01262-1355
REGISTERED
LOT 93
LOT 92
PART 1
LOT 91
PART 2
R.I.N. 01262-1355
LOT 90
PART 3
LOT 89
PART 4
LOT 88
S.W. Corner Lot 88, Pl. 972
HALLADAY AVENUE
(20.12m WIDE PER REGISTERED PLAN 972)
R.I.N. 01262-1936
LOT 5
Part 1, Plan 12R-4487
LOT 4
REGISTERED
LOT 3
LOT 6
BLOCK 'A'
PLAN 972
MALDEN ROAD
(Original Road Allowance between Concessions 1 AND 2, Township of Sandwich West)
R.I.N. 01263-1716
ORP-A
ORP-B

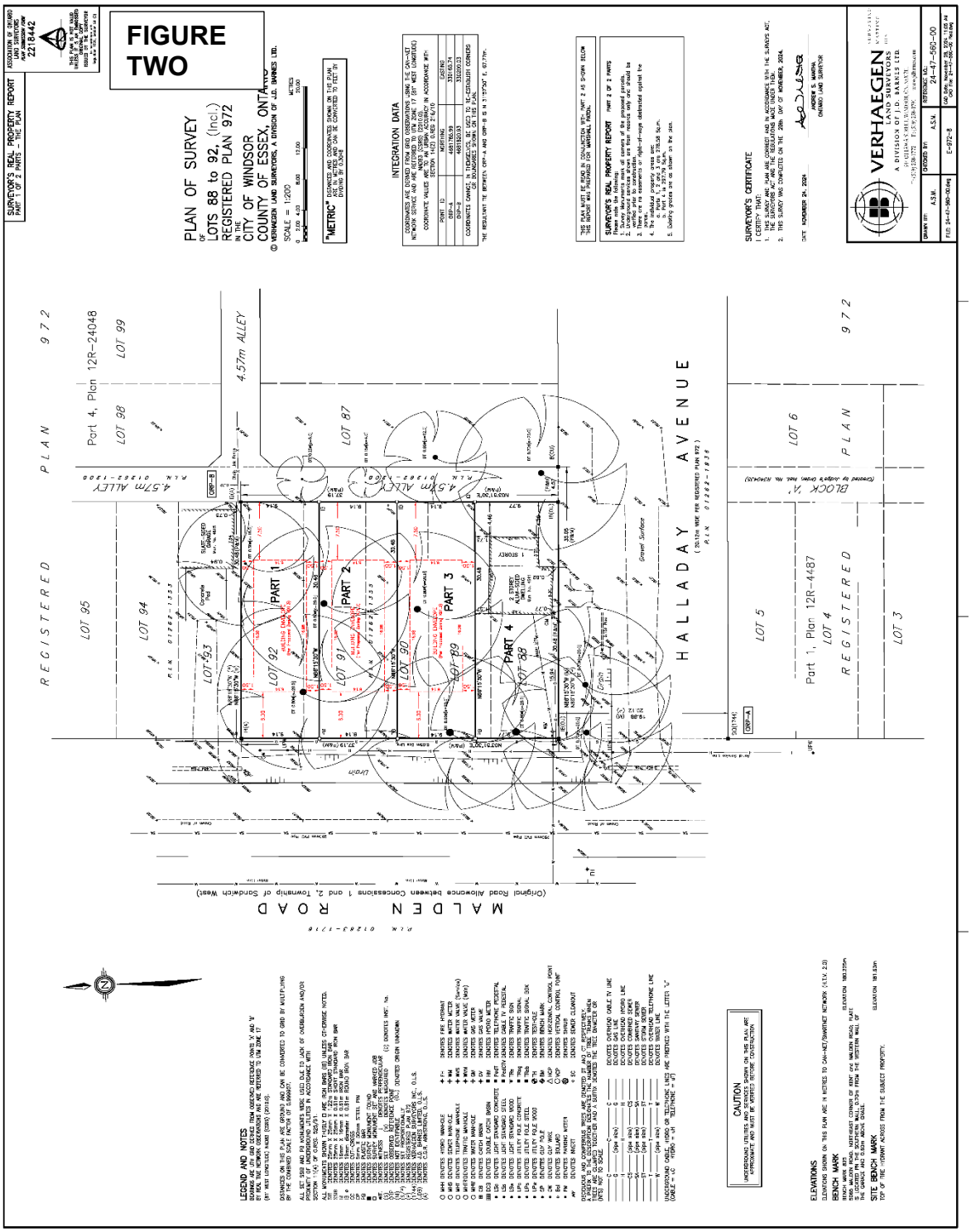
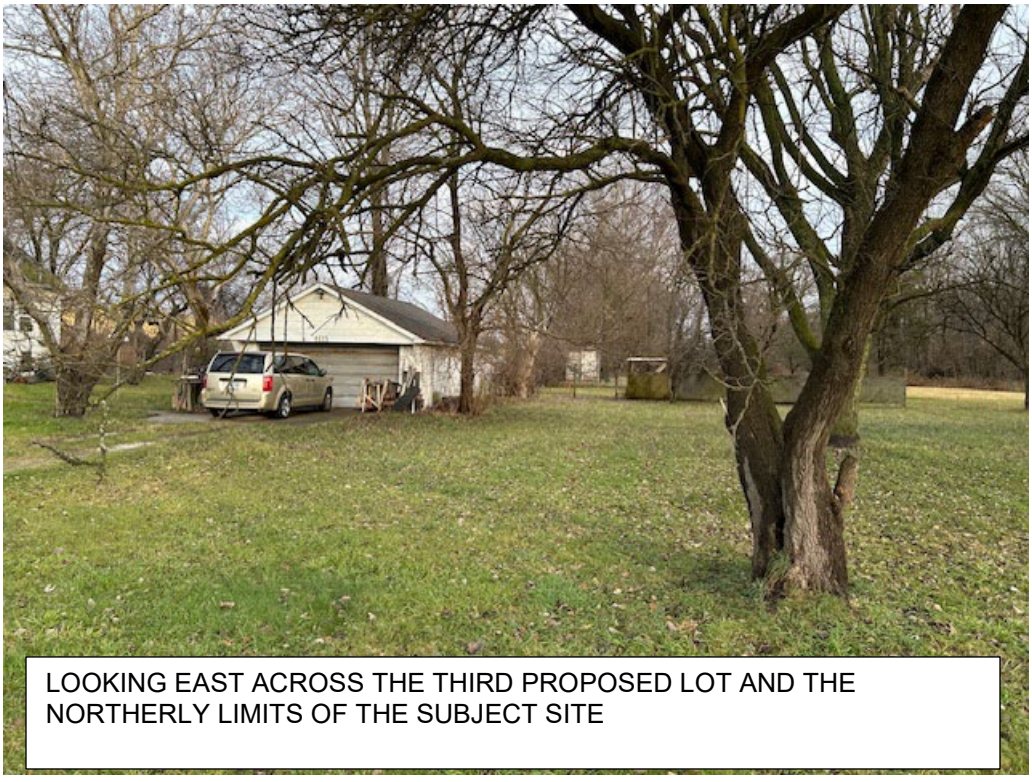


FIGURE TWO
PLAN OF SURVEY
OF
LOTS 88 to 92, (Incl.)
REGISTERED PLAN 972
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO
© VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.
SURVEYOR'S REAL PROPERTY REPORT
PART 1 OF 2 PARTS – THE PLAN
ASSOCIATION OF ONTARIO LAND SURVEYORS
SCALE = 1:200
"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
INTEGRATION DATA
COORDINATES ARE DERIVED FROM REAL TIME NETWORK (RTN) OBSERVATIONS UTILIZING THE SMARTNET NETWORK AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE)
COORDINATE VALUES ARE REFERRED TO THE NAD83 (CSRS) (2010.0) DATUM AND ARE IN ACCORDANCE WITH SECTION 14(2) OF REG 216/10
PART ID | NORTHING | EASTING
ORP-A | 4691850.69 | 330165.74
ORP-B | 4691820.93 | 330200.13
COORDINATES CHANGE IN THE NEXT 10 YEARS TO BE RE-EVALUATED CONSIDERING CRUSTAL MOTION
THE BEARINGS ORP-A AND ORP-B S N 11°25'24" E, 67.77m
THIS PLAN MUST BE READ IN CONJUNCTION WITH PART 2 AS SHOWN BELOW
THE PLAN AND THE REPORT
SURVEYOR'S REAL PROPERTY REPORT – PART 2 OF 2 PARTS
1. Survey Monuments mark all corners of the proposed parcels.
2. Unregistered servicing easements are their records only and should be verified.
3. There are no easements or rights-of-ways distributed against the lands.
4. The individual property area are:
Part 1 is 1337.9 Sq.m.
Part 2 is 1337.9 Sq.m.
5. Sketch prepared for the exclusive use of the Jan.
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 28th DAY OF NOVEMBER, 2024.
DATE NOVEMBER 29, 2024
DONALD LAND SURVEYOR
VERHAEGEN LAND SURVEYORS
A DIVISION OF J.D. BARNES LTD.
DRAWN BY: A.S.M.
CHECKED BY: A.S.M.
REFERENCE NO. 24-47-560-00
FILE: 24-47-560-00.dwg
E-972-2
LOT 95
LOT 94
LOT 93
LOT 92
LOT 91
LOT 90
LOT 89
LOT 88
LOT 87
LOT 99
LOT 98
LOT 5
LOT 4
LOT 3
LOT 6
Part 4, Plan 12R-24048
Part 1, Plan 12R-4487
4.57m ALLEY
HALLADAY AVENUE
MALDEN ROAD
(Original Road Allowance between Concessions 1 and 2, Township of Sandwich West)
PART 1
PART 2
PART 3
PART 4
REGISTERED PLAN 972
PLAN 972
BLOCK 'A'
(Deemed to Acquire Owing Not Registered)
LEGEND AND NOTES
CAUTION
ELEVATIONS
SITE BENCH MARK

LOOKING EAST ALONG THE UNOPENED ROW (HALLADAY AVE) & ALONG THE SOUTHERLY LIMIT OF THE SUBJECT PROPERTY

LOOKING EAST AT THE EXISTING DWELLING AT THE SOUTH END OF THE PROPERTY

LOOKING EAST ACROSS TWO OF THE PROPOSED NEW LOT



LOOKING EAST ACROSS THE THIRD PROPOSED LOT AND THE NORTHERLY LIMITS OF THE SUBJECT SITE

LOOKING SOUTH ALONG MALDEN ROAD AT THE EXISTING OPEN DRAIN

LOOKING SOUTH TOWARD ADJACENT DEVELOPMENT SOUTH OF THE SUBJECT SITE

LOOKING NORTH ALONG MALDEN ROAD AND THE VACANT PROTECTED LANDS TO THE WEST OF THE SUBJECT SITE

Planning Rationale

1) Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The lands are designated Residential by the Windsor Official Plan and located within the settlement area.

Section 2.2 Housing

1. 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:

    a) establishing and implementing minimum targets for the provision of housing that is *affordable* to *low and moderate income households*, and coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including *affordable* housing needs;

    Comment: One of the most expedited ways to achieve housing goals is the utilization of existing lands within a settlement area. What makes the subject area somewhat more advantageous is that it is already subdivided with a variety of lot sizes. With the addition of streets and services, where appropriate, development could proceed. The mix of lot sizes could allow for anything from small single detached, to semi-detached and townhouse development.

    b) permitting and facilitating:

    1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and

    2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, 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;

    Comment: The subject area has remained largely underdeveloped in part due to servicing needs but more so due to the large natural area that predominates. Policy has been developed over many years to assist with the

guidance of how to best develop the lands that are outside or adjacent to the natural area. Although small in scale the proposed development is one example of what can occur with the assembly of a few lots.

c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and

Comment: The area is limited to lower density development, again based on the need to protect and preserve the area's natural environment. However, there still remains a significant number of lots and lot sizes that can accommodate a wide range of low-density housing types. The subject site specifically abuts Malden Road which is a minor arterial road (Figure Three). This is an area were high density, mix residential types and mix use serve as a buffer and transition to low density within the area east of Malden Road.

d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

Comment: The scattered nature of the existing development in the surrounding area makes providing transit service presently inefficient. As more housing develops in the area this is likely to require change. This is not to say that the area has no access as there is one transit line (Route#3) that is located just under 1 km to the north of the subject property.

2) Official Plan – City of Windsor

The subject property is designated Residential in the City of Windsor Official Plan (Figure Four) and within the Spring Garden Planning Area (SGPA) (a secondary plan added to the Official Plan in 2002) (Figure Five). The area consists of approximately 6,500 residential lots on several registered plans that occurred between 1909 and 1929. Many of the lots have a width of 9 metres which was standard for the day. With the large number of lots ownership across the area is very fragmented with many individuals owning only one or two lots. With this and a lack of infrastructure the area remained undeveloped and vacant. In addition, the SGPA contains a consolidated Environmentally Significant Area, an Area of Natural and Scientific Interest (ANSI), a Candidate Natural Heritage Site (CNHS) and contains habitat for the Massassauga Rattlesnake, an endangered species.

In 1996 a sewer extension into the area stimulated growth along with a need to update policy in the area to address the complex environmental issues, land use and servicing needs. This led to a development concept for the area which is outlined in (Schedule SG-1 of the SGPA – Figure Five). With policy now in place for the area proposals for development can be consistently assessed.

Section 5.6 of the SGPA outlines the following relevant objectives:

5.6.1 To protect and perpetuate the significant biological communities within the Spring Garden Natural Area Complex in accordance with the goals, objectives and policies of the City's Official Plan.

Comment: An Information Gathering Form (IGF), Environmental Evaluation Report (Appendix B) & Natural Features Inventory and Preservation Study (Appendix C) was submitted to the MECP to assess the potential impacts of the project on species at risk (SAR). MECP has reviewed this information and provided a number of recommendations which are outlined in Appendix D.

5.6.2 To integrate future residential development with the natural environment, where feasible, on lands adjacent to the Spring Garden Natural Area Complex in accordance with the goals, objective and policies of the City's Official Plan.

Comment: The lands in question are located northwest of the Spring Garden Natural Area Complex but are not adjacent to it.

5.6.3 To determine appropriate noise attenuation measures for residential development areas adjacent to the E.C. Row Expressway, Huron Church Road and Malden Road.

Comment: A noise assessment was completed. (See Appendix E)

5.6.4 To determine infrastructure needs for the provision of full municipal services.

Comment: Water and sanitary sewer service is available along Malden Road to provide service connections to the new lots. There is no storm sewer however there is a roadside drain that provides an outlet for surface drainage from the property now and can continue to do so for the new lots.

5.7 Policies

5.7.1.3 Maximum Density – 30 units per gross hectare.

Comment: The gross density of the proposed development would be 21.4 units per gross hectare

5.7.1.4 Single detached residences will be encouraged as the primary residential land use type.

Comment: Each of the new lots is being developed with a new single detached dwelling.

5.7.1.9 Requires that an Environmental Evaluation Report be completed to evaluate the ecological function of the adjacent lands.

Comment: A comprehensive EER (Appendix B) was completed for the Spring Garden Natural Area (ANSI) and formed part of the amendment that established the

SGPA. Residential development "*located within the 50 metre adjacent lands area of the ANSI will not be required to fulfill future EER requirements, save for and except the lands identified as EPA "A" on Schedule SG-2.*" EPA "A" is located at the south end of the SGPA well away from the subject lands.

5.7.1.11 Noise control measures shall apply to areas affected by noise pollution from E.C. Row Expressway, Malden Road and Huron Church Road…

Comment: Noise from Malden Road was determined to exceed MECP guidelines however to mitigate this it was recommended in the noise assessment that the dwellings include the installation of central air conditioning and that a warning clause be registered on title as part of the future severance application.

Section 5.7.10.7 and 5.7.11.5 speak to the limiting or restriction of access points to Malden Road.

Comment: As existing lots along Malden Road there is the understanding that access to these lots would be permitted as-of-right today. There are a couple of possible options to limit access points. Option one would be through the use of shared access points from Malden Road. This would result in two access points used by the proposed four lots. Option two would be the use of Halladay Ave for access to the alley way that is located to the rear of the proposed lots. The disadvantage of this option is the need to improve Halladay Ave as a travelled road and improve the alley way. The cost associated with this option is not feasible to service only four lots.

Section 5.7.11.3 notes that, "In the absence of storm sewers, open channels, and permanent detention facilities, developers will be encouraged to assemble land and to install a temporary detention system.

Comment: With a typical plan of subdivision, large commercial or industrial development the inclusion of a storm water management facility is a common aspect of those developments. The Spring Garden area was not developed at a time with the same level of detail or comprehensive analysis. The area was basically lotted out into several plans with no services or even basic development standards. As time passed the City recognized the importance of the natural area that had been lotted out with no consideration of the underlying natural heritage features or species habitat. That in turn lead to new policy that now provides guidance for new development. In the absence of a private developer acquiring a large block of lots and perhaps reconfiguring an area into a modern-day comprehensive plan of subdivision small scale development such as that proposed may be the only way the area will start to realize some degree of infilling. For now the lots will continue to have access to the open drain along Malden Rd as a storm water outlet.

Section 6.3 – Residential

The following section under the residential designation would also be applicable to the proposed zoning amendment:

6.3.1.1 To support a complementary range of housing forms and tenures in all neighbourhoods.

Comment: The proposed development on the lots will be low profile, single detached dwellings.

6.3.1.2 to promote compact neighbourhoods which encourage a balanced transportation system.

Comment: As noted under PPS the property is located less than a kilometer from a Windsor Transit route.

6.3.1.3 To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.

Comment: The area is comprised of a significant number of existing lots. The proposed will utilize five existing lots to create a total of four lots for new dwellings.

6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.

Comment: Low profile development is proposed on the subject lands.

6.3.2.5 At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:

    i. within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;

    Comment: The subject lands are located southeast, approximately 260 m from the former Malden Landfill property (now Malden Park & Woodland Trails) which is north of the EC Row Expressway. As a result, Section 5.4.9, Waste Disposal Sites Policies apply. Staff have provided additional information on the landfill and the applicant will continue to investigate what is necessary to address the requirements under Section 5.4.9.

    ii. adjacent to sources of nuisance, such as noise, odour, vibration and dust;

Comment: Noise was noted as an item that required attention and was addressed via a noise study including the provision of mitigation measures.

iii. within a site of potential or known contamination;

Comment: The site is not a potential or known location of contamination.

iv. where traffic generation and distribution is a provincial or municipal concern;

Comment: This has been addressed under the SGPA Section of the report.

v. adjacent to heritage resources.

Comment: the site is not adjacent to heritage resources.

b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

Comment: The proposal has been reviewed in the context of the SGPA policies of Section 5.6 of this report.

c) in existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

Comment: The proposed dwellings on the new lots will be consistent in size with existing development in the area. Two storey units are proposed facing Malden Road and will comply with the required setbacks of the proposed RD1.3. Parking will be provided for each dwelling. There are both parks and trails located near to the subject lands.

d) provided with adequate off street parking;

Comment: Provided on-site.

e) capable of being provided with full municipal physical services and emergency services; and….

Comment: Municipal sanitary and water service is available along Malden Road. New connections will be required. Stormwater drainage at present would be via an existing open drain along Malden Road. The subject lands would be within the response area of Fire Station #5 and accessible by police and ambulance.

Section 8 Urban Design

8.7 Built Form

8.7.2.3 Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:

a) massing;

Comment: Single detached, low-profile dwellings are proposed which are proportional to the lot size.

b) building height;

Comment: Two storey is proposed.

c) architectural proportions;

Comment: The area has a mix of styles, sizes and ages.

d) volumes of defined space;

Comment: Each new dwelling will have a footprint of approx. 100 sq. m (1076 sq. ft.) which is consistent with many of the existing older dwellings in the area.

e) lot size;

Comment: The proposed will consolidate five existing plan lots into a total of four. As with the existing development in the area, lot sizes also vary considerably.

f) position relative to the road;

Comment: The setback for the new dwellings will comply with the provisions of the RD1.3 zone.

g) building area to site area ratios;

Comment: The lot coverage of the new dwellings will comply with the proposed zoning.

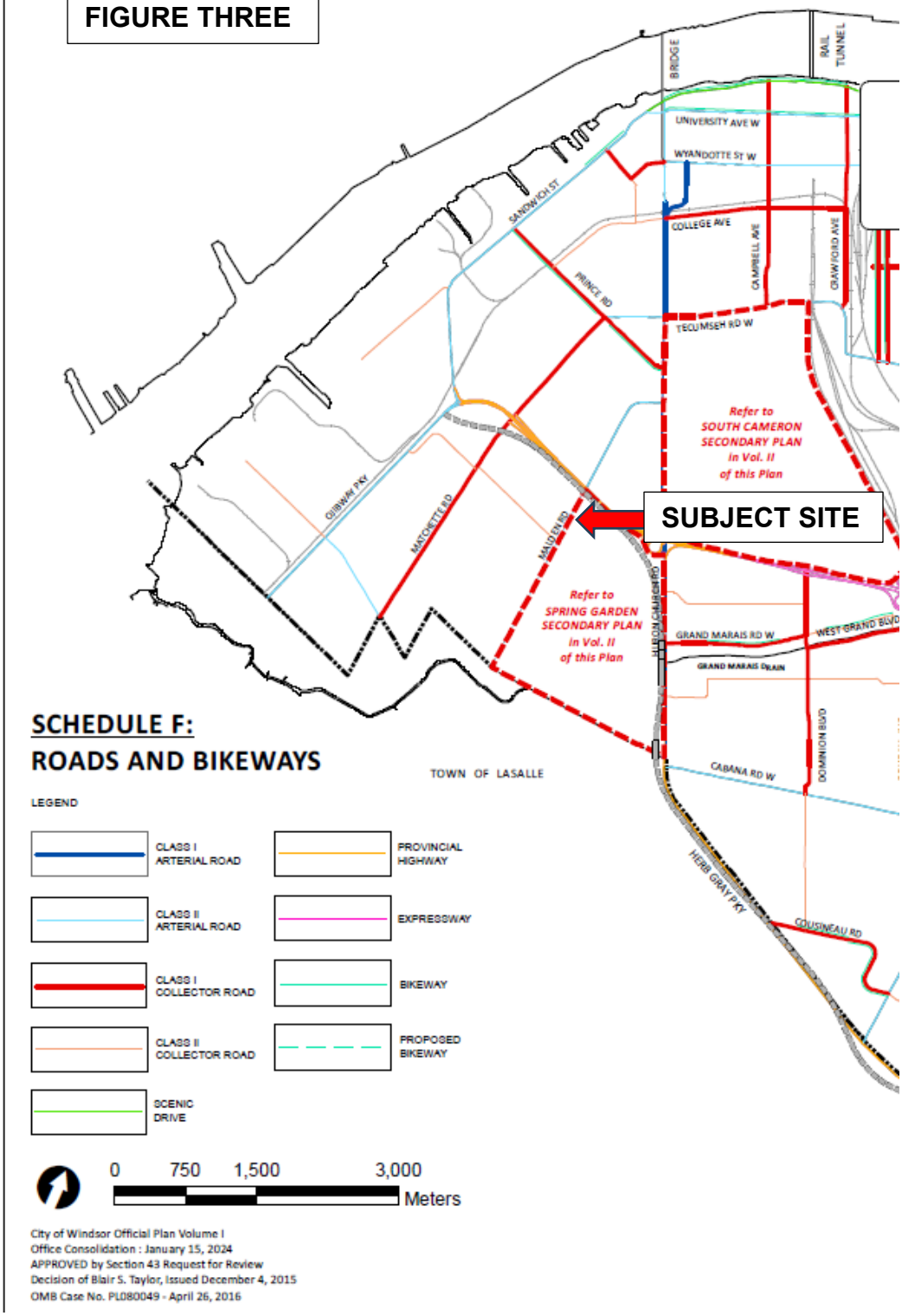
h) the pattern, scale and character of existing development, and

Comment: the mix of housing types, styles, ages and lot sizes makes for an area that has no distinct pattern or scale and results in a mixed character. The addition of the new dwellings on a compact collection of lots is actually in keeping with the variety of development along Malden Road.

i) exterior building appearance.

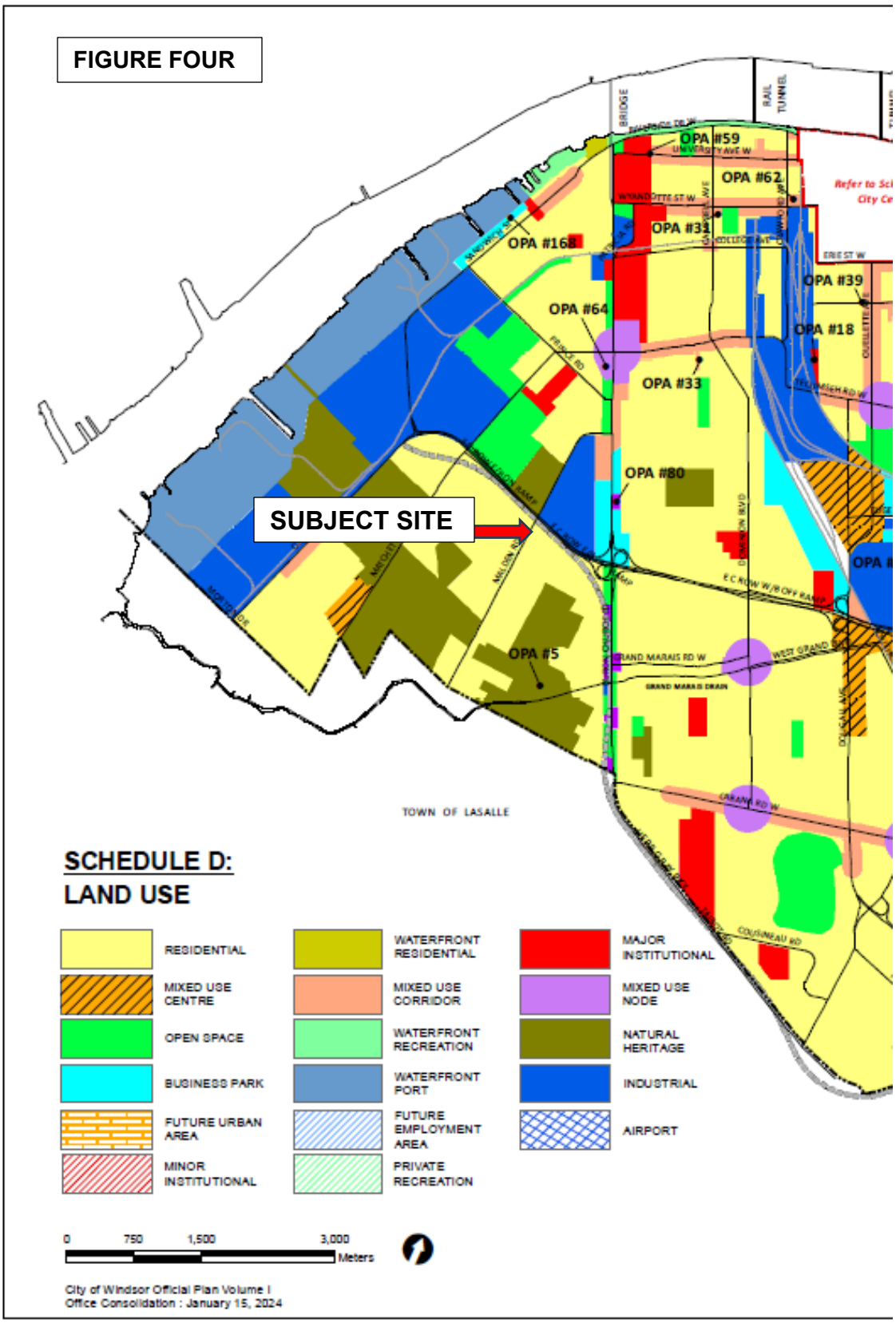
Comment: The dwellings will be consistent with current design and exterior finishes.

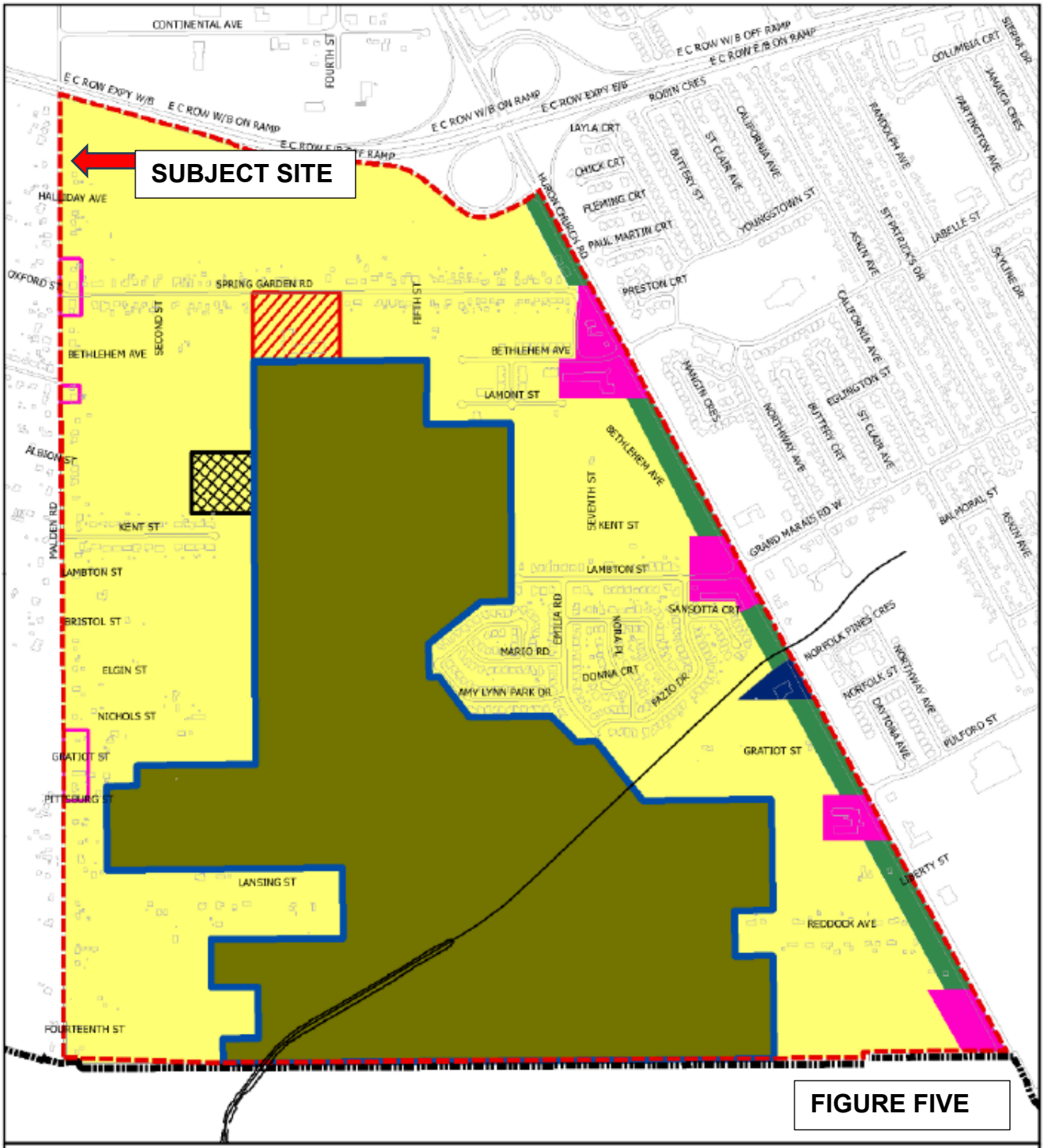
FIGURE THREE



City of Windsor Official Plan Volume I
Office Consolidation : January 15, 2024
APPROVED by Section 43 Request for Review
Decision of Blair S. Taylor, Issued December 4, 2015
OMB Case No. PL080049 - April 26, 2016

FIGURE FOUR


OPA #59
OPA #62
OPA #31
OPA #168
OPA #39
OPA #64
OPA #18
OPA #33
OPA #80
SUBJECT SITE
OPA #5
TOWN OF LASALLE
SCHEDULE D:
LAND USE
RESIDENTIAL
MIXED USE CENTRE
OPEN SPACE
BUSINESS PARK
FUTURE URBAN AREA
MINOR INSTITUTIONAL
WATERFRONT RESIDENTIAL
MIXED USE CORRIDOR
WATERFRONT RECREATION
WATERFRONT PORT
FUTURE EMPLOYMENT AREA
PRIVATE RECREATION
MAJOR INSTITUTIONAL
MIXED USE NODE
NATURAL HERITAGE
INDUSTRIAL
AIRPORT
0 750 1,500 3,000
Meters
City of Windsor Official Plan Volume I
Office Consolidation : January 15, 2024


SUBJECT SITE
CONTINENTAL AVE
FOURTH ST
E C ROW EXPY W/B
E C ROW W/B ON RAMP
E C ROW W/B OFF RAMP
E C ROW EXPY E/B
E C ROW E/B ON RAMP
ROBIN CRES
LAYLA CRT
CHICK CRT
FLEMING CRT
PAUL MARTIN CRT
PRESTON CRT
BUTTERY ST
ST CLAIR AVE
CALIFORNIA AVE
YOUNGSTOWN ST
RANDOLPH AVE
ASKIN AVE
ST PATRICK'S DR
LABELLE ST
PARTINGTON AVE
JAMAICA CRES
COLUMBIA CRT
SIERRA DR
SKYLINE DR
HURON CHURCH RD
HALLEDAY AVE
OXFORD ST
SPRING GARDEN RD
SECOND ST
FIFTH ST
BETHLEHEM AVE
LAMONT ST
ALBION ST
MALDEN RD
KENT ST
LAMBTON ST
BRISTOL ST
ELGIN ST
NICHOLS ST
GRATIOT ST
PITTSBURG ST
LANSING ST
FOURTEENTH ST
SEVENTH ST
EMILIA RD
NOVA TL
MARIO RD
DOMNA CRT
AMY LYNN PARK DR
BAZIO DR
SANSOTTA CRT
MARGIN CRES
NORTHWAY AVE
EGLINGTON ST
GRAND MARAIS RD W
BALMORAL ST
NORFOLK PINES CRES
NORFOLK ST
DAYTONA AVE
FULFORD ST
LIBERTY ST
REDDOCK AVE
FIGURE FIVE
SPRING GARDEN PLANNING AREA
SCHEDULE SG-1 : LAND USE
0 95 190 380
Meters
Boundary of Planning Area
Municipal Boundary
A.N.S.I./E.S.A./C.N.H.S. Consolidated Boundary
Mitigation Area
Residential
Commercial Corridor
Neighbourhood Commercial
Open Space
Minor Institutional
Natural Heritage
Light Industrial
City of Windsor Official Plan Volume II
Date of MMAH Approval : YYYY/MM/DD
Office Consolidation : 2022/11/15

Comprehensive Zoning By-law

The subject property is currently zoned Development Reserve District 1.1 (DRD 1.1). (Figure Six) This limits development to what exists on the property at present. This zoning helps to limit development and afford the City the ability to review development proposals case-by-case and determine if they are consistent with the policies of the Spring Garden Planning Area.

The proposed zoning for the property is Residential District 1.3 (RD1.3) which permits a single unit dwelling and includes provisions that best align with both the existing lot pattern and the proposed lots. Figure Seven is a conceptual plan showing the floor plan, setbacks and parking location options for the proposed single dwellings.

The following zoning chart outlines the existing zoning provisions and those of the proposed Residential District 1.3 (RD1.3):

Category	Proposed Amendment
Development Reserve District 1.1 (DRD 1.1).	Rezoned to Residential District 1.3 (RD1.3)
Permitted Use – Existing dwelling	Single unit dwelling
Lot Width – As existing	9.0 m
Lot Area – As existing	270.0 m²
Lot Coverage – 45%	45%
Main Bldg. Height – 10 m	9 m
Front Yard – 6.0 m	6 m
Rear Yard – 7.5 m	7.5 m
Side Yard – 1.2 m	1.2 m
GFA – Main Building – NA	400 m² - no amendment necessary

FIGURE SIX

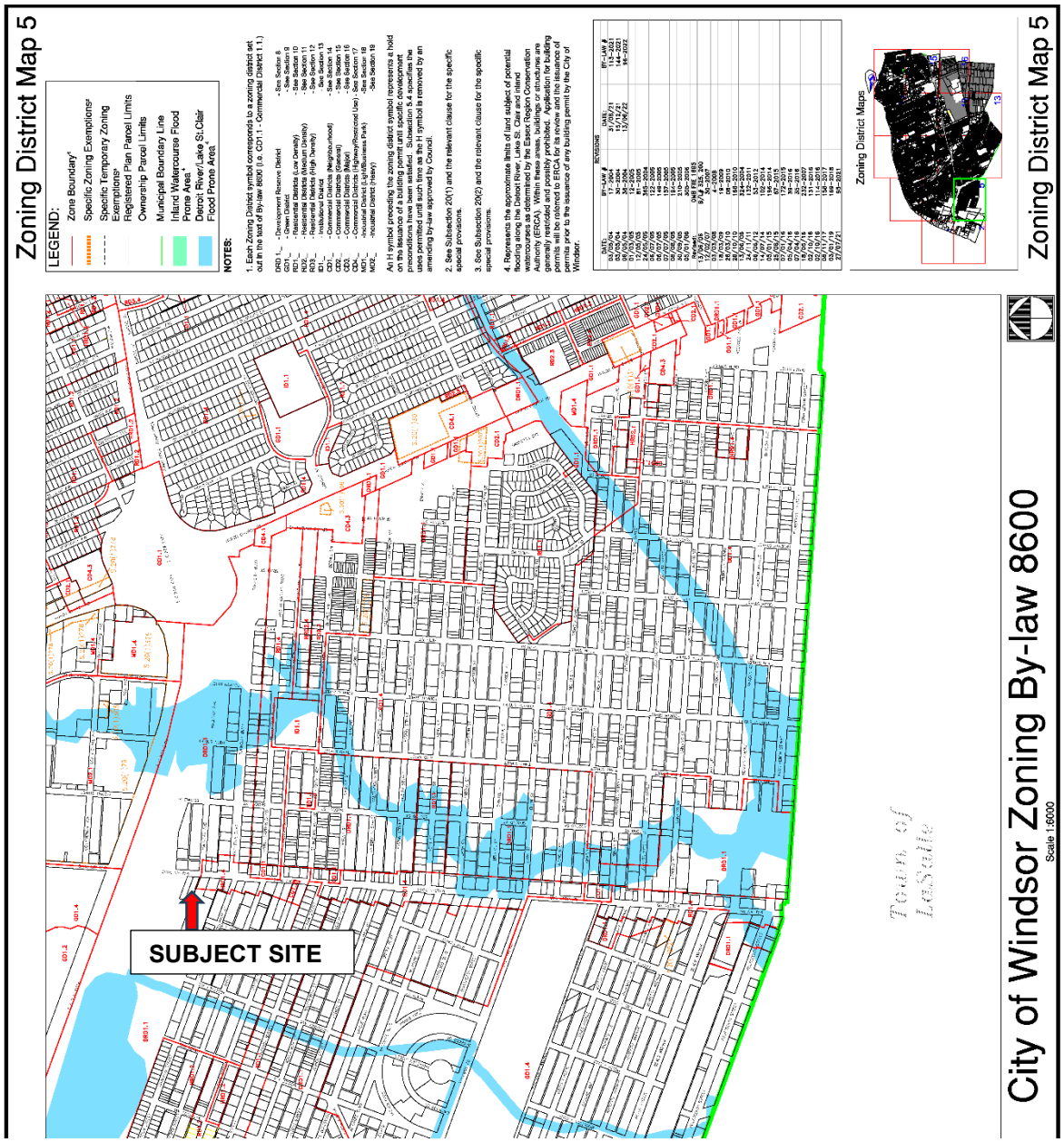

Zoning District Map 5
LEGEND:
Zone Boundary
Specific Zoning Exemptions
Specific Temporary Zoning Exemptions
Registered Plan Parcel Limits
Ownership Parcel Limits
Municipal Boundary Line
Inland Watercourse Flood Prone Area
Detroit River/Lake St.Clair Flood Prone Area
NOTES:
Zoning District Maps
SUBJECT SITE
City of Windsor Zoning By-law 8600
Scale 1:6000

FIGURE SEVEN

Public Open House

Consistent with City of Windsor policy an open house was held January 24th to provide landowners within 200 m of the subject property the opportunity to review details of the project and ask questions of the development team. The consultant, along with the planner managing the application were in attendance. The lot survey along with an overlay of the proposed location of the dwellings and proposed floor plans were provided for review. A copy of this draft planning rationale was also available.

A total of seven people (four signed in three did not) attended the open house. Reaction to the proposal was neutral with questions primarily focused on what was being developed and potential timelines. There were no objections or concerns expressed from the attendees.

Information Open House – 4641 Malden Rd.

SIGN-IN SHEET

NAME	ADDRESS	PHONE OR E-MAIL
Ty & Vicki Prince	4657 Malden Rd	403-393-6945
Jaleesa & Kyle		jal_russell@hotmail.com 519-982-6349

Conclusions

The subject lands are in an area that has a number of limiting factors that have resulted in a mix of development with a mix of uses, densities, ages and styles. Much of the development of the Spring Garden area is along Spring Garden Rd, Malden Rd, Kent St and the Emilia Rd/Fazio Dr subdivision. The introduction of a secondary plan has provided a framework for development to move forward however it relies on either working within the existing lot pattern, that is fragmented by ownership with no consistent lot pattern, or acquiring a sufficient number of lots to assemble an area that could be more comprehensively and feasibly developed. Add to this that a large percentage of the Spring Garden area is covered by a natural heritage feature that does not permit development and impacts on the type and method of development for any lands adjacent to it.

With the limitations of the area in mind it makes smaller infill opportunities, such as the one proposed on the subject lands, worth greater consideration in order to best utilize the available lands that have occupied valuable residential land within the City of Windsor for close to or more than one hundred years.

Although the proposed zoning amendment will permit the compact development of three new homes in an area of scattered low density, it is utilizing five existing plan lots efficiently. It is also important to consider that Malden Road is classed as a minor arterial and as a result should give consideration to a wider range of residential types and densities, acting as a transition toward lower density development on the interior of the Spring Garden area. To that end the requested approval represents good land use planning and should be considered consistent with the direction for the City of Windsor.

Prepared by:

Robert Brown, H, Ba, MCIP, RPP
Principal Planner
Oakview Land Use Planning

APPENDICES

Item No. 8.10

Committee Matters: SCM 221/2025

Subject: ZBA - 0 Randolph Ave - Z-008/25 ZNG/7297 - Ward 1

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

Decision Number: **DHSC 748**

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

2. EAST SIDE OF RANDOLPH AVENUE BETWEEN WEST GRAND BOULEVARD AND GRAND MARAIS ROAD WEST

For the lands comprising Lots 406 and 407, Plan 1295 and Part 1, Plan 12R29574, one *Semi-Detached Dwelling* shall be an additional permitted *main use*.
[ZDM 8; ZNG/7297]; and,

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 406 and 407, Plan 1295 and Part 1, Plan 12R29574, situated on the east side of Randolph Ave, south of Grand Marais Road West, known municipally as 0 Randolph Avenue, from RD1.4 to RD1.4x(2).

Carried.
Member Daniel Grenier discloses an interest and abstains from voting on this matter.
Councillor Fred Francis voting nay.

Report Number: S 78/2025
Clerk's File: Z/14979

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 7.3 from the Development & Heritage Standing Committee held on July 7, 2025.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Subject: ZBA - 0 Randolph Ave - Z-008/25 [ZNG/7297] – Andi Shallvari - Ward 1

Reference:

Date to Council: July 7, 2025
Author: Diana Radulescu
Planner II – Development Review
T.(519) 255-6543 x 6918
E. dradulescu@citywindsor.ca
Planning & Building Services
Report Date: 6/2/2025
Clerk's File #: Z/14979

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

2. EAST SIDE OF RANDOLPH AVENUE BETWEEN WEST GRAND BOULEVARD AND GRAND MARAIS ROAD WEST

For the lands comprising Lots 406 and 407, Plan 1295 and Part 1, Plan 12R29574, one *Semi-Detached Dwelling* shall be an additional permitted *main use*.

[ZDM 8; ZNG/7297]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 406 and 407, Plan 1295 and Part 1, Plan 12R29574, situated on the east side of Randolph Ave, south of Grand Marais Road West, known municipally as 0 Randolph Avenue, from RD1.4 to RD1.4x(2).

Executive Summary:

N/A

Background:

Application Information

Municipal Address: 0 Randolph Avenue

Roll Number: 080-200-00202

Ward: 1 **Planning District:** South Windsor **Zoning District Map**: 8

Applicant/Agent: Tracey Pillon-Abbs (Pillon-Abbs Inc.)

Owner: Andi Shallvari

Submitted Materials: Attached to Report S 78/2024 as an Appendix:

Appendix A - Conceptual Site Plan
Appendix B - Conceptual Elevations
Appendix C - Planning Rationale Report
Appendix D – Site Photos
Appendix E – Consultation Comments

Proposal:

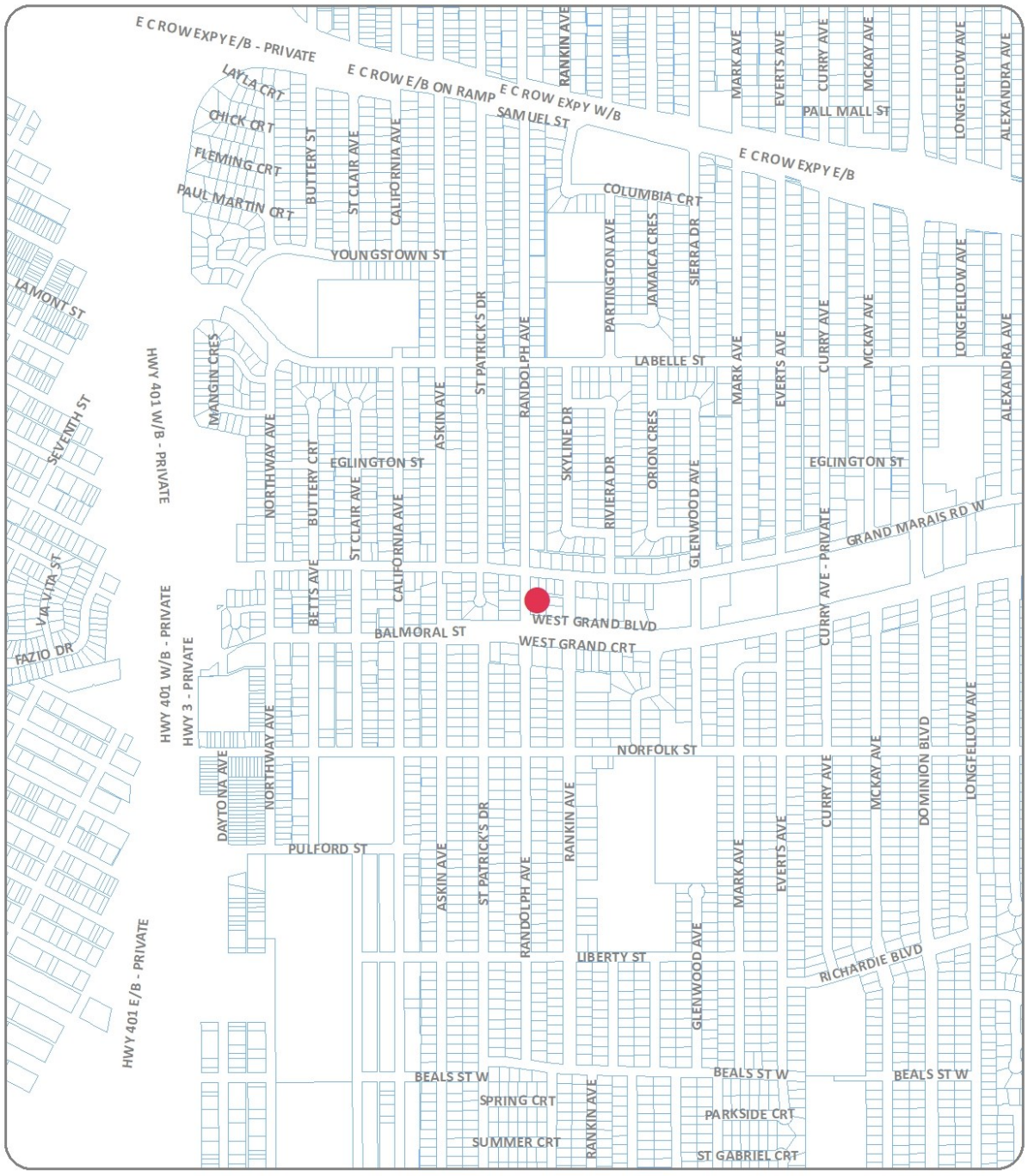
The applicant is requesting a rezoning to permit one new (two-storey) semi-detached dwelling as an additional permitted use within the current RD1.4 zone. Two residential units and four parking spaces are proposed. No other relief is requested from the provisions of Zoning By-law 8600. The applicant intends to sever the property in the future. The subject land is currently vacant.

The development as proposed is not subject to Site Plan Control. All plans, elevations and renderings are conceptual and subject to change.

Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.4 (RD1.4)	Vacant land	Residential
LOT FRONTAGE	**LOT DEPTH**	**LOT AREA**	**LOT SHAPE**
18.2 m	33.5 m	592.0 m^2	Rectangular
All measurements are provided by the agent and are approximate.			

Figure 1: Key Map



KEY MAP - Z-008/25, ZNG/7297

SUBJECT LANDS

Figure 2: Neighbourhood Map

NEIGHBOURHOOD MAP - Z-008/25, ZNG/7297

SUBJECT LANDS

Neighbourhood:

Section 2.3 in the PRR provides an overview of the neighbouring uses. Site images are provided in Appendix D.

The subject parcel is located within a primarily low profile residential neighbourhood.

There are several educational facilities located within a 600 m radius of the subject site, including Bellewood Public School, Montessori School of Windsor, Notre Dame Catholic Elementary School, Glenwood Public School, Vincent Massey Secondary School and Elementary School Catholic Monseigneur-Jean-Noël.

There are also several parks and recreational opportunities within a 700 m radius including Partington Playground, Bellewood Park, Capri Pizzeria Recreation Complex, Oakwood Park, and the Rt. Hon. Herb Gray Parkway recreational trail.

The nearest library is the Windsor Public Library's Budimir Branch 720 m to the east.

The Canadian Pacific Railway is located approximately 2.2 km to the east.

Randolph Avenue is classified as a Local Residential Road per *Schedule F: Roads and Bikeways* and has two travel lanes. There are no curbs or sidewalks and parking is not available on the street. Active transportation infrastructure in the form of bikes lanes is available on both sides of Grand Marais Rd W.

Public transit is available via Route 305 along Grand Marais Rd W. This route has a peak weekday frequency of 30 minutes. The closest existing bus stop to this property is located on Rankin at Grand Marais southwest corner. This bus stop is approximately 160 metres from this property falling within Transit Windsor's walking distance guidelines of 400 metres to a bus stop. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

The site is serviced by a 200mm sanitary sewer and a 600mm storm sewer located within Randolph Avenue right-of-way.

Figure 3: Subject Parcel – Rezoning

PART OF ZONING DISTRICT MAP 8

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Andi Shallvari

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2025
FILE NO. : Z-008/25, ZNG/7297

Discussion:

Planning Rationale Report (Pillon Abbs Inc. – April 24, 2025)

The Planning Rationale Report (PRR), attached as Appendix C to Report S 78/2024, notes that *"the proposed development will be limited to a 2 storey, low profile building, which is a compatible density and building envelope with the surrounding area."* and that *"the proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs."* The PRR further notes that *"the proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements."*

The PRR concludes that "*that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning*." The Planning Department generally concurs with the PRR.

Provincial Planning Statement (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.

Policy 2.1.6 states that "*complete communities*" shall be supported by "*accommodating an appropriate range and mix of land uses, housing options, … and other uses to meet long-term needs*", "*improving accessibility for people of all ages and abilities*", and "*improving social equity and overall quality of life for people of all ages, abilities, and incomes*".

The proposed semi-detached dwelling will provide a form of housing that is appropriate in terms of the range and mix of the surrounding neighbourhood context. It represents an appropriate housing option that will meet long-term needs, and improves accessibility, social equity & overall quality of people of all ages, abilities, & incomes. The proposed amendment is consistent with Policy 2.1.6 of the PPS.

Policy 2.2 requires that an "*appropriate range and mix of housing options and densities*" be provided by "*permitting and facilitating…all housing options required to meet the social, health, economic and well-being requirements of current and future residents…and all types of residential intensification … development and introduction of new housing options within previously developed areas*". Densities should promote the efficient use of land and infrastructure and support the use of active transportation.

Policy 2.3.1 provides general policies for settlement areas. Growth should be focused in the settlement area. Land use patterns should be based on the efficient use of land and resources, optimizing existing and planned infrastructure, support active transportation, and be transit supportive.

The proposed semi-detached dwelling represents a housing option that will meet the various requirements of current and future residents, is a type of residential intensification, and promotes the efficient use of land, resources, and infrastructure, and supports active transportation. Transit and active transportation are available and are planned to be enhanced in the future. The proposed amendment is consistent with Policy 2.2 and Policy 2.3.1.

Policy 2.9 requires that the impacts of a changing climate and reduction in greenhouse gas emissions shall be supported with compact, transit-supportive, and complete communities, consider stormwater management systems, and promote active transportation.

The proposed semi-detached dwelling is a residential infill and intensification project, thereby not requiring settlement area expansion. It is a compact development with access to existing transit and active transportation and is located within an area that is serviced by municipal sewage and water services. The proposed amendment is consistent with Policy 2.9.

The proposed development of semi-detached dwelling represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City of Windsor, land consumption and servicing costs, accommodates an appropriate range of residential uses, and optimizes existing investments in transit and infrastructure. There are no anticipated environmental or public health and safety concerns with the proposed use of land.

The agent indicates that the objectives of the PPS 2024 have been considered and have informed their professional planning opinion and concept design for the project site. These objectives are discussed in the Planning Rationale Report (Appendix C). Planning & Development Services generally concurs with this and is of the opinion that the proposed amendment to Zoning Bylaw 8600 is consistent with the PPS 2024.

City of Windsor Official Plan

The subject property is located within the South Windsor Planning District in *Schedule A – Planning Districts & Policy Areas* of Volume I.

The subject parcel has a Residential land use designation in *Schedule D – Land Use Plan*. Section 6.3.2.1 stipulates that low profile and medium profile dwelling units are permitted within the Residential land use designation. The proposed development of a semi-detached dwelling is classified as a Low Profile development under Section 6.2.1.2 (a) and is compatible and complementary with the surrounding land uses (Section 6.3.2.5 (c)). The development is of a scale that is compatible with the profile and uses of the surrounding neighbourhood. No deficiencies in municipal physical and emergency services have been identified (Section 6.3.2.5 (e)). The proposed rezoning conforms to the policies in Sections 6.3.2 of the Official Plan.

The Official Plan has policies that encourage redevelopment and intensification. Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives. The proposed low profile semi-detached dwelling represents a complementary and compact form of housing, redevelopment, and intensification that is located near active and public transportation. The proposed rezoning satisfies the objectives set out in Section 6.3.1 of the Official

The proposed amendment to Zoning By-law 8600 will conform to the general policy direction of the Official Plan. Planning and Development Services generally concurs with the Official Plan analysis in Section 5.1.2 of the PRR submitted by the Applicant (Appendix C).

Zoning By-Law 8600

The subject land is zoned Residential District 1.4 (RD1.4) which only permits an existing semi-detached dwelling (along with other permitted main uses). The applicant is

requesting a rezoning to permit one new semi-detached dwelling as an additional permitted use.

The Applicant's request for a change in zoning with site-specific provisions is supported in principle. Section 5.1.3 of the Planning Rationale Report (Appendix C) outlines that the proposed development complies with all other applicable zoning provisions. Planning and Development Services is of the opinion that there are no adverse impacts as a result of the proposed development.

Site Plan Control

The proposed semi-detached dwelling is not subject to Site Plan Control.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The subject land is located within an existing neighbourhood on existing municipal services, therefore reducing the impacts of climate change by locating within the existing built-up area. In general, residential intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers, sidewalks, and public transit.

Climate Change Adaptation:

The new building may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The proposed development of a low-profile semi-detached dwelling provides an opportunity to increase resiliency for the development and surrounding area through supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options.

Financial Matters:

N/A

Consultations:

A virtual Open House was held on July 18, 2024. Notification of this meeting was distributed to residents and property owners within 200m of the subject site. In addition to the Applicant, applicant representatives and City Staff, 9 residents attended the open house. Details of the Open House are summarized in Section 3.2 of the PRR (Appendix C).

Comments received from municipal departments and external agencies are attached as Appendix E. Further the to comments set out in Appendix E the Forestry Division has

confirmed that large (80cm) City owned maple tree has been removed in anticipation of this development.

Statutory notice was advertised in the Windsor Star. A courtesy notice was mailed to property owners within 200m of the subject lands. Submitted documents were posted on the City of Windsor website.

Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, *"shall be consistent with"* Provincial Planning Statement 2024. Based on the supporting documents submitted by the Applicant and the analysis in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2024 and is in conformity with the City of Windsor Official Plan.

The proposed amendment would permit a semi-detached dwelling with two semi-detached dwelling units, which is compatible with existing uses in the surrounding neighbourhood. The proposed development represents an incremental increase in density and provides an opportunity for residential intensification, while also supporting a complementary form of housing located near multimodal transportation options.

The recommendation to amend Zoning By-law 8600 constitutes good planning. Staff recommend approval.

Planning Act Matters:

Diana Radulescu
Planner II – Development Review

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
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 RM

Approvals:

Name	Title

Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

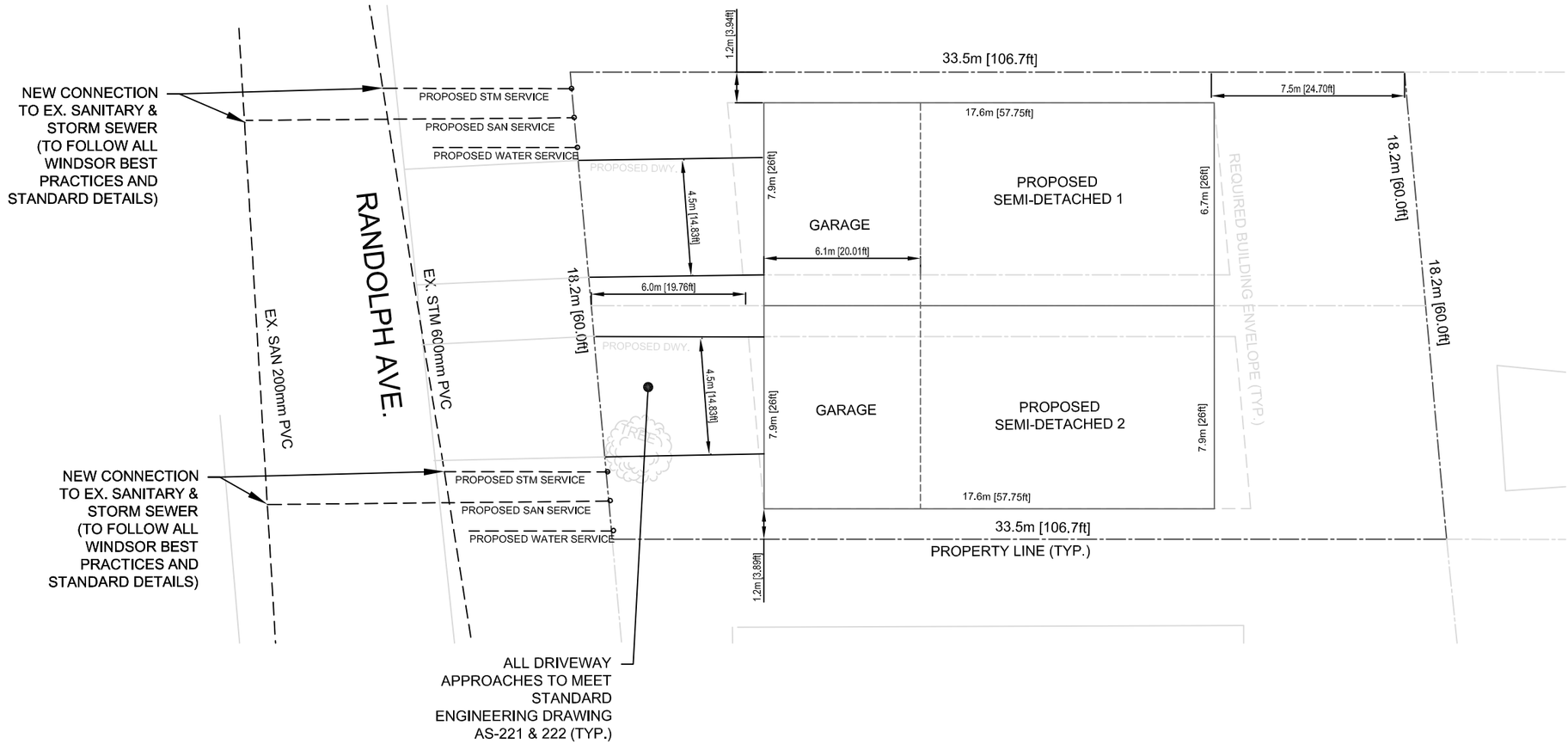
Appendices:

1. Appendix A - Conceptual Site Plan
2. Appendix B - Conceptual Elevations
3. Appendix C - Planning Rationale Report
4. Appendix D – Site Photos
5. Appendix E – Comments

GENERAL NOTES:

1. DRAWINGS ARE NOT TO BE SCALED. ALL DIMENSIONS AND ELEVATIONS IN METRIC
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 MUNICIPALITY AND ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.
5. SITE PLAN SHOULD NOT BE USED FOR LOCATES OR IN PLACE OF AN OLS SURVEY

3060 RANDOLPH AVE	
ZONING: RD1.4	
MAX LOT COVERAGE	
ALLOWABLE	**PROPOSED**
45%	42.90%
BUILDING AREA	
254 sq.m.	
LOT AREA	
592 sq.m.	



PRELIMINARY
NOT FOR CONSTRUCTON

1650 Shawnee Rd.
Tecumseh, ON
N8N 1S5

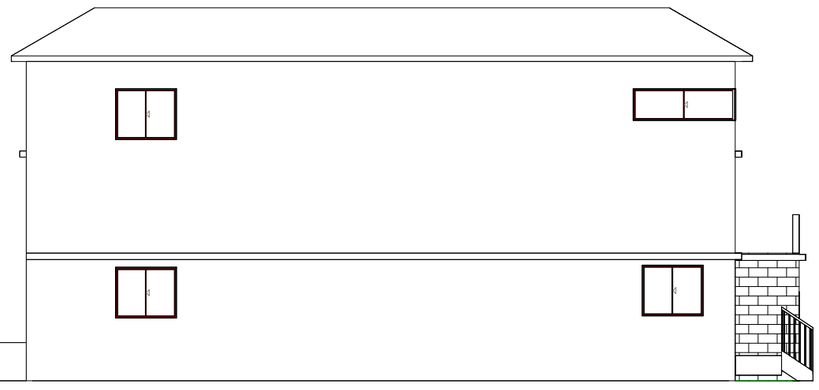
KING ENGINEERING + DESIGN

PROJECT 3060 RANDOLPH

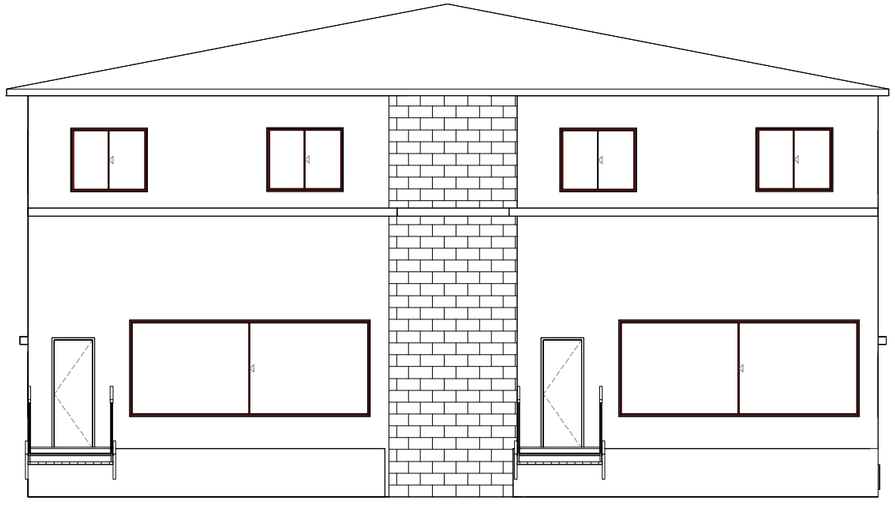
TITLE SITE PLAN

DESIGN BY: JJK
DRN BY: JJK
DATE: 2025/04/24
PROJECT NO.
SHEET NO. SP-1
REVISION 4

FRONT ELEVATION



TYPICAL SIDE ELEVATION



REAR ELEVATION

PRELIMINARY
NOT FOR CONSTRUCTON

1650 Shawnee Rd.
Tecumseh, ON
N8N 1S5

KING ENGINEERING + DESIGN

PROJECT 3060 RANDOLPH

TITLE PRELIM. ELEVATIONS

DESIGN BY:

DRN BY:

DATE:

PROJECT NO.

SHEET NO.

REVISION

PLANNING RATIONALE REPORT
(Scoped)

ZONING BY-LAW AMENDMENT
PROPOSED RESIDENTIAL DEVELOPMENT

0 Randolph Avenue

Windsor, Ontario

April 24, 2025

Prepared by:

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1.0 INTRODUCTION

I have been retained by Andi Shallvari (herein the “Applicant”) to provide a scoped land use Planning Rationale Report (PRR) in support of a proposed residential development to be located at 0 Randolph Avenue (herein the “Site”) in the City of Windsor, Province of Ontario.

The Site, in Ward 1 (South Windsor Planning District), is made up of one interior parcel of land, which is currently vacant.

The Site is located on the east side of Randolph Avenue (located beside 2080 West Grand Boulevard), south of Grand Marais Road West and north of West Grand Boulevard.

It is proposed that the Site be developed for residential use.

A 2-storey semi-detached dwelling will be constructed for a total of 2 new residential dwelling units.

A total of 4 parking spaces located in the driveway within the front yard and in garages with access from Randolph Avenue are proposed.

The semi-detached dwelling will be severed along the common wall of the dwelling into two separate lots.

The Site has access to full municipality services.

The tenure of each unit will be individually owned.

There are no additional residential dwellings (ARU) proposed at this time.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-056/24). Comments dated June 12, 2024, have been received and included in this scoped PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-025/25). Comments dated March 18, 2025, have been received and included in this scoped PRR.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development in addition to the required support studies.

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Once the common wall is located, the Applicant will then proceed with an application for Consent (CON) to create the lots.

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 scoped PRR will show that the proposed development is suitable development, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site, in Ward 1 (South Windsor Planning District), is made up of one interior parcel of land.

The Site is located on the east side of Randolph Avenue (located beside 2080 West Grand Boulevard), south of Grand Marais Road West and north of West Grand Boulevard (see the area in **red** on Figure 1 – Site Location).

Figure 1 – Site Location (Source: Windsor GIS)

The Site is owned, locally known as and legally described as follows:

Address	Legal Description	PIN	ARN	Owner	Purchased Date
0 Randolph Avenue, City of Windsor, Province of Ontario	PART LOT 406 PART LOT 407 ON REGISTERED PLAN 1295, SAID LANDS BEING MORE PARTICULARLY DESIGNATED AS PART 1 ON REFERENCE PLAN 12R-29574; WINDSOR	01277-0275 LT	3739-080-200-00202	Green Smart Apartments Inc. (c/o Andi Shallvari)	2024

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to the proposed development, is a rectangular-shared lot and consists of a total area of 592 m2, with 18.2 m along Randolph Avenue and a depth of 33.5 m.

2.2.2 Existing Structures and Previous Use

The Site is currently vacant.

The parcel of land was created by consent in 2023 (B-015/23).

The previous is unknown.

2.2.3 Vegetation

The property currently has a mown lawn.

There are trees located on the Site.

2.2.4 Topography

The Site is generally level, and it is outside of the Essex Region Conservation Authority (ERCA) regulated area.

2.2.5 Other Physical Features

Fencing is located along a portion of the Site.

There is an alley adjacent to the Site.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

The Site has access to major roadways and transit.

2.2.7 Nearby Amenities

There are many schools, parks and libraries in close proximity to the Site.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship, and local amenities.

2.3 Surrounding Land Uses

Overall, the Site is located in an established area with residential uses.

There are several different lot frontages and lot areas of neighbouring properties.

A site visit was conducted on February 25, 2025, by Pillon Abbs Inc.

The following is a summary of the lands immediately abutting the Site:

Direction	Existing Use
North	Residential
South	Grand Marais Dran
East	Residential
West	Residential

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site, in Ward 1 (South Windsor Planning District), is made up of one interior parcel of land, which is currently vacant.

The Site is located on the east side of Randolph Avenue (located beside 2080 West Grand Boulevard), south of Grand Marais Road West and north of West Grand Boulevard.

It is proposed that the Site be developed for residential use.

A 2-storey semi-detached dwelling will be constructed for a total of 2 new residential dwelling units.

A concept plan has been prepared (see Figure 2a –Concept Plan).

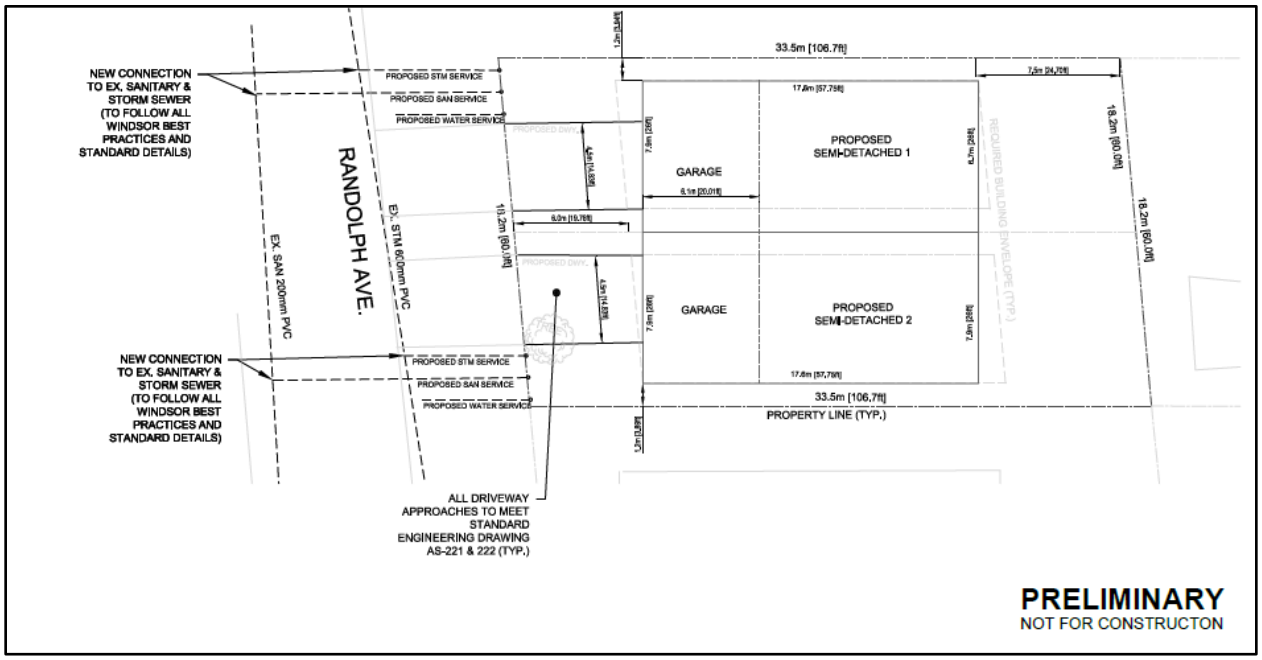


Figure 2a –Concept Plan

The Concept Plan is preliminary in order to illustrate how the Site can be developed.

The building will occupy a total of 236 m2 of the Site.

The proposed dwelling will face Randolph Avenue.

Elevations of the proposed building have been prepared (see Figure 2b – Elevations).

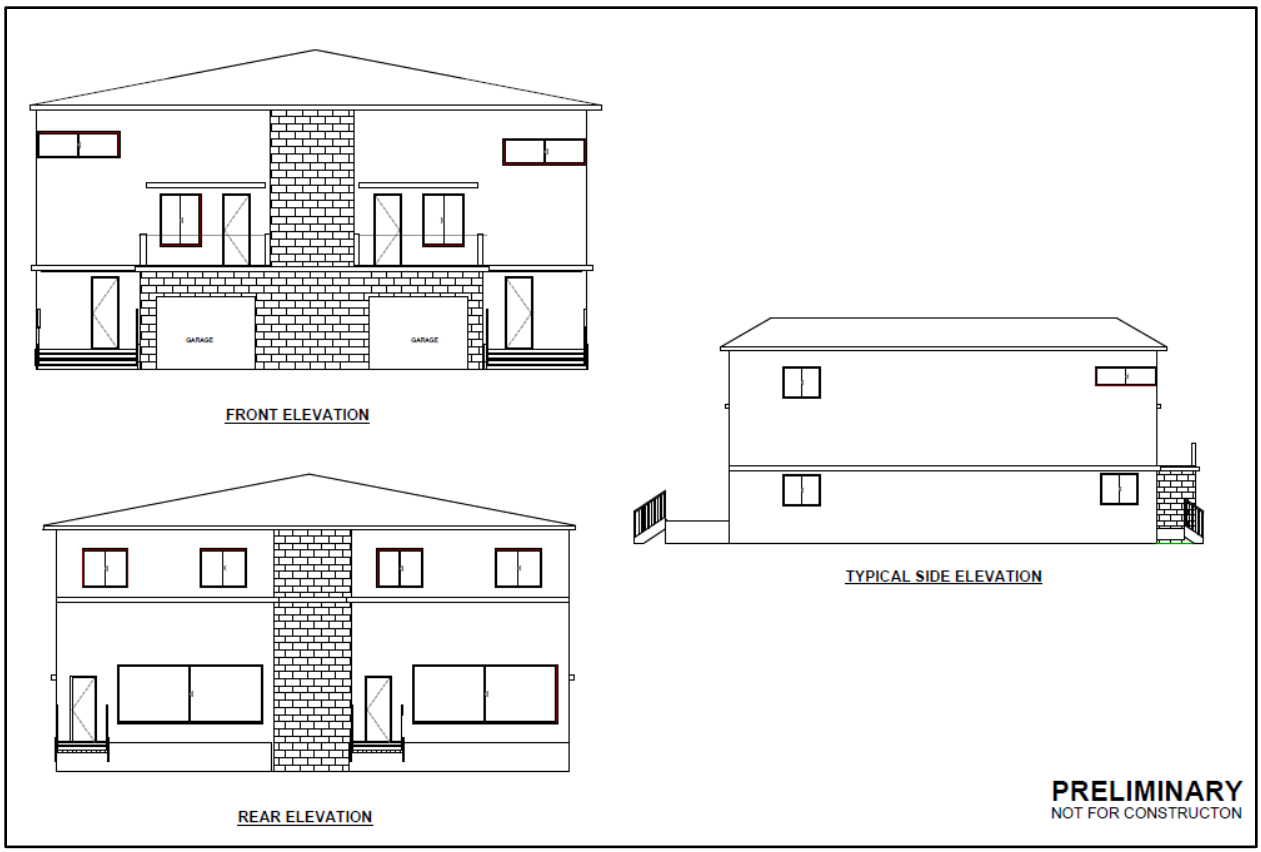


Figure 2b – Elevations

The elevations are preliminary in order to illustrate how the Site can be developed.

A total of 4 parking spaces located in the driveway within the front yard and in garages with access from Randolph Avenue are proposed.

The semi-detached dwelling will be severed along the common wall of the dwelling into two separate lots.

The tenure of each unit will be individually owned.

There are no additional residential dwellings (ARU) proposed at this time.

The Applicant will inquire to close the existing alley adjacent to the Site.

The Site has access to full municipality services.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on July 18, 2024.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of **157** owners and tenants were notified, which represents a **200 m** radius from the Site.

In addition to the applicant representatives and City Staff, 9 residents attended the open house.

Email and phone call comments were also received.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Neighbourhood and Safety	This area is very unique. It is currently very safe. There are no fences in the area. The safety of children is at risk. They play in the area. A dog recently was hit by a car. Building style is a concern. We are 50 year residents, and generation home. The style of the home does not match. Make it a nicer looking ranch and match the other. Disrupts the existing neighbourhood.	It is anticipated that the proposed development will respect the safety of the area. The proposed development will be compatible with its surroundings. The style of the dwelling does not need to match. Not the intent to build something bad.

Topic Item	Comments and Questions	Response
	It is a relaxing neighbourhood, and this will ruin it.	
Hydo	We all feed through the same power grid. Often, the power goes out. Is there anything that is being done to improve this? 2 more homes will cause undue strain.	Permits will be obtained.
Storm	Randolph gets flooded often. Grand Marais Drain to overflow during significant storm events.	Stormwater Management will be controlled.
Trees and Wildlife	There are mature trees that should be protected, some over 100 years old. Design around them. There is a lot of wildlife in the area, which needs to be considered (ie rabbits, ducks, deer). There is a mulberry bush.	The City Forester will review. There are no natural heritage features that impact the Site.
Students	There are too many students in the area. We are all against student housing.	Cannot zone for people. It is not intended to be a rental property. Family sized units are proposed. Will market for young families. There are really good schools in the area for young children.
Parking	There is no parking on this side of the street. Only 3 or 4 parking spaces across the street.	Parking will be provided on the driveway and in the garage. The minimum required parking spaces will be complied with.

Topic Item	Comments and Questions	Response
Traffic	There is congestion and high volume.	This portion of Randolph ends at the Grand Marais Drain. There will not by any through traffic.
Density	2 units on half of a lot as it was previously severed. Too much intensification. Cramming the house on the lot. 2080 will lose its back yard	Applicant to review size, massing, etc. The rear yard was already severed from 2080.
Developer	Who is the builder? Will this be a private or real estate deal? Just doing this for money.	The Applicant is the builder.
Privacy	There will be a loss in privacy. There is a pool in the rear yard of the next door neighbour. Can you build no windows in the rear yard? Windows could be built higher. Construction will interfere/disrupt in their lives (many seniors and people who work from home).	The height will be similar to a single detached dwelling. Applicant is willing to meet on site with rear yard neighbours. We could increase the rear yard setbacks.
Height	2 storeys are too tall. The existing home next door is only 1 storey, This will block out sunlight. It will impact privacy. A raised ranch will be better. A single detached dwelling will be better.	The proposed dwelling will comply with the zoning regarding height.

Topic Item	Comments and Questions	Response
Affordability	Single vs semi-detached dwelling, which one is more affordable?	A single is unaffordable. Semi is more affordable.
ARUs	Basement rental, will they be converted?	ARUs are not proposed at this time. We cannot prevent future owners from converting.
Property Values	They will go down.	They may go down, or they may go up.

4.0 APPLICATION AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-056/24). Comments dated June 12, 2024, have been received and included in this scoped PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-025/25). Comments dated March 18, 2025, have been received and included in this scoped PRR.

The following explains the purpose of the application as well as a summary of the required support studies.

4.1 Zoning By-law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The current zoning of the Site, subject to development, is Residential District 1.4 (RD1.4) category, as shown on Map 8 of the City of Windsor Zoning By-law #8600.

It is proposed to further amend the existing zoning to a site specific Residential District 1.4 (RD1.4 - S.20(1)(XXX)) category to permit the proposed development of a new semi-detached dwelling.

Relief from certain regulations is not being requested.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this scoped PRR.

4.2 Other Applications

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Once the common wall is located, the Application will then proceed with an application for Consent (CON) to create the lots.

The Site is not subject to Site Plan Control (SPC).

4.3 Supporting Studies

The following supporting studies have been identified as required as part of the application.

4.3.1 Tree

It was a request that the City Forester be consulted. The Forestry required additional information about the design around the city-owned tree in front of this property in order to provide a comprehensive review.

Based on discussions with the City Forester, there was a comment on the driveway as it pertained to the location of the root of the tree.

The Applicant is flexible to change the driveway design to a location that will not cause any impact.

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.

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	Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.	The proposed development provides more housing.
Chapter 2.1.4 – Buildings Homes, Sustaining Strong and Competitive Communities	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through	The proposed development will help provide for a new housing option and density to meet the needs of the City. Full municipal services are available.

PPS Policy #	Policy	Response
	lands which are designated and available for residential development; and b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.	
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, 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;	The proposed development is consistent with the policy to achieve complete communities as the Site is located in an existing built up area. The proposed development will provide for more housing. The Site has access to transportation options, public service facilities, other institutional uses, and parks. Accessibility will be addressed at the time of the building permit.
2.2.1 - Housing	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: a) establishing and implementing minimum targets for the provision of	The proposed development is a new housing option for the area. The proposed development supports the City's housing targets. The needs of the residents can be accommodated as the

PPS Policy #	Policy	Response
	housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs; b) permitting and facilitating: 1. all housing options required to meet the social, health, economic and well being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, 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; 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	Site is located near local amenities. The Site offers an opportunity for intensification and infilling. The proposed density is appropriate for the Site. A total of 2 units would be permitted in the form of an **existing** semi-detached dwelling. Residents will have access to nearby transit.

PPS Policy #	Policy	Response
	potential air rights development, in proximity to transit, including corridors and stations.	
2.3.1.1 – Settlement Area	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.	The Site is located in an existing settlement area of the City of Windsor.
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.	The Site offers an opportunity for intensification. The total density of the proposed development is considered appropriate. The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area. The proposed development is an efficient use of the Site. Residents will have immediate access to local amenities. Transit and active transportation are available in the area. The Site is located close to major roadways.
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	The proposed development provides an infill opportunity for an existing parcel of land. The Site was always intended for residential use.

PPS Policy #	Policy	Response
	housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.	The design of the proposed development will provide a compact form.
2.3.1.4	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area and will add new residential housing.
2.3.1.6	Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.	The Site has access to existing infrastructure and nearby public service 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 proposed development has access to full municipal services. There are nearby public service facilities.
3.3.3 - Transportation	Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.	The proposed development will not have a negative impact on nearby transportation and infrastructure corridors.
3.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of

PPS Policy #	Policy	Response
	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.	servicing for settlement areas.
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 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	The Site is outside of the ERCA regulated area.
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 that apply to this Site. There is no risk to the public.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. The office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The current land use designation of the Site, subject to development, is 'Residential', as shown on Schedule D: Land Use of the City of Windsor Official Plan (see Figure 3 –OP).

Figure 3 – OP

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and	The proposed development will support the City's goal of promoting a healthy community in order to live, work, and play. The proposed development is close to nearby transit, employment, shopping,

OP Policy #	Policy	Response
	application as a part of the planning process.	libraries, local amenities, and parks.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for addressing the residential needs of the City. The Site is also located in an existing built up area where people can live, work and play.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods. 6.1.3 Housing suited to the needs of Windsor's residents. 6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses. 6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available	The proposed development supports the goals set out in the OP. The proposed residential use will provide a new housing choice in an existing neighbourhood. The Site is pedestrian friendly and close to nearby amenities. Municipal services, transportation and community facilities are available.
6.2.1.2 - General Policies, Type of Development Profile	For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically	The proposed development is considered low profile.

OP Policy #	Policy	Response
	provided elsewhere in this Plan: (**a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;** (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.	
6.3.1.1 - Residential	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed semi-detached will complement the existing neighbour. The height will be similar to a single detached dwelling.
6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development is close to major roadways and transit.
6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The proposed development will provide for infilling and intensification.
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include **Low Profile,** and Medium Profile dwelling units. High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.	The proposed development is considered low profile. As of right, a total of 6 residential dwelling units are permitted in an **existing** semi-detached dwelling on any urban parcel of land. A **new** 2 storey (with basement) semi-detached dwelling will maintain the same maximum height as a single detached dwelling, which makes it very

OP Policy #	Policy	Response
		compatible with the neighbourhood.
6.3.2.3 – Types of Low Profile Housing	For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, **semi-detached**, duplex and row and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.	Semi-detached dwellings, which are considered small-scale, are permitted.
6.3.2.4 – Locational Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. **New residential development and intensification shall be located where:** (a) There is access to a collector or arterial road; (b) Full municipal physical services can be provided; (c) Adequate community services and open spaces are available or are planned; and (d) Public transportation service can be provided.	The Site is close to major roadways, has access to full municipal services, is close to nearby amenities and is close to transit.
6.3.2.5 – Evaluation Criteria (existing neighbourhood)	At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (a) feasible having	This scoped PRR has evaluated the PPS in Section 5.1.1. There are no constraint areas that impact the Site.

OP Policy #	Policy	Response
	regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and distribution is a provincial or municipal concern; and (v) adjacent to heritage resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) Facilitation a gradual transition from Low	There are no adjacent nuisances. There is no known contamination. Traffic generation is not expected to have any significant impact. There are no heritage resources on or near the Site. There are no secondary plans that impact the Site. The proposed development is compatible with the existing neighbourhood. **Existing** semi-detached dwellings are a permitted use. A **new** semi-detached dwelling is proposed. No relief from the RD1.4 is being requested. The Site is a large lot, and the lot coverage proposed is low. The proposed building height will be similar to a single detached dwelling in height, massing and scale. The massing of the development has been carefully designed to emulate the scale of the existing structures and the surrounding context.

OP Policy #	Policy	Response
	Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.	The building will be oriented to face Randolph Ave, similar to the existing built environment. Lot area and lot frontages in the area vary in size. The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting. The Site is not in a mature neighbourhood, as shown on Schedule A-1. Off-street parking is provided. On-street parking is also available, if required. Amenity areas and landscaping will be provided (front and rear of the Site). Full municipal and emergency services are available. No transition between uses is required as part of the building design.
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.

Therefore, the proposed development will conform with the purpose and intent of the City of Windsor OP.

5.1.3 Zoning By-law

The City of Windsor Zoning By-law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

The current zoning of the Site, subject to development, is Residential District 1.4 (RD1.4) category, as shown on Map 8 of the City of Windsor Zoning By-law #8600 (see Figures 4 – ZBL).

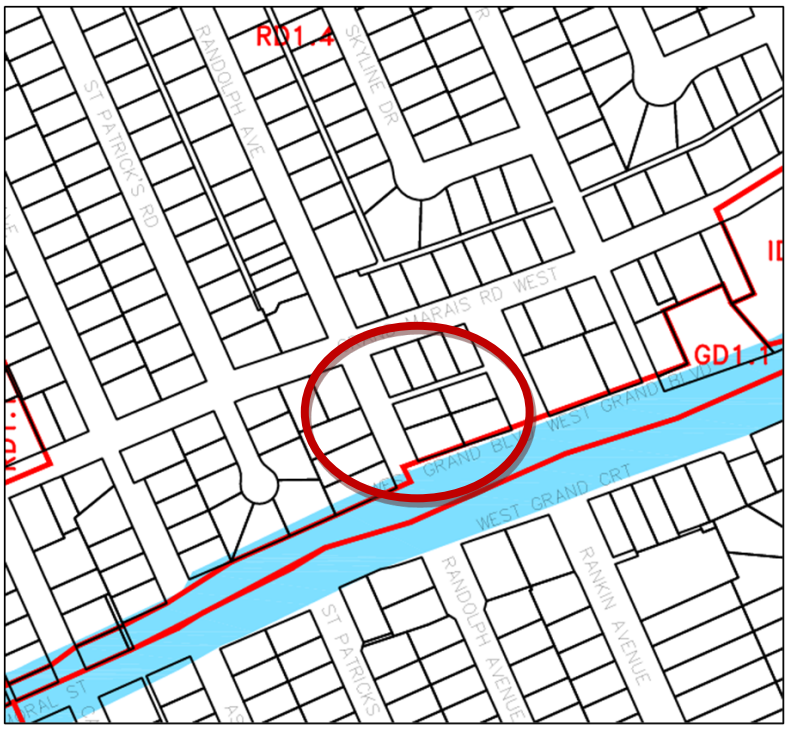


Figure 4 – ZBL

It is proposed to further amend the zoning to a site specific Residential District 1.4 (RD1.4 - S.20(1)(XXX)) category to permit the proposed development of a new semi-detached dwelling.

According to the ZBL, *SEMI-DETACHED DWELLING means one dwelling divided vertically into two dwelling units by a common interior wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, up to two additional dwelling units.*

A review of the RD1.4 zone provisions, as set out in Section 10.4 of the ZBL is as follows:

Zone Regulations	Required RD1.4 Zone (Existing Semi Detached Dwelling)	Proposed RD1.4 - S.20(1)(XXX) Zone (New Semi Detached Dwelling)	Compliance and/or Relief Requested with Justification
Permitted Uses	Existing Duplex Dwelling **Existing Semi-Detached Dwelling** One Single Unit Dwelling Any use accessory to the preceding uses	New semi-detached dwelling (total 2 units)	Subject to the ZBA. The Site is large enough to accommodate the proposed development. The RD1.4 zone is being obtained to ensure the proposed development is compatible with the neighbourhood, as the building envelopes will be similar to the current area zoning.
Lot Width – minimum	15.0 m	18.2 m along Randolph Avenue	Complies
Lot Area – minimum	450.0 m2	592 m2	Complies
Lot Coverage – maximum	45.0%	40 %	Complies
Main Building Height - maximum	9.0 m	9.0 m	Complies
Front Yard Depth – minimum	6.0 m	6.0 m	Complies
Rear Yard Depth – minimum	7.50 m	7.5 ,	Complies
Side Yard Width – minimum	1.20 m	North side – 1.2 m South side – 1.2 m	Complies
Gross Floor Area – Main Building – maximum	400 m2	398 m2	Complies *GROSS FLOOR AREA – MAIN BUILDING means the*

Zone Regulations	Required RD1.4 Zone (Existing Semi Detached Dwelling)	Proposed RD1.4 - S.20(1)(XXX) Zone (New Semi Detached Dwelling)	Compliance and/or Relief Requested with Justification
			total combined floor area *in square metres of the main building on a lot, excluding the cellar of any building, measured from the outside face of the exterior walls of the main building.*
Dwelling – Semi-Detached & Townhomes - Additional Provisions (Section 5.23.1)	For a dwelling unit in a semi-detached dwelling or in a townhome dwelling, a **door that opens to the rear yard** shall be located a minimum of 1.20 m from the centreline of the common wall between the dwelling units.	N/A – no door that opens to the rear yard	Complies
Dwelling – Semi-Detached & Townhomes - Additional Provisions (Section 5.23.5)	When a lot on which a semi-detached dwelling or townhome dwelling has been erected and is subsequently severed by a common interior lot line that separates the dwelling units, for each dwelling unit the following additional provisions shall apply: 1 Lot Width – minimum – equal to the width of the dwelling unit plus	TBD	Complies

Zone Regulations	Required RD1.4 Zone (Existing Semi Detached Dwelling)	Proposed RD1.4 - S.20(1)(XXX) Zone (New Semi Detached Dwelling)	Compliance and/or Relief Requested with Justification
	any exterior side yard **as existing at the time of the lot severance** 2 Lot Area – minimum – **as existing at the time of the lot severance** 3 Lot Coverage – Total – maximum – 50% of lot area 7 An interior side yard shall not be required along the common interior lot line for that part of the dwelling unit lawfully existing at the time of the lot severance		
Parking Requirements Table 24.20.5.1 - minimum	Semi-detached - 1 for each dwelling unit = 2 **TOTAL = 4**	4 (2 each proposed lot)	Complies

Therefore, the proposed development will comply with all zone provisions set out in the RD1.4 Zone.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level,
- The Site will be able to accommodate municipal water, storm and sewer,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to a 2 storey, low profile building, which is a compatible density and building envelope with the surrounding area.

The proposed residential use will provide a new housing choice in an existing built-up area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.

A total of 2 units would be permitted in the form of an **existing** semi-detached dwelling.

Parking (on site), amenity areas, and landscaping will be provided.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

6.1.4 Environment Impacts

The proposal does not have any negative impact on the natural environment.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural, and Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby amenities.

Infilling 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 proposed development promotes efficient development and land use patterns which sustain the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the ZBA application to permit the proposed development on the Site.

This scoped PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

Tracey Pillon-Abbs, RPP
Principal Planner

APPENDIX D – SITE PHOTOS

View of subject land (0 Randolph Avenue)

View of Randolph Avenue (opposite from subject land)

View of Randolph Avenue (looking north)

View of Randolph Avenue (looking south)

View of subject land with closed alleyway on the left

APPENDIX E – CONSULTATION

CANADA POST – BRUNO DESANDO
Canada Post has no comments for the attached application.
Mail delivery will be to the door for the new planned semidetached units.
Please let me know if you have questions or need anything further.

WINDSOR FIRE – MICHAEL COSTE
No issue with fire.

SITE PLAN CONTROL
Site Plan is not applicable for this proposed development pursuant to the Planning Act and City of Windsor By-law 1-2004.

TRANSIT WINDSOR – JASON SCOTT
Transit Windsor has no objections to this development. The closest existing transit route to this property is with Route 305. Route 305 has a peak weekday frequency of 30 minutes. The closest existing bus stop to this property is located on Rankin at Grand Marais southwest corner. This bus stop is approximately 160 metres from this property falling within Transit Windsor's walking distance guidelines of 400 metres to a bus stop. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

HERITAGE PLANNING – TRACY TANG
There is no apparent built heritage concern with this property, and it is not located within an Archaeological Potential Zone (APZ). Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:
Windsor Planning & Building Department:
519-255-6543 x6179, ttang@citywindsor.ca, planningdept@citywindsor.ca
Windsor Manager of Culture and Events (A):
Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaadegaard@citywindsor.ca
Ontario Ministry of Citizenship and Multiculturalism
Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca
Windsor Police: 911
Ontario Ministry of Government & Consumer Services
A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

ZONING COORDINATOR – CONNER O'ROURKE

Please see below my updated review:

- **Current Zoning**: Residential District 1.4
- **Proposed Zoning**: Residential District 1.4 with site specific provision to add semi-detached dwelling as a permitted use

- **Existing use**:
  - Vacant lot

- **Proposed use**:
  - Semi detached dwelling

- **Section 5 – General Provisions**
  - complies

- **Section 10.4.5 – Residential District 1.4**
  - Minimum Lot Width:
    - 15.0m (Required)
    - 18.3m (Provided)
  - Minimum Lot Area:
    - 450.0m2 (Required)
    - 592.4m2 (Provided)
  - Maximum Lot Coverage:
    - 45.0% (Required)
    - 43.4% (Provided)
  - Maximum Main Building Height:
    - 9.0m (Required)
    - 9.0m (Provided)
  - Minimum Front Yard Depth:
    - 6.0m (Required)
    - 6.0m (Provided)
  - Minimum Rear Yard Depth:
    - 7.5m (Required)
    - 7.5m (Provided)
  - Minimum Side Yard Width:
    - 1.20m (Required)
    - 1.20m (Provided)
  - Maximum Gross Floor Area – Main Building:
    - 400.0m2 (Required)
    - 398.0m2 (Provided)

- **Section 24 – Parking, Loading and Stacking Provisions**
  - Required Number of Parking Spaces
    - 2 (Required)
    - 4 (Provided)

DEVELOPMENT ENGINEERING – JUAN PARAMO

We have reviewed the subject Rezoning application and have the following comments:

The site may be serviced by a 200mm sanitary sewer and a 600mm storm sewer located within Randolph Avenue right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor

Engineering Best Practice B.P 1.3.3.

Randolph Avenue is classified as Local Road requiring a right-of-way width of 20m; the current right-of-way is 20m therefore, no conveyance is required. Randolph Avenue is deficient in curb and gutter, streetlighting and sidewalk.

The following special provisions will be required prior to submitting a building permit application:

Sidewalks - The Owner agrees to pay to the Corporation a contribution of $115.00 per linear metre. This payment shall be made prior to the issuance of Building Permits and represents the Owner's contribution toward the future construction of concrete sidewalks along the Randolph Avenue frontage of the subject property.

Curbs and Gutters - The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of $60.00 per linear metre being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

If you have any further questions or concerns, please contact Shannon Mills, of this department at smills@citywindsor.ca

TRANSPORTATION PLANNING – ELARA MEHRILOU

Land Conveyance
Not Applicable

Corner Cut-Off
Not Applicable

Sidewalk
A sidewalk contribution/construction along the frontage of Academy Dr. is required as per Engineering Right-of-Way's comments.

Parking
All parking must comply with ZBL 8600.

Transportation Planning Impact Study
The additional density is anticipated to have minimal effect on the traffic. Therefore, TIS is not applicable.

Access
All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

Exterior Path
All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Other comments
Transportation Planning recommends applying for alley closure.

Should you have any further questions or concerns, please contact Ellie MehriLou, of this department at EMehrilou@citywindsor.ca.

ENVIRONMENTAL POLICY – CONNOR WILSON & KAREN ALEXANDER

Environmental Policy staff have no requirements; however, wish to advise the applicant of the following:

Always Applies

The Applicant should be notified of the following precautions:

1. Should Species at Risk or their habitat be found at any time on or adjacent to the site, cease activity immediately and contact MECP at SAROntario@ontario.ca for recommendations on next steps to prevent contravention of the Endangered Species Act (2007). The City of Windsor SAR hotline (519-816-5352) can also be used for relevant questions and concerns.
2. For a list of Species at Risk and other provincially tracked species with potential to be around the site, use the Natural Heritage Information Centre (NHIC) Make A Map tool, found at https://www.ontario.ca/page/make-natural-heritage-area-map
3. If trees or other vegetation (i.e., shrubs and unmaintained grasses) on/adjacent to the site are to be removed, damaged, or disturbed during the breeding bird season (April 1 – August 31), then sweeps for nesting birds should be conducted to prevent contravention of Migratory Bird Regulations (2022), the Migratory Birds Convention Act (1992), and section 7 of the Fish and Wildlife Conservation Act (1997). Visit https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html for more information.
4. Beaver dams and dens of fur-bearing mammals are protected under section 8 of the Fish and Wildlife Conservation Act (1997) and are not to be damaged or destroyed without the proper authorization and/or license.
5. The City of Windsor is a Bird Friendly City. Bird Friendly Design is encouraged, particularly window collision mitigation. Options for integrating bird friendly design can be found here: www.birdsafe.ca and bird friendly guidelines can be found here: Bird-Friendly Guidelines – City of Toronto.

LANDSCAPE ARCHITECT – RYAN UPTON

As requested, the materials for the file titled above have been reviewed and comments are listed below.

1. There is a City owned tree where the south driveway is proposed. Efforts shall be made to relocate the driveway to preserve this tree. If the driveway is to remain, Forestry will require compensation for the removal of the City owned tree.

ENWIN

Hydro Engineering: Tia McCloskey

No Objection provided clearances are maintained from our distribution plant.
Please note the following distribution and services:
-Overhead 16kV primary distribution pole line and associated down guy wires/anchors in the alleyway to the North of the above noted property.
-Overhead 120/240V secondary triplex distribution going down the alleyway to the North of the property.
-120/240V secondary triplex servicing multiple properties in the area.
-Overhead 16kV primary distribution pole line and associated down guy wires/anchors across the street to the West of the above noted property.
- Overhead 120/240V secondary triplex distribution across the street to the West of the above-mentioned property.
Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

Water Engineering: Bruce Ogg
ENWIN Water has no objections to the rezoning.

FORESTRY – MITCHELL SCHINKEL

There Is 1 City owned tree on the property

Forestry has no concerns regarding the Zoning By-law Amendment (ZBA) application for the property. However, Forestry has concerns about subsequent permits to be issued for the development.

Based on the Site plans provided the large 80cm City owned maple tree will not survive the development, and there is no way to adequately preserve this tree on site.

The estimated Canopy Replacement cost/ 80cm Maple:
Removal: $1,185.00
Canopy Replacement: $11,206.40
Total compensation: $12,391.40

Forestry has had previous correspondence with the developer in the Stage 1 and Stage 2 letters (attached following this review) regarding the tree.

Forestry is requesting that no permits be issued until the developer agrees in writing to the Forestry Department to pay the above stated Canopy Replacement Cost.

RIGHT-OF-WAY – MARK SCHAFFHAUSER

Required Drawing Revisions:

1. **Alley Closing –** It is recommended that, prior to the issuance of a Building Permit, the owner shall apply to the Street and Alley Closing Committee to close the existing alley adjacent to the subject property.

Right-of-Way Permit Requirements

CCTV Sewer Inspection – The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

Driveway Approaches – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Residential Property
    a. Asphalt in accordance with City of Windsor Standard Drawing AS-221; or
    b. Concrete in accordance with City of Windsor Standard Drawing AS-222

Sewer Connections – The site is serviced by a 200mm sanitary sewer and a 600mm sewer located within the Randolph Avenue 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.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

Curbs and Gutters – The Owner further agrees, at the discretion of the City Engineer, to Pay to the Corporation, prior to the issuance of a construction permit, the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands. The sum of the contribution will be determined based on the User Fee Schedule at time of payment.

Sidewalks – The Owner further agrees, at the discretion of the City Engineer, to Pay to the Corporation, prior to the issuance of a construction permit, the Owner's contribution towards the future construction of sidewalks on the frontage of the subject lands. The sum of the contribution will be determined based on the User Fee Schedule at time of payment.

If you have any further questions or concerns, please contact Mark Schaffhauser, of this department at mschaffhauser@citywindsor.ca

Item No. 8.11

Committee Matters: SCM 222/2025

Subject: Community Improvement Plans – Extension and Rescindment of Grant Approvals (City Wide)

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 750**

I. THAT all approvals to participate in Community Improvement Plan Grant Programs granted by Council Resolutions listed in Appendix A **BE EXTENDED** to June 30, 2026 and that each grant approval **EXPIRE** and **BE RESCINDED** should the project not be completed or other terms of the grant not be satisfied to the satisfaction of the City Planner as of July 1, 2026**,** save and except 9082 Tecumseh Rd East – U-Haul **BE EXTENDED** until December 31, 2027 and grant approval **EXPIRE** and **BE RESCINDED** should the project not be completed or other terms of the grant not be satisfied to the satisfaction of the City Planner as of January 1, 2028; and,

II. Should CIP Grants identified in Appendix A expire as of July 1, 2026:

a. THAT any related funding allocated in the CIP Reserve (Fund 226) **BE UNENCUMBERED** and/or any related funding already transferred to a CIP capital project for these CIP Grants **BE RETURNED** to the CIP Reserve (Fund 226) and **UNENCUMBERED**.

b. THAT the approval for future tax increment grants **BE RESCINDED**; and,

III. THAT all approvals to participate in the Community Improvement Plan Grant Programs granted by Council Resolutions listed in Appendix B **BE RESCINDED,** save and except for the approval to participate in the Community Improvement Plan Grant program for the property located at 3239 Russel Street **BE EXTENDED** until December 31, 2026; and,

a. THAT funding in the amount of $399,501.18 **BE RETURNED** to the CIP Reserve (Fund 226) and **BE UNCOMITTED**;

b. THAT the approval for future tax increment grants **BE RESCINDED**, save and except for the approval to participate in the Community Improvement Plan Grant program for the property located at 3239 Russel Street **BE EXTENDED** until December 31, 2026; and,

IV. THAT all approvals to participate in the Brownfield Property Tax Assistance Program under the Brownfield Redevelopment Community Improvement Plans as listed in Appendix C **BE RESCINDED**; and,

V. That the length of the grant period for those items listed in Appendix C under the Brownfield Rehabilitation Grant Program **BE ADJUSTED**, if necessary, to ensure the total length of financial assistance is consistent with the original approvals.

Carried.

Report Number: S 73/2025
Clerk's File: SPL2025

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.

2. Please refer to Item 11.1 from the Development & Heritage Standing Committee held on July 7, 2025.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Subject: Community Improvement Plans – Extension and Rescindment of Grant Approvals (City Wide)

Reference:

Date to Council: July 7, 2025
Author: Simona Simion
Planner III - Economic Development (A)
519-255-6543 ext. 6449
ssimion@citywindsor.ca

Greg Atkinson, Deputy City Planner Development

gatkinson@citywindsor.ca

Kevin Alexander, Senior Planner-Special Projects

kalexander@citywindsor.ca

Laura Strahl, Senior Planner-Special Projects

lstrahl@citywindsor.ca

Planning & Building Services
Report Date: 5/12/2025
Clerk's File #: SPL2025

To: Mayor and Members of City Council

Recommendation:

I. THAT all approvals to participate in Community Improvement Plan Grant Programs granted by Council Resolutions listed in Appendix A **BE EXTENDED** to June 30, 2026 and that each grant approval **EXPIRE** and **BE RESCINDED** should the project not be completed or other terms of the grant not be satisfied to the satisfaction of the City Planner as of July 1, 2026.

II. Should CIP Grants identified in Appendix A expire as of July 1, 2026:

a) THAT any related funding allocated in the CIP Reserve (Fund 226) **BE UNENCUMBERED** and/or any related funding already transferred to a CIP capital project for these CIP Grants **BE RETURNED** to the CIP Reserve (Fund 226) and **UNENCUMBERED**.

b) THAT the approval for future tax increment grants **BE RESCINDED.**

III. THAT all approvals to participate in the Community Improvement Plan Grant Programs granted by Council Resolutions listed in Appendix B **BE RESCINDED**; and,

a) THAT funding in the amount of $435,448 **BE RETURNED** to the CIP Reserve (Fund 226) and **BE UNCOMITTED**;

b) THAT the approval for future tax increment grants **BE RESCINDED.**

IV. THAT all approvals to participate in the Brownfield Property Tax Assistance Program under the Brownfield Redevelopment Community Improvement Plans as listed in Appendix C **BE RESCINDED.**

V. THAT the length of the grant period for those items listed in Appendix C under the Brownfield Rehabilitation Grant Program **BE ADJUSTED**, if necessary, to ensure the total length of financial assistance is consistent with the original approvals.

Background:

Part IV, Section 28 of the Planning Act, allows City Council to designate a community improvement project area and prepare a Community Improvement Plan (CIP) whenever there is an Official Plan in effect. The purpose of a CIP may be related to planning, design, subdivision, clearance, development, construction and rehabilitation, improvement of energy efficiency, and provision of affordable housing within the project area.

Approved CIPs allow the City to take a variety of measures to further the objectives identified within the CIP that would otherwise be prohibited by Ontario's *Municipal Act*. This includes the acquisition and preparation of land; construction, repair, rehabilitation or improvement of buildings; the sale, lease or disposal of land and buildings; and the provision of grants to owners or tenants of land - all of which must conform with the objectives and policies contained within the CIP.

This report addresses the status of projects City Council has previously approved for financial incentives under the following seven (7) CIPs:

1. ***Olde Sandwich Towne Community Improvement Plan*** **(Sandwich Town CIP)**

- Officially came into effect on October 19, 2012, after City Council passed by-law 27-2009 to establish the CIP on January 26, 2009.
- The Sandwich Town CIP consists of grant programs that encourage new development, retail investment, facade improvements, and preservation of Heritage Resources in the Sandwich Heritage Conservation District and Community Improvement Area.

2. ***Brownfield Redevelopment Community Improvement Plan*** **(Brownfield CIP)**

- Approved by City Council on April 19, 2010, following a five-year study and consultation process that commenced October 2005.

- The Brownfield CIP provides incentives to promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor.

3. Economic Revitalization Community Improvement Plan (Economic Revitalization CIP)

- Implemented by City Council on March 15, 2011, encourages new investment in targeted sectors within the city by providing financial incentives to new businesses, expansion of existing building, and small business.

4. Downtown Windsor Enhancement Strategy and Community Improvement Plan (Downtown CIP)

- Approved by City Council on September 29, 2017, and an adopting by-law was passed by City Council on October 16, 2017.
- The Downtown CIP provides financial incentives to encourage new residential development, retail investment, facade improvements, and building/property improvements.

5. The Ford City Community Improvement Plan (Ford City CIP)

- Approved on January 08, 2018, and adopted by City Council through by-laws 171-2018 and 172-2018.
- The Ford City CIP provides financial incentives to encourage retail/ residential development and building improvement in the neighbourhood.

6. Main Streets CIP

- Approved by City Council on January 28, 2018, as *the Building Facade Improvement Program and Urban Design Guideline for Main Streets Community Improvement Plan.*
- The CIP was amended and renamed to the *Main Streets CIP* on September 06, 2022, providing additional financial incentives programs as part of the CIP and in newly expanded areas within the vicinity of Main Streets in the City of Windsor.

7. The University Avenue and Wyandotte Street Community Improvement Plan (University/ Wyandotte CIP)

- Approved by City Council on June 7, 2021, and an adopting by-law was passed by City Council on July 13, 2021.
- The University/Wyandotte CIP provides financial incentives aimed towards encouraging private sector investment and redevelopment along the corridors connecting downtown to the University of Windsor.

The financial incentives provided under each of the CIP's are funded primarily in two different ways:

1) Through the use of a CIP Reserve (Fund 226) that is encumbered and a transfer to a CIP capital project prior to a one-time payment pending the completion of defined work (e.g. Environmental Site Assessment Study, Façade Improvement, new retail unit, etc.); or

2) Annual grants which are based upon an increase in municipal property tax levy as a result of the eligible development over a defined period of time.

Prior to 2020, Council approval of CIP applications did not contain a deadline to complete projects or assign grant agreements. Administration started to include deadlines in the Council reports' recommendations to ensure that grant funds were not unnecessarily held for projects that did not move forward within a reasonable timeframe. Additionally, some applicants for completed projects have not followed up to complete administrative requirements such as the signing of legal agreements, submission of paid invoices, and other required material. Administration has started to review individual grant approvals and identified grants that require extensions, rescindment, and adjustment of tax-based incentives.

The purpose of this report is to:

1. Recommend grant applications that have reasonable justification for extensions.

2. Recommend rescindment of grant approvals and to un-commit funds for projects where no development has occurred, grant agreements have not been signed, ownership has changed, or there has been a lack of follow-up to complete the grant requirements within a reasonable timeframe. The uncommitted funds may be made available for other applications and/or to release future liabilities.

3. Adjust approvals to tax-based incentives under the Brownfield CIP to recognize the limitations of the Provincial Brownfield Property Tax Assistance Program.

Discussion:

CIP Approvals Grant Expiry Date Extension

In 2020, Administration started including deadlines for projects to be completed and grant agreements to be signed within each individual report to Council dealing with a grant application.

When CIP grants are approved by Council, the funds are committed and held for payment following the completion of eligible work and submission of all required information and documents (e.g. signing of legal agreements, submission of invoices, and other requirements) within the allotted timeline. Council-approved CIP grants for specific improvements (e.g. environmental study grants) are transferred from a CIP Reserve (Fund 226) to the appropriate CIP capital project prior to payment.

Many applicants have encountered supply chain issues and labour shortages that started during the pandemic that are still effecting their projects. In addition, the

extensive and complex nature of brownfield remedial work has created delays for certain projects. Where applicants are making reasonable efforts to complete their projects, Administration recommends that it is appropriate to extend the grant for an additional year. However, the grant approvals will expire and be rescinded as of July 1, 2026, if projects are not complete and required documentation is not submitted to the satisfaction of the City Planner.

For a list of grant approvals that need extensions, please refer to Appendix A: Extension of Grant Approvals. The Planning Department will notify the applicants by email and/or telephone of the expiry date extension. The onus is on applicants to complete projects and provide required documentation by the extension date to the satisfaction of the City Planner.

Grant Rescindment

When CIP grants are approved by Council the funds are committed and held for payment following the completion of eligible work and submission of all required information and documents (e.g. signing of legal agreements, submission of invoices, and other requirements). Council approved CIP grants for specific improvements which are considered to be one-time in nature (e.g. building façade improvement, environmental study grants, new residential units) are transferred from a reserve fund to the appropriate CIP capital project prior to payment. Rescinding these approvals will allow the funds to be unencumbered in the reserve fund and available to be reallocated for future grant approvals.

Upon completion of the proposed development, there is a realization of increased property tax revenue. Council approved tax increment-based CIP grants are recorded as an offsetting expense to a Corporate account on an annual basis over the lifespan of the grant program based on the amount of municipal tax increase resulting from the increased MPAC assessed value of the property post-development. Rescindment of these grants will release any obligation to pay the tax increment-based CIP grants.

Some Council approved CIP grants projects were not deemed complete for various reasons:

- Applicants decided not to pursue projects;
- Projects not commenced within a reasonable timeframe;
- Change in ownership;
- Required documentation not submitted.

Council has approved several CIPs to encourage investment and promote development. The onus is on the applicant to demonstrate to Council that incentives are necessary when seeking approval. Lack of follow-up to complete the grant requirements following completion of an approved project demonstrates that incentives were not necessary. The CIP grants being rescinded and reallocated have a date range from 2016 to 2024 and would allow the funding to be used for future CIP grant applications. Appendix B: Rescindment of CIP Grant Approvals notes the status of each grant

approval. The Planning Department will notify the applicants by email and/or letter of the rescindment.

Adjustments to Tax Based Financial Incentives

The City of Windsor's Brownfield Redevelopment CIP includes a Tax Assistance Program, which is authorized under Ontario's Brownfield Tax Incentive Program (BFTIP). The purpose of the Tax Assistance Program/BFTIP is to encourage the remediation and rehabilitation of brownfield sites by providing a cancellation of the property tax increase on a property that is undergoing or has undergone remediation and development to assist with payment of the cost of environmental remediation.

The Provincial program allows the municipality to apply to the Minister of Finance for matching cancellation of the Provincial education taxes while the property is undergoing remediation and redevelopment.

Prior to changes made to the BFTIP in 2021 the Minister had to approve a draft tax cancellation by-law prior to it being passed by Council. The BFTIP also required that tax assistance cease for any property that has been severed, subdivided, sold or conveyed prior to the end of the three (3) year assistance period. Because of the limitations associated with the BFTIP, approvals under the City's Tax Assistance program have never been implemented (i.e. a tax cancellation by-law has not been passed, primarily due to properties being sold or subdivided). Appendix C identifies CIP grants approved under the Tax Assistance Program, which have not been sold or subdivided.

Implementing the existing Brownfield Tax Assistance approvals requires making application to the Minister and passing a tax cancellation by-law. It is a more efficient use of time and resources to rescind the existing Tax Assistance Program approvals and add the equivalent number of years to the grant period approved under the Brownfield Rehabilitation Grant Program to ensure the total length of financial assistance is consistent with the original approvals (see Appendix C).

For example, if 3 years of approved Tax Assistance is rescinded, the Brownfield Rehabilitation Grant Program would be extended from 10 to 13 years. The Brownfield Rehabilitation Grant Program works similarly to the Tax Assistance Program (i.e. they both offset increases in taxes as a result of eligible redevelopment); however, the Rehabilitation Grant Program is more efficient to administer. Administration has been successfully administering this program, which does not require the Minister's approval, for more than a decade. Changes to the Brownfield Tax Assistance Program will be addressed as part of the ongoing CIP review.

Risk Analysis:

CIP Approvals Grant Expiry Date Extension

There is little risk associated with the approval of the CIP applications in principle. Staff resources are required for the finalization of the legal agreements and payouts.

Grant Rescindment

The risk of rescinding the grant approvals is considered low due the passage of time since approval, coupled with the non-compliance with grant requirements, namely, execution of grant agreements and/or assignment agreement and executing the development plan. Projects that have not commenced may reapply for financial incentives and the new applications would be subject to Council approval. Staff from the Planning Department have been in communication with the applicants of all CIP grants to follow up on the progress, or lack thereof, of their projects, prior to preparing the Recommendations outlined in Appendix A and B.

Projects that have been completed cannot reapply for financial incentives as the CIPs do not permit retroactive grant approvals.

The risk of not rescinding the approved grant payments means that the approved funds may be encumbered indefinitely instead of being reallocated to new applicants who wish to pursue development.

Climate Change Risks

N/A

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

CIP Approvals Grant Expiry Date Extension

Appendix A provides the breakdown of the CIP Grant Amount ($406,500) and the CIP Tax Increment Grant ($7,743,563) which have previously been approved and will be considered extended for a period of one (1) further year. The grant approvals will expire and be rescinded as of July 1, 2026, if projects are not complete and required documentation is not submitted to the satisfaction of the City Planner and any related grant amounts will be unencumbered. Any amounts which have been committed from the CIP Reserve or remaining in the capital project will be returned to the CIP Reserve (Fund 226) and considered available for future use. Any amount which may have been considered under the tax increment grant incentives will be rescinded. There is no financial impact of rescinding the tax increment grant since there was no realization of additional property tax revenue where development did not occur.

CIP Grant Rescindment

Total value of funding that would be uncommitted and/or returned to the CIP reserve fund due to CIP Grants being rescinded would total $435,448 as shown in Appendix B. The CIP grants being rescinded and unencumbered would allow the funding to be used for future CIP grant applications. Should Council approve the recommendation to this

report, $435,448 is expected to be uncommitted in Reserve Fund 226 and will bring the current balance to $528,797. The breakdown of the transfers required from the capital projects to the CIP reserve fund is listed below:

	Amount ($)
Opening Uncommitted Balance for CIP Reserve Fund 226	**$93,349**
Brownfield CIP	39,461
Sandwich CIP	216,042
Main Streets	127,500
Ford City CIP	52,445
Total Proposed CIP Rescindments	**$435,448**
Projected Closing Uncommitted Balance for CIP Reserve Fund 226	**$528,797**

In addition, the potential obligation arising from future tax increment-based CIP grants of $724,854, can be eliminated. Any amount which may have been accrued because of related municipal tax increases on property improvements, will be reversed and used to offset payments made in 2025. Future budgetary pressures will reflect only those CIP's where there is a reasonable expectation of the tax increment grant payments.

Consultations:

Planning staff have consulted with the applicant regarding the extension request. Staff from the Planning (Greg Atkinson), Finance (Josie Gualtieri, Lorie Gregg, Carolyn Nelson), and Legal Departments (Kate Tracey) were consulted in the preparation of this report.

All applicants listed in Appendices A, B, and C were notified via email, letter, or telephone of the changes in status of the grant approvals.

Conclusion:

CIP Approvals Grant Expiry Date Extension

Administration recommends Council approve extensions, rescindments, adjustments, and housekeeping transfers outlined in the appendices A, B, and C. The recommendations provide flexibility for projects that have been completed or in the process of being completed. Returning previously committed funds to the CIP reserve fund or project will allow them to be made available for future grant applications projects without requesting new program funds from Council.

Planning Act Matters:

N/A

Approvals:

Name	Title
Simona Simion	Planner III – Economic Development (A)
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects
Emilie Dunnigan	Manager Dev. Revenue & Financial Administration
Lorie Gregg	Deputy Treasurer Taxation, Treasury and Financial Planning
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Extension of Grant Approvals
2 Appendix B - Rescindment of CIP Grant Approvals Rescindment
3 Appendix C - Adjustments to Brownfield CIP Approvals

Appendix A: Extension of CIP Grant Approvals

Council Approval Date	Council Resolution	Address	Project Description	CIP Program	CIP Grant Amount ($)	Estimated CIP Tax Increment Grant Total Value Lifespan of Grant ($)
April 19, 2021	CR153/2021	1534 Howard Ave	Remediation and redevelopment for residential use	Brownfield CIP	0	84,278
September 6, 2022	CR 14/2022 CR 387/2022	669 Tuscarora St	Remediation and redevelopment for residential use	Brownfield CIP	0	313,552
February 27, 2023	CR 99/2023	325 Devonshire Rd	Remediation and redevelopment for commercial use	Brownfield CIP	0	1,419,489
August 4, 2020	CR405/2020	840 Wyandotte St E	Remediation and redevelopment for mixed use	Brownfield CIP	0	560,434
February 1, 2021	CR60/2021	1370 Argyle Rd	Remediation and redevelopment for residential use	Brownfield CIP	31,500	426,200
February 1, 2016	CR86/2016	9082-9152 Tecumseh Rd E	Remediation and redevelopment for commercial use	Brownfield CIP	0	1,657,310
October 4, 2021 September 9, 2024	CR433/2021 CR371/2024	3251 Riverside Dr E	Remediation and redevelopment for residential use	Brownfield CIP	30,000	1,992,124

February 3, 2020 and July 22, 2024	CR57/2020 and CR329/2024	119-149 Chatham Street	Façade improvements and renovation to Invest Windsor Essex	Downtown CIP	50,000	131,872
February 8, 2021 and July 22, 2021	CR151/2021 and CR329/2024	511 Pelissier Street	Create new residential units within existing building.	Downtown CIP	50,000	158,750
November 1, 2021 and July 22, 2024	CR495/2021 and CR329/2024	754 Ouellette Avenue	Façade improvements and renovation of existing building to pharmacy.	Downtown CIP	35,000	19,961
December 20, 2021	CR558/2021	1100 University Avenue West	Façade improvements	University Avenue West and Wyandotte Street West CIP	30,000	191,380
January 31, 2022	CR42/2022	1200 University Avenue West	Façade improvements and building renovations for a medical office	University Avenue West and Wyandotte Street West CIP	0	274,218
July 5, 2021 and July 22, 2024	CR311/2021 and CR329/2024	364 to 374 Ouellette Avenue	Convert upper storeys of existing office building to residential	Downtown CIP	80,000	332,780
January 16, 2023	CR14/2023	880 Ouellette Avenue	Convert existing office building to residential	Downtown CIP	50,000	140,765

March 20, 2023		261-267 Pelissier Street	Convert upper storeys of existing office building to residential	Downtown CIP	50,000	40,450
Total					**$406,500**	**$7,743,563**

Appendix B: Rescindment of CIP Grant Approvals

Brownfield Redevelopment CIP							
Council Approval Date	**Council Resolution**	**Address**	**Project Description**	**Reason to Rescind**	**CIP Program Name**	**Grant Funds to be Returned to CIP Reserve Fund 226**	**Estimated CIP Tax Increment Grant**
September 26, 2022	CR419/2022	1460 Lauzon Rd 2830065 Ontario Ltd	Redevelopment for Commercial Use	Expired	Brownfield CIP	9,175	N/A
August 4, 2020	CR404/2020	1867 Tecumseh Rd W Rose City Mini Storage	Self Storage Facility	Expired	Brownfield CIP	285.88	N/A
2018	CR663/2018	Lennon and West Grand Enwin Utilities Ltd	Addition to Parkland	Phase II Environmental Site Assessment Study not submitted	Brownfield CIP	30,000	N/A
						$39,460.88	**N/A**

Sandwich Town CIP							
Council Approval Date	**Council Resolution**	**Address**	**Project Description**	**Reason to Rescind**	**CIP Program Name**	**Grant Funds to be Returned to CIP Reserve Fund 226**	**Estimated CIP Tax Increment Grant**
Apr 22, 2024	CR159/2024 DHSC 595	3431, 3433, and 3435 Bloomfield Road Vaibhay Desai WECH	Development and Building Fees and Revitalization Grant Grant Program	Project is not in deficit based on other government funding and the grant is not required.	Sandwich CIP	74,985.91	270,144
April 19, 2021	CR147/2021 DHSC 260	3150-3156 Sandwich Street 2594756 Ontario Limited (C/O: Kyle McDonald)	Commercial/ Mixed-Use Building Façade, Commercial/Mixed-Use Building Loan, Development and Building Fees, and Revitalization Grant Grants	The owner never completed the project as per the approved drawings.	Sandwich CIP	62,506	116,950
June 8, 2020	CR347/2020 DHSC 171	3311 Peter Street, 1603965 Ontario Inc.	Development and Building Fees, and Revitalization Grant Program	The property was sold to a new owner	Sandwich CIP	11,823	15,610
May 4, 2020	CR213/2020 DHSC 144	3203 Peter Street, Mason	Neighbourhood Residential Rehabilitation, Development and	The owner never completed the	Sandwich CIP	26,010	N/A

		Girardot House	Building Fees. and Revitalization Grant Program	project as per the approved drawings			
May 6, 2019	CR217/2019 DHSC 37	3239 Russel Street, Bruce Li	Development and Building Fees, and Revitalization Grant Program	The project was approved in 2019 and has Site Plan Approval, but no progress has been made on the development	Sandwich CIP	35,946.82	272,280
July 5, 2021	CR307/2021	511 Brock	Development and Building Fees Grant Program	Unused balance remaining of grant	Sandwich CIP	4,769.80	N/A
Total:						**$216,041.53**	**$674,984**

Main Streets CIP							
Council Approval Date	**Council Resolution**	**Address**	**Project Description and Reason to Rescind**	**Reason to Rescind**	**CIP Program Name**	**Grant Funds to be Returned to CIP Reserve Fund 226**	**Estimated CIP Tax Increment Grant**
December 20, 2021	CR43/2022 DHSC363	1093 Drouillard 2156567 Ontario Ltd., (c/o Kyle McDonald)	Building Façade Improvement Grant	The property was sold to a new owner	Main Streets CIP	15,000	N/A
January 31, 2022	CR44/2022 DHSC 364	2778 Richmond St. 2156567 Ontario Ltd., (c/o Kyle McDonald)	Building Façade Improvement Grant	Owner has not responded to email regarding project completion	Main Streets CIP	15,000	N/A
January 18, 2021	CR33/2021 DHSC 235	1008 Drouillard Road 2594756 Ontario Ltd. (C/O: Kyle MacDonald)	Building Façade Improvement Grant	Owner has not responded to email regarding project completion	Main Streets CIP	15,000	N/A
January 6, 2020	CR25/2020 DHSC123	1053-1055 Drouillard (Marina Juliana and Andrea Rino James Maffessanti)	Building Façade Improvement Grant	The property was sold to a new owner	Main Street CIP	30,000	N/A

December 20, 2021	CR560/2021 DHSC 347	1378 Ottawa Street	Building Façade Improvement Grant	The owner never completed the project as per the approved drawings	Main Street CIP	30,000	N/A
July 5, 2021	CR306/2021 DHSC 293	1012 Drouillard Road	Building Façade Improvement Grant	The owner has not taken advantage of the grant	Main Street CIP	22,500	N/A
Total:						**$127,500**	

Ford City CIP							
Council Approval Date	**Council Resolution**	**Address**	**Project Description**	**Reason to Rescind**	**CIP Program Name**	**Grant Funds to be Returned to CIP Reserve Fund 226**	**Estimated Tax Increment Grant**
December 20, 2021	CR43/2022 DHSC363	1093 Drouillard 2156567 Ontario Ltd., (c/o Kyle McDonald)	Retail Investment, Municipal Building Fees, and Building/Property Improvement Tax Increment Grant Program	The property was sold to a new owner	Ford City CIP	18,902	10,400
January 31, 2022	CR44/2022 DHSC 364	2778 Richmond St. 2156567 Ontario Ltd., (c/o Kyle McDonald)	Retail Investment and Municipal Building Fees, and Building/Property Improvement Tax Increment Grant Program Grants	Owner has not responded to email regarding project completion	Ford City CIP	15,040	12,750
January 18, 2021	CR33/2021 DHSC 235	1008 Drouillard Road 2594756 Ontario Ltd. (C/O: Kyle MacDonald)	Retail Investment, Municipal Building Fees, and Building/Property Improvement Tax Increment Program Grants	Owner has not responded to email regarding project completion	Ford City CIP	16,503	N/A

January 6, 2020	CR25/2020 DHSC123	1053-1055 Drouillard (Marina Juliana and Andrea Rino James Maffessanti)	Retail Investment, Municipal Building Fees and Building/Property Improvement Tax Increment Grant Program	The property was sold to a new owner	Ford City CIP	2,000	N/A
July 7, 2021	CR306/2021 DHSC 293	1012 Drouillard Road (2609998 Ontario Inc.. C/O Nicole Baillargeon and Sinisa Simic)	Building/Property Improvement Tax Increment Grant Program	Not applicable	Ford City CIP	N/A	29,720
Total:						**$52,445**	**$52,870**

Appendix C: Adjustments to Brownfield CIP Approvals

Brownfield Redevelopment CIP				
Council Approval Date	**Council Resolution**	**Address**	**Project Description**	**Adjustment Required**
February 1, 2016	CR86/2016	9082 Tecumseh Rd E	Remediation and redevelopment for storage facility (U-Haul)	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minster of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years
August 4 1, 2020	CR405/2020	840 Wyandotte St E	Remediation and redevelopment for Mixed Use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minster of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 12 years
February 1, 2021	CR60/2021	1370 Argyle Rd	Remediation and redevelopment for Residential Adaptive Reuse	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minster of Finance
April 19, 2021	CR153/2021	1534 Howard Ave	Remediation and redevelopment for Residential use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minster of

Brownfield Redevelopment CIP				
Council Approval Date	**Council Resolution**	**Address**	**Project Description**	**Adjustment Required**
				Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years
September 6, 2022	CR387/2022	669 Tuscarora	Remediation and redevelopment for Residential use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minster of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years
February 27, 2023	CR 99/2023	325 Devonshire Rd	Remediation and redevelopment for Commercial use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minster of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years

Committee Matters: SCM 223/2025

Subject: Closure of east/west alley located between Olive Road and Norman Road, Ward 8, SAA-7296

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 751**

I. THAT the 7.62-metre-wide east/west alley located between Olive Road and Norman Road, and shown as Parts 1 & 2 on Drawing No. CC-1872 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure; and,

II. THAT the north half of the Subject Alley, shown as Part 1 on Drawing No. CC-1872, **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

a. Easement, 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 the existing utility pole with guy wires and anchors supporting overhead utility lines.

b. Ontario Land Surveyor be directed to create a Part for the aforesaid easement per the instructions provided by Bell Canada through their comments included in the attached hereto Appendix "C"; and,

III. THAT the south half of the Subject Alley, shown as Part 2 on Drawing No. CC-1872, **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. Easement, 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 the existing utility pole with guy wires and anchors supporting overhead utility lines.

b. Ontario Land Surveyor be directed to create a Part for the aforesaid easement per the instructions provided by Bell Canada through their comments included in the attached hereto Appendix "C"; and,

IV. THAT Conveyance Cost **BE SET** as follows:

a. For alley conveyed to abutting lands zoned RD1.2, $1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,

V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1872; and,

VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,

VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,

VIII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 76/2025
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 July 7, 2025.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Subject: Closure of east/west alley located between Olive Road and Norman Road, Ward 8, SAA-7296

Reference:

Date to Council: July 7, 2025
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: May 28, 2025
Clerk's File #: SAA2025

To: Mayor and Members of City Council

Recommendation:

I. THAT the 7.62-metre-wide east/west alley located between Olive Road and Norman Road, and shown as Parts 1 & 2 on Drawing No. CC-1872 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;

II. THAT the north half of the Subject Alley, shown as Part 1 on Drawing No. CC-1872, **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

a. Easement, 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 the existing utility pole with guy wires and anchors supporting overhead utility lines.

b. Ontario Land Surveyor be directed to create a Part for the aforesaid easement per the instructions provided by Bell Canada through their comments included in the attached hereto Appendix "C".

III. THAT the south half of the Subject Alley, shown as Part 2 on Drawing No. CC-1872, **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. Easement, 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 the existing utility pole with guy wires and anchors supporting overhead utility lines.

b. Ontario Land Surveyor be directed to create a Part for the aforesaid easement per the instructions provided by Bell Canada through their comments included in the attached hereto Appendix "C".

IV. THAT Conveyance Cost **BE SET** as follows:

a. For alley conveyed to abutting lands zoned RD1.2, $1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1872.

VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

VIII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

Background:

The applicant, The Corporation of the City of Windsor, owner of the property known municipally as 1730 Olive Road and Kinsmen Norman Road Park (the "Subject Property"), applied to close the 7.62-metre-wide east/west alley located between Olive Road and Norman Road (the "Subject Alley"), and shown on Drawing No. CC-1872 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The applicant is in the initial stages of rezoning the southern portion of the Subject Property to allow for the creation of six (6) Single Unit Dwelling lots as part of the Housing Solutions Made for Windsor project. The sale proceeds of the disposed land will be utilized to fund improvements of the remaining parkland property as well as all costs associated with the development of the new lots.

The applicant wishes to close the "Subject Alley" for the purpose of enlarging the proposed development area and avoiding the creation of a secluded area prone to illicit activities.

The Subject Alley is unmaintained and composed primarily grass. The Subject Alley contains a curb cut off Olive Road, and a utility pole with guy wires and anchors supporting overhead hydro and utility lines. The Subject Alley has been encroached on

over the years by the abutting property at 1768 Olive Road with a wood privacy fence and wood decorative fence and 1769 Norman Road with a concrete patio and wood privacy fence. There are no Encroachment Agreements on record for the use of the Subject Alley. The two abutting property owners have formally confirmed that they intend to exercise their first right of purchase of the abutting portion of the south half of the Subject Alley.

The Subject Alley was established by By-law 846, registered on September 20, 1950.

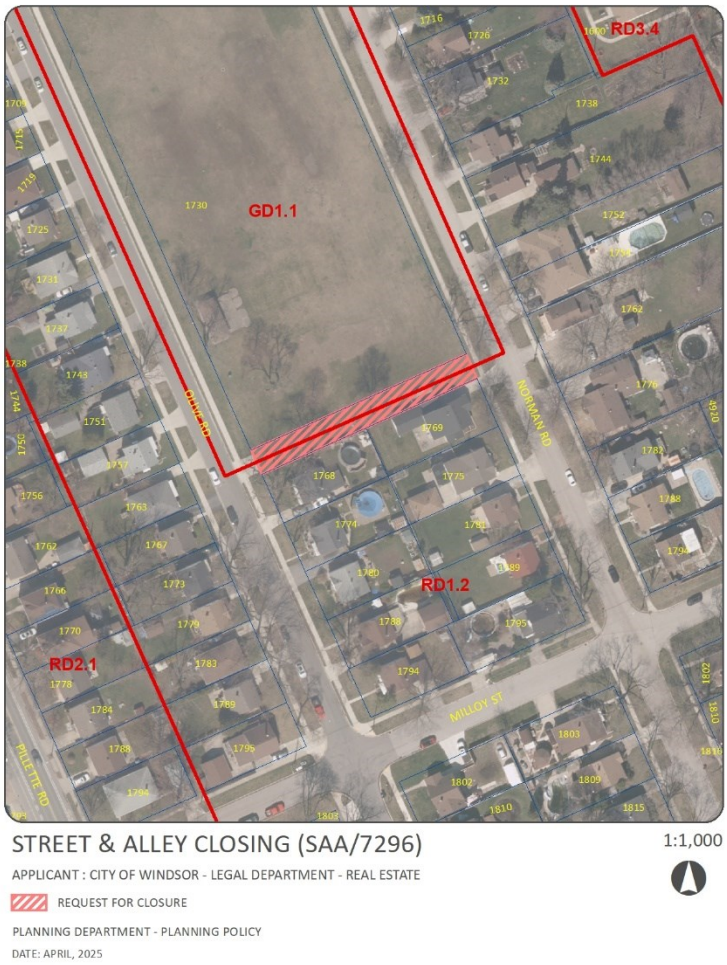


Figure 1 - Location Map

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. Alley that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.

    a. The Engineering - Right-of-Way Department has indicated that the 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 firstly Administration's recommendation that, upon closure, the abutting property owners be given the chance to acquire the south half of the Subject Alley, shown as Part 2 on Drawing No. CC-1872, in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the south half of the Subject Alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

Secondly it is recommended that, upon closure, The Corporation of the City of Windsor retain the north half of the Subject Alley, shown as Part 1 on Drawing No. CC-1872, in the manner described in the Recommendation section herein. Hence the recommendation is to close and retain the north half of the Subject Alley in **as is condition** and consolidate it with the Subject Property, which is contrary to the standard manner of conveyance. The conveyance of the north half of the Subject Alley to the Subject Property is unnecessary being that both are owned by the City.

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 conveyance cost of the south half of the Subject Alley to abutting lands zoned RD1.2 is assessed at $1 plus HST (if applicable) plus the deed preparation fee based on the current user fee schedule, which is currently $529.00 plus HST, and a proportionate share of the survey costs as invoiced to The Corporation of the City of

Windsor by an Ontario Land Surveyor. The total survey cost is estimated at $7,850 with the portion of the survey cost associated with the south half of the Subject Alley estimated to be $785, which will be divided equally between the homeowners of 1768 Olive Road and 1769 Norman Road.

In this case, the proportionate share of the survey cost shall represent the costs associated with describing and surveying the south half of the Subject Alley. The two abutting property owners will be issued an Acknowledgment & Direction form (Agreement) with the fees owing identified after the alley closing by-laws have been passed by Council. The respective portion of the south half of the Subject Alley will not be transferred until the Acknowledgment & Direction has been signed and all fees including the proportionate share of the survey cost owing have been paid.

The survey being prepared will serve a dual purpose of describing the parts of the Subject Alley and the required Bell Canada easement therein, as well as the proposed development and any necessary easements therein for the purpose of creating the six (6) Single Unit Dwelling lots.

The applicant will be responsible for the cost of consolidating the north half of the Subject Alley with the Subject Property, which is currently $186.00 plus HST based on the current user fee schedule, and the remainder of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. These expenses will be funded through the Parkland Disposition Capital Project (CR 104/2025) (Chart field No. 007-2915-9998-10258-7252001), which has a current deficit balance of ($35,997). All costs associated with the Kinsmen Norman Road Park disposition will be charged to the capital project and once the property has been sold, the proceeds from the sale will be used as a first charge to offset the costs incurred. Any surplus funds will be directed to fund improvements to the remaining park property.

The applicant will submit payment for the entire survey cost invoice to the Ontario Land Surveyor through the Chart field noted above and will apply the two abutting property owners payment as recoveries to the same Chart field.

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 Subject Alley by regular mail, with no objections being received as of the date of writing this report.

Letters were issued to the two property owners abutting the south half of the Subject Alley, requesting confirmation on whether they would be exercising or waiving their rights to purchase their portion of the south half of the Subject Alley.

The owner of 1768 Olive Road, Scott Hope, submitted a *Distribution of Alley - Form 1*, dated May 1, 2025, confirming that he wishes to purchase his portion of the south half of the Subject Alley.

The owner of 1769 Norman Road, Sandy Pimentel, submitted a *Distribution of Alley - Form 1*, dated May 12, 2025, confirming that she wishes to purchase her portion of the south half of the Subject Alley.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

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, as in Recommendations II and III of this report.

The north half of the Subject Alley is to be retained in **as is condition** and consolidated with the Subject Property as in Recommendation II of this report.

The south half of the Subject Alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendation III of this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Jamelah Hersh	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administration Officer

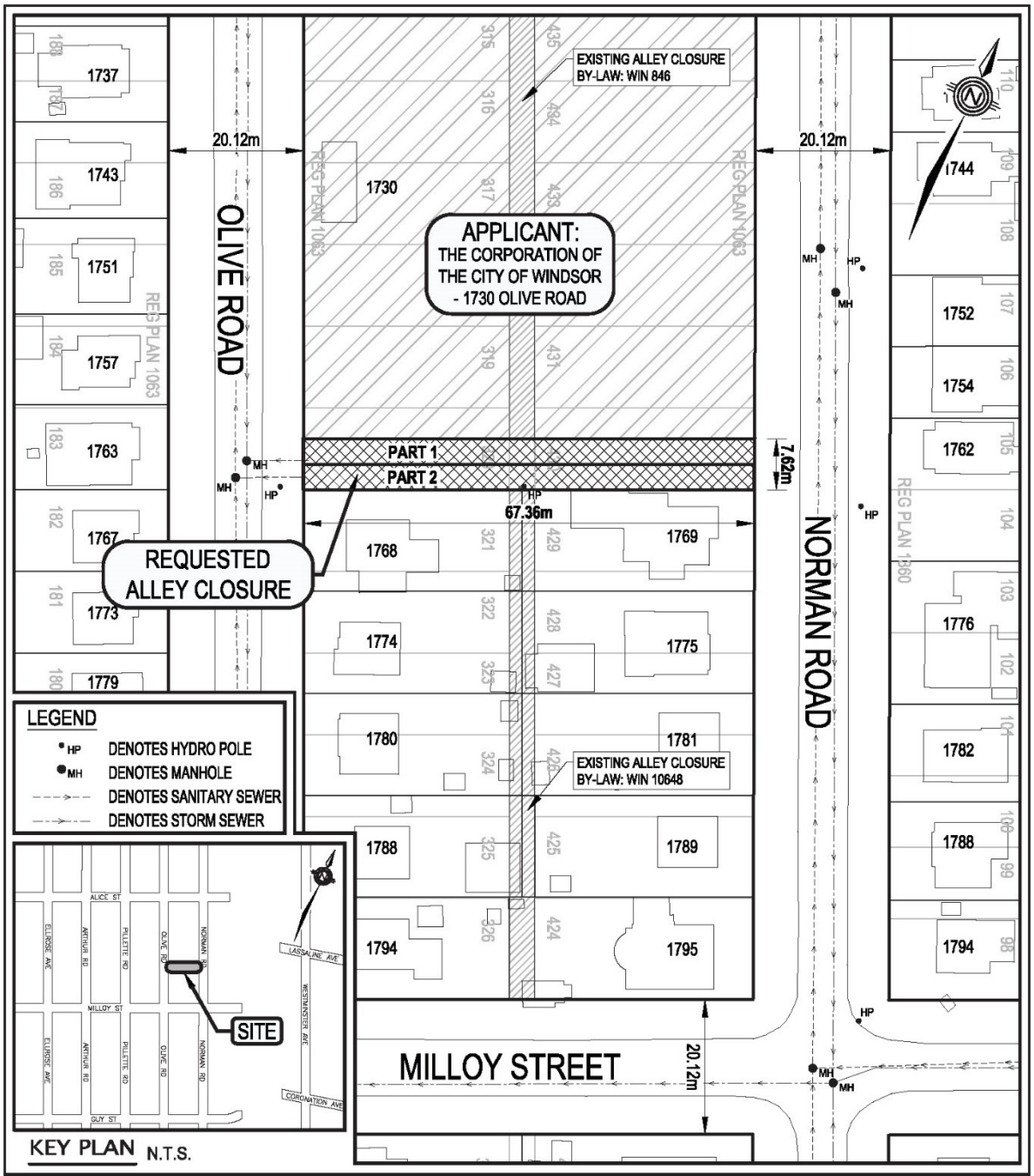
Notifications:

Name	Address	Email
List of mailing labels for property owners abutting the alley issued to Clerks office		

Appendices:

1 Appendix A - Drawing No. CC-1872
2 Appendix B - EIS Drawing - Aerial Photo
3 Appendix C - Consultations with Municipal Departments & Utility Companies
4 Appendix D - Site Photos
5 Appendix E - Classification of Alleys and Suitability for Closure

APPENDIX "A"
Drawing No. CC-1872



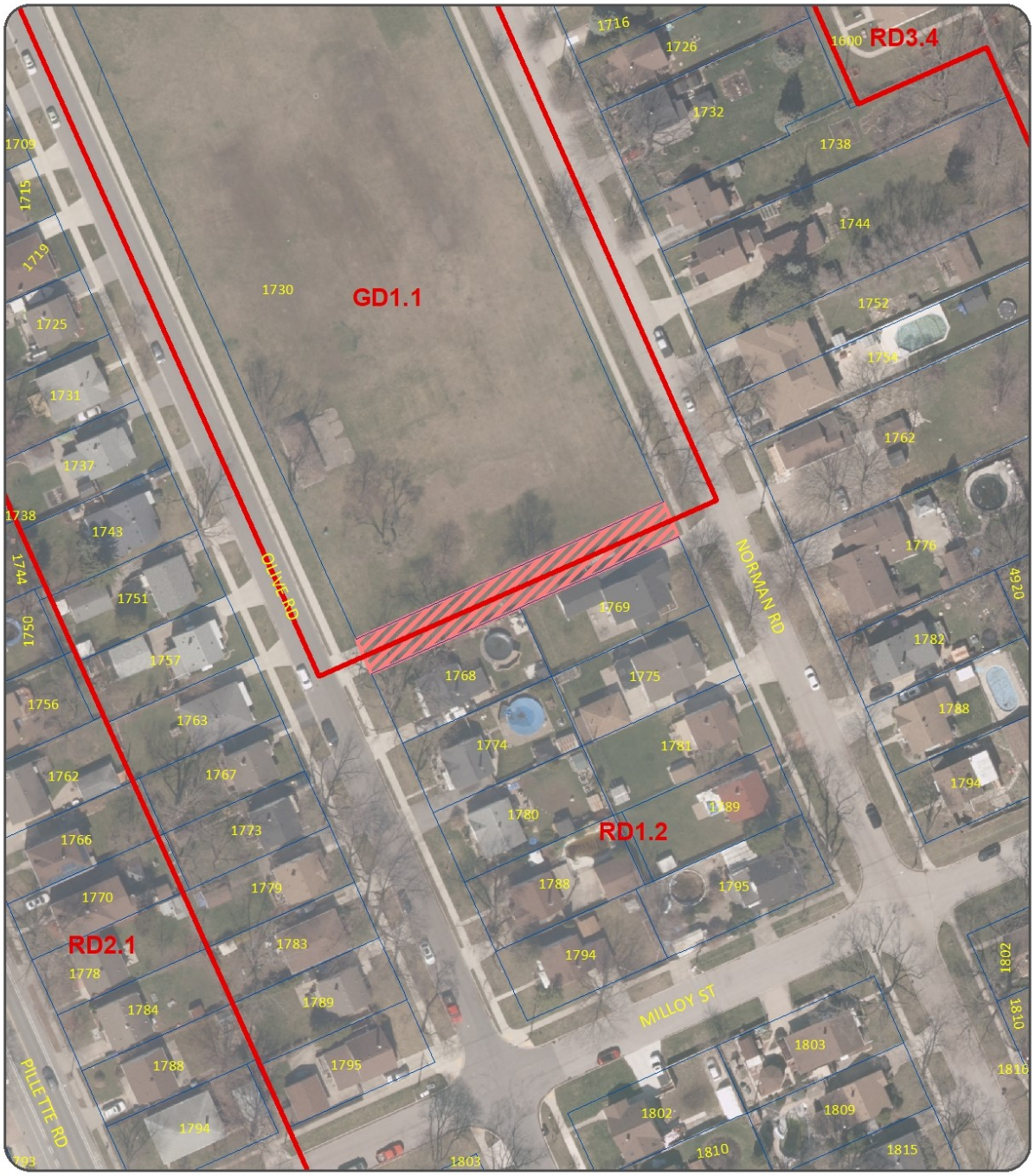
THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

Proposed Closure of the East/West Alley Located Between Olive Road and Norman Road, North of Milloy Street

Kirk Tamm, Manager of Geomatics

SCALE: 1:750	DATE: MAY 2025	REVISED: -	DWG. NO.
DWN BY: JM	CHKD BY: PJU / BN	REVISION NO.: -	CC-1872

APPENDIX "B"
EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7296)

1:1,000

APPLICANT : CITY OF WINDSOR - LEGAL DEPARTMENT - REAL ESTATE

REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: APRIL, 2025

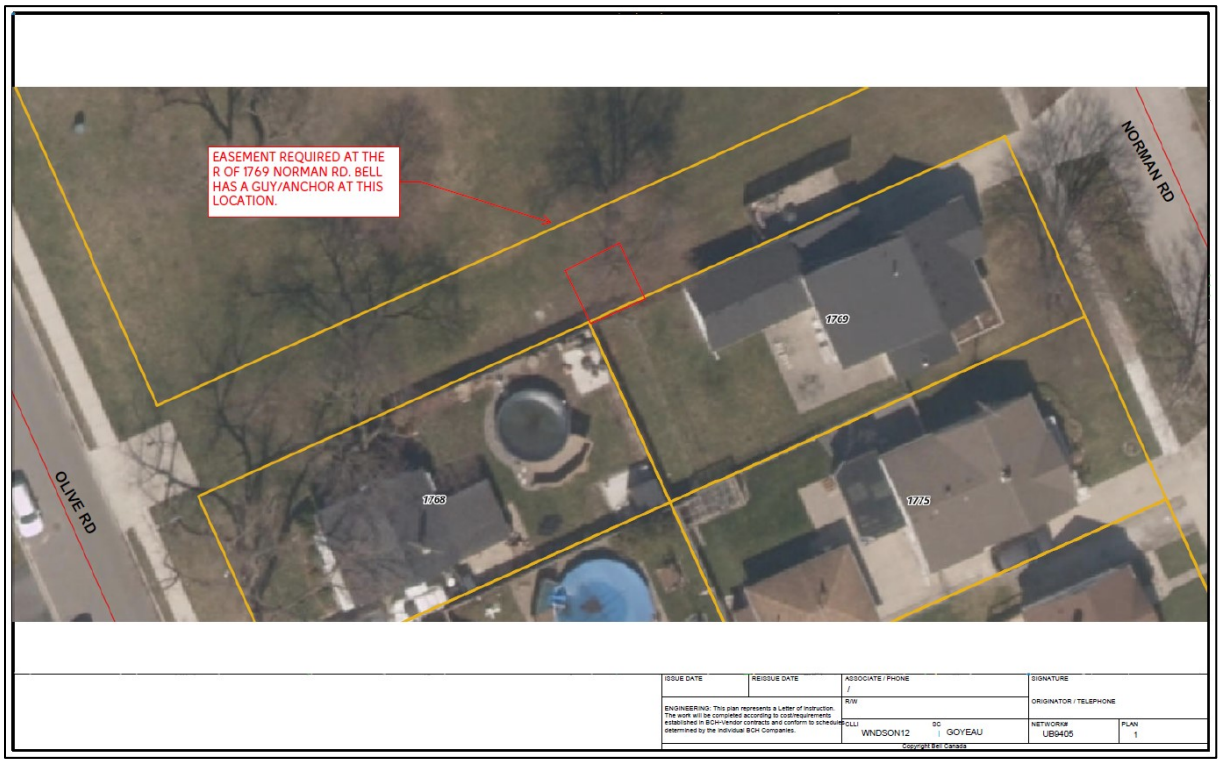
APPENDIX "C"
Consultations with Municipal Departments and Utility Companies

BELL CANADA

Bell Canada would like to confirm that an easement over the lands or a 3.0 m wide corridor to be measured 1.5 m on either side of the aerial cable and pole, then to extend from the pole to a minimum of 1.0 m past any anchor installation and to be measured 0.5 m on either side of the guy as can be accommodated would satisfy our needs.

Bell Canada kindly requests that the easement be granted from the City of Windsor prior to the sale of these lands into private ownership. Please find attached to this e-mail, Bell's standard Schedule and a sketch showing the approximate location of our facilities.

[Shadae Joseph - Right of Way Control Centre]



COGECO CONNEXION INC.

Cogeco does not require an easement at this location

[Mike Weingust - Network Delivery Specialist]

ENBRIDGE GAS INC.

No comments provided

ENGINEERING (DEVELOPMENT & ROW)

The proposed closure is approx. 3.6 m (12 ft) wide and 67 m (220 ft) long and is made of grass.

There are no sewers running through the alley.

There are no hydro poles, guy wires, or overhead wires located in this alley.

There is a concrete approach at the east end of the alley adjacent to 1768 Olive Road. Subject to the alley closure, reinstatement of the concrete barrier curb and boulevard restoration may be required of the applicant.

1769 Norman Avenue has a fence encroaching into the alley.

This subject alley has no usefulness by CR146/2005; therefore, Engineering has no objections to the closure.

[Shannon Mills - Technologist III]

ENGINEERING (OPERATIONS)

No comments provided

ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES LTD. (HYDRO)

No Objection provided adequate clearances are achieved and maintained.

Please note the following.

1. ENWIN has single phase 16kV primary conductor on the Bell pole line at the rear of the properties on Olive Rd.
2. ENWIN has single phase 120/240V overhead secondary conductors on the Bell pole line at the rear of the properties on Olive Rd.

Prior to working in these areas, we would suggest notifying your contractor and referring to the *Occupational Health and Safety Act* and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the *Ontario Building Code* for permanent required clearances for New Building Construction.

[Keegan Morency Kendall - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. (WATER)

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL & REAL ESTATE SERVICES

As per the Street and Alley closing policy, the alley parcels will be offered to the abutting residential Property owners for $1.00 plus deed preparation and proportionate share of survey costs.

[Stephanie Santos - Coordinator Real Estate Services]

MANAGED NETWORK SYSTEM INC. (MNSi)

No comments provided

PARKS

Natural Areas has no concerns or comments with the alley closure.

[Karen Alexander - Naturalist & Outreach Coordinator]

Forestry has no concerns with this alley closure application.

If and when this area is to be developed the Department will request a detailed tree inventory.

[Marc Edwards - Supervisor Parks]

PLANNING (DEVELOPMENT)

No comments provided

PLANNING (LANDSCAPE)

I have no comments to offer from a Landscape Architecture perspective. There does however appear to be an encroachment into the alley from the property owner of 1769 Norman Road.

[Ryan Gardiner-Upton - Landscape Architect]

ROGERS

No comments provided

TELECON (TELUS)

TELUS has no underground infrastructure in the area of your proposed work.

[Princess Marie - Damage Prevention Coordinator]

TRANSPORTATION PLANNING

Transportation Planning has no objections to the proposed alley closure.

[Elara Mehrilou - Transportation Planner I]

WINDSOR FIRE

No issue with fire

[Michael Coste - Chief Fire Prevention Officer]

WINDSOR POLICE

The Windsor Police Service has no concerns or objection with this requested closure. It is required for land assembly purposes and the outcome from it presents no issues/problems with police service delivery.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (Google Street View)

Figure 1 - Looking west towards alley from Norman Road (1769 Norman Road on left) (January 2021)

Figure 2 - Looking east towards alley from Olive Road (1768 Olive Road on right) (May 2014)

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 224/2025

Subject: Ford City CIP Application - 998 Drouillard Road - Ward 5

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

Decision Number: **DHSC 752**

I. THAT the request for incentives under the *Ford City CIP* Financial Incentive Program made by Artcite Inc. (c/o: Erin Fyfe) (the "Applicant"), the tenant of the property located at 998 Drouillard Road, owned by 2727692 Ontario Inc. (c/o: Michael DiFazio) (the "Owner") **BE APPROVED**, for the following incentive programs:

i. *Retail Investment Grant* totalling a maximum amount of $15,000 for one (1) ground floor retail unit; and

ii. *Municipal Development Fees Grant Program* to a maximum amount of $1,000; and,

II. THAT funds in the maximum amount of $16,000 under the *Retail Investment Grant* and the *Municipal Development Fees Grant* Programs **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) once the work is completed; and,

III. THAT grants **BE PAID** to the Applicant upon completion of improvements to the interior of the property located at 998 Drouillard Road, through the Ford City CIP (Project #7181046) to the satisfaction of the City Planner and Chief Building Official; and,

IV. THAT for grants that have lapsed, all funds **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; and,

V. THAT any unused portion of the CIP grants **BE RETURNED** to the CIP Reserve Fund 226.

Carried.

Report Number: S 84/2025
Clerk's File: Z/13251

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.

2. Please refer to Item 11.3 from the Development & Heritage Standing Committee held on July 7, 2025.

3. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Subject: Ford City CIP Application - 998 Drouillard Road - Ward 5

Reference:

Date to Council: July 7, 2025
Author: Author: Kevin Alexander, MCIP RPP
Senior Planner-Special Projects
519-255-6543 x6732
kalexander@citywindsor.ca

Author: Arianne Quibell
Community Development Planning Assistant
aquibell@citywindsor.ca

Planning & Building Services
Report Date: 6/13/2025
Clerk's File #: Z/13251

To: Mayor and Members of City Council

Recommendation:

I. **THAT** the request for incentives under the *Ford City CIP* Financial Incentive Program made by Artcite Inc. (c/o: Erin Fyfe) (the "Applicant"), the tenant of the property located at 998 Drouillard Road, owned by 2727692 Ontario Inc. (c/o: Michael DiFazio) (the "Owner") **BE APPROVED**, for the following incentive programs:

i. *Retail Investment Grant* totalling a maximum amount of $15,000 for one (1) ground floor retail unit; and

ii. *Municipal Development Fees Grant Program* to a maximum amount of $1,000.

II. **THAT** funds in the maximum amount of $16,000 under the *Retail Investment Grant* and the *Municipal Development Fees Grant* Programs **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) once the work is completed;

III. **THAT** grants **BE PAID** to the Applicant upon completion of improvements to the interior of the property located at 998 Drouillard Road, through the Ford City CIP (Project #7181046) to the satisfaction of the City Planner and Chief Building Official;

IV. **THAT** for grants that have lapsed, all funds **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;

V. **THAT** any unused portion of the CIP grants **BE RETURNED** to the CIP Reserve Fund 226.

Executive Summary:

N/A

Background:

On November 19, 2018, City Council approved the Ford City Community Improvement Area and Ford City Community Improvement Plan (CIP) (CR625/2018 PHED 603) adopted through by-laws 171-2018 and 172-2018. These By-laws came into effect in January of 2019. In addition, on November 19, 2018, City Council activated the following financial incentive programs from the Ford City CIP:

1. Municipal Development Fees Grant Program
2. New Residential Development Grant Program
3. Building/Property Improvement Tax Increment Grant Program
4. Retail Investment Grant Program

In accordance with Section 28 of the *Planning Act*, a community improvement grant may be made to either the owner or tenant of lands within the CIP area. On February 27th, 2025, the Applicant obtained approval of the Owner to apply for grants under the *Ford City CIP* Financial Incentive Programs. The property is located in the Ford City Business Improvement Area (BIA) and CIP Area.

Discussion:

Ford City CIP Financial Incentive Programs

Retail Investment Grant Program— the design and first impression made of a retail store is critical when appealing to its intended market and it can influence a consumer's perception of the quality of the store and visually communicate value. The grant offers up to 50% of eligible costs for improvements to a maximum amount of $15,000 per retail unit in a building that has had a vacant ground floor retail or commercial storefront(s) for at least 6 months immediately prior to submission of an application to the program and will be occupied by a new retail business. The applicant is proposing one (1) new retail unit on the ground floor which will be selling items such as exhibition catalogues, publications, gallery merchandise/clothing, and small artworks, which make them eligible for a maximum grant of $15,000 for the one (1) ground floor retail unit.

Other improvements include new flooring throughout, installing a fire-rated ceiling, a new HVAC system, a track lighting system in the rear, as well as constructing new interior walls to define exhibition spaces.

Municipal Development Fees Grant Program is intended to encourage development within Ford City by providing an incentive to offset the costs associated with seeking the appropriate planning approvals and building permits for a project. Property owners will be eligible to receive a grant for 100% of the specified Municipal Development Fees, up to a maximum of $50,000 per property.

The total Building Permit and development fees have yet to be determined. However, based on proposed new retail space Building Permit Fees should not exceed $1000. Once the project is completed as per the approved drawings grants will be paid to the applicant and the remaining funds will be returned to the CIP Reserve Fund.

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 construction of the new retail unit within 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 CO2 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. The new retail space provides a connection with the sidewalk and street and 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:

Improvements to the existing building and site located at 998 Drouillard Road will use modern building methods which will conform to the Ontario Building Code concerning energy efficiency. Utilizing the existing building, lot and infrastructure in an existing built-up area of the City also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.

Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the *approved grant amount will be transferred to the capital project account to be kept as committed funds, until the grant is ready to* be paid out. The current uncommitted balance in the CIP reserve fund is $68,822.81 however this balance does not account

for other CIP grant requests that are currently being considered by the Standing Committee or have been endorsed by the Standing Committee and are not yet approved by City Council.

If approved, funds will be transferred from the CIP reserve fund to the Ford City CIP Fund (Project #7181046) for the following grants when the work is completed:

i. *Retail Investment Grant* totalling a maximum amount of $15,000 for one (1) ground floor retail unit; and

ii. *Municipal Development Fees Grant Program* to a maximum amount of $1,000

Consultations:

The applicant and owner of the property located at 998 Drouillard Road has been consulted regarding grants and application fees related to the improvements outlined in this report.

The following members of Administration were also consulted:

- Josie Gualtieri, Financial Planning Administrator was consulted regarding the Ford City CIP and related capital project/reserve fund balances.
- 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:

The improvements to 998 Drouillard Road meet all eligibility criteria identified in this report, for the *Retail Investment Grant* and the *Municipal Development Fees Grant* through the *Ford City CIP*.

There are sufficient funds in the CIP reserve fund to provide grants for the proposed improvements. Administration recommends approval of the grants identified in this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Jason Campigotto	Deputy City Planner - Growth
John Revell	Chief Building Official
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects,

Name	Title
Lorie Gregg	Deputy Treasurer, Taxation & Financial Planning
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Janice Guthrie	Commissioner Finance/City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

N/A

Appendices:

1 Appendix A - Location Map and Existing Condition
2 Appendix B - Proposed Interior Improvements

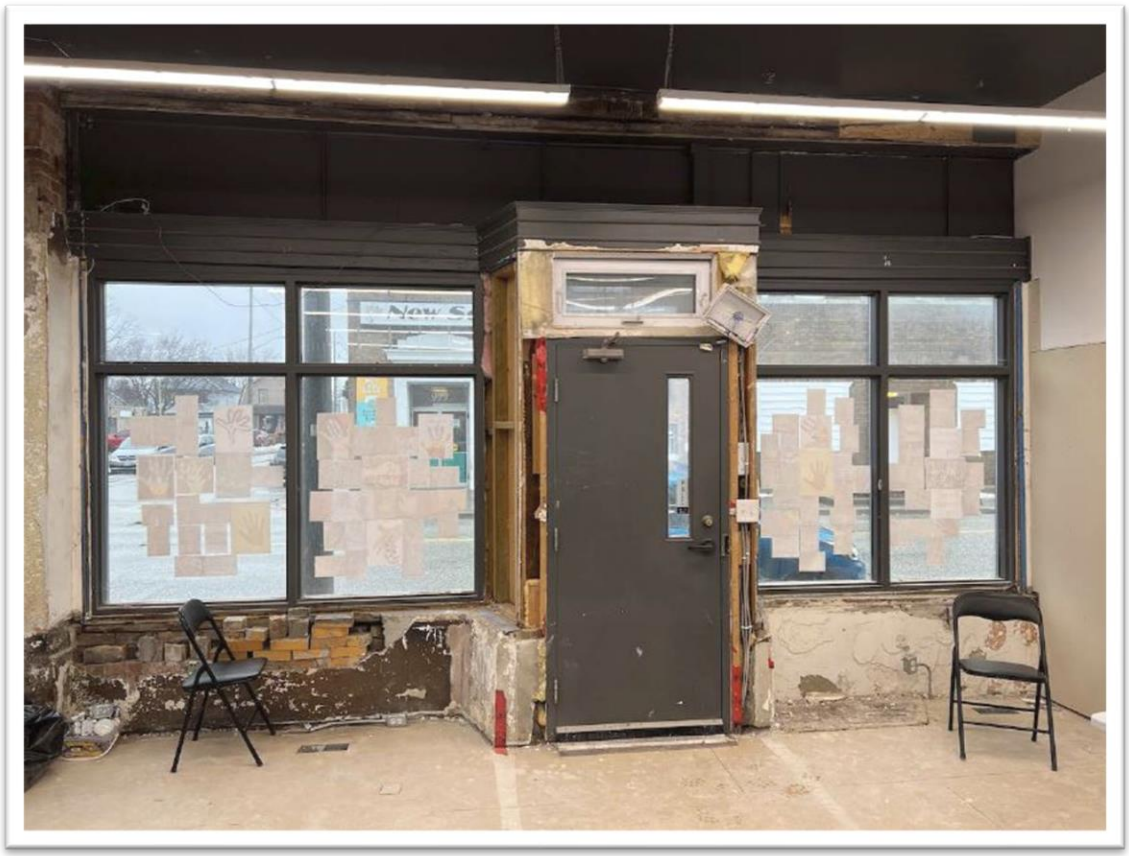
Appendix A - Location Map

LOCATION MAP: 994-998 DROUILLARD ROAD

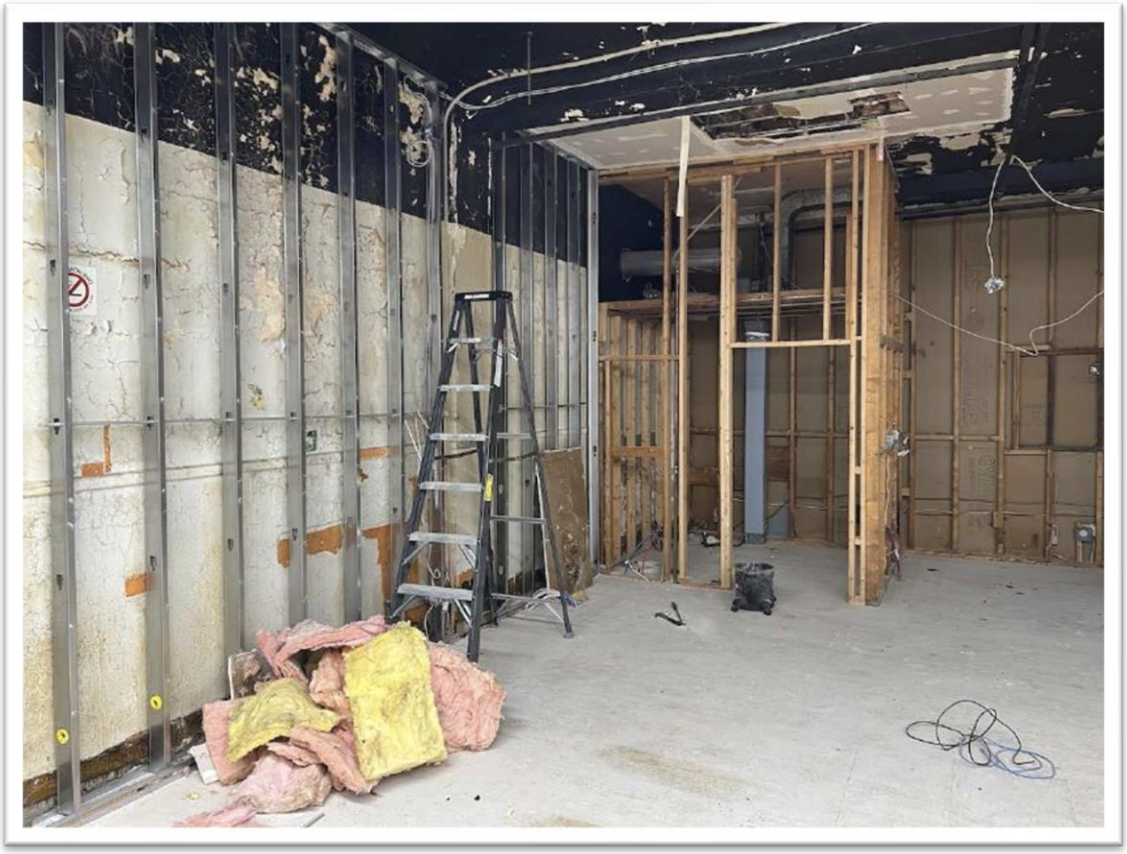
CITY OF WINDSOR - PLANNING DEPARTMENT

Appendix A - Existing Building

Appendix A - Existing Interior Space

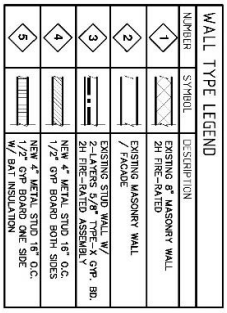


Appendix A - Existing Interior Space

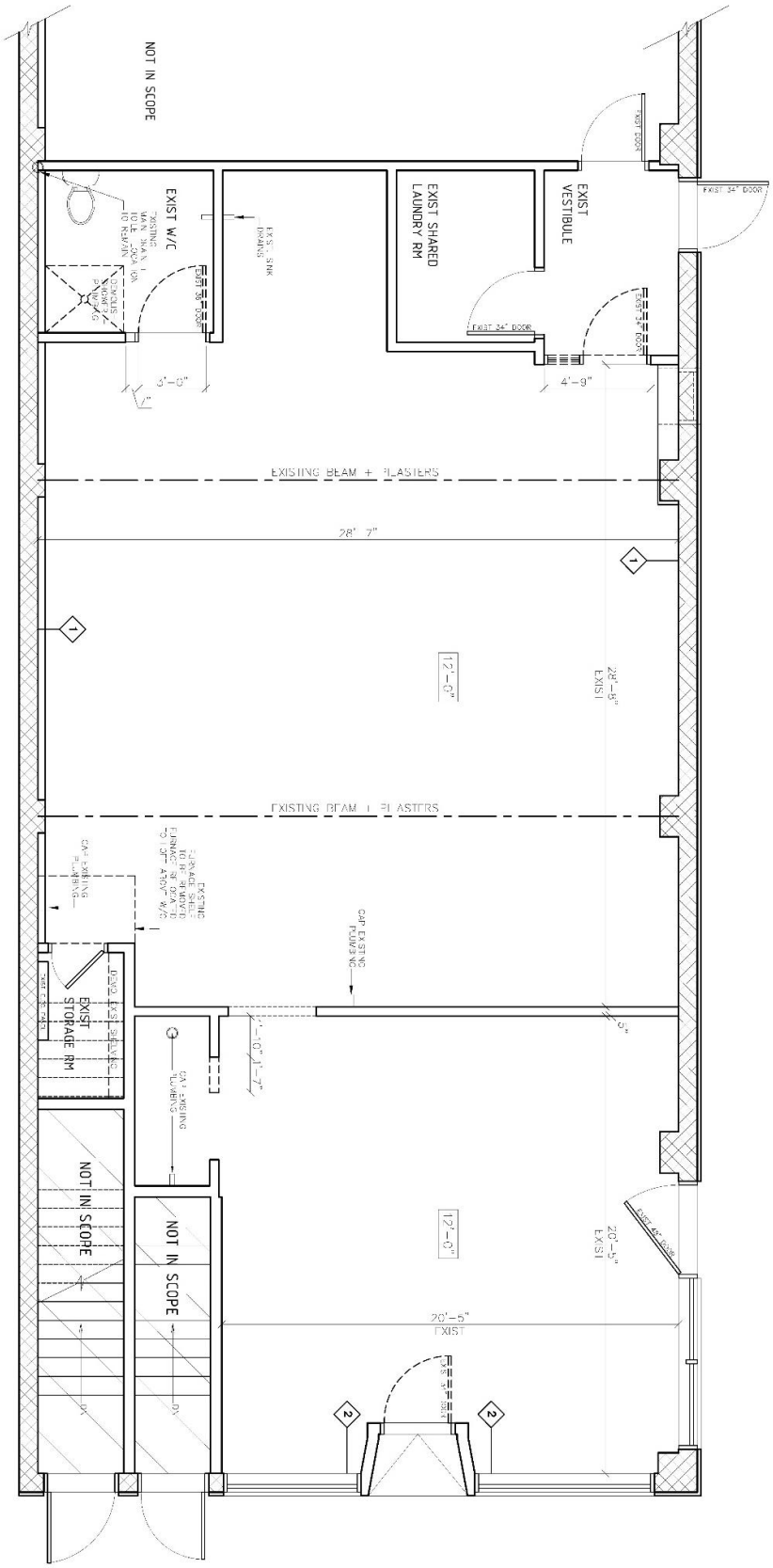


Appendix A - Existing Interior Space

Appendix B - Proposed Interior Improvements



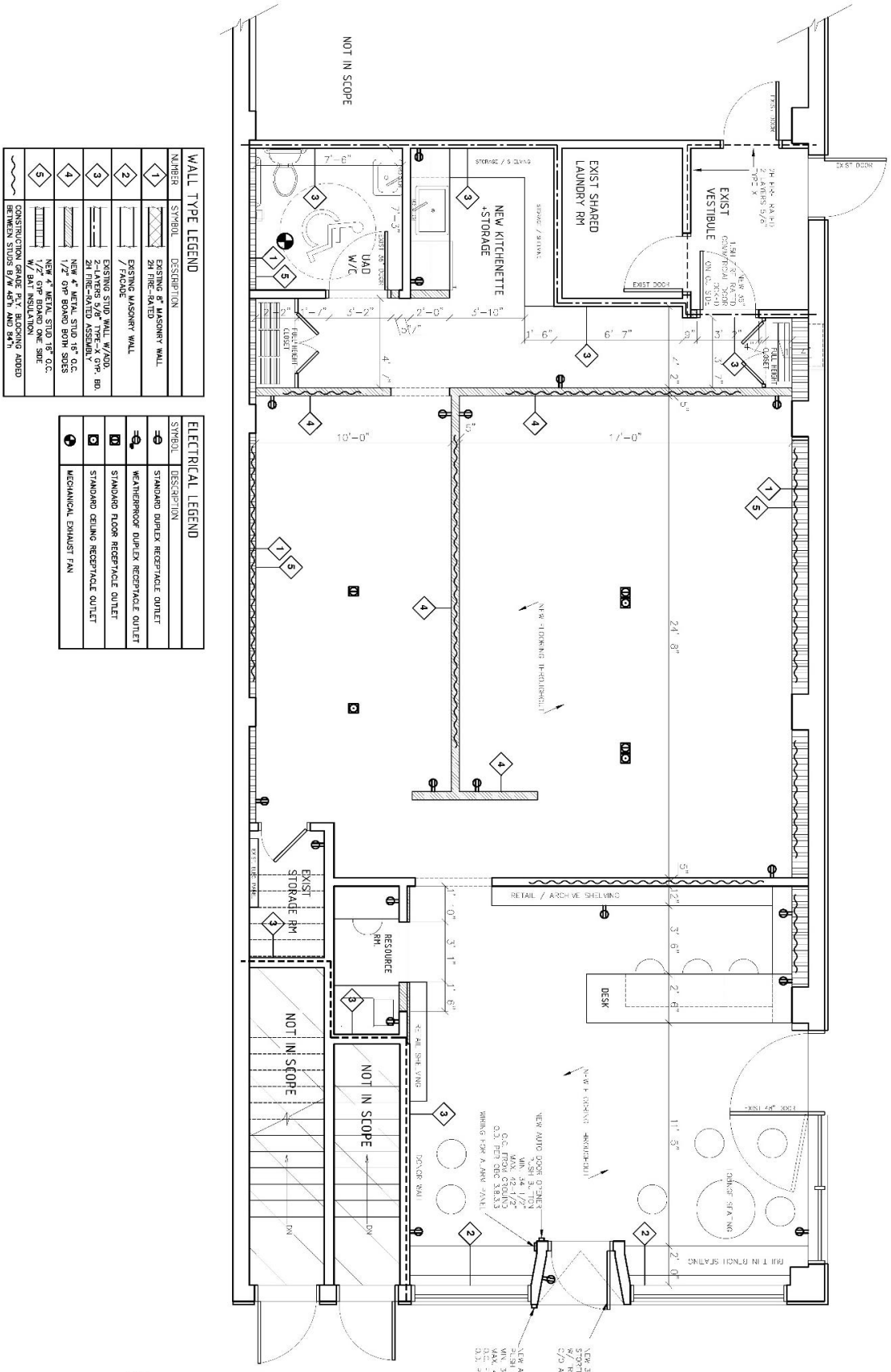
WALL TYPE LEGEND		
NUMBER	SYMBOL	DESCRIPTION
1		EXISTING 8" MASONRY WALL 2H FIRE-RATED
2		EXISTING MASONRY WALL / FACADE
3		EXISTING STUD WALL W/ 2-LAYERS 5/8" TYPE-X GYP. BD. 2H FIRE-RATED ASSEMBLY
4		NEW 4" METAL STUD 16" O.C. 1/2" GYP BOARD BOTH SIDES
5		NEW 4" METAL STUD 16" O.C. 1/2" GYP BOARD ONE SIDE W/ BAT INSULATION



EXISTING / DEMOLITION PLAN

SCALE: 3/16" = 1'-0"

Appendix B – Proposed Interior Improvements



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3		EXISTING STUD WALL W/ADD 2-LAYERS 5/8" TYPE-X GYP. BD. 2H FIRE-RATED ASSEMBLY
4		NEW 4" METAL STUD 16" O.C. 1/2" GYP BOARD BOTH SIDES
5		NEW 4" METAL STUD 16" O.C. 1/2" GYP BOARD ONE SIDE W/ BAT INSULATION
		CONSTRUCTION GRADE PLY BLOCKING ADDED BETWEEN STUDS B/W 48"h AND 84"h

ELECTRICAL LEGEND

SYMBOL	DESCRIPTION
	STANDARD DUPLEX RECEPTACLE OUTLET
	WEATHERPROOF DUPLEX RECEPTACLE OUTLET
	STANDARD FLOOR RECEPTACLE OUTLET
	STANDARD CEILING RECEPTACLE OUTLET
	MECHANICAL EXHAUST FAN

PROPOSED PLAN

SCALE: 3/16" = 1'-0"

Committee Matters: SCM 225/2025

Subject: Minutes of the Property Standards Committee of its meeting held May 20, 2025

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 753**
THAT the minutes of the Property Standards Committee meeting held May 20, 2025 **BE RECEIVED** as presented.
Carried.

Report Number: SCM 196/2025

Clerk's Note:

1. Please refer to Item 12.1 from the Development & Heritage Standing Committee held on July 7, 2025.

2. To view the stream of this Standing Committee meeting, please refer to: https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20250707/-1/10566

Committee Matters: SCM 196/2025

Subject: Minutes of the Property Standards Committee of its meeting held May 20, 2025

Property Standards Committee

Meeting held Tuesday, May 20, 2025

A meeting of the Property Standards Committee is held this day commencing at 10:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Mark McKenzie
Councillor Fabio Costante
Dan Lunardi

Regrets received from:

Michael George

Also in attendance are the following resource personnel:

Mike Arthur, Manager, Inspections
Donna Desantis, Senior Manager, Deputy Chief Building Official, Inspections
Gentian Prifti, Building By-law Enforcement Officer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 10:05 o'clock a.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Disclosure of Interest

None disclosed.

3. Adoption of the Minutes

Moved by Councillor Fabio Costante, seconded by Councillor Mark McKenzie,

That the minutes of the Property Standards Committee of its meeting held February 4, 2025 **BE ADOPTED** as presented.

Carried.

4.. Request for Deferral, Referral or Withdrawal

None.

5. Appeals

Nin Yin, Appellant is not present to speak to the matter.

Mike Arthur, Manager, Inspections advises that the Property Standards Committee has the following authority under the *Building Code Act*:

- Option to confirm the Order as issued
- Modify the Order
- Quash the Order
- Extend the deadline for compliance
- If the Committee chooses to extend the deadline, would ask that the Committee consider multiple deadlines where the defects may be grouped together

Gentian Prifti, Building By-law Officer provides the presentation entitled “8361 East Moor Court – OTR 25-016141” ***attached*** as Appendix “A”. The interior building condition defects include the following:

- Excessive mould on the ceilings
- Deteriorated/damaged wood floorboards
- Broken glass windowpane and hardware
- Holes in the walls
- Rotted studs and baseboards
- Poor air quality in the basement

In response to a question asked by the Chair regarding if anyone resides in the house, Gentian Prifti responds that a couple is living in the home.. He adds that the appellant asked for an extension of time as the current residents are going through the Landlord and Tenant Board (LTB). He indicates that a hearing will be held on June 3, 2025.

Councillor Fabio Costante asks if the appellant requested the extension. Gentian Prifti responds that he agrees with the extension and can work on this until the results are received from the LTB.

Councillor Fabio Costante asks if a deferred date is provided that is open ended, at some time after the LTB hearing, would another hearing of the Property Standards Committee be required. Mike Arthur responds if the LTB is held on June 3, 2025, 30 days after that, commencement of the works would begin in July which would allow for 2

months to comply with this Order. If the Committee wants to award the extension, then another hearing would not be required.

Councillor Fabio Costante inquires about a fixed date or if preference is given to a flexible date. Gentian Prifti responds that flexibility is the best practice.

Councillor Fabio Costante questions if there is a fixed date hypothetically, i.e. July 15, 2025, and the tenants are evicted, the work has commenced, but is not completed by July 15, 2025, will they be fined accordingly or, is the work commencing enough to be extended beyond what the committee decides. Mike Arthur responds typically the extension would be given by the Committee with some unknowns that there would be additional time (to have multiple compliance dates). The July date will be the first time that the appellant gets access into the property if there is a June 3, 2025 eviction, along with an Order from the LTB to allow the renovations to occur. He suggests that a month could be one deadline to get a block of the defects completed and potentially to have everything done within two months of that time.

Dan Lunardi asks if the appellant can be given an end date rather than reviewing all of the items and deciding which ones they should do and in which order. It gives them more flexibility to come into compliance and makes this process simpler.

Mike Arthur responds that the idea is to make smaller milestones for the landlord to make it achievable.

Moved by Councillor Fabio Costante, seconded by Dan Lunardi,
That the Order to Repair 25 016141 regarding the property at 8361 East Moor Court **BE CONFIRMED** with a deadline date extended to September 30, 2025.
Carried.

6. Adjournment

There being no further business, the meeting is adjourned at 10:35 o’clock a.m.

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
Proclamations	198	168	30	0
Flag Raisings	90	72	17	1
Illuminations	137	105	32	0
Overall Total	**425**	**345**	**79**	**1**

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:

Name	Title
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:	**Office of the City Clerk**	Policy No:	
Department:	**Council Services**	Approval Date:	
Division:		Approved By:	
		Effective Date:	
Subject:	**Flag Policy**	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

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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

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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.

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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.

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(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.

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Subject: Protecting the Inclusive Pride Flag in Windsor's Flag-Raising Policy

Dear Mayor Dilkens and Members of Windsor City Council,

I am writing to express my deep concern regarding the proposed changes to Windsor's flag-raising policy, particularly any limitations that may affect the continued ceremonial raising of the Inclusive Pride Flag.

This flag has been raised at City Hall since the year 2000—25 years of visible, meaningful solidarity with Windsor's 2SLGBTQIA+ community. This is not a symbol of ideology; it is a symbol of safety, inclusion, and unity. It represents a community that has historically faced discrimination, persecution, and violence simply for existing.

The Inclusive Pride Flag is a public affirmation that Windsor stands against hate and for the dignity and rights of all its residents. After a quarter-century of this tradition, there has been ample time for due diligence and reflection. The continued presence of this flag should not be up for debate—it is a reaffirmation of Windsor's commitment to equity, diversity, and human rights.

Furthermore, I urge Council to consider the legal precedent set in the 1997 Ontario Human Rights Commission decision in *Hudler v. City of London*. In that case, the City of London was found to have discriminated against a resident by refusing to raise the Pride flag. The OHRC ruled that such a refusal violated the Ontario Human Rights Code, emphasizing that:

- Municipal governments have a duty to uphold equality and non-discrimination;
- Denying the symbolic act of raising the Pride flag sends a message of exclusion;
- The act of flying the flag is not about promoting ideology, but about affirming the dignity of a marginalized group.

This ruling established that symbolic gestures like flag raisings are protected expressions of inclusion and equality. Any attempt to restrict the Inclusive Pride Flag in Windsor could risk similar legal scrutiny and public backlash.

In a time when there is a growing political push to erase the rainbow community from public life, Windsor must not waver. We must continue to be a city that leads with compassion, courage, and clarity. The Inclusive Pride Flag must remain a permanent part of our civic expression—not just during Pride Month, but as a year-round commitment to inclusion.

I respectfully urge you to ensure that any changes to the flag-raising policy explicitly protect the tradition of raising the Inclusive Pride Flag. Let Windsor be known not for retreating in the face of intolerance, but for standing proudly with its 2SLGBTQIA+ community.

Thank you for your time and consideration.

Sincerely,

Bronwen Wood

Ward 3 resident

From: Christopher Pressey < >
Sent: May 22, 2025 10:26 AM
To: mayoro <mayoro@citywindsor.ca>; Francis, Fred <ffrancis@citywindsor.ca>; Costante, Fabio <fcostante@citywindsor.ca>; Agostino, Renaldo <ragostino@citywindsor.ca>; McKenzie, Mark <mmckenzie@citywindsor.ca>; Sleiman, Ed <esleiman@citywindsor.ca>; Gignac, Jo-Anne (Councillor) <joagignac@citywindsor.ca>; Marignani, Angelo <amarignani@citywindsor.ca>; Kaschak, Gary <gkaschak@citywindsor.ca>; Mckenzie, Kieran <kmckenzie@citywindsor.ca>; Morrison, Jim <jmorrison@citywindsor.ca>; clerks <clerks@citywindsor.ca>
Subject: Opposition to Proposed City Hall Flag Policy Change

Dear City Clerk and Council Members,

I am writing as a resident of Windsor and a member of the LGBTQ+ community to express my strong opposition to the proposed policy that would limit the flags permitted at City Hall to only the municipal, provincial, and national flags.

While I understand the stated intent to reduce administrative effort, this proposed change represents far more than a procedural adjustment—it sends a message that the diverse communities who call Windsor home, including the LGBTQ+ community, are no longer worthy of public recognition at our city's most visible civic space.

The Pride Flag, in particular, is not a political symbol—it is a symbol of inclusion, safety, and visibility for a community that has historically been marginalized. The act of raising the Pride Flag during Windsor's Pride Month is a small but powerful gesture that affirms Windsor's commitment to diversity, acceptance, and belonging. To remove this visibility now would be a regressive step, with the potential to undo years of progress in making Windsor a welcoming place for all.

I urge Council to consider the broader implications of this policy change—not just the administrative impact, but the social and emotional cost to Windsor's diverse communities. Inclusivity cannot be reduced to a matter of convenience.

As I am unable to attend Monday's meeting in person, I respectfully ask that this message of opposition be entered into the public record. I hope Council will take seriously the concerns of residents like myself who believe in a Windsor that is proudly inclusive and visible in its support of all citizens.

Sincerely,
Christopher Pressey

Owner and Creative Director
Christopher Pressey Design

Detroit, Michigan | Windsor, Ontario
christopherpressey.com
Elevate Your Brand. Expand Your Impact.
BRANDING | WEBSITES | MESSAGING | CUSTOM PROJECTS

From: Bee Zelda < >
Sent: Thursday, May 22, 2025 12:17 PM
To: Vlachodimos, Steve <svlachodimos@citywindsor.ca>
Subject: 1 of 711 Protecting the Inclusive Pride Flag in Windsor's Flag-Raising Policy

Dear Members of Windsor City Council,

I am writing to express my deep concern regarding the proposed changes to Windsor's flag-raising policy, particularly any limitations that may affect the continued ceremonial raising of the Inclusive Pride Flag.

This flag has been raised at City Hall since the year 2000—25 years of visible, meaningful solidarity with Windsor's 2SLGBTQIA+ community. This is not a symbol of ideology; it is a symbol of safety, inclusion, and unity. It represents a community that has historically faced discrimination, persecution, and violence simply for existing.
The Inclusive Pride Flag is a public affirmation that Windsor stands against hate and for the dignity and rights of all its residents. After a quarter-century of this tradition, there has been ample time for due diligence and reflection. The continued presence of this flag should not be up for debate—it is a reaffirmation of Windsor's commitment to equity, diversity, and human rights.

Furthermore, I urge Council to consider the legal precedent set in the 1997 Ontario Human Rights Commission decision in Hudler v. City of London. In that case, the City of London was found to have discriminated against a resident by refusing to raise the Pride flag. The OHRC ruled that such a refusal violated the Ontario Human Rights Code, emphasizing that:

• Municipal governments have a duty to uphold equality and non-discrimination;
• Denying the symbolic act of raising the Pride flag sends a message of exclusion;
• The act of flying the flag is not about promoting ideology, but about affirming the dignity of a marginalized group.

This ruling established that symbolic gestures like flag raisings are protected expressions of inclusion and equality. Any attempt to restrict the Inclusive Pride Flag in Windsor could risk similar legal scrutiny and public backlash.

In a time when there is a growing political push to erase the rainbow community from public life, Windsor must not waver. We must continue to be a city that leads with compassion, courage, and clarity. The Inclusive Pride Flag must remain a permanent part of our civic expression, not just during Pride Month, but as a year-round commitment to inclusion.

I respectfully urge you to ensure that any changes to the flag-raising policy explicitly protect the tradition of raising the Inclusive Pride Flag. Let Windsor be known not for retreating in the face of intolerance, but for standing proudly with its 2SLGBTQIA+ community.

Thanks,

Bee Zelda They/Them
Ward 3 resident

From: Patricia GINN < >
Sent: May 22, 2025 3:14 PM
To: clerks <clerks@citywindsor.ca>
Cc: mayoro <mayoro@citywindsor.ca>; Francis, Fred <ffrancis@citywindsor.ca>; Costante, Fabio <fcostante@citywindsor.ca>; Agostino, Renaldo <ragostino@citywindsor.ca>; McKenzie, Mark <mmckenzie@citywindsor.ca>; Sleiman, Ed <esleiman@citywindsor.ca>; Gignac, Jo-Anne (Councillor) <joagignac@citywindsor.ca>; Marignani, Angelo <amarignani@citywindsor.ca>; Kaschak, Gary <gkaschak@citywindsor.ca>; Mckenzie, Kieran <kmckenzie@citywindsor.ca>; Morrison, Jim <jmorrison@citywindsor.ca>
Subject: Windsor Pride Flag

Dear Mayor Dilkins and City Council Members:

My name is Patricia Derouin but I go by Sista Patricia. I am vehemently opposed to the motion presented to ban all flags except Canadian, Provincial and Municipal flags in Windsor. I urge you to vote down this unnecessary and thinly veiled ploy to express the homophobic beliefs of one or more members of this council.

I am 72 years old and a full time queer activist and founder of Guardians in Action/Drag Storytime Guardians, a group of 1000 members who travel across Ontatio providing support and protection to our queer community. Most recently we provided financial, legal, and physical support to a Windsor woman and her young family who were terrorized, bullied, and threatened by London area man, Bubba Pollock, because of her association and defence of the queer community. As a result he was recently sentenced to jail for criminal harassment of her and her family but she paid a terrible price for standing up for the queer community. Myself and many other Guardians in Action were in the courtroom every day that Bubba appeared in court, just as we were for Strathroy residents Frank Emanuele and Dr. Norm Furtado who were verbally assaulted in front of their 2 young children by Bubba Pollock as well as the incident at Wortly Pride where Richard Sillers was found guilty on a weapons charge related to an attack on London members at a Pride celebration.

I want to speak to the vote before you today regarding the pride flag. I have been coming to Southern Ontario since I was a young teenager. In my small village in Quebec, there was absoutley no safe place for me as a young queer person. I never saw anyone who reflected me and as a male presenting lesbian, I certainly did not look like any of the other little girls. All I saw was homophobia at its very worst: brutality, threats, ridicule, and mocking behavior. Job and housing losses were the norm along with threats and losses of parental rights. As a result, we hid in basement bars with our own kind, shunned by family, friends and community.

I also found this exact same homophobia in Windsor every time that I was here. When we did see other members of the queer community, we would advert our eyes to avoid attracting suspicion and potential gay bashing.

The power of a flag cannot be measured at this vote, but the true measurement of a town is found in how it treats its most vulnerable members and how it invites people to grow and change. The flying of the pride flag most definitely affects a large portion of this community, a community who has seen its share of youth suicides. It's not just a flag for us elders in the community, it's a flag for your children and grandchildren, your brothers and sisters, aunts, uncles and parents. We live here, we pay taxes here, our children go to school here, we pray here. The flag tells us how much we mean to you, how welcome and how safe we are. Not everyone shares this sentiment.

Not everyone wants us here and some of you may not agree with us, but you cannot discriminate against us, you cannot ignore our existence and our rights as protected under the Canadian Charter of Rights and Freedoms, a hard won battle that sadly brings us here today.

Let Windsor and Windsor Pride continue to be a beacon in the darkness of decades past. Let the flag demonstrate to all who see it that Windsor is a progressive community and reflective of a modern inclusive community. Celebrate your growth and your heros, reach back to those you shunned in ignorance, embrace your queer family members as mine did, listen to their stories of pain, grief and resilience.

I wonder what would even drive someone to even consider this motion when there is so much division in the world, what a hateful act of oppression that cannot be entertained by a progressive growing community,

Do this not just for this 71 year old butch Lesbian, but for every person who chooses to move into this city and those who open businesses here. This is the very least you can do for the community you serve, for all of us. Do more, not less!

Respectfully
Patricia Derouin
Founder/Guardians In Action

From: Ashley Bruner < >
Sent: May 22, 2025 3:52 PM
To: McKenzie, Mark <mmckenzie@citywindsor.ca>
Cc: clerks <clerks@citywindsor.ca>; mayoro <mayoro@citywindsor.ca>
Subject: Opposing May 26th Flag Policy

Hello Mark,

I am a resident of your ward and am writing to you about the proposal to eliminate all flag raising at the City building. I hope you will oppose this chainsaw approach to fix a minor problem.

I understand that not every cause or group should be represented in this way, but I hope you advocate for some common-sense reform to the current application process. Some suggestions to consider: perhaps prioritizing groups that have already had approval, or a longer application cut-off time to allow staff to do their due diligence when vetting new groups, for example.

I fear the all out ban is a dangerous precedent - it was one of the first executive orders president Trump signed. The City of London tried to pass similar legislation and the Ontario Human Rights Council ruled this action was in violation of human rights resulting in a public apology by the mayor to the LGBTQ+ community. I believe this would be the path concerned citizens will take if this change is mad.

I will be following Monday's meeting closely (I have emailed the Clerk encouraging council to consider later meeting times to allow for greater citizen engagement, but that's another issue). I hope the wonderfully diverse and eclectic ward 4 base can count on you to oppose this harmful action and to be on the right side of history.

Ashley Bruner

From: holly brush < >
Sent: May 22, 2025 3:21 PM
To: clerks <clerks@citywindsor.ca>
Subject: Flag-raising policy

Dear Mayor Dilkens, city clerk and Members of Windsor City Council,

I am writing to voice my deep concern regarding the current review of Windsor's flag-raising policy and the proposed limitations—particularly those that may affect the Inclusive Pride Flag.

For 25 years, this flag has been raised at City Hall as a visible statement of solidarity with Windsor's 2SLGBTQIA+ community. It is not an expression of ideology—it is a symbol of safety, inclusion, and unity. For many, including myself, it represents a community that has long endured discrimination and marginalization simply for existing.

The act of raising the Inclusive Pride Flag is more than a tradition—it is a commitment. It publicly affirms that Windsor values dignity, equity, and the human rights of all its residents.

After a quarter-century of consistent support, this practice should not be subject to reconsideration. The Inclusive Pride Flag's presence at City Hall affirms Windsor's leadership in compassion, courage, and inclusivity—especially at a time when 2SLGBTQIA+ communities are facing increased political hostility across the country.

Let me be clear: neutrality in the face of discrimination is not impartiality—it is complicity. Removing symbols of inclusion under the guise of fairness does not create balance; it silences those who have fought hardest to be seen and heard.

I urge you to ensure that any revisions to the flag-raising policy explicitly protect the tradition of raising the Inclusive Pride Flag. Windsor must not step back—we must continue to stand tall in support of all residents, all year long.

Thank you for your attention and your commitment to an inclusive Windsor.

Sincerely,

Holly Brush

Ward 3 Resident

To: Windsor City Council
Re: Flag Policy Review – Importance of Continued Support for the 2SLGBTQI+ Community

Dear Members of Council,

As an ally to the 2SLGBTQI+ community, I have been actively involved in advocacy work in Windsor-Essex County since 2012. I am the co-founder of the **Run for Rocky Legacy Project**, a unique and impactful initiative that has raised over **$600,000** to support Gay-Straight Alliance (GSA) clubs in educational institutions across Windsor-Essex. This funding model — the only one of its kind in Canada — provides grants and scholarships to GSA students, many of whom have gone on to become human rights lawyers and community leaders. This funding also supports education for educators, grants to local 2SLGBTQI+ agencies for special projects, provide parental resources, and gives a portion of funds raised to help support programming yearly at Windsor Pride Community, Windsor Essex Pride Fest and Trans Wellness Ontario.

The first Run for Rocky was held in April 2013 following the tragic loss of our son Rocky in August 2012. Rocky was a passionate and vocal advocate for the 2SLGBTQI+ community and a dedicated volunteer with various non-profit organizations. One of Rocky's key concerns was the discriminatory blood and organ donation policies in Canada. Tragically and ironically, his own organ donation was denied due to his sexual orientation.

In response, I initiated a national petition **"All Healthy Canadians Should Be Able to Donate"**, which was tabled in the House of Commons in April 2014 by MP Brian Masse. This effort led me to work on a national level with Health Canada as a patient advocate, contributing to a five-year task force on improving equity in Canada's organ donation and transplantation system. The resulting report, *Future Directions: Improvements Along the ODT Pathway*, outlines a roadmap for system-wide transformation.

I have also recently joined a committee led by Dr. Murdoch Leevies — an emergency room physician and University of Manitoba professor — focusing on addressing inequities in organ donation for gay and trans individuals, and on training healthcare professionals to ensure equity in care for the trans community.

Locally, I am proud to assist with the **LaSalle Pride Project**, promoting visibility and inclusivity through Pride symbols in our community. Research shows that such visible markers of support significantly contribute to a safer, more welcoming environment for all. The Rainbow crosswalk painted at Zehrs was the first crosswalk of its kind at a grocery store location in Canada.

Through my advocacy work, I have come to recognize how uniquely supportive Windsor-Essex is for our 2SLGBTQI+ citizens and their families. Thanks to community efforts, we have GSA

clubs in every high school — both Catholic and public — and over 35 elementary GSAs, as well as active groups in post-secondary institutions. The collaboration among agencies like **Windsor Pride Community**, **Windsor-Essex Pride Fest**, **Trans Wellness Ontario** (Ontario's only stand-alone trans agency), and the newly formed **Queer and Trans Migrant Advocacy Alliance of Windsor Essex** has made our region a beacon of support for newcomers — many of whom are refugees fleeing persecution due to their gender identity or sexual orientation.

Additionally, local organizations such as **WERA (Windsor Essex Rainbow Alliance)**, **Windsor Essex Rainbow Sports Club**, **Family Services Windsor-Essex**, **Canadian Mental Health Association's Youth Hub**, **Pozitive Pathways**, **Teen Health Centre**, **House Youth Centre (Amherstburg)**, **LaSalle Hangout for Youth**, and **Maryvale** to name a few, continue to play critical roles in offering support and services collaborating often with each other and for funding to ensure this region is superior in services delivered to 2SLGBTQI+ people and their families.

From my 13 years of work as an ally, I can say with confidence: this is not easy work. Advocacy takes courage, education, and persistence. It often means standing firm in the face of ignorance and resistance. It takes strong leadership with conviction and resolve to ensure equal human rights for all.

This is why I am here today. As Council reviews its flag policy, I urge you to recognize the vital importance of the work being done for 2SLGBTQI+ residents and their families in Windsor-Essex. Symbols matter. Flying the Pride flag is a visible, powerful declaration that Windsor is a city that embraces inclusion and human rights.

Eliminating DEI programs or excluding the Pride flag from municipal policies may be politically expedient for some, but it is short-sighted and out of step with the values that have made Windsor-Essex a national leader in equity and inclusion.

In a time when trans individuals in our community cannot safely cross the border, and when 2SLGBTQI+ youth in the U.S. in great numbers, are looking to Canada for their post-secondary education and safety, Windsor — as a gateway to Canada — must continue to visibly and vocally support the rights of 2SLGBTQI+ people.

Therefore, I respectfully propose that Council not only continue to support flying the Pride flag as requested by the mentioned agencies during the year, but consider flying this flag year-round. This would be a bold, progressive statement of the values this city holds dear, and a celebration of the unprecedented, nationally recognized work being done in our region.

Thank you for your time, your leadership, and your commitment to making Windsor a safe and inclusive community for all.

With Pride,

Nancy Campana
Co-Founder, Run for Rocky Legacy Project
Advocate & Ally for the 2SLGBTQI+ Community

May 22, 2025

Mayor Drew Dilkens and City Council
City of Windsor
350 City Hall Square West
Windsor, Ontario
N9A 6S1

Dear Mayor Drew Dilkens and City Council,

I am writing to you on behalf of Windsor-Essex Pride Fest Board of Directors and volunteers regarding the proposed Municipal Flag Policy Update Item # 11.1 in your agenda package proposed by administration.

As most of you on City Council are aware, Windsor-Essex Pride Fest is an incorporated non-profit organization, governed by a volunteer Board of Directors. Windsor-Essex Pride Fest brings together members of the Two Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual community (2SLGBTQIA+), their friends, allies and supporters in celebration of the unique spirit and culture of our community by producing quality, inclusive and safe events/initiatives and social programs as well as the annual festival which attracts over 7,500 people from Windsor-Essex, Ontario and Michigan.

For Windsor-Essex Pride Fest, our goal with everything we do is to strengthen and engage the community through initiatives that contribute to the vibrancy, health and overall well-being of persons in the 2SLGBTQIA+ community of Windsor-Essex.

After reviewing the new policy, we have some concerns and hope you will consider adjusting the flag raising policy to ensure that organizations like ours continue to be included in Flag Raising at City Hall Square.

As per the new policy in section (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). Windsor-Essex Pride Fest is a culturally significant and commemorative event that brings tourism to the City of Windsor and is sponsored annually by Tourism Windsor Essex which is a City of Windsor agency that attracts tourists to the City of Windsor.

"Pride", Pride Month or the Pride Festival is the month or event to show a positive stance against discrimination, bullying and violence toward Two Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual (2SLGBTQIA+) people. It is intended to promote their self-affirmation, dignity, equality rights, increase their visibility as a social group, build community, and celebrate sexual diversity and gender variance.

Each year, across Canada and the world, governments, cities, towns, organizations, businesses, etc., raise the Pride Flag to kick-off Pride month or pride celebrations and some people in the community often ask why. Here, I will share a bit of the history for those who may not know.

The Rainbow Flag was originally designed in 1978 by Gilbert Baker, a San Francisco artist who created the flag in response to a call from Harvey Milk, an openly gay politician in San Francisco, to create a symbol for the gay community. The rainbow flag was first flown at the 1978 San Francisco Gay & Lesbian Freedom Day Parade and became used worldwide after the assassination of Harvey Milk on November 27, 1978. The colors reflect the diversity of the 2SLGBTQIA+ community and the flag is often used as a symbol of Pride and 2SLGBTQIA+ rights around the world.

The Pride Flag symbolizes more than just identity; it represents a steadfast commitment to visibility and acceptance, a celebration of progress and culture, acknowledges ongoing struggles, creates safer spaces, provides educational opportunities, commemorates historical events and promotes inclusivity spheres. Our Pride Flag encompasses what it means to be one community, one people, one voice regardless of where we fit.

The Pride Flag matters to all 2SLGBTQIA+ individuals and the far too many we have lost to the social struggles of homophobia, biophobia, and transphobia, and the scourge of suicide that has robbed us of so many lives. Perhaps most importantly, raising the Pride Flag breaks open our closet doors as communities both large and small make the invisible visible and tell us that we are welcome, we are included, and we are valued as equals. It creates a sense of belonging and is a powerful symbol of acceptance.

Every time someone in the 2SLGBTQIA+ community sees a Pride Flag, whether they are out or not, they stand a bit higher, they feel a little bit braver, and they can feel more welcomed, included and supported by others. It is truly a symbol for so much to so many.

The City of Windsor, Mayor and Council have been strong supporters of the local 2SLGBTQIA+ community in many ways and through many initiatives including painted crosswalks, enhancements to create inclusive spaces at Lanspeary Park, in-kind support for the annual Pride Parade and festival, as well as for our annual kick-off media launch, which typically coincides with our flag-raising.

With that in mind, we ask that Mayor Drew Dilkens and members of City Council not eliminate the opportunity for our organization and our community to proudly raise the Pride Flag, as we have done since the year 2000, and to fly the pride flag at City Hall this year and for many years to come.

If anyone from the Mayor's office or City Council has any questions or would like to sit down to discuss, please feel free to contact me anytime through my information below.

Sincerely,

David Lenz
Community Development / Treasurer
Windsor-Essex Pride Fest
Cell: 519-995-3353
dlenz@wepridefest.com

cc. Wendi Nicholson, President

UNIFOR LOCAL 444

A Community Partner representing active and retired members throughout Windsor and Essex County

1855 TURNER ROAD, WINDSOR, ON N8W 3K2 PHONE (519) 258-6400 FAX (519) 258-0424

JAMES STEWART, President
MANNY CARDOSO, Secretary Treasurer
MIKE STEVENSON, First Vice-President
MIKE D'AGNOLO, Second Vice-President
STEVE MORGAN, Third Vice-President
JON BINNS, Recording Secretary

May 23, 2025

Mayor and Council
City Administration
City of Windsor
350 City Hall Square West
Windsor, ON N9A 6S1

Dear Mayor and City Council,

Re: Proposed Revisions to the City's Flag-Raising and Proclamation Policy

On behalf of Local 444 Unifor, I am writing to express our concern about the proposed changes, that would significantly limit which flags may be raised at City facilities, including Windsor City Hall.

While we understand the desire to maintain a consistent and respectful approach to public symbols, the recommendation to restrict flag raisings to only the Canadian, Ontario, City of Windsor, and Franco-Ontarian flags—while excluding other communities, cultures, and causes—sends the wrong message at a time when inclusivity, recognition, and community engagement are more important than ever.

Local 444 has always believed in the strength that comes from unity, diversity, and mutual respect. The ability for different groups to apply for flag raisings or proclamations not only brings people together but also helps reflect the true spirit of Windsor: one of openness, solidarity, and respect for all who call our city home. We're not suggesting that every request must be approved, but rather that every group should have the right to apply and be considered through a fair and transparent process.

...2

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Instead of narrowing the scope, the city should continue to foster a space where community voices—large and small—feel seen and respected. Limiting opportunities for recognition could inadvertently create division rather than unity.

We urge the City to reconsider this approach and commit to policies that reflect Windsor's diversity and the values we should be proud to promote.

Sincerely,

James Stewart
President
Local 444 Unifor

JS/dr-uni240

From: Celeste Kurcz < >
Sent: May 25, 2025 10:04 AM
To: clerks <clerks@citywindsor.ca>
Subject: Opposition to the Elimination of the Illumination and Proclamation Programs

Dear City Council,

I am writing to express my strong opposition to the proposed policy that would fully eliminate the City of Windsor's Illumination and Proclamation Programs.

These initiatives serve as important public acknowledgments of significant events, cultural observances, and the lived experiences of many in our community. Pride Month, for example, celebrates the 2SLGBTQIA+ community—a group that has long faced discrimination and still fights for full inclusion and equality. Similarly, Juneteenth and Every Child Matters are powerful reminders of our shared history and the work still needed to create a just and equitable future.

To eliminate these programs would be a step backward. It would risk silencing the voices of minority communities and diminish Windsor's reputation as an inclusive, kind, and welcoming city—values that are core to Canadian identity.

I urge you to reconsider this policy change. These programs are more than symbolic; they represent our commitment to diversity, reconciliation, and mutual respect.

Sincerely,

Celeste Kurcz
Resident of Windsor West

Subject: Additional Information Memo to C 78/2025 – Municipal Flag Policy Update - City Wide

Reference:

Date to Council: July 28, 2025
Author: Katherine Donaldson
Corporate Policy Coordinator
519-255-6100 ext. 6533
kdonaldson@citywindsor.ca
Policy, Gaming, Licensing & By-Law Enforcement
Report Date: 7/11/2025
Clerk's File #: GM2025

To: Mayor and Members of City Council

Additional Information:

At its meeting on May 28, 2025, City Council deferred consideration of report 75/2025 from the Corporate Policy Coordinator, dated May 14, 2025, entitled "Municipal Flag Policy Update – City Wide", to a future Council meeting to allow for further review of Provincial and Federal flag raising policies and to address concerns that had been brought forward.

A comprehensive review of the referenced policies has since been completed. This memo serves to update the original report and accompanying policy.

Following this review, the revised policy—attached to this memo as **Appendix A**—limits the flags permanently flown to the Canadian Flag, Ontario Flag, City of Windsor Flag, and Franco-Ontarian Flag. It continues to allow for special flag raising requests from members of the public. In alignment with the practices of other municipalities, including the City of Ottawa and the Municipality of Chatham-Kent, such requests will be approved if they:

- *are directly related to the City of Windsor by way of a relevant funding or partnership agreement; or*
- *correspond with relevant days of awareness, celebration, importance, commemoration or promotion, as recognized by the Ontario Provincial Government and/or the Canadian Federal Government, or a Ministry or Department thereof, as amended on their webpages at the following addresses […]*

By relying on these vetted lists maintained by the Provincial and Federal governments, the City will reduce reputational risks and minimize the administrative burden associated with independently vetting requests. The current (at time of writing) recognized dates are provided in **Appendix B** for information. Please note that these lists are subject to change at the discretion of the current governments.

Applications from groups or organizations that have a direct funding or partnership agreement with the City—or are recognized on the Provincial or Federal list of commemorative dates—and who apply during the relevant time period (such as Polish Heritage Month in May or Pride Season in June) will be approved without additional staff scrutiny.

By limiting flag raisings, illuminations, and proclamations to those associated with provincially and federally recognized observances, the City will promote consistency, ensure equitable application, and preserve its public image. Approval of the updated policy reflects the evolving landscape of municipal recognition practices and will provide greater clarity for both staff and the public.

If Council chooses to approve the revised policy as outlined in **Appendix A** to this memo, it is recommended that the original recommendation from Report 75/2025 be amended as follows:

THAT Council **APPROVE** the updated Flag Policy attached as **Appendix A** of the Additional Information Memo.

Approvals:

Name	Title
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
2 APPENDIX B - Federal and Provincial Celebratory and Commemorative Days

THE CORPORATION OF THE CITY OF WINDSOR
POLICY

Service Area:	**Office of the City Clerk**	Policy No:	
Department:	**Council Services**	Approval Date:	
Division:		Approved By:	
		Effective Date:	
Subject:	**Flag Policy**	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, for the illumination of the City Hall Building at 350 City Hall Square West and guidelines related to Corporate Proclamation requests.

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

2.2 To provide a uniform and harmonized protocol for the illumination of the City Hall Building at 350 City Hall Square West.

2.3 To provide a uniform and harmonized protocol for the Corporate Proclamations.

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.

3.2 This policy applies to illuminations at the City Hall Building at 350 City Hall Square West as well as official Corporate Proclamations.

4. RESPONSIBILITY

4.1 **The Chief Administrative Officer** or their designate will be authorized to order the lowering of flags at properties and facilities owned and operated by the City of Windsor.

4.2 **The Chief Administrative Officer** or their designate 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 their designate will be responsible for reviewing and approving requests subject to the conditions outlined in Section 5 of this policy.

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4.4 **The City Clerk** or their 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, ILLUMINATIONS AND REQUESTS TO FLY OTHER FLAGS

The Municipality shall continuously fly the following flags:

(a) National Flag of Canada;

(b) Ontario Flag;

(c) City of Windsor Flag;

(d) Franco-Ontarian Flag; and

Special Requests for flag raisings, proclamations and the illumination of 350 City Hall Square may be submitted for groups and organizations whose mandates, programs or activities:

- are directly related to the City of Windsor by way of a relevant funding or partnership agreement; or
- correspond with relevant days of awareness, celebration, importance, commemoration or promotion, as recognized by the Ontario Provincial Government and/or the Canadian Federal Government, or a Ministry or Department thereof, as amended on their webpages at

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the following addresses:

https://www.canada.ca/en/canadian-heritage/services/important-commemorative-days.html

https://www.ontario.ca/page/ontarios-celebrations-and-commemorations

- Upon visits from official delegations, as described in section 5.1.3 (i-m)

Any requests that do not meet these qualifications will be denied.

5.1.2 SPECIAL REQUESTS – PROCEDURE

Special requests from agencies or organizations located in the City of Windsor for flag raisings, proclamations, or building illuminations at 350 City Hall Square West—or any City-owned property—will be reviewed and processed by the Office of the City Clerk and forwarded to the Mayor for approval.

(a) All requests must be submitted in writing using the designated forms at least four weeks prior to the requested date and must include all required information.

(b) There will be no presentations or delegations at City Council in relation to these requests.

(c) Flags flown by special request will temporarily replace the City of Windsor flag for the approved duration or for a period determined appropriate by the City Clerk.

(d) The City of Windsor will not approve or display any flag, proclamation, or illumination that is inappropriate, offensive, or that promotes discrimination, prejudice, or political or religious movements. Only requests that correspond with officially recognized days of awareness, celebration, importance, commemoration or promotion by the provincial or federal governments—or their respective ministries or departments—will be considered. All other requests will be declined.

5.1.3 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

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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.

5.1.4 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;

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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.

(e) 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.

(f) 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.

5.1.5 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.

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Federally Recognized Commemorative/Celebratory Dates	
January	Tamil Heritage Month January 8: National Day of Remembrance for Victims of Air Disasters January 11: Sir John A. Macdonald Day January 17: Raoul Wallenberg Day January 21: Lincoln Alexander Day January 24: World Day for African and Afrodescendant Culture January 27: International Holocaust Remembrance Day January 29: National Day of Remembrance of the Quebec City Mosque Attack and Action Against Islamophobia
February	Black History Month February 15: National Flag of Canada Day February 21: International Mother Language Day
March	Irish Heritage Month March 8: International Women's Day March 11: National Day of Observance for COVID-19 March 14: Commonwealth Day March 15: International Day to Combat Islamophobia March 21: International Day for the Elimination of Racial Discrimination March 31: International Transgender Day of Visibility March 31: National Indigenous Languages Day
April	Sikh Heritage Month Genocide Remembrance, Condemnation and Prevention Month April 9: Anniversary of the Battle of Vimy Ridge Second Wednesday of April: International Day of Pink April/May: Yom HaShoah (Holocaust Remembrance Day)
May	Asian Heritage Month Canadian Jewish Heritage Month Polish Heritage Month May 5: Dutch Heritage Day May 17: International Day Against Homophobia, Transphobia, and Biphobia May 24: Victoria Day Starting the last Sunday of May: National Accessibility Week

June	National Indigenous History Month Italian Heritage Month Filipino Heritage Month Portuguese Heritage Month Launch of Pride Season June 21: National Indigenous Peoples Day June 23: National Day of Remembrance for Victims of Terrorism June 24: Saint-Jean-Baptiste Day June 27: Canadian Multiculturalism Day
July	July 1: Canada Day July 28: Day of Commemoration of the Great Upheaval
August	August 1: Emancipation Day August 15: National Acadian Day Third week of August: Public Service Pride Week
September	Second week of September: Mennonite Heritage Week Fourth week of September: Gender Equality Week September 28: British Home Child Day September 30: National Day for Truth and Reconciliation
October	German Heritage Month Canadian Islamic History Month Latin American Heritage Month Women's History Month October 1: National Seniors Day October 11: International Day of the Girl Child October 18: Persons Day
November	Hindu Heritage Month Lebanese Heritage Month November 5 - 11: Veterans' Week November 8: Indigenous Veterans Day November 11: Remembrance Day November 20: National Child Day November 20: Transgender Day of Remembrance Fourth Saturday of November: Holodomor Memorial Day November 25 - December 10: 16 Days of Activism Against Gender Violence
December	December 3: International Day of Persons with Disabilities December 6: National Day of Remembrance and Action on Violence Against Women December 10: Human Rights Day

	December 11: Anniversary of the Statute of Westminster
Provincially Recognized Commemorative/Celebratory Dates	
January	Tamil Heritage Month January 21: Lincoln Alexander Day
February	Black History Month Third Monday in February: Family Day
March	Bangladeshi Heritage Month Hellenic Heritage Month Persian Heritage Month March 17: Irish Heritage Day
April	Sikh Heritage Month April 2: Pope John Paul II Day April 9: Vimy Ridge Day April/May: Holocaust Memorial Day, Yom ha-Shoah
May	Armenian Heritage Month Asian Heritage Month Croatian Heritage Day Dutch Heritage Month Jewish Heritage Month Polish Heritage Month South Asian Heritage Month May 5: South Asian Arrival Day May 12–18: Tamil Genocide Education Week May 21: Ontario Flag Day
June	Filipino Heritage Month Italian Heritage Month Portuguese History and Heritage Month June 1: Ontario Day June 10: Portugal Day June 19: United Empire Loyalists' Day June 25–July 1: Somali Heritage Week
July	Egyptian Heritage Month Tibetan Heritage Month July 1: Canada Day July 10: Nikola Tesla Day
August	Emancipation Month

	August 1: Emancipation Day
September	September 7: Ukrainian Heritage Day September 11: Provincial Day of Service September 25: Franco-Ontarian Day
October	Hispanic Heritage Month Hungarian Heritage Month Islamic Heritage Month Korean Heritage Month Starting on the first Saturday in October: Ontario Cadets Week The day following Thanksgiving Day: German Pioneers Day October 13: Major-General Sir Isaac Brock Day
November	Albanian Heritage Month Hindu Heritage Month Lebanese Heritage Month November 5-11: Veteran's Week November 11: Remembrance Day Fourth Saturday in November: Holodomor Memorial Day November 20: Trans Day of Remembrance November 30: Scottish Heritage Day
December	

Overlapping Dates

January	Tamil Heritage Month January 21: Lincoln Alexander Day
February	Black History Month
March	Italian Heritage Month(F)/Day(P)
April	Sikh Heritage Month Yom HaShoah (Holocaust Remembrance Day)
May	Polish Heritage Month Asian Heritage Month Jewish Heritage Month Dutch Heritage Month (P) /Day (F)
June	Italian Heritage Month Filipino Heritage Month Portuguese Heritage Month
July	
August	August 1: Emancipation Day
September	

October	Islamic Heritage Month Hispanic Heritage Month(P)/Latin American Heritage Month(F)
November	Hindu Heritage Month Lebanese Heritage Month November 20: Transgender Day of Remembrance Holodomor Memorial Day
December	

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 103/2025

Subject: Surplus Declaration and Sale Authorization – 0 Betts Avenue (abutting 3085 Betts Avenue) – Ward 1

Reference:

Date to Council: July 28, 2025
Author: Stephanie Allen Santos
Coordinator of Real Estate Services
519-255-6100 ext.6420
ssantos@citywindsor.ca
Legal - Real Estate Services
Report Date: July 11, 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 **BE DECLARED** surplus:

Part of Vacant Lot:

- Municipal address: **0 Betts Avenue** – vacant land situate on the west side of Betts Avenue, abutting 3085 Betts Avenue
- Legal Description: Lots 339 on Registered Plan 1023, subject to easement R1403237; Windsor; to be further described on a new reference plan to be registered
- Approximate Lot size: 16.4 feet (5 m) x irregular
- Approximate Lot area: 1,867.54sq ft (173.5 m^2)

Part Alley

- Municipal address: 0 Betts Avenue – closed alley situate on the west side of Betts Avenue abutting 0 Betts Avenue and 3085 Betts Avenue
- Legal Description: Alley on Registered Plan 1023 Sandwich West closed by R1401993 amended by R1409220 abutting lots 339 to 344 on Registered Plan 1023 except Parts 27 to 29 on Plan 12R-17882; subject to R1403237; Windsor; to be further described on a new reference plan to be registered
- Approximate Lot size: 93.49 feet (28.49m) x 7 feet (2.13m)
- Approximate Lot area: 654.43 sq ft (60.79m^2)

(the "**Subject Parcels**"); and

II. THAT the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel for sale at a price to be determined by the Manager of Real Estate Services commensurate with an independent appraisal as required.

Executive Summary:

N/A

Background:

The City owns the Subject Parcels located on the west side of Betts Avenue, north of the Grand Marais drain and multi-use trail. The property is legally described as Lot 339 on Registered Plan 1023, Windsor and Part Alley on Registered Plan 1023 Sandwich West closed by R1401993 amended by R1409220, as shown on the aerial diagram attached as Appendix A.

By-Law 52-2014, as amended, establishes a policy for the disposal of Land. Section 4.1.3 of the Disposal of Land Policy, as amended, requires that City-owned lands be declared surplus and that Administration seek authority to sell the lands.

Discussion:

The Subject Parcels are owned by the City for purposes of maintenance of the Grand Marais drain and the existing multi-use trail. Administration was contacted by the owners of the abutting property to the north to inquire about purchasing part of the City owned parcel along with the closed alley abutting their property to the west. The Subject Parcels proposed to be sold to these residents are not large enough to develop and can only be consolidated with their existing property to increase the rear and side yards. Should the Recommendation be approved, the only possible buyer for the Subject Parcels would be the abutting owner to the north.

The Subject Parcels were circulated to determine whether there is a municipal use for same. No municipal use for the Subject Parcels was identified, however, in consultation with Engineering, it was identified that:

i) A topographic survey be required to locate the existing trail through the Subject Property. A 1.8m buffer from the north edge of the trail would need to be retained and the remaining of the area northerly can be disposed. This means that the south property line for the disposal parcel would be 1.8m away from the edge of the trail;

ii) A portion of the City owned parcel is located within the “working corridor” of the Grand Marais Drain as identified in the Engineer’s Report adopted under the Drainage Act. The Working/Maintenance Corridor is established for access to maintain the Grand Marais Drain and is located within 10m measured from the north top of bank. No structure, fence or obstruction is permitted to be built within the Working Corridor. An easement is required over the portion of the Subject Parcels on which the Working Corridor is situated.

The City's Land Disposal Policy ("LDP") outlines the process for the sale of land which is not viable. Section 5.3.1.3 of the LDP states:

5.3.1.3 Land, which is not Viable Land and which cannot be rendered Viable Land by means of and application under the Planning Act may be sold directly to the abutting property owner(s) for lot consolidation purposes at the value established by City Real Estate Staff taking into consideration all relevant factors, but in any event, for no less than on a cost-recovery basis. If more than one abutting property owner wishes to acquire the Land City Real Estate Staff will contact the abutting owners to determine whether a consensus can be arrived at in splitting the Land amongst interested abutting owners. In the event that a consensus cannot be arrived at, all interested abutting property owners will be requested to provide Administration with an offer for the entire parcel.

Furthermore, should the Recommendations be approved, Real Estate Services staff will obtain an independent appraisal, as required, to establish the value of the vacant City owned lands. Should Administration successfully negotiate a sale of the Subject Parcels, a report will be brought to Council or under Delegation of Authority, as appropriate, seeking authority to sell the Subject Parcels.

Risk Analysis:

Should the Subject Parcel remain in the City's possession, there will continue to be ongoing maintenance between the multi-use trail and the property line of the abutting owner. Also, the proximity to the abutting property creates and opportunity for potential liability should someone be injured on the land. Selling the Subject Parcels will remove any associated liability issues and maintenance costs for the City and allow for consolidation with the abutting residential property.

Climate Change Risks:

Climate Change Mitigation

Declaring the Subject Parcels surplus does not pose a climate change risk.

Climate Change Adaptation

Declaring the Subject Parcels surplus does not require any climate change adaptation.

Financial Matters:

N/A

Consultations:

Joe Baker, Manager, Land Development & Growth
Michael Coste, Chief Fire Prevention Officer
Tom Graziano, Drainage Superintendent, Engineer III
Barry Horrobin, Director of Planning & Physical Resources, WPS
Elara Mehrilou, Transportation Planner I
Juan Paramo, Development Engineer
Jason Scott, Transit Planning
Kevin Webb, Manager Environmental Quality
Jamelah Hersh, Senior Legal Counsel

Conclusion:

Declaring the Subject Parcels surplus and authorizing the Manager of Real Estate Services to negotiate for the sale of the property, will allow for the orderly disposition of the land for market value that is not otherwise required for any municipal purpose.

Approvals

Name	Title
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
Stacey McGuire	Executive Director, Engineering / Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Aerial Image of Subject Parcel

Appendix A
Aerial Image of Subject Parcel

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 94/2025

Subject: Surplus Declaration and Sale Authorization - 0 Wellington Avenue (abutting 1329 Wellington) – Ward 3

Reference:

Date to Council: July 14, 2025
Author: Stephanie Allen Santos
Coordinator of Real Estate Services
519-255-6100 ext. 6420
ssantos@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: June 20, 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 **BE DECLARED** surplus:

- Municipal address: 0 Wellington Avenue – vacant land situated on the west side of Wellington Avenue, abutting 1329 Wellington Avenue;
- Legal Description: Lot 121 on Registered Plan 68 Sandwich West; Part Lot 122 on Registered Plan 68 Sandwich West as in R1001225; Windsor
- Approximate Lot size: 65.5 feet (19.96 m) x 121.5 feet (37.03 m)
- Approximate Lot area: 7,958.25 sq ft (739.34 m^2)

(the "Subject Parcel"); and,

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

Executive Summary:

N/A

Background:

The City owns the Subject Parcel located on the west side of Wellington Avenue, north of 1329 Wellington Avenue. The property is legally described as Lot 121 on Registered Plan 68 Sandwich West; Part Lot 122 on Registered Plan 68 Sandwich West as in R1001225; Windsor, as shown on the aerial diagram attached as Appendix A.

By-Law 52-2014, as amended, establishes a policy for the disposal of Land. Section 4.1.3 of Schedule "A" attached to By-Law 52-2014, as amended, requires that City-owned lands be declared surplus and that Administration seek authority to sell the lands.

Discussion:

The Subject Parcel was vested by the City in 1987 for tax arrears. The municipal zoning (Manufacturing District - MD 2.13) restricts the establishment of any residential uses on this property. Although the Subject Parcel is large enough to be a developable lot, due to its proximity to a rail yard immediately west, residential use would require Official Plan and Zoning By-law amendments. Noise and vibration studies as well as consultation with the rail company is required as part of any rezoning application and the results would inform the viability of any proposed sensitive uses.

Official Plan information received from the Planning Department indicates the following:

> According to Schedule F1 – Railways, the site is adjacent to a railway corridor and is subject to a noise and vibration study as it is within the suggested proximities recommended by both studies defined in the City of Windsor Official Plan.
>
> Section 7.2.8.8 – Development Adjacent to a Corridor of Volume I of the City of Windsor Official Plan specifies the following:
>
> DEVELOPMENT ADJACENT TO A CORRIDOR 7.2.8.8 Council shall evaluate a proposed development adjacent to a Rail Corridor, in accordance with the following:
>
> (a) All proponents of a new development within 300 metres of a rail corridor, may be required to complete a noise study to support the proposal, and if the need for mitigation measures is determined by such study, shall identify and recommend appropriate mitigation measures, in accordance with the Procedures chapter of this Plan;
>
> (b) All proponents of new development, located within 75 metres of a rail corridor, shall complete a vibration study to support the proposal, and if the need for mitigation measures is determined by such study, shall identify and recommend appropriate mitigation measures, in accordance with the Procedures chapter of this Plan;
>
> (c) All proponents of new development adjacent to a rail corridor will consult with the appropriate railway company prior to the finalization of any noise or vibration study required by this Plan;
>
> (d) All proponents of new development abutting a rail corridor shall incorporate appropriate safety measures such as setbacks, berms and security fencing to the satisfaction of the Municipality, in consultation with the relevant public agency and the appropriate railway company.

DEVELOPMENT ADJACENT TO A RAIL YARD

7.2.8.9 Council shall protect designated rail yards from incompatible development. Accordingly, development adjacent to a Rail Yard designated on Schedule C: Development Constraint Areas will be subject to the following:

(a) New residential development and other new sensitive land uses, which require a rezoning (exclusive of a zoning by-law consolidation), plan of subdivision or plan of condominium are not permitted within 300 metres of a designated Rail Yard;

(b) All proponents of new residential development and other new sensitive land uses, located between 300 and 1000 metres of a designated Rail Yard (exclusive of the George Avenue Rail Yard unless required by the City), which require a rezoning (exclusive of a zoning by-law consolidation), plan of subdivision or plan of condominium shall complete a noise study to support the proposal, an, if the need for mitigation measures is determined by this study, shall identify and recommend appropriate mitigation measures, in accordance with the procedural policies in this Official Plan;

(c) All proponents of new development within 75 metres of a designated Rail Yard shall complete a vibration study to support the proposal, and, if the need for mitigation measures is determined by the study, shall identify and recommend appropriate mitigation measures, in accordance with the procedural policies in this Official Plan; (e) All proponents of new residential development and other sensitive land uses, within 1000 metres of a designated Rail Yard, which requires a rezoning (exclusive of a zoning by-law consolidation), plan of subdivision or plan of condominium will consult with the appropriate railway company prior to the finalization of any noise and/or vibration abatement study required this Official Plan; and

(d) All proponents of new development abutting a rail yard, which require a rezoning (exclusive of a zoning by-law consolidation), plan of subdivisions, plan of condominium or site plan approval, shall incorporate appropriate safety measures such as setbacks, berms and security fencing to the satisfaction of the Municipality, in consultation with the relevant public agency and the appropriate railway company.

SAFETY MEASURES

7.2.8.10 All proposed development adjacent to a railway right-of-way or rail yard shall be required to incorporate appropriate safety measures such as setbacks, berms and security fencing to the satisfaction of the Municipality in consultation with relevant public agencies and the appropriate railway company.

CONSULT RAILWAYS

7.2.8.11 All proponents of development within 500 metres of a railway right-of way are encouraged to consult with the appropriate railway company prior to the finalization of any noise and vibration abatement study or development proposal.

Administration circulated the Subject Parcel to determine whether there is a municipal use for same. No municipal use was identified. The Subject Parcel is approximately 65.5 feet wide by 121.5 feet deep, and the only potential buyer would be the owner of 1329 Wellington Avenue for lot consolidation purposes.

Should the Recommendations be approved, Real Estate Services staff will obtain an independent appraisal to establish the value of the Subject Parcel. Should Administration successfully negotiate a sale of 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:

Should the Subject Parcel remain in the City's possession, there will continue to be ongoing maintenance. Also, the proximity to the abutting property creates and opportunity for potential liability should someone be injured on the land. Selling the Subject Parcel will remove any associated liability issues and maintenance costs for the City and allow for consolidation with the abutting residential property.

Climate Change Risks

Climate Change Mitigation:

Declaring the Subject Parcel surplus does not pose a climate change risk.

Climate Change Adaptation:

Climate change considerations will be reviewed during the development process in the event of any future redevelopment.

Financial Matters:

N/A

Consultations:

Rob Vani, Senior Manager – Deputy Chief Building Official
Jamelah Hersh, Senior Legal Counsel

Conclusion:

Declaring the Subject Parcel surplus and authorizing the Manager of Real Estate Services to negotiate for the sale of the property, will allow for the orderly disposition of the land for market value that is not otherwise required for any municipal purpose.

Approvals:

Name	Title
Denise Wright	Manager of Real Estate Services

Name	Title
Wira Vendrasco	City Solicitor
Andrew Daher	Commissioner, Corporate Services
Greg Atkinson for Neil Robertson	City Planner
Rob Vani for John Revell	Chief Building Official
Jelena Payne	Commissioner, Economic Development & Deputy CAO
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Aerial Image of Subject Parcel

Appendix A
Aerial Image of Subject Parcel

Subject: RFP No. 41-25 – Front Loading Refuse Truck Replacement – City Wide

Reference:

Date to Council: July 14, 2025
Author: Chad Goebel
Fleet Manager
519-255-6560 x4235
cgoebel@citywindsor.ca

Public Works – Operations
Report Date: 5/30/2025
Clerk's File #: SW2025

To: Mayor and Members of City Council

Recommendation:

I. THAT City Council **APPROVE** the purchase of one (1) new, unused Front Loading Refuse Truck; and,

II. THAT the Purchasing Manager **BE AUTHORIZED** to issue a purchase order to Mack Sales and Service of Stoney Creek Ltd. in the amount of $535,956.00 (excluding HST) for the purchase of one (1) Front Loading Refuse Truck, subject to approval as to technical content by the City Engineer and in financial content to the City Treasurer.

Background:

The existing unit is approaching the end of its useful dedicated life. This purchase is to replace one (1) tandem axle 40 cubic yard Front Loading Refuse Truck in the City fleet. The truck is currently used for the collection of containerized bins within the City and across the County under various contracts such as with the various school boards along with various commercial and residential collection sites.

Discussion:

To select a replacement unit, RFP # 41-25 was issued by the Purchasing Department on March 31, 2025, and closed on April 25, 2025. Submissions were evaluated based on the criteria set out in the RFP document. Mack Sales and Service of Stoney Creek Ltd. submitted the proposal that achieved the highest overall proponent ranking.

Risk Analysis:

The existing unit is approaching the end of its useful dedicated life. The Fleet Division uses primarily an age-based life cycle system by class of vehicle. Replacement plans are reviewed at least annually taking into consideration other things such as overall condition of vehicle, mileage and repair costs. Adjustments are made with respect to these items as required, to either move the unit ahead or push them out in the procurement process. This class of vehicle has a projected life cycle of between 8-10 years.

Although difficult to predict what potential future repairs would be required on the truck, in general the older the vehicles become, they are progressively more expensive to maintain and less dependable. In addition, parts availability becomes a major issue with respect to specialized trucks after the 10-year mark. Any delay in replacement may result in costly repairs to the unit and/or the user department being unable to provide or maintain the service levels expected within the community. As a result, this vehicle was moved ahead due to overall condition and to allow for some lead time for a replacement vehicle to be put into service.

In order to mitigate the risk of Canadian tariffs on this procurement, an addendum was issued including detailed instruction on the impact of tariffs as part of the bid submission that was acknowledged by the vendor. This addendum is included as Appendix A. Further to this, the successful proponent was given two days after receiving notice of being the highest ranked proponent, to supply the City with a list of products and/or materials that were subject to Canadian tariffs at the time of the submission deadline. The successful proponent indicated that there were no products or materials subject to Canadian tariffs at the time of the submission. The letter issued by Purchasing and the successful proponent's response is included as Appendix B.

Climate Change Risks:

Climate Change Mitigation

N/A

Climate Change Adaptation

N/A

Financial Matters:

A replacement budget estimate for Unit 1078 was included as part of the 2025 10-year capital plan, which was endorsed by City Council and deemed approved through MD08-2025.

The tendered purchase price of $545,389 (including non-refundable HST cost) exceeds the approved budget estimate of $456,984 in 2025 (including non-refundable HST cost); however, there are sufficient emergency replacement contingency funds remaining in the 2025 replacement project to fund the shortfall of $88,405. Each year, an emergency replacement contingency is approved for the replacement plans to address issues that may arise with replacements such as budget shortfalls. A contingency of $150,000 was approved for the 2025 replacement project, and at the time of writing this report, the full $150,000 is available for commitment in the project.

The full replacement cost will be charged to the 2025 Corporate Fleet Replacement Project 7251001.

The user department is planning to repurpose the truck that is being replaced for a short period of time as an actuals unit, in order to utilize it as a spare. This will better allow for the continuous service delivery of these collection services when one of the other two current dedicated vehicles are in for service or have broken down.

Consultations:

Cindy Becker – Financial Planning Administrator – Public Works Operations

Conclusion:

Administration recommends the purchase of the (1) tandem axle 40 cubic yard Front Loading Refuse Truck from Mack Sales and Service of Stoney Creek Ltd.

Approvals:

Name	Title
Mark Spizzirri	Manager, Performance Measurement and Business Case Development
Angela Marazita	Fleet Manager
Brian Lima	Executive Director of Operations and Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Dawn Lamontagne	Purchasing Manager (A)
Janice Guthrie	Commissioner, Finance and City Treasure
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix A
Appendix B

THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY SOLICITOR

DAWN LAMONTAGNE	Jennifer Musson	(519) 255-6272
Purchasing Manager (A)	Purchasing Supervisor (A)	TELEPHONE NUMBER

ADDENDUM NO. 3
PROPOSAL NO. 41-25
FRONT LOADING REFUSE TRUCK

April 24, 2025

This addendum amends and forms part of the Proposal Documents. The proponent shall insert the addendum behind the cover page of the Proposal Documents.

Reminder: Proponents who already submitted a proposal and wish to amend their proposal are reminded of Section 9.3 of the RFP, which reads: "Submissions may be amended prior to the Submission Deadline through the Bidding System."

INSTRUCTIONS TO BIDDERS

Add the following to Section 8. Instructions for Completing the Cost Proposal:

8.7 Proponents shall obtain a breakdown from their sub-trades and/or sub-suppliers, if applicable, so the impact of Canadian tariffs, if any, can be properly determined, should they be identified as the Successful Proponent. However, this information is not required with the proposal submission.

Add the following to Section 13.1 Award of Contract:

a) Within two (2) business days of receiving notice of being the highest ranked Proponent, the Successful Proponent shall deliver to the City a list of the product(s) and/or material(s) that were subject to Canadian tariffs at the time of the submission deadline, if any, and the associated value of the applicable Canadian tariffs for each item. For further clarity, the City only requires the value of Canadian tariffs. Refer to the attached revised Appendix "A" for further details on Canadian tariffs.

Add sub-section 1. (c) of Appendix "C" – Cost Proposal:

(c) For further clarity, the Fixed, All-Inclusive Lump Sum Proposal Price must include any and all applicable tariffs, whether local or foreign, at the time of the submission deadline.

REVISED APPENDIX "E" – MANDATORY CONTRACT TERMS, to include the following:

Tariffs Included in Contract Price

To the extent that the Successful Proponent is importing products and/or materials, and any existing tariffs included in the Contract Price have been modified after bid closing, then the following shall apply:

.1 Notification of Price Impact of Canadian Tariffs. The Successful Proponent shall notify the City of the price impact of any Canadian tariffs that have either increased or decreased Such notice shall include:

(a) A detailed description of the modified tariffs, including the rates, amounts and specific products and/or materials affected; and

(b) Supporting documentation demonstrating the direct impact of the modified tariffs on the Contract.

.2 Efforts to Mitigate Increased Canadian Tariffs. The Successful Proponent shall take reasonable measures to mitigate the impact of any increase to Canadian tariffs, including but not limited to:

(a) Identifying and recommending cost-effective alternatives that comply with the Contract Documents (the "**Alternative Products**");

and

(b) Exploring and implementing other reasonable measures to avoid or minimize related costs.

If no Alternative Products are available, the Successful Proponent shall provide a written explanation to the City, supported by evidence of the Successful Proponent's efforts to source alternatives.

.3 Proposal Submission of Increased Canadian Tariff Proposal. The Proposal Submission shall include:

(a) Documentation of the direct costs reasonably incurred solely due to any increase in tariffs;

(b) A proposed adjustment to the Contract Price, limited to such documented costs, if the Successful Proponent continues with the imported products and/or materials at the increased price;

(c) A cost-benefit analysis comparing the use of imported products and/or materials with Alternative Products, if available; and

(d) Any additional information reasonably requested by the City.

.4 City's Decision. On receipt of the Proposal Submission, the City shall promptly provide written direction to the Successful Proponent to:

(a) Proceed with the imported products and/or materials or the Alternative Products, as recorded in a Change Order; or

(b) Submit additional information or clarification to facilitate the City's decision.

The Successful Proponent shall provide the City with any additional information requested.

.5 Limitations on Contract Price Adjustment. Any adjustment to the Contract Price on account of modified Canadian tariffs shall be as follows:

(a) If the tariffs are modified in any way that result in a net increase in the Successful Proponent's direct costs, the Contract Price shall be increased by the amount of such net increase; or

(b) If the tariffs are modified in any way that result in a net decrease in the Successful Proponent's direct costs, the Contract Price shall be decreased by the amount of such net decrease.

Any adjustment shall be strictly limited to the actual, demonstrable, substantiated, and auditable direct costs either reasonably incurred or avoided by the Successful Proponent, as applicable, and shall exclude any percentage fee for overhead and profit.

23. New Tariffs

To the extent that the Successful Proponent is importing products and/or material, and any Canadian tariffs are placed upon such products and/or materials after bid closing, then the following shall apply:

.1 Notification of Price Impact of New Canadian Tariffs. The Successful Proponent shall notify the City of the price impact of new Canadian tariffs Such notice shall include:

(a) A detailed description of the tariffs, including the rates, amounts and specific products and/or materials affected; and

(b) Supporting documentation demonstrating the direct impact of the tariffs on the Contract.

.2 Efforts to Mitigate New Canadian Tariffs. The Successful Proponent shall take reasonable measures to mitigate the impact of the new Canadian tariffs, including but not limited to:

(a) Identifying and recommending cost-effective Alternative Products;
and

(b) Exploring and implementing other reasonable measures to avoid or minimize related costs.

If no Alternative Products are available, the Successful Proponent shall provide a written explanation to the City, supported by evidence of the Successful Proponent's efforts to source alternatives.

.3 Proposal Submission of New Canadian Tariff Proposal. The Proposal Submission shall include:

(a) Documentation of the direct costs reasonably incurred solely due to the tariffs;

(b) A proposed adjustment to the Contract Price, limited to such documented costs, if the Successful Proponent continues with the imported products and/or materials;

(c) A cost-benefit analysis comparing the use of imported products and/or materials with Alternative Products, if available; and

(d) Any additional information reasonably requested by the City.

.4 City's Decision. On receipt of the Proposal Submission, the City shall promptly provide written direction to the Successful Proponent to:

(a) Proceed with the imported products and/or materials or the Alternative Products, as recorded in a Change Order; or

(b) Submit additional information or clarification to facilitate the City's decision.

The Successful Proponent shall provide the City with any additional information requested.

.5 Limitations on Contract Price Adjustment. Any adjustment to the Contract Price on account of new Canadian tariffs shall be as follows:

(a) If the new tariffs or any modification therein, result in a net increase in the Successful Proponent's direct costs, the Contract Price shall be increased by the amount of such net increase; or

(b) If, throughout the term of the Contract, any modification to the new tariffs result in a net decrease in the Successful Proponent's direct costs, the Contract Price shall be decreased by the amount of such net decrease.

Any adjustment shall be strictly limited to the actual, demonstrable, substantiated, and auditable direct costs reasonably incurred or avoided by the Successful Proponent, as applicable, and shall exclude any percentage fee for overhead and profit.

Except for the contents of this addendum, all other terms and conditions of this proposal remain the same.

END OF ADDENDUM NO. 3

Yours truly,

THE CORPORATION OF THE CITY OF WINDSOR

Jennifer Musson

Jennifer Musson
Purchasing Supervisor (A)

ADDENDUM NO. 3
PROPOSAL NO. 41-25
FRONT LOADING REFUSE TRUCK

April 24, 2025

I hereby acknowledge receipt of Addendum No. 3 to the Proposal No. 41-25 (5 pages).

The information contained therein is hereby noted and account of same will be taken in our proposal. cost.

This information was received on the 25 day of April, 20 25.

Signature

Matt Howlett

Name (Printed)

Mack Sales and Service of Stoney Creek Ltd. o/a Vision Truck Group

Company Name

***NOTE: You are required to acknowledge this addendum with your PROPOSAL submission.**

THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY SOLICITOR

DAWN LAMTONTAGNE
Manager of Purchasing (A)

May 15, 2025

Mack Sales and Service of Stoney Creek Ltd.
330 South Service Road
Stoney Creek, ON L8E 2R4

Via Email: mhowlett@vsiontruckgroup.com

Attention: Matt Howlett

Re: RFP No. 41-25, FRONT LOADING REFUSE TRUCK

We are pleased to inform you that Mack Sales and Service of Stoney Creek Ltd. is being recommended for award for RFP# 41-25, Front Loading Refuse Truck.

As per section 13.1 and 13.2 of the RFP specifications, the City will be contacting you to set up a meeting to discuss your proposal submission further.

Please also send your tariff item list (as per Addendum 3);

Add the following to Section 13.1 Award of Contract:
a) Within two (2) business days of receiving notice of being the highest ranked Proponent, the Successful Proponent shall deliver to the City a list of the product(s) and/or material(s) that were subject to Canadian tariffs at the time of the submission deadline, if any, and the associated value of the applicable Canadian tariffs for each item. For further clarity, the City only requires the value of Canadian tariffs. Refer to the attached revised Appendix "A" for further details on Canadian tariffs.

Yours truly,

Jennifer Musson

Jennifer Musson (A)
Purchasing Supervisor

JM/kr

Goebel, Chad

From: Revel, Karen
Sent: Friday, May 16, 2025 10:00 AM
To: Goebel, Chad; Leether, Jim; Galipeau, Derek
Subject: FW: 41-25 RFP Recommended award letter Front Loading Refuse Truck
Attachments: 41-25 RFP Recommended award letter Front Loading Refuse Truck.pdf

Hi Chad

Here's a copy of the letter I sent to Mack Sales and their response below.

Karen Revel | Buyer

City of Windsor / Office of the City Solicitor: Purchasing & Risk Management
Suite 403-400 City Hall Sq. East / Windsor / Ontario / N9A 7K6
PH: (519)-255-6100 ext. 6361

From: Matt Howlett <mhowlett@visiontruckgroup.com>
Sent: May 16, 2025 9:42 AM
To: Revel, Karen <krevel@citywindsor.ca>
Subject: RE: 41-25 RFP Recommended award letter Front Loading Refuse Truck

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Karen,

Thank you for the letter.

In response to:
Please also send your tariff item list (as per Addendum 3);

Add the following to Section 13.1 Award of Contract:
a) Within two (2) business days of receiving notice of being the highest ranked Proponent, the Successful Proponent shall deliver to the City a list of the product(s) and/or material(s) that were subject to Canadian tariffs at the time of the submission deadline, if any, and the associated value of the applicable Canadian tariffs for each item. For further clarity, the City only requires the value of Canadian tariffs. Refer to the attached revised Appendix "A" for further details on Canadian tariffs.

At time of submission there were no products or materials subject to Candain tariffs.

Not that it was asked for, yet to be upfront, Mack Trucks at the time of submission, being manufactured in USA, had a $3,500 (USD) steel and aluminum surcharge, due to USA tariffs on import of these materials. This was accounted for in my bid.

Please let me know if there are further questions or clarifications needed.

Thank you,

Matt Howlett
Account Manager, Mack Trucks

Vision Truck Group
330 South Service Road, Stoney Creek, ON, Canada (L8E 2R4)
T: (905) 561-4565 X 2212
C: (905) 320-0159
E: mhowlett@visiontruckgroup.com
www.visiontruckgroup.com

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From: Revel, Karen <krevel@citywindsor.ca>
Sent: Thursday, May 15, 2025 11:47 AM
To: Matt Howlett <mhowlett@visiontruckgroup.com>
Subject: 41-25 RFP Recommended award letter Front Loading Refuse Truck

See attached letter.

Karen Revel | Buyer

City of Windsor / Office of the City Solicitor: Purchasing & Risk Management
Suite 403-400 City Hall Sq. East / Windsor / Ontario / N9A 7K6
PH: (519)-255-6100 ext. 6361

Item No. 11.5

Committee Matters: SCM 233/2025

Subject: Auditor General Report Regarding Comparator Research and Recommendations dated June 25, 2025

That the report of the Auditor General Comparator Research and Recommendations dated June 25, 2025 **BE RECEIVED**; and,

That administration **BE DIRECTED** to work towards preparing a draft Auditor General By-law for Council's consideration; and,

That Council direction **BE REQUESTED** on any other recommendation contained in the report.

Auditor General Report Regarding Comparator Research and Recommendations

Report

06.25.2025

—

Office of the Municipal Auditor General,

The Corporation of the City of Windsor

Executive Summary

Introduction

Background: City Council directed the Office of the Auditor General to conduct a jurisdictional review of comparable municipal AG practices in Canada.

Objective: The purpose of this study is to provide City Council with:

- Research on municipal AG offices in key areas: independence, professional standards, budgets, and reporting structures.
- An options analysis and recommendations to inform potential future enhancements to the structure and mandate of The City of Windsor's AG Office.

This report provides options and recommendations to enhance accountability, independence, and effectiveness of the AG role in The City of Windsor.

Methodology

Scope: Focus on major Ontario municipalities plus select other Auditor General-related Canadian comparators.

Municipalities included in the research: Markham, Sudbury, Hamilton, Ottawa, Toronto, Vancouver, Calgary, Edmonton, Winnipeg, Montreal and Halifax.[1]

Data sources: Public municipal reports, municipal bylaws, AG charters, financial documents, organizational charts, IIA and CAGFO publications.

Limitations: The review was based solely on publicly available information, and therefore, internal governance nuances may not be fully reflected.

Independence: Independence: To preserve the independence of the Auditor General and the viewpoints presented, have been documented in this report and then circulated to Administration to share the information and to collect Administration's perspective and input. This ensures Administration has the opportunity to understand the research, clarify questions and provide its own perspective as the recommendations impact hotline redesign, AG access to services, budgetary dollars and presentation and City by-laws. Input from Administration is presented this report under the section entitles "Administration Input and Perspective"..

No recommendations were modified or omitted from this report based on Administrative influence.

[1] Vancouver, Calgary, Edmonton, Winnipeg, Montreal and Halifax were included in the independence, reporting structure and budget research consideration only.

Key Research Areas

A. Independence Practices

B. Professional Standards Alignment

C. Budget

D. Reporting Structures

E. Fraud, Waste, and Misuse Hotline

Summary of Key Findings

This report provides a comprehensive jurisdictional review of municipal Auditor General (AG) practices across Canada to inform City Council's consideration of options to enhance the independence, effectiveness, and impact of the Auditor General function at the City of Windsor.

Key findings include:

- **Structural Independence**: Municipalities with dedicated AG bylaws, fixed non-renewable terms, and two-thirds City Council vote requirements for appointment or removal exhibit the strongest safeguards for AG independence. Toronto and Ottawa serve as leading examples.

- **Work plan Authority**: The majority of comparator municipalities grant the AG exclusive authority to develop and amend the audit work plan, with City Council permitted only to request additions. This protects against political interference and ensures integrity in audit selection.

- **Professional Standards**: All AG offices reviewed adhere to the IIA International Standards for the Professional Practice of Internal Auditing (IPPF) or GAGAS (Generally Accepted Government Auditing Standards). The IIA standards offer scalable rigour suitable for Windsor's current capacity while allowing project-level flexibility.

- **Budget and Capacity**: Windsor's AG budget—at 0.025% of the municipal operating budget—is the lowest among peer cities, significantly limiting project execution. Jurisdictions with budgets exceeding 0.06% deliver broader audit coverage and manage higher volumes of fraud and waste investigations.

- **Fraud and Waste Hotline**: The fraud, waste, and misuse hotline has evolved into a significant operational component. Municipalities are increasingly allocating dedicated resources, with some outsourcing initial intake to third parties to enhance responsiveness and protect anonymity

Strategic Recommendations From the Research:

#	Strategic Recommendation Summary	Will Seek Direction		
		Now	With Bylaw Efforts	In Future
1	**Enact an Auditor General By-law** that formally defines the role, appointment safeguards, term limits, and reporting structure—reinforcing independence both in appearance and in fact.	✅		
2	**Preserve work plan Autonomy** by vesting full amendment and deletion authority with the Auditor General, with City Council empowered to propose additions only.			
3	**Maintain Compliance with IIA Standards**, which strike a balance between professional rigour and flexibility, while acknowledging the effort required for adherence and assurance review cycles.	✅		
4	**Increase the AG Budget** to reach 0.065% of the operating budget, which aligns Windsor with peer municipalities and restores project execution capacity.			
5	**Include a Minimum Funding Floor in the By-law** to prevent future erosion of AG capacity due to budget stagnation, **supported by budget presentation and administration** clauses.			
6	**Establish a structurally independent budget process for the Auditor General** whereby the AG prepares and submits their proposed operating budget directly to the Mayor and City Council, as a distinct and unmodified line item in the City's annual operating budget package. In preparing the budget, the Auditor General shall inform and engage with Administration to ensure awareness of citywide financial pressures and alignment with fiscal planning timelines. However, the AG's submission shall not be subject to modification, approval, or integration by Administration, preserving independence in both appearance and fact.	✅		

#	Strategic Recommendation Summary	Will Seek Direction		
		Now	With Bylaw Efforts	In Future
7	**Redesign the Concerned Citizen and Employee Hotline Protocol**, incorporating triage and risk frameworks, evidence thresholds, and potential use of third-party call centres for efficient intake.	✅		
8	**Reserve 20% of the Annual Work Plan for Allegation Response**, balancing reactive investigation with proactive audit coverage.	✅		
9	Once the Auditor General's by-law and budget strategy are finalized, **consider engaging a third-party call centre processor** reporting to the Office of the Auditor General. Alternatively, if a more rapid timeline is desired, consider the Administration selecting such a processor with operational reporting to the Auditor General for the actual contract performance.			↗

Given that many of the recommendations require City Council input, they were modified into specific items for City Council direction. These are summarized in the next section, while each one is further explored with other options in the accompanying report section "Strategic Recommendations with Suggested City Council Directions".

Summary of Recommended Directions

The following recommended directions are five (5) distinct elements related to the Auditor General function for City Council consideration and final direction:

1. That City Council direct Administration and the Auditor General to jointly prepare a draft Auditor General By-law for City Council's consideration, establishing the authority, responsibilities, and independence of the Office of the Auditor General under section 223.19 of the *Municipal Act, 2001*. Such a bylaw should consider key elements from the research and City Council's directions, including, but not limited to:

    a. Appointment term and renewal
    b. Process for suspension or removal of the designated Officer
    c. Work plan creation, approval and changes
    d. Scope of authority for budget and contract administration of the function
    e. Budget funding floor and presentation/transparency
    f. Professional standards expectations
    g. Fraud and waste investigation governance, responsibility and capacity structures

2. That City Council provide direction to formally endorse adherence by the Auditor General to the Global Internal Audit Standards, and direct that future resource and capacity planning consider the staffing, training, quality assurance, and engagement time requirements needed to meet those standards.

3. That City Council direct the Auditor General and Administration to incorporate into the draft Auditor General By-law provisions that require the Auditor General's annual operating budget to be prepared and submitted independently to City Council, outside of the Administration's budget review and approval process. The Auditor General shall inform and engage with Administration during preparation to ensure coordination with the City's financial planning timelines and overall budgetary context. The budget shall be presented as a distinct line item in the annual budget package, ensuring full visibility and protecting the Auditor General's operational independence.

4. That City Council direct that:

    a. The Concerned Citzen and Employee Hotline be more appropriately rebranded as the Fraud and Waste Hotline.
    b. The current assignment of oversight and responsibility for the Fraud and Waste Hotline be clearly and formally assigned to the Auditor General.
    c. The currently approved Concerned Citizen and Employee Hotline Protocol be repealed and replaced by the attached Fraud and Waste Hotline Policy.
    d. The Auditor General is authorized and empowered to develop and implement operational protocols to support the administration and investigation of

allegations to effect the Fraud and Waste Hotline Policy.

5. That City Council direct that a strategic mandate that a minimum percentage of the Auditor General's departmental efforts be reserved for the analysis and investigation of allegations received through the Fraud and Waste Hotline or similar mechanisms.

    Percentage Categories per Auditor General Department Budget:

Budget	**Minimum Percentage for Fraud and Waste Hotline Allocation**
$300,000 to $400,000	40%
$400,001 to $500,00	34%
$500,001 to $775,500	25%
Above $775,501	20%

    If, by year-end, a significant portion of the reserved allocation remains unused due to low case volume or investigative necessity, the Auditor General shall:

    a. Report on the actual usage of the reserved allocation in the annual report to City Council;
    b. Explain any mid-year reallocations undertaken to optimize resources; and
    c. Recommend whether the 20% reserve should be maintained, increased, or reduced in the following year's work plan, including a rationale.

    Should City Council adopt an Auditor General by-law in the future, this direction is to be expressly included within it to reflect City Council's commitment to the ongoing resourcing and integrity of public interest mechanisms such as the Hotline.

Input form Administration

Administration was provided the opportunity to comment on this report and analysis once the AG's recommendations were defined. Administration's commentary is included in the report section "**Administration Input and Perspective**".

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Independence Comparison

The impetus for examining the independence of the Auditor General stems from a confluence of pressures that have emerged over time. Budgetary constraints have remained static while workloads have intensified, driven by heightened public expectations, increasing audit complexity, and a rising volume of investigative matters. Evolving professional standards—both in scope and rigour—require greater diligence, documentation, and oversight than in previous years. Concurrently, the subject matter of audits is growing more complex, often intersecting with politically sensitive or high-risk areas. While such concern is not determinative, it signals a shift in tone that underscores the importance of reaffirming the structural and perceptual independence of the Auditor General function.

Research Summary:

The ability to execute work is significantly tied to the empowerment, authority, and independence of the Auditor General's function. In the research, we considered:

A. **Bylaw on role and appointment** - Consider if there is a governing bylaw regarding the role and appointment/removal of the auditor general.
B. **AG Appointment, removal or suspension** - Identify the approach as to how the individual appointed as Auditor General is appointed, removed or suspended.
C. **Reporting line** - Identify to whom the Auditor General reports for the municipality.
D. **Term length** - Determine if there is an indication as to a defined term for the appointment of the Auditor General.
E. **Work plan defined b**y - Identify who prepares the Auditor General's work plan.
F. **Work plan approval** - Identify who approves the work plan prepared by the Auditor General.
G. **Is City Council Able to Make Deletions or Amendments to the AG work plan** - Determine if City Council is permitted to delete or make amendments to the work plan presented by the Auditor General.
H. **Who Is Able to Make AG Work Plan Deltions or Amendments** - Identify who can propose and make amendments or deletions to the AG work plan.
I. **Work Plan Additions** - Determine if City Council is permitted to add to the work plan presented by the Auditor General.

The above considerations were assessed across the following municipalities:

Considerations	Windsor	Hamilton	Markham	Sudbury	Ottawa	Toronto	Recommendation
Bylaw on role and appointment of AG	None detected	None detected	None detected	Bylaw present	Bylaw present	Bylaw(s) present	**Create** Bylaw
AG appointment, removal or suspension	Majority vote of City Council	Surmised - Majority vote of City Council	Majority vote of City Council	2/3 majority vote by City Council per bylaw	2/3 majority vote by City Council per bylaw	2/3 majority vote by City Council per bylaw	**Include** a 2/3 majority vote required
Reporting Line	City Council directly	City Council via Audit Committee	City Council via General Committee	City Council via Audit Committee per bylaw	City Council via Audit Committee per bylaw	City Council via Audit Committee per bylaw	**Include** in the bylaw with wording such that reporting is to City Council or to a designated subcommittee of City Council.
Term Length	At City Council's discretion	Not specified in public documents	4-5 years, renewable	Not specified	7 years per bylaw	7 years per bylaw	**Include** in the bylaw with term options to be directed by City Council
Work Plan Defined By	Auditor General	Auditor General	Unknown	Auditor General, pursuant to the bylaw	Auditor General, pursuant to the bylaw	Auditor General, pursuant to the bylaw	**Include** in the bylaw
Work Plan Approval	to	Submitted to City Council for approval	Submitted to City Council for approval	Received by City Council, but no deletions or amendments permitted per bylaw	Received by City Council, but no deletions or amendments permitted per bylaw	Received by City Council, but no deletions or amendments permitted per bylaw	**Consider** including in the bylaw

Considerations	Windsor	Hamilton	Markham	Sudbury	Ottawa	Toronto	Recommendation
Is City Council Able to Make Deletions or Amendments to the AG work plan	Yes	⅔ Majority Vote	Unknown	No	No	No	**Include** in the bylaw
Who Is Able to Make AG Work Plan Deletions or Amendments	AG with subsequent City Council approval for change or funding allocation. City Council with a majority vote.	AG or City Council with a 2/3 majority vote.	Unknown	Auditor General	Auditor General	Auditor General	**Include** in the bylaw
Work Plan Additions	AG or City Council may propose, but requires a majority vote	The AG or City Council may propose, but it requires a 2/3 majority vote per resolution.	Unknown	The Audit Committee or a Board of Directors audit may request a report on additional matters, subject to available funding per the bylaw	The Audit Committee or a Board of Directors audit may request a report on additional matters, subject to available funding per the bylaw	The Audit Committee or a Board of Directors audit may request a report on additional matters, subject to available funding, with a 2/3 majority vote per bylaw	**Consider** including in the bylaw

We also collected the same topical information for the other readily identifiable Auditor General-type roles for other Canadian municipalities below:

Considerations	Halifax	Winnepeg	Montreal	Edmonton	Vancouver	Calgary
Bylaw on role and appointment of AG	No - required per Charter	No - required per Charter	No - Provincial Requirement for Cities with more than 100,000 citizens	Yes	Yes	Yes
AG appointment, removal or suspension	By the majority of City Council	By the majority of City Council	2/3 majority vote required	By the majority of City Council	Majority Vote of City Council[2]	Majority Vote of City Council
Reporting Line	City Council through the Audit and Finance Standing Committee	City Council through the Audit Committee	City Council through the Audit Committee	City Council through the Audit Committee	City Council via Audit Committee per bylaw	City Council through the Audit Committee
Term Length	7 years (seeking up to 10)	Open - Currently 5-year renewable	7 years	None defined, the longest to date was 10 years	7 years per bylaw	5 years, with re-appointment possible
Work Plan Defined By	Auditor General	Auditor General	Auditor General	Auditor General	Auditor General, pursuant to the bylaw	Auditor General
Work Plan Approval	Received by City Council, but no deletions or amendments	Received by City Council, but no deletions or amendments	Received by City Council, but no deletions or amendments	Received by City Council, but no deletions or amendments	Received by City Council, but no deletions or amendments	Received by City Council, but no deletions or amendments

[2] with acknowledgement that this is a bylaw exception for removal or suspension

Considerations	Halifax	Winnepeg	Montreal	Edmonton	Vancouver	Calgary
	permitted	permitted	permitted	permitted	permitted per bylaw	permitted
Is City Council Able to Make Deletions or Amendments to the AG Work Plan	Recommendations only	Recommendations only	Recommendations only	Recommendations only	No	Recommendations only
Who Is Able to Make AG Work Plan Deletions or Amendments	Auditor General	Auditor General	Auditor General	Auditor General	Auditor General	Auditor General
Work Plan Additions	Auditor General	Auditor General	Auditor General	Auditor General	Auditor General	Auditor General

Further research identified a key principle in the Desautels report, "Task Force on the Establishment of an Independent Auditor General"[3]. The principle identified was that "The Auditor General must not only enjoy real independence from management but must also enjoy institutional security and must be allowed to carry out his/her mandate with minimum interference". Through research and review of the report, this principle may be further understood by considering (1) **functional and operational autonomy,** (2) **structural safeguards,** and (3) **performing their duties**:

(1) This refers to **functional and operational autonomy**:
- The Auditor General (AG) **should not report to or be influenced by municipal administration or executive management**.
- Their work must be free from **direction, control, or approval** by the Chief Administrative Officer, department heads, or other staff.
- It preserves the AG's ability to **objectively audit those very entities** without conflict of interest.

(2) This further means the AG must have **structural safeguards** that ensure their role cannot be easily undermined:
- **Appointment and removal protections** (e.g., requiring a 2/3 City Council vote).
- **Fixed term of office** to prevent arbitrary dismissal.
- **Stable and sufficient budget**—protected from political or administrative retaliation.
- Legal authority under legislation (like the **Municipal Act, 2001**) to carry out audits.

(3) The AG must be able to **perform their duties**:
- **Without political or administrative pressure** to delay, change, or cancel audits.
- With the freedom to **set their work plan**, investigate issues as they see fit, and **publish findings directly to City Council**.
- This ensures **transparency, accountability, and trust** in the oversight function.

The International Organization of Supreme Audit Institutions (INTOSAI)[4] has established a number of globally recognized principles that guide the design and operation of Supreme Audit Institutions (SAI), such as auditors general. These principles focus on protecting the independence of SAIs, with the first two being that the SAI independence be clearly set out in

[3] 2002 Desautels report was titled "Serving City Council and Citizens: Strengthening the Audit Function at the City of Toronto" and is available here: https://www.toronto.ca/legdocs/2002/agendas/City Council/cc020521/pof7rpt/cl001.pdf by Denis Desautels having input from the Steering Group of the Institute of Chartered Accountants of Ontario.

[4] INTOSAI is an intergovernmental organization representing Supreme Audit Institutions (SAIs). INTOSAI seeks to help set standards for public sector auditing and the promotion of good governance, among other advocacy work.

statute/legislation and that the personal independence of an SAI be protected by safeguards such as security of tenure and legal immunity in the normal discharge of their duties.

Key Observations

- In nine (9) of the eleven (11) other Auditor General's offices, a by-law for the Office of the Auditor General is in place, or the Office is included in the Municipal Charter or Provincial legislation. The City of Windsor does not currently have an Auditor General bylaw. The bylaw governs elements such as the appointment, suspension, removal, term, authority, reporting relationship, budget transparency, and additional roles of the Office. It is a local bylaw under the Municipal Act and governs any Charter the Office may establish.
- A Municipal bylaw regarding the Auditor General supports independence both in appearance and in fact.
- Requiring a ⅔ majority vote of the full City Council for the appointment, suspension or removal of the Auditor General also increases independence. It conveys the importance of the role to the organization and the general public.
- Defining a fixed term protects against dismissal for political or administrative reasons. This insulates the Auditor General from political retaliation for critical audit findings. When considering the term, it should be sufficiently long to attract ideal candidates, span electoral cycles, and enable an auditor general to gain familiarity with the municipality while also creating and implementing a long-term vision and plan for their office. Considering fixing the term appointment such that removal possibilities are severely restricted or carry significant financial recompense, as such practices deeply instill independence in appearance and in fact, carry specific financial or operational burdens, but are limited in use.
- Reporting to City Council or an Audit Committee is common; final reporting accountability remains to City Council.
- Limiting the powers of City Council or administration to remove projects from the Auditor General's plan also reinforces the office's independence while carrying potential. In nine (9) of the eleven (11) other Auditor General's offices, the Auditor General sets the plan, City Council is only able to request additions if additional funding is available or provided.
- Empowering the Auditor General to define their work plan without override reinforces independence; however, a consequence of this is City Council's loss of power to cancel or modify a proposed project (City Council could reques the AG consider amendnemtn for reasons but if there was a difference of opinion then City Council may need to use its powers to suspend or remove the Auditor General.)

Recommended Action:

1. **Enact an Auditor General By-law** that formally defines the role, appointment safeguards, term limits, and reporting structure—reinforcing independence both in

appearance and in fact.

2. **Preserve work plan Autonomy** by vesting full plan determination, amendment and deletion authority with the Auditor General, with City Council empowered to propose funded additions only.

5. **Include a Minimum Funding Floor in the By-law** to prevent future erosion of AG capacity due to budget stagnation, supported by **budget presentation and administration clauses**.

Professional Standards Comparison

A review of the professional standards applied by the Auditor General's office is both timely and necessary. The landscape of public sector auditing has evolved, with standards becoming more demanding in terms of documentation, assurance processes, and quality oversight. While these frameworks—whether the IIA's International Professional Practices Framework (IPPF), CPA Canada standards, or GAGAS—are designed to promote excellence and credibility, they vary significantly in scope, prescriptiveness, and resource requirements. Given limited staffing, the increased volume of investigations, and rising expectations for responsiveness, it is essential to ensure that the standards adopted not only uphold integrity and independence but also remain achievable and fit for purpose. This review offers an opportunity to confirm alignment with City Council's governance expectations and the community's trust, while recognizing the practical capacity of the office to meet those expectations consistently.

Research Summary:

The professional standards applicable to the function impact independence, objectivity, quality and costs/efforts. In the research, we considered:

A. **Standards Followed** - Identify if the standards which the Auditor General adheres to are publicly stated and which ones they have selected.
B. **Quality Assurance** - Identify the quality standards the Auditor General has in place under the relevant standards.

The above considerations were assessed across the following municipalities:

Considerations	Windsor	Hamilton	Markham	Sudbury	Ottawa	Toronto	Recommendation
Standards Followed	Global Internal Audit Standards	Generally Accepted Government Auditing Standards (GAGAS)	Not disclosed in public documents	GAGAS on projects	Global Internal Audit Standards	GAGAS	Global Internal Audit Standards
Quality Assurance	Adheres to the Global IIA standards with self-assessments per the standards and an independent assessment once every five years.	Quality and continuous improvement are fostered in the organization's internal control processes.	Not disclosed in public documents	No public disclosure of if or how this is addressed in public documents. A peer review was conducted in 2012.	Adheres to the Global IIA standards with self-assessments per the standards and an independent assessment once every five years.	- An independent external auditor assesses adherence to delegated authorities and compliance with applicable City bylaws and policies. - An external independent quality assurance review occurs at least once every three years.	Adhere to the Global IIA standards with self-assessments per the standards and an independent assessment once every five years.

Given the relatively even use of GAGAS and IIA standards, a comparison was conducted to understand the impact and options under the standards.:

Standard	Recommended For
IIA Global Internal Audit Standards	Internal audit, governance, risk, and control reviews
GAGAS (Yellow Book)	Performance audits, fraud/waste, and public trust
CPA Canada (Assurance)	Financial audit or compliance-type engagements
Custom Bylaws/Frameworks	Mandate-specific roles; typically blend the above sets

A note on Custom or Hybrid standards: While hybrid or modified frameworks were noted in general research, none were found explicitly disclosed by other Auditor Generals for municipalities. Further, while there may be cost savings in selecting a hybrid model and removing selected standard elements to increase available resources, the tradeoff is to regress from the standards applied by the City of Windsor as part of the Auditor General function (2019 to date) and the previous Internal Audit function (2013 -2019).

From an effort/rigour to comply with the above standards, we noted that:

Rank	Standard	Stringency / Effort Level
1	**GAGAS (Yellow Book)**	🔴 Highest — formal, rigid, public-facing
2	**CPA Canada Assurance Standards**	🟠 High — specific to financial/attest audits
3	**IIA IPPF / Global Standards**	🟢 Moderate — scalable, internal, adaptive

CPA Standards were excluded from further consideration as the broad functional standard, as they are attest-based, with the reporting audience intended to be external third parties, rather than the intended uses of the Auditor General's services, which are City Council and administration. Further, the standards generally focus on external assurance related to financial and compliance information. Such standards would be relevant to specific projects. Embarking on such a strategy would make other operational modifications more critical, such as reinforcing

the Auditor General's plan independence and ensuring that only the AG can modify or delete items from the plan.

We then conducted a comparison **between GAGAS and the IIA IPPF** to understand their differences:

Purpose and Applicability

Aspect	GAGAS (Yellow Book)	IIA Global Internal Audit Standards
Published by	U.S. Government Accountability Office (GAO)	Institute of Internal Auditors (IIA)
Primary Use	Government audits, performance audits, and grant-funded audits	Internal audits in all sectors (public, private, nonprofit)
Jurisdiction	U.S. federal, state, local; used internationally for gov audits	Global private/public sector standard
Mandatory Use?	Required when legally mandated (e.g. U.S. federal funding)	Voluntary unless required by policy, regulation, or contract

Standards Content

Category	GAGAS	IIA Global Internal Audit Standards
Ethics	5 fundamental ethical principles (similar to IIA)	IIA Code of Ethics
Independence	Stringent documentation and threat analysis are required	Required, but documentation is more flexible
Competence (CPE)	80 hrs/2 years (24 gov-related)	40 hrs/year for CIAs

Standards Content

Quality Assurance	Peer review every **3 years**, results must be **public**	QAIP with internal review annually and external review every **5 years**
Audit Types Covered	Financial, attestation, and performance audits	Focuses on **internal audits** (risk, control, governance) and provides for the use of other appropriate standards based on the nature of the project.
Documentation	High—requires detailed planning, risk, evidence, sampling, etc.	Flexible, risk-based documentation standards
Management Involvement	Requires complete independence from management	Reports functionally to City Council/Audit Committee; administratively to CAO or Mayor
Focus	Public stewardship, transparency, value-for-money	Public accountability, organizational improvement, governance, risk, and internal control

Which Is More Onerous for a Small Audit Function?

Factor	Insights
Independence Requirements	GAGAS is more formal and detailed
CPE and Training	GAGAS has slightly higher requirements
Quality Reviews	GAGAS requires more frequent external reviews (and related costs)
Documentation Burden	Significant in both, but GAGAS is more prescriptive

Which Is More Onerous for a Small Audit Function?

Flexibility and Scalability	IIA IPPF is easier to scale for small teams, providing flexibility to leverage GAGAS or other standards on specific projects.

Key Observations

- Considering the five (5) comparator Auditor General offices, each listed municipality adhered to a designated professional standard. Two (2) of the selected municipalities adhere to the Generally Accepted Government Auditing Standards. Two (2) adhere to the Global Internal Audit Standards. One (1) stated that projects comply with (GAGAS), but the full functional/department requirements adherence is not readily apparent.
- For a **small audit function**, **GAGAS** (Yellow Book) is generally **more onerous to comply with** than the **IIA International Standards for the Professional Practice of Internal Auditing (IPPF)**—especially in terms of structure, documentation, and external scrutiny.
- Migration to GAGAS is expected to have one-time transition costs and efforts. It is likely to result in additional ongoing increased costs and efforts for compliance beyond the IIA standards.
- The IIA Global International Internal Audit Standards permit the use of other professional standards on specific projects when they provide a more applicable framework.
- The IIA Global International Internal Audit Standards provide for modified compliance when applying the Standards in the public sector.
- The IIA standards appear to continue to be the relevant ones for use by the Auditor General for the City of Windsor.

Recommended Action:

3. **Maintain Compliance with IIA Standards**, which balance professional rigour with flexibility, while recognizing the effort required for adherence and assurance review cycles.

Capacity Comparison

The City of Windsor's Auditor General departmental budget has remained unchanged since its establishment in 2013. To operate within these constraints, the office has consistently sought efficiencies by streamlining practices, scaling back discretionary efforts, and narrowing its focus to core compliance with required professional standards—often at the expense of adopting broader good practices. However, this approach is no longer sustainable. The demands of evolving professional standards have increased significantly, requiring more extensive documentation, quality assurance, and procedural rigour. At the same time, the volume and complexity of incoming hotline complaints have grown, consuming a larger share of available resources. As a result, the capacity to conduct proactive, value-added audit projects has diminished to a critical level. Without addressing these constraints, the office risks being unable to fulfill its mandate effectively or maintain the level of public accountability expected by City Council and the community.

Research Summary:

The ability to execute work is closely tied to the resources available to the function. In the research, we considered:

A. **Budget process** - how the budget material was presented to City Council in public reports. In some instances, the information was embedded within cost centres, ranging from being a line item in a cost centre to having its own budget reporting summary.

B. **Office size** - the number of personnel disclosed as part of the function or a calculation of FTE equivalent, where personnel were not indicated as permanent employees.

C. **AG Budget** - the amount of operating funds allocated to the Auditor General function to cover all costs of the operations of the function (salaries, wages, benefits, technology, supplies, administration, professional development, contractors, etc.)

D. **Budget as a % of Operating Budget** - the allocated Auditor General budget as a percentage of the same year's municipal operating budget.

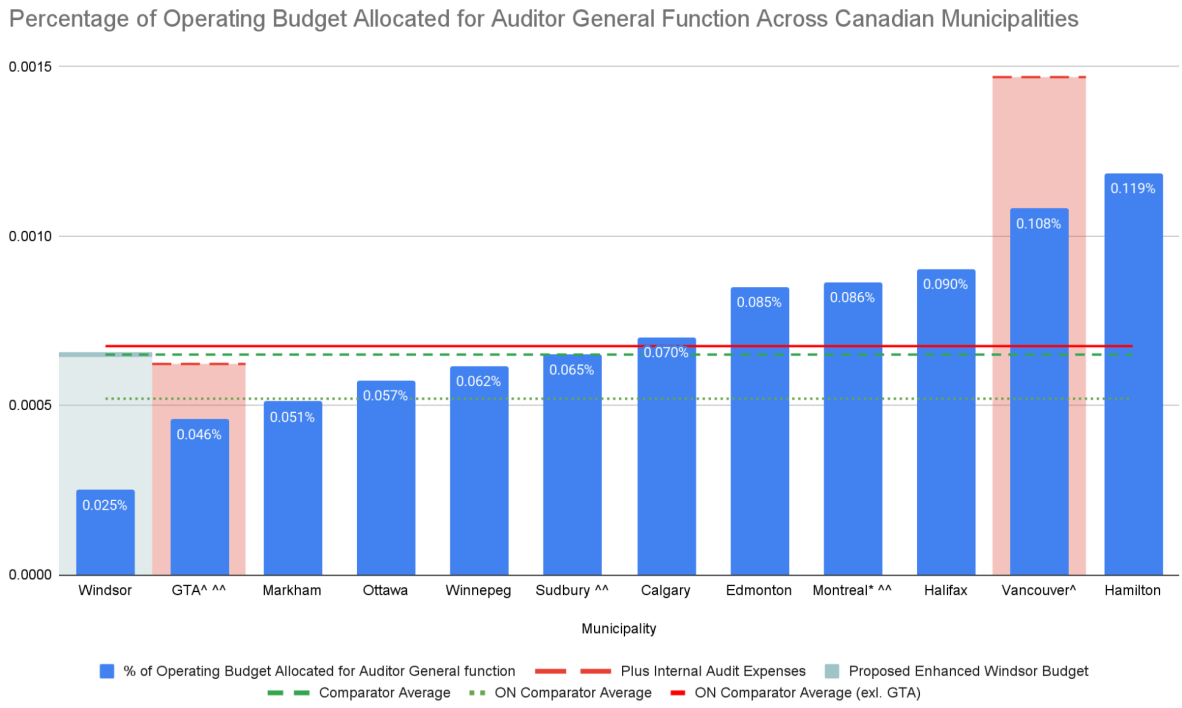
E. **Reports per FTE** - A calculated metric of the average number of reports (not investigations) issued in the past five years, divided by the number of FTE disclosed.

The above considerations were assessed across the following municipalities:

Considerations	Windsor	Hamilton	Markham	Sudbury	Ottawa	Toronto	Recommendation
Budget Process	Included within budget details for City Council approval	City Council approved as a line item	Included within budget details for City Council approval	City Council approved a cost centre with analysis	City Council approved a cost centre with analysis	Presented separately from Administration Budget	Clearly **disclose**
Minimum Funding Defined by Legislation or Bylaw	No	No	No	Yes	No	Partially	**Consider** including a minimum in the bylaw
Office Size	3 PT Staff plus contractors (1.3 FTE)	7 FT staff plus contractors	Not disclosed	2 FT plus contractors	14 FT plus contractors	45 Staff plus contractors	**Aligned** to the operating budget
AG Budget	$300,000	$1,470,000	$150,000	$516,000	$2,860,000	$8,651,000	**2026**: $537,000 (estimate) **2027**: $775,500 (estimate)
Budget as a % of Operating Budget	0.025%	0.119%	0.051%	0.065%	0.057%	0.046%	**2026**: 0.045% **2027**: 0.065%
Reports per FTE	1.4	0.5	Unknown	2.6	0.4	0.2	**2-4**

In addition to the consideration analysis, we collected the Auditor Generals' Budget as a percentage of the municipal operating budget for additional Auditor General Functions across Canada based on the 2025 published budget information:

Considerations	Halifax	Winnepeg	Montreal	Edmonton	Vancouver	Calgary
AG Budget	$3,800,000	$1,433,000	$3,094,000	$5,580,000	$2,533,000	$3,560,000.00
Budget as a % of Operating Budget	0.070%	0.062%	0.085%	0.086%	0.108%	0.066%



Notes for selected municipalities:

^ These municipalities also have a dedicated Internal Audit function with additional budget allocated beyond the numbers noted in the graph - as such, the total expenditures related to providing comfort to City Council with regards to risk and controls would be higher (indicated by red shaded columns)

* Numbers represent 2022 values

^^ These municipalities have funding requirements for the Auditor General as part of a bylaw or legislation. Montreal and Sudbury are explicit. Toronto is not explicit.

In addition to the consideration analysis, we collected the Auditor Generals' Budget as a percentage of the municipal operating budget for additional Auditor General Functions across Canada based on the 2025 published budget information:

We also considered a rough estimate of conducting three specific projects using co-sourced, contracted and directly employed resources to asses impact of the total costs:

Project Type	Project Hours	Co-sourced	Contracted	Direct Employed
Performance Audit/Value for Money	400	$125,000-$155,000	$100,000-$150,000	$77,000-$100,000
Standard Process Review	200	$63,000-$77,000	$50,000-$70,000	$38,000-$50,000
Policy Review or Single Point of Focus	140	$45,000-54,000	$35,000-$48,000	$27,000-$35,000

Key Observations

- Key budget observations as a percentage of the Operating Budget are that The City of Windsor Auditor General budget allocation is:
    - lower than all of the comparators.
    - less than half of the average.
    - Windsor spends 33.8% of the average of the 11 total comparators and 37.3% of the Ontario comparators.
- The total actual dollar budget for the Auditor General's Function is lower than 10 of the other comparators, but is double that of Markham. However, the fraud and waste hotline is not in effect under the Auditor General's office for Markham.
- This research corroborates the initial challenges of budgetary constraints noted in the 2025 Auditor General work plan.
- Given resource cost increases applying the proposed budgetary increase provides the ability to possibly perform 2-3 project reviews, administer the fraud and waste hotline, conduct 2-3 investigations per year and comply with professional standards in the transition year and it affords the ability to increase project counts or depth in the ongoing future years while providing buffer for inbound investigations.[5]

Recommended Action:

4. **Increase the AG Budget** to reach 0.065% of the operating budget, which aligns Windsor with peer municipalities and restores project execution capacity. To enact the budgetary adjustment, one of two options may be considered:

    1. Setting the budget to 0.065% of total Operating Expenditures for 2026
    2. Taking a staged approach of 0.045% of total Operating Expenditures in 2026 and moving to the stable 0.065% in 2027.

5. **Include a Minimum Funding Floor in the By-law** to prevent future erosion of AG capacity due to budget stagnation, supported by **budget presentation and administration clauses**.

6. **Establish a structurally independent budget process for the Auditor General** whereby the AG prepares and submits their proposed operating budget directly to the Mayor and City Council, as a distinct line in the City's annual operating budget package. In preparing the budget, the Auditor General shall inform and engage with Administration to ensure coordination with citywide financial planning and tax levy implications. However, the AG's submission shall not be subject to modification or approval by Administration, preserving the AG's independence while enabling informed fiscal planning.

[5] The analysis is based on the ability to acqurie resources for work plan execution.

Fraud, Waste, Misuse of City Assets Hotline Comparison

The fraud, waste, and misuse hotline has evolved into a core function of the Auditor General's office, reflecting growing public engagement and expectations around transparency and accountability. What began as a supplemental mechanism now represents a substantial and complex workload, requiring structured intake, triage, documentation, and in many cases, detailed investigation. Many of these matters fall outside traditional audit boundaries and touch on operational, HR, or systemic governance concerns—demanding both careful judgment and significant resources. Notably, the legacy processes supporting the hotline were designed under a different set of assumptions about the office's capacity, relationships, and mandate. As the volume and nature of complaints have shifted, some aspects of the original process may be candidates for simplification or realignment to enhance efficiency while maintaining integrity and responsiveness. A review of the hotline's design, resourcing, and integration within the broader audit function is warranted to ensure its continued effectiveness in today's operating environment.

Research Summary:

In the research, we considered:

A. **Hotline Role** - consider where in the organization the fraud and waste hotline is administered
B. **Hotline Trend Summary** - identify if any trends are noted for the hotline process per public reports
C. **Hotline Support/Intake** - identify if a 3rd party is leveraged to manage inbound queries

The above considerations were assessed across the following municipalities:

Considerations	Windsor	Hamilton	Markham	Sudbury	Ottawa	Toronto	Recommendation
Hotline Role	Administered and Investigate	Administered and Investigate	Not detected in public documents	Administered and Investigate	Administered and Investigate	Administered and Investigate	Retain hotline within the Office of the Auditor General. **Include** responsibility within the Bylaw.
Hotline Trend Summary	Volume and complexity are increasing	Volume and complexity are increasing	NA	Complaints are rising, and costs to address have increased by 50%	Volume and complexity are increasing	Volume and complexity are increasing, but 2024 saw a slight reduction	**Revise** the protocols given the research
Hotline Support/Intake	Direct to OAG	3rd Party	Unkown	Direct to OAG	3rd Party	3rd Party	**Consider** 3rd Party

Key Observations

- Five of the six municipalities align the administration of the hotline with the Auditor General's function. The one (1) comparator exception does not have a fraud and waste hotline.
- Of the five with the Hotline function within the Auditor General's area of responsibility, all had noted significant increases in (1) inbound calls, (2) the number of distinct allegations, and (3) the complexity of the complaints over the last 2-3 years.
- Some explicitly indicated increasing costs associated with administering the Hotline - one noting an over 50% increase.
- Half of the municipalities leveraged external call centres or online service solutions to capture initial inbound communications, which were digital or phone-based.
- Larger teams alluded to dedicated or partially dedicated resources for hotline administration.
- Several indicated that a dedicated budgetary portion was allocated to Hotline investigation and administration, in addition to process administration.
- Reviewing the publicly available process and reporting documentation has provided considerations for streamlining and/or improving the Concerned Citizen and Employee Hotline at the City of Windsor.
- In larger centres, there appeared to be an indication that interaction through third parties and recurring public and internal education reduced the number of inbound calls that ideally should have been directed elsewhere.

Recommended Action:

7. **Redesign the Concerned Citizen and Employee Hotline Protocol**, incorporating triage and risk frameworks, evidence thresholds, and potential use of third-party call centres for efficient intake and focusing on fraud, waste and misuse of City Assets.

8. **Reserve 20% of the Annual Work Plan for Allegation Response**, balancing reactive investigation with proactive audit coverage

9. Once the Auditor General's by-law and budget strategy are finalized, **consider engaging a third-party call centre processor** reporting to the Office of the Auditor General. Alternatively, if a more rapid timeline is desired, consider the Administration selecting such a processor with operational reporting to the Auditor General for the actual contract performance.

Note on Governance, Independence, and Perception

As Auditor General, I acknowledge that several recommendations in this report, particularly those involving budget, mandate, and structural independence, could be perceived as self-benefiting. That perception is reasonable—and expected—whenever an independent office proposes governance improvements that affect its own function. To ensure objectivity, every recommendation presented herein is grounded in jurisdictional precedent, public sector audit standards (including IIA, GAGAS, and INTOSAI), and sound governance principles. Ultimately, it is City Council that holds the authority and responsibility to define the Auditor General's role, mandate, and resources. This report is intended to support that deliberation by presenting options and evidence-based recommendations—not to dictate outcomes

Summary of Strategic Recommendations from Research By Timing of Request for Council Direction

The nine (9) recommendations noted as a result of the research conducted have been classified into one of three categories:

A. Topics Where The AG Is Seeking Council Direction Now
B. Topics Where Council Direction Will Be Sought As Part of Bylaw Development
C. Topics Where Council Direction Will Be Sought At a Later Date

Each recommendation has been assigned to one of the categroes below; however, the original numbering was retained for referencing.

A. Recommendations Where The AG Is Seeking Council Direction Now

1. **Enact an Auditor General By-law** that formally defines the role, appointment safeguards, term limits, and reporting structure—reinforcing independence both in appearance and in fact. The bylaw is to be developed jointly by Administration and the Auditor General, considering the research discoveries and ensuring alignment with City practices and requirements.

3. **Maintain Compliance with IIA Standards**, which strike a balance between professional rigour and flexibility, while acknowledging the effort required for adherence and assurance review cycles.

6. **Establish a structurally independent budget process for the Auditor General** whereby the AG prepares and submits their proposed operating budget directly to the Mayor and City Council, as a distinct line in the City's annual operating budget package. In preparing the budget, the Auditor General shall inform and engage with Administration to ensure coordination with citywide financial planning and tax levy implications. However, the AG's submission shall not be subject to modification or approval by Administration, preserving the AG's independence while enabling informed fiscal planning.

7. **Redesign the Concerned Citizen and Employee Hotline Protocol**, incorporating triage and risk frameworks, evidence thresholds, and potential use of third-party call centres for efficient intake.

8. **Reserve 20% of the Annual Work Plan for Allegation Response**, balancing reactive investigation with proactive audit coverage

B. Recommendations Where Council Direction Will Be Sought As Part of Bylaw Development

2. **Preserve work plan Autonomy** by vesting full plan determination, amendment and deletion authority with the Auditor General, with City Council empowered to propose funded additions only. To be included in consideration for bylaw development.

4. **Increase the AG Budget to reach 0.065% of the operating budget,** which aligns Windsor with peer municipalities and restores project execution capacity.

5. **Include a Minimum Funding Floor in the By-law** to prevent future erosion of AG capacity due to budget stagnation, supported by **budget presentation and administration clauses**. To be included in consideration for bylaw development.

C. Recommendations Where Council Direction Will Be Sought At a Later Date

9. Once the Auditor General's by-law and budget strategy are finalized, **consider engaging a third-party call centre processor** reporting to the Office of the Auditor General. Alternatively, if a more rapid timeline is desired, consider the Administration selecting such a processor with operational reporting to the Auditor General for the actual contract performance.

Strategic Recommendations with Suggested City Council Directions

1. Create an Auditor General Bylaw for City Council consideration

Strategic Recommendation From Research:

Enact an Auditor General By-law that formally defines the role, appointment safeguards, term limits, and reporting structure—reinforcing independence both in appearance and in fact. The bylaw is to be developed jointly by Administration and the Auditor General, considering the research discoveries and ensuring alignment with City practices and requirements.

Observation:

While a City Council directive appointing an individual to the Office of the Municipal Auditor General was passed by City Council, a bylaw regarding the Auditor General does not currently exist at the City of Windsor.

Basis for Recommendation:

1. Jurisdictional Precedent: Among the municipalities reviewed, 81% have an Auditor General By-law or enabling legislative provision.

2. Legislative Authority: Section 223.19 of the *Municipal Act, 2001* provides municipalities with the authority to establish the Office of the Auditor General and define its powers and duties by by-law. Adoption of a by-law reinforces compliance with this legislative framework.

3. International Standards Alignment: According to the Institute of Internal Auditors (IIA) and INTOSAI (International Organization of Supreme Audit Institutions), legal frameworks that clearly define the AG's role, mandate, and protections are essential to securing independence *in both appearance and fact*—a cornerstone of credible oversight.

4. Provides Structural Independence: Codifies AG's reporting relationship to City Council and protects against administrative interference. Enables clear terms of appointment and thresholds (e.g., 2/3 City Council vote) for removal or suspension, discouraging arbitrary or politically motivated actions.Demonstrates a public commitment to oversight and value-for-money, bolstering civic trust. Supports AG's authority to establish internal policies, hire staff, and manage investigations without reapproval or micromanagement.

The absence of a governing by-law puts Windsor's AG structure below the governance standard of peer municipalities and has the potential to undermine both real and perceived

independence. Adopting a dedicated Auditor General By-law would modernize oversight infrastructure, reflect leading practice, and signal a clear commitment to transparency, accountability, and sound financial stewardship.

Options for the Auditor General By-law for City Council consideration are recommended as one of the following:

1. Develop and implement an Auditor General By-law. (See the Summary of Elements table below for options to be considered in such a bylaw and Appendix B for initial rough draft wording outline of a mock bylaw.)
2. Leave the appointment of an Auditor General as a City Council Directive in accordance with the Municipal Act and the approved Auditor General Charter.

The following table provides a highlevel summary of the various options to be explored as part of the bylaw development. For the purposes of transparency the Auditor General's initial recommendations/prepectives[6] are bolded and italicized for each Element under the Options column (additional information and rationale will be provided as part of the bylaw development).

Summary of Elements

Element	Options	Jurisdictional Precedent	Considerations
Term of Appointment	• Not specified • Specified at the time of appointment • 5 years renewable; • 7 years fixed • ***7 initial + 3 renewable hybrid***	*Toronto*: 7 yrs; *Ottawa*: 7 yrs; *Sudbury*: not specified *Hamilton*: Unknown *Markham*: 4-5 years renewable *Windsor*: Council discretion	Longer or fixed terms attract stronger candidates and reduce political turnover risk. Hybrid model offers renewal flexibility while preserving continuity.
Removal/ Suspension Clause	• Simple majority • 2/3 vote • ***2-step 2/3 vote*** • 2-step 2/3 w/ severance	*Toronto*: ⅔ majority *Ottawa*: ⅔ majority *Sudbury*: ⅔ majority *Hamilton*: Majority of Council *Markham*: Majority of Council *Windsor*: Majority of Council	2/3 vote reinforces independence, but may delay action; 2-step ⅔ vote increased independence and isolates the office from political risk but may delay action; severance encourages rational and value-based choice but has a direct cash outlay impact
Reporting Line	• ***Direct to Council*** • To Council Via Audit Committee	*Toronto*: To Council Via Audit Committee	Audit Committee structure can support reporting discipline and prioritization, but may dilute

[6] These AG recommendations/prespective were selected prior to circulation of this research report to Administration for their questions and the collection of commentary for the "Administration Input and Perspective" section of this report.

Element	Options	Jurisdictional Precedent	Considerations
		Ottawa: To Council Via Audit Committee *Sudbury*: To Council Via Audit Committee *Hamilton*: To Council Via Audit Committee *Markham*: To Council Via General Committee *Windsor*: Direct to Council	independence or delay access compared to direct Council reporting.
AG Budget Tied to Operating Budget	• ***Phase into 0.065% - 2 yr 0.02% per annum increase Jan/26, Jan/27)*** • Move to 0.065% for Jan/26 • Other increased amount • No change • Any of the above with different timing	*Toronto*: 0.046% *Ottawa*: 0.057% *Sudbury*: 0.065% *Hamilton*: 0.051% *Markham*: 0.119% *Windsor*: 0.025%	Increasing from 0.025% to 0.065% better aligns Windsor with peers, enhancing capacity. Phased growth smooths financial impact. Enables 3–5 audits/year vs. 0–1 currently.
Work Plan Approval	• Council approves, but cannot remove or change, may request additions • ***Council receives and may not remove or change, may request additions***	*Toronto*: Council approves, but cannot remove or change, may request additions *Ottawa*: Council approves, but cannot remove or change, may request additions *Sudbury*: Council approves, but cannot remove or change, may request additions *Hamilton*: Council *Markham*: Council *Windsor*: Council	AG-only authority ensures audit plans reflect professional judgment, not political or Administrative pressure. Council can request audits but cannot alter content. Coucil authority provides ability to direct but may impair independence perceptions.
Ability to Amend Work Plan	• Council may amend • ***AG-only authority***	*Toronto*: AG-only authority *Ottawa*: AG-only authority *Sudbury*: AG-only authority *Hamilton*: ⅔ Council Majority *Markham*: Unkown *Windsor*: Council majority	AG-only authority ensures audit plans reflect professional judgment, not political or Administrative pressure. Coucil authority provides ability to direct but may impair independence perceptions.

Element	Options	Jurisdictional Precedent	Considerations
Hotline Administration	• ***Include responsibility for Hotline in bylaw*** • Do not include responsibility for Hotline in bylaw	*Toronto*: Administered by AG WITH 3RD party intake *Ottawa*: Administered by AG WITH 3RD party intake *Sudbury*: Administered by AG; *Hamilton*: Administered by AG WITH 3RD party intake *Markham*: Not in place *Windsor*: Administered by AG	Internal AG control aligns with best practice; 3rd party can support intake; Hotline role in bylaw ensures permanence and clarity. Leaving it out retains administrative flexibility, but may reduce AG leverage in integrity frameworks.
Professional Standards	• Define requirement for professional standard in bylaw • ***Specify options in bylaw*** • Do not include in bylaw	*Toronto*: GAGAS *Ottawa*: GIAS *Sudbury*: Hybrid *Hamilton*: GAGAS *Markham*: Not disclosed *Windsor*: GIAS	Bylaw-defined standards guarantee quality but may constrain adaptability. Specifying options allows evolution. Omitting gives flexibility, but risks inconsistency.
Minimum Budget Level	• No floor included. • ***Set as a % of operating budget*** (e.g., 0.065%)	*Toronto*: GAGAS *Ottawa*: GIAS *Sudbury*: Hybrid *Hamilton*: GAGAS *Markham*: Not disclosed *Windsor*: GIAS	Budget floor avoids future erosion. Signals commitment. Setting a budget floor guards against erosion and secures long-term capacity. % link to operating budget ensures proportionality. No floor risks underfunding.

Recommendation (City Council Directive):

That City Council direct Administration and the Auditor General to jointly prepare a draft Auditor General By-law for City Council's consideration, establishing the authority, responsibilities, and independence of the Office of the Auditor General under section 223.19 of the *Municipal Act, 2001*. Such a bylaw should consider key elements from the research and City Council's directions, including, but not limited to:

1. Appointment term and renewal
2. Process for suspension or removal of the designated Officer
3. Work plan creation, approval and changes
4. Scope of authority for budget and contract administration of the function
5. Budget funding floor and presentation/transparency
6. Professional standards expectations
7. Fraud and waste investigation governance, responsibility and capacity structures

3. Adherence to Professional Standards for Audit and Investigation Functions

Strategic Recommendation From Research: **Maintain Compliance with IIA Standards**, which strike a balance between professional rigour and flexibility, while acknowledging the effort required for adherence and assurance review cycles.

Observation:

The Office of the Auditor General (OAG) in Windsor currently aligns its work with the IIA Global Internal Audit Standards through the Auditor General Charter as opposed to a by-law. The cost and effort of compliance with the standards has increased. All comparator municipalities with formal AG functions either explicitly state adherence to IIA, GAGAS, or CAS standards or align their practice accordingly (except for one, for which this could not be determined). These frameworks provide consistency, quality assurance, and public confidence, but require structured planning, ongoing training, and quality control processes.

Basis for Recommendation:

Formalizing adherence to IIA standards in policy or bylaw reinforces credibility and:

- Anchors the AG office in a recognized professional framework.
- Ensures findings and reports are defensible, methodologically sound, and consistent.
- Uses the more scalable, cost-effective standard for the nature of the function's work.

However, it also carries capacity implications:

- Regular training and development hours for all personnel.
- Documentation standards that require more time per project.
- Time and effort for quality assurance, engagement planning, and stakeholder communication.

Without recognizing these needs in budgeting and staffing decisions, adherence risks become nominal rather than meaningful.

Recommendation (City Council Directive):

That City Council provide direction to formally endorse adherence by the Auditor General to the Global Internal Audit Standards, and direct that future resource and capacity planning consider the staffing, training, quality assurance, and engagement time requirements needed to meet those standards.

Rationale: This approach ensures that audit work maintains credibility, withstands scrutiny, and aligns with municipal best practices across Ontario and Canada.

6. Establish a structurally independent budget process for the Auditor General

Strategic Recommendation from Research: Establish a structurally independent budget process for the Auditor General whereby the AG prepares and submits their proposed operating budget directly to the Mayor and City Council, as a distinct and unmodified line item in the City's annual operating budget package. In preparing the budget, the Auditor General shall inform and engage with Administration to ensure awareness of citywide financial pressures and alignment with fiscal planning timelines. However, the AG's submission shall not be subject to modification, approval, or integration by Administration, preserving independence in both appearance and fact.

Observation:

In Windsor, the AG's current budget is embedded within broader administrative lines and submitted through the standard operating budget process. This creates risks to both actual and perceived independence, and provides Administration with potential control or influence over AG resource levels, either through direct budgetary decisions or broader fiscal constraint messaging.

Basis for Recommendation:

1. **Jurisdictional Precedent**: Municipalities such as Toronto and Ottawa present AG budgets directly to Council, separate from Administration's submission. These models reflect best practice and strengthen public confidence in oversight integrity.

2. **Functional Independence**: Embedding the AG budget within administrative structures contradicts standards from INTOSAI and the former Auditor General of Canada (Desautels), which emphasize both operational and fiscal autonomy as pillars of effective audit governance.

3. **Transparency and Accountability**: A dedicated line item increases visibility for Council and the public, supports informed debate on audit value, and reduces risk of hidden cuts or influence through broader financial levers.

4. **Practical Coordination**: Requiring the AG to engage Administration ensures awareness of tax levy implications, financial constraints, and planning cycles—striking a balance between autonomy and fiscal stewardship.

5. **Risk Mitigation**: Independent budget presentation helps shield the AG from budget erosion or scope limitation resulting from administrative disagreement with audit priorities or resourcing needs.

Options for City Council Consideration:

- Direct the AG and Administration to draft a bylaw clause establishing a structurally independent AG budget process, with Council as the direct recipient.

- Maintain the current embedded process and leave budget review under Administrative control.

Recommendation (City Council Directive):
That City Council direct the Auditor General and Administration to incorporate into the draft Auditor General By-law provisions that require the Auditor General's annual operating budget to be prepared and submitted independently to City Council, outside of the Administration's budget review and approval process. The Auditor General shall inform and engage with Administration during preparation to ensure coordination with the City's financial planning timelines and overall budgetary context. The budget shall be presented as a distinct line item in the annual budget package, ensuring full visibility and protecting the Auditor General's operational independence.

Rationale: This recommendation reinforces the Auditor General's functional independence, aligns with leading municipal and international audit practices, and ensures that budget decisions are transparent, Council-controlled, and free from the appearance or risk of administrative interference.

7. Formal Governance of the Concerned Citizen and Employee Hotline Protocol

Strategic Recommendation From Research: **Redesign the Concerned Citizen and Employee Hotline Protocol**, incorporating triage and risk frameworks, evidence thresholds, and potential use of third-party call centres for efficient intake.

Observation:

The Concerned Citizen and Employee Hotline (CCEHP) currently operates as a reporting channel managed by the Office of the Auditor General. While it functions as a mechanism for reporting fraud, waste, and misuse of City resources, the CCEHP lacks an explicit connection to Windsor's formal governance instruments—namely, the Auditor General By-law or a City Council-approved policy framework. There are two key existing elements related to this the CCEHP and the City's Fraud and Miuse of Assets Policy.

The protocol is operational in nature, with elements of intake, triage, and response, but it exists outside of an approved accountability structure. A contract and the Auditor General Charter outline the administrative responsibility for the hotline but a governing policy should be created.

Basis for Recommendation:

1. **Jurisdictional Precedent**: In Toronto, Ottawa, and Hamilton, the AG oversees a formally documented fraud and waste hotline protocol. These structures define reporting channels, investigative thresholds, response timelines, and AG authority.

2. **Workload and Volume Growth**: The research notes that Windsor's hotline volume and complexity are rising. The other AG administered hotlines research noted significant increases in (1) inbound calls, (2) the number of distinct allegations, and (3) the complexity of the complaints over the last 2–3 years. One noted an over 50% increase in costs.".

3. **Clarified Roles and Authority**: A formal protocol prevents overlap or confusion between the AG and Administration. It ensures the AG has unambiguous authority to initiate, manage, and report on investigations while maintaining confidentiality and whistleblower protections. Policy with Council, and process and work procedures with the Auditor General.

4. **Capacity Planning and Resourcing**: Defining governance enables the AG to anticipate investigation workload and request resources accordingly—particularly relevant if a minimum budget floor or resourcing model is introduced.

5. **Public Trust and Transparency**: Council-approved governance strengthens public confidence in the process. It ensures fairness, non-retaliation protections, and consistent

application of standards across allegations.

6. **Alignment with Audit Standards**: Both IIA and GAGAS recommend clarity in investigative responsibility, especially when the AG is expected to handle fraud and waste reporting directly.

To ensure that the CCEHP aligns with principles of public sector governance, accountability, and independence, it should be embedded within the City's broader accountability framework as follows:

- The Auditor General By-law should assign responsibility for the hotline to the Auditor General, affirming its independence from administration. In the absense of the Auditor General bylaw, City Council should explicitly identify the Auditor General as the accountable Officer.
- A City Council-approved policy should define the high-level objectives, scope, limitations, and reporting expectations for the hotline process.
- The Auditor General Charter should reference the hotline as a core function of the Office. (currently in effect)
- The detailed protocol, procedures, and tools (intake forms, risk models, templates) should be maintained operationally by the Auditor General, with summary updates reported to City Council as part of work plan or performance reporting. Detailed operating procedures need not be reported to or approved by City Council.

This approach mirrors practices in comparator cities where whistleblower mechanisms are explicitly assigned to independent offices and framed within formal City Council policy. Further, the AG is then empowered, within the objectives, to implement and adapt effective and efficient administration and investigation practices.

Options for City Council Consideration:

1. **Repeal CCEHP as the governing City Council approved protocol to be replaced by a enhanced governance structure (recommended)**:[7]
    - Clearly assigning responsibility for the hotline to the Auditor General (where possible, include in the AG By-law)
    - Approve the proposed Fraud and Waste Hotline Policy (see propsed policy in Appendix C)
    - Revise the name from Concerned Citizen and Employee Hotline to the Fraud and Waste Hotline to provide greater clarity.
    - The Auditor General will develop and implement operational protocols to support the administration and investigation of allegations.
    - Remove elements related to treatment by City personnel and workplace issues not related to fraud, waste or misuse.

    This approach clarifies authority and reporting lines and allows City Council to oversee

[7] Option is predicated on the development and approval of an Auditor General By-law

the mandate, while operational detail is managed by the AG.

2. **Maintain the hotline as it currently is.**
    - Offers flexibility, but lacks transparency, continuity, and structural independence.
    - Exposes the process to administrative inconsistency or unclear roles.
    - Requires City Council approval for any process, procedural, template or enabling mechanism.

3. **Transfer the administration of the hotline to another authority (not recommended)**

    - Would undermine independence and likely reduce public confidence.
    - Contrary to trends in municipal integrity and fraud prevention.

Recommendation (City Council Directive):

That City Council direct that:

1. The Concerned Citzen and Employee Hotline be more appropriately rebranded as the Fraud and Waste Hotline.
2. The current assignment of oversight and responsibility for the Fraud and Waste Hotline be clearly and formally assigned to the Auditor General.
3. The currently approved Concerned Citizen and Employee Hotline Protocol be repealed and replaced by the attached Fraud and Waste Hotline Policy.
4. The Auditor General is authorized and empowered to develop and implement operational protocols to support the administration and investigation of allegations to effect the Fraud and Waste Hotline Policy.

Rationale: This recommendation provides the structural clarity and accountability needed to align Windsor's hotline oversight with best practices in municipal governance and audit independence. It affirms the Auditor General's authority to administer and investigate fraud and waste allegations while empowering City Council to define policy-level objectives and boundaries. By embedding the hotline in a City Council-approved policy and assigning its operational management to the Auditor General through by-law and charter references, the City strengthens transparency, investigative consistency, and public trust. This approach mirrors successful models in comparator municipalities and ensures the hotline functions as a credible and independent mechanism for addressing serious concerns while protecting against administrative overreach or procedural ambiguity.

8. Allocation of work plan Capacity for Allegation Analysis and Investigation

Strategic Recommendation From Research: **Reserve a set percentage of the department's annual efforts for Administration and Allegation Response**, balancing reactive investigation with proactive audit coverage

Observation:

The volume and complexity of allegations submitted to the Office of the Auditor General through the Concerned Citizen/Employee Hotline (CCEHP) has increased in recent years. This aligns with the published report of other municipal hotlines. These reports require triage, preliminary assessment, investigation, and in some cases, full audits or referrals. Yet, no formal portion of the Auditor General's annual work plan is explicitly reserved for this function.

As a result, urgent investigation matters often displace planned audit work, or go unaddressed due to capacity constraints. This reactive model reduces predictability and contributes to an erosion of confidence in the hotline's responsiveness.

Some municipalities designate a dedicated portion of AG office resources to support the intake, review, and investigation of allegations. While intake and reivew are budgeted for in the current AG work plan, future investigation time is not - unallocatd efforts (required per professional standards) or cancelation of other project is used to execute investigations.

Basis for Recommendation:

Reserving a portion of the annual work plan for allegation response:

- Ensures the AG can respond to high-risk, unplanned, and time-sensitive concerns.
- Provides transparency and public assurance that the City takes tips and whistleblower input seriously.
- Supports accountability, especially where fraud, waste, misuse of assets, or abuse of authority is involved.
- Aligns with professional standards under the IIA's IPPF, which require timely follow-up of credible tips and adequate response frameworks for investigation work.

A reserved percentage also protects the planned audit program, allowing the office to plan proactively while still accommodating the dynamic nature of hotline and complaint-based work.

Options for City Council Consideration:

1. **Reserve the fixed percentage of the annual AG work plan for allegations and investigations (recommended minimum)**
    - Provides a structured baseline without overcommitting audit resources.

- Can be flexibly managed year-to-year.

Percentage Categories per Auditor General Department Budget:

Budget	Minimum Percentage for Fraud and Waste Hotline Allocation
$300,000 to $400,000	40%
$400,001 to $500,00	34%
$500,001 to $775,500	25%
Above $775,501	20%

2. **No dedicated reserve – reactive model (status quo)**
   - Preserves flexibility but risks under-resourcing the hotline.
   - May delay or reduce response to credible concerns.

Recommendation (City Council Directive):

That City Council direct that a strategic mandate that a minimum percentage of the Auditor General's departmental efforts be reserved for the analysis and investigation of allegations received through the Fraud and Waste Hotline or similar mechanisms.

Percentage Categories per Auditor General Department Budget:

Budget	Minimum Percentage for Fraud and Waste Hotline Allocation
$300,000 to $400,000	40%
$400,001 to $500,00	34%
$500,001 to $775,500	25%
Above $775,501	20%

If, by year-end, a significant portion of the reserved allocation remains unused due to low case volume or investigative necessity, the Auditor General shall:

- Report on the actual usage of the reserved allocation in the annual report to City Council;

- Explain any mid-year reallocations undertaken to optimize resources; and

- Recommend whether the 20% reserve should be maintained, increased, or reduced in the following year's work plan, including a rationale.

Should City Council adopt an Auditor General by-law in the future, this direction is to be expressly included within it to reflect City Council's commitment to the ongoing resourcing and integrity of public interest mechanisms such as the Hotline.

Rationale: The allocation reflects City Council's commitment to public accountability and proactive risk detection. It also affirms City Council's service-level expectation for the Hotline function while maintaining the Auditor General's independence in determining investigative priorities and methods within the allocated resources. The framework ensures that the function remains credible and well-resourced, while allowing flexibility to respond to actual demand.

Administration Input and Perspective

The following summarizes the input received from City Administration in response to the draft research findings. The inclusion of these viewpoints ensures Council is aware of implementation considerations, questions of alignment with current processes, and any concerns raised by operational leadership.

Directions Input & Perspective:

1. Create an Auditor General Bylaw for City Council Consideration
Administration agrees with the recommendations contained within the report with regards to the establishment of a municipal by-law for the role of Auditor General. Administration will work collaboratively with the AG in the development of a by-law and will bring this matter back to City Council for review and adoption.

2. Preserve work plan Autonomy
Administration agrees that the work plan should be carried out by the AG in a manner that is free from interference however raises the risk noted that fully autonomy will limit the ability for City Council to direct the cancellation or modification of a particular projects. Some level of input into plan changes may want to be considered. Administration will work with the AG to establish a framework that finds a balance between these two competing matters.

3. Adherence to Professional Standards for Audit and Investigation Functions
Administration agrees that adherence to IIA Global internal Audit Standards is appropriate for the nature of scope of work conducted by the AG.

4. Increase the AG Budget; and 5. Include a Minimum Funding Floor; and 6. Establish a structurally independent budget process for the Auditor General
Administration agrees that an independent budget structure should be established for the Office of the Auditor General wherein a budget submission is prepared and presented to City Council for review. Given the budget development structure of the City, which complies with the newly legislated positions as defined by Part VI.1 of the Municipal Act and more specifically Section 284.16 which relates to the approval of municipal budgets, the annual budget submission received from the AG would likely be referred to the budget process and given overall consideration in terms of priority and allocation of scarce resources. As such setting defined parameters for the AG budget, such as a percentage of the operating levy within the by-law may not be appropriate.

7. Formal Governance of the Concerned Citizen and Employee Hotline Protocol
Administration recommends with the AG report with regards to this matter and will work collaboratively with the AG on policy and procedural changes that may be required. Administration will explore options for the potential use of a third party call centre or other options which may facilitate efficient and effective intake.

8. Allocation of work plan Capacity for Allegation Analysis and Investigation

Administration agrees that an allocation of the AG work plan should give consideration to balancing reactive investigations with proactive audit coverage. Administration recommends that this allocation be considered as part of the annual AG plan and budget development submission.

APPENDIX A - Fraud and Waste Hotline Policy

THE CORPORATION OF THE CITY OF WINDSOR
POLICY

Service Area: Accountability and Transparency
Policy No.:
Department: Auditor General
Approval Date: [Insert Date]
Division: Office of the Auditor General
Approved By: [Insert Authority]
Effective Date: [Insert Date]
Subject: Fraud and Waste Hotline Policy
Procedure Ref.:
Review Date:
Pages:
Prepared By: Christopher O'Connor, Auditor General

1. POLICY

1.1 The City of Windsor is committed to the highest standards of integrity and accountability in public service.

1.2 This policy establishes a consistent, transparent protocol for receiving, assessing, investigating, and reporting allegations of fraud, waste, misuse of City assets or serious wrongdoing through the Fraud and Waste Hotline or similar mechanisms.

1.3 The Auditor General shall oversee all aspects of the process to ensure that allegations are evaluated fairly, confidentially, and in alignment with the Auditor General's mandate under the Municipal Act and applicable by-laws and policies.

2. PURPOSE

2.1 To provide clear guidance on the processing of allegations related to fraud, waste, misuse of resources, or serious wrongdoing.

2.2 To reinforce public confidence in the accountability mechanisms of the City.

2.3 To establish minimum submission standards and delineate jurisdictional boundaries.

3. SCOPE

3.1 This policy applies to all allegations received by or routed through the Office of the Auditor General (OAG), under the Concerned Citizen/Employee Hotline or similar means.

3.2 It supplements but does not override the City's Fraud and Misuse of Assets Policy.

3.3 It applies to City employees, management, and contractors, unless redirected per Section 3.4.

3.4 The CCEH Process does **not** apply to allegations associated with the following areas:

- The Mayor, City Councillors, or political staff (refer to the Integrity Commissioner)
- Windsor Essex County Health Unit
- Essex Region Conservation Authority
- Local Boards (unless opt-in approved)
- Municipally Controlled Corporations
- Grant recipients
- Committee of Adjustment
- Windsor Public Library and its Board
- Windsor Police Services Board

3.5 Allegations outside the Auditor General's jurisdiction shall be redirected as follows:

- Elected officials → Integrity Commissioner

- All other areas → Finance Executive Initiatives Coordinator

4. REQUIRED INFORMATION FOR SUBMISSION

4.1 All allegations must include:

a) Reporter's full name

b) Two contact methods (email and phone preferred)

c) Confirmation as to being a citizen or taxpayer of Windsor (or a representative thereof)

d) Nature of the allegation with description

e) Verifiable evidence or a corroborating witness (written or interview follow-up required)

f) List of evidence and willingness to provide it

g) Identification of the functional area of concern

h) Summary of prior escalation attempts (if any)

4.2 Allegations similar to a prior complaint within the past 12 months will not be re-investigated unless new, relevant information is submitted.

5. INTAKE AND REPORTING

5.1 Allegations may be submitted via:

- Online form
- Email
- Phone
- Mail

Anonymous submissions are accepted; however, allegations that require clarification and do not receive a response will not be pursued further by management, the Auditor General, or the Administrator.

6. ANONYMITY PROTOCOLS

6.1 Allegations are treated as anonymous outside the Office of the Auditor General unless waived by the reporter in writing. Only the original reporter may waive anonymity and must do so in writing or via an email directly to the Auditor General.

6.2 Anonymity limits the investigation's scope in some cases.

6.3 When routed to management, anonymity is assumed unless the reporter responds within 5 business days to a clarification request.

6.4 Preserving anonymity may limit the scope of the investigation, increase effort to safeguard identity, or, in some cases, make identification likely based on known issues.

7. ADMINISTRATION AND INVESTIGATION

7.1 To support the effective and consistent operation of the Hotline, the Auditor General shall develop, implement, and maintain internal procedures, practices, and tools for the intake, triage, investigation, and resolution of allegations. These procedures shall be designed to:

- Ensure fair, timely, and risk-informed responses to submissions;
- Preserve confidentiality and procedural integrity;
- Comply with applicable professional standards and relevant municipal policies.

7.1 The Auditor General shall review and update these procedures as necessary and may communicate process changes or summary trends to City Council through annual work plan reporting or performance updates, where appropriate**.**

8. INVESTIGATION REFUSAL CRITERIA

The Auditor General may refuse or terminate investigations if:

- There is insufficient ground or no basis
- The matter is frivolous or vexatious
- Continued investigation serves no purpose
- Another process is more appropriate

9. ENFORCEMENT AND AUTHORITY

9.1 The Auditor General has full discretion on the handling of reports, including referring, investigating, or dismissing.

9.2 Investigations involving the OAG will be directed to City Council.

10. CONFIDENTIALITY AND REPORTING

10.1 All allegations and submissions are confidential under MFIPPA.

10.2 The OAG and its staff must maintain strict confidentiality except where disclosure is legally authorized.

11. REPRISAL AND PROTECTION

11.1 Retaliation for submitting a good-faith allegation is prohibited and subject to discipline.

11.2 All alleged reprisals shall be investigated urgently.

12. FALSE ALLEGATIONS

Allegations made in bad faith or with malicious intent may result in disciplinary action, including termination.

13. DISCIPLINARY AND LEGAL ACTION

If allegations are substantiated:

- The City shall take disciplinary action in accordance with relevant laws and policies.
- Losses may be recovered through legal means.

14. REPORTING TO City Council

14.1 The Auditor General may report investigation results to City Council.

14.2 An annual report will be submitted to City Council, including:

- Complaint volumes
- Allegation types
- Substantiation rates
- Emerging trends

14.3 Public summaries may be issued, protecting identities.

15. POLICY REVIEW

15.1 The Auditor General shall review this policy annually.

15.2 Revisions will be presented to City Council and, where appropriate.

16. DEFINITIONS

Allegation: A clearly articulated claim or assertion that an event or action has occurred which has not yet been proven as true.

Anonymous: The identity of the reporter is not disclosed.

City Assets: All tangible and intangible resources owned by the City, including financial, physical, digital assets, and work time. For further information, see Section 5.2.1 of the City's Fraud and Misuse of Assets Policy.

Complaint/Report: A submission made through the Hotline alleging fraud, waste, misuse, or serious wrongdoing.

Confidential: Information obtained as a result of a report or investigation is not discussed, disclosed, or otherwise shared, both internal and external to the City, unless required by law. All information shared, within the City, as part of the investigation is restricted to a “need to know” basis.

Fraud: Any act involving deceit or concealment intended to gain improper access to or misuse of City assets. Includes forgery, misappropriation, false claims, bribery, and computer misuse. For further information, see Section 5.2.2 of the City's Fraud and Misuse of Assets Policy.

Frivolous: The contents of the report are not serious, lacking merit or factual basis.

Misappropriation: Illegal or unauthorized use of another's property or funds for personal gain or other improper purpose. For further information, see Section 5.2.3 of the City's Fraud and Misuse of Assets Policy.

Misuse: Broader than fraud; includes unethical actions, neglect of duties, abuse of authority, bribes, and significant waste. For further information, see Section 5.2.4 of the City's Fraud and Misuse of Assets Policy.

Person(s): Inclusive term covering employees, agents, intermediaries, and the public. For further information, see Section 5.2.5 of the City's Fraud and Misuse of Assets Policy.

Reporter: An individual who submits an allegation or concern.

Reporting Party: The person(s) who submits a Fraud and Waste Hotline report.

Respondent: The person(s) who is alleged to have engaged in acts of fraud, waste or serious wrongdoing.

Retaliation: Adverse action taken against a person for reporting or cooperating with an investigation.**Retaliation**: Adverse action taken against someone for making a report or participating/co-operating in an investigation.

Reprisal: A negative action or threat made by an employee, toward the following:

A reporter who has submitted a report of fraud, waste, or serious wrongdoing.

A witness who has provided information or participated in the investigation of a fraud, waste, or serious wrongdoing.

A respondent of an alleged fraud, waste, or serious wrongdoing.

Serious Wrongdoing: Behavior that significantly impacts service quality, violates public trust, or breaches legal or ethical standards.

Significant Fraud: Determined by CFO & City Treasurer or CAO (if CFO implicated), using professional judgment. For further information, see Section 5.2.6 of the City's Fraud and Misuse of Assets Policy.

Substantiated: A finding that one or more elements of a report were verified through evidence.

Suspicion: A reasonable belief that a policy violation is taking place. For further information, see Section 5.2.7 of the City's Fraud and Misuse of Assets Policy.

Unauthorized: Lacking official permission to act or omit an action, whether formally granted or covered by policy. For further information, see Section 5.2.8 of the City's Fraud and Misuse of Assets Policy.

Vexatious: The report was submitted with malicious intent, or on the basis of improper motives, with the intent to harass, embarrass, or defame the respondent.

Waste: Inefficient, careless, or unnecessary use of City resources.

Witness: A City employee, or other individual, who observed the allegation(s) firsthand.

For further information, refer to **Section 5.2.1 and 5.2.2 of the City's Fraud and Misuse of Assets Policy**.

17. RELATED POLICIES AND GOVERNANCE FRAMEWORK

- City of Windsor Fraud and Misuse of Assets Policy
- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- Municipal Act, 2001 (Sections 223.19–223.23)
- Auditor General By-law
- Auditor General Charter
- Records Retention By-law
- Purchasing By-law
- Code of Ethics & Conflict of Interest Policy
- Collective Agreements
- Standards of Employee Deportment Policy
- Workplace Harassment and Violence Policies

APPENDIX B - Rough Sample Draft By-law Wording For Context/Example

Reference material as an input to a potential future AG bylaw - not a proposed bylaw.

Within the following initial draft of a potential bylaw based on the research conducted there is a general framework with several items for consideration for City Council. Items noted in black font are the rough draft wording prior to City Council input and prior to consultaiton with Administration. Items highlighted in yellow are items for City Council determination. Items in *blue italic font* are notes as to the reason for the clause.

The structure format and contents would neet to be aligned the City of Windsor practices and structures to ensure alignment and clarity. The same is provided to aid in the understanding of the research and recommendations in the report.

A By-law to Establish the Position and Duties of the Auditor General for the City of [City Name]

WHEREAS section 223.19 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes municipalities to establish the position of Auditor General with statutory powers and duties;

AND WHEREAS the City Council of the City of [City Name] wishes to enhance accountability, transparency, and value for money in municipal operations;

AND WHEREAS the City Council of the City of [City Name] has the authority under section 223.19 of the Municipal Act to create and empower the Office of the Auditor General as an independent officer of the municipality;

NOW THEREFORE the City Council of the City of [City Name] enacts as follows:

1. DEFINITIONS "Auditor General" means the individual appointed as the Auditor General of the City of [City Name] under this By-law. The Auditor General need not be an employee of the City and may serve pursuant to a contract for service, secondment, or other arrangement as determined by City Council.

2. ESTABLISHMENT The position of Auditor General for the City of [City Name] is hereby established. If a person was previously appointed to serve as Auditor General pursuant to a City Council resolution adopted prior to the enactment of this By-law, such appointment shall be deemed to have been validly made under the authority of the Municipal Act and shall continue in full force and effect under this By-law. The Office of

the Auditor General is hereby created with such structure, resources, and authorities as may be necessary to carry out the responsibilities under this By-law.

Provides for the establishment of the Office and supporting function as a by-law while recognizing prior appointment of the Officer under the Municipal Act.

3. SCOPE AND AUTHORITY The Auditor General shall have the authority to conduct financial (excluding attest), compliance, performance, value-for-money, and forensic audits of:
a) All programs, activities, and functions of all City departments and agencies;
b) The offices of the Mayor and Members of City Council;
c) Local boards of the City as defined in Part V.1 of the Municipal Act;
d) Municipally-controlled corporations as defined in the Municipal Act;
e) Grant recipients as defined in Part V.1 of the Municipal Act;
f) Any other agencies, boards, commissions, and corporations as City Council may from time to time create or identify;
g) Any other entity where the City holds a controlling interest or has audit rights under an agreement.

   At the request of City Council or a board of directors, the Auditor General may also audit autonomous organizations that have an agreement with the City which includes an audit provision.

   Exclusions shall be limited to those required under the Municipal Act.

   Provides for scope of authority.

4. REPORTING RELATIONSHIP The Auditor General shall report directly to City Council for purposes of accountability. City Council may, by resolution, designate a standing committee or sub-committee of City Council to act as the primary liaison for receiving reports, audit plans, and updates from the Auditor General. Administrative matters shall be coordinated through the Mayor unless otherwise directed by City Council.

   Aligns with professional standards and Municipal Act for estalising clear and independent reporting while leaving options open for Audit Committee should one ever be desired.

5. APPOINTMENT, TERM, AND ELIGIBILITY

   5.1 The Auditor General shall be appointed by a two-thirds vote of City Council for a non-renewable INSERT City Council DIRECTION year term.

   Reinforces independence and follows fairly common practice and supports the principle of independence and security of tenure. City Council should consider the desired term with the following in mind:

- *Those municipalities that have specified terms in Ontario often have 7 year terms, some have 5 year renewable and others have no specific term.*
- *Provincial and Federal Auditor General terms are 10 years with very limited power to remove.*
- *Ability to attract and retain desired level of experienced talent in the market.*

5.2 The Auditor General may only be suspended or removed from office by a majority two-thirds vote of all Members of City Council at a public meeting, following written notice of intent delivered at least 30 days in advance and an opportunity for the Auditor General to respond. Any such resolution must state the reason(s) and be based on substantiated grounds of incapacity, misconduct, neglect of duty, or breach of statutory obligations.

Reinforces independence and follows fairly common practice and supports the principle of independence and security of tenure. Further, City Council may wish to consider the adding the following clause to 5.2 if there is a deep desire to clearly define the office's independence, but there is a financial implication.

Optional Clause for City Council Direction on Bylaw:

To safeguard the independence of the Office of the Auditor General:

a) No motion to remove or suspend the Auditor General shall proceed unless it has been approved by two separate votes of City Council held at least 14 days apart, both requiring a two-thirds majority of all Members.

b) In the event of early termination without cause, the Auditor General shall be entitled to severance equal to the lesser of:

(i) the remaining salary for the unexpired portion of the term, or

(ii) 12 months' compensation.

5.3 Upon the expiry of the Auditor General's term, and until such time as a successor is appointed and assumes the role, the incumbent Auditor General shall continue to hold office and exercise all responsibilities of the position unless otherwise determined by City Council.

Provides continuity of service and reduces the likelihood of office vacancy. Note the spirit of this is not to indefinitely extend the incumbent's term but to provide a transition bridge in unforeseen circumstances.

5.4 To facilitate continuity and orderly transition, City Council shall consider the extension or non-renewal of the Auditor General's term no later than twelve (12) months prior to the scheduled expiry of the initial term.

a) If City Council does not exercise the option to extend the term, recruitment for a successor shall commence within sixty (60) days of that decision.

b) Where City Council intends to pursue the extension of the Auditor General's appointment under subsection 5.1, a motion to that effect shall be tabled and considered no later than nine (9) months prior to the scheduled expiry of the term.

c) Failure to approve an extension within that timeframe shall be deemed an intent not to renew, and City Council shall proceed with the recruitment of a new Auditor General accordingly.

d) This section does not preclude the incumbent from continuing in office under subsection 5.3 until a successor is appointed and assumes the role

Provides orderly transition, time for recruitment from initial determination through appointment and the adjustment for impacts on any work plans.

5.5 Notwithstanding subsection 5.1, in the case of an initial or transitional appointment of an incumbent Auditor General already in office at the time this By-law is enacted, City Council may, by resolution, establish an alternate term length for that initial appointment. This term shall be deemed valid and enforceable for the purposes of this By-law, and all other provisions herein shall continue to apply.

Provides for designation of term for the incumbent. Timing consideraitons/term should be determined in light of (1) City Council term, (2) City Council direction for 5.1 (standard term), (3) City Council term cycle timing, (4) and planned recruitment/transition time. The current Auditor General was appointed in September 2019.

Will require separate motion to designate the alternate term length for the appointment of the incumbent.

Separate motion for the alternate term length for the appointment of the incumbent.

5.6 The following individuals are not eligible to serve as Auditor General:

a) A member of City Council, or any individual currently serving in a governance, board, or director role for a City agency, board, or commission;

b) Any person who, directly or through an associate, holds a direct or indirect financial interest in a contract with the City, except where that contract pertains to their appointment as Auditor General under this By-law;

c) Any individual who has been a member of City Council, an employee of the City, a municipal civil servant, or who has served in a governance, board, or director capacity for a City agency, board, or commission within the four years

prior to nomination, unless such prior service was within the Office of the Auditor General.

Provides for independence by creating an elapsed time barrier increasing objectivity.

5.7 The Auditor General shall not be assigned to any other post or position within the City during their term of appointment.

Provides for independence.

6. INDEPENDENCE The Auditor General shall operate independently of the City administration in the conduct of duties and decisions.

Provides for independence.

7. ACCESS TO INFORMATION The Auditor General shall have unrestricted access to all City records, personnel, systems, property, and information required to fulfill the duties under this By-law.

Provides for access.

8. RESPONSIBILITIES
8.1 Conduct audits and investigations as outlined in Section 3.

8.2 Initiate investigations independently or in response to requests from City Council, subject to resources.

8.3 Recommend policy or operational improvements to enhance transparency and value for money.

Defines high level responsibilities.

9. ADDITIONAL RESPONSIBILITIES – FRAUD, WASTE, AND MISUSE HOTLINE:
9.1 The Auditor General shall be responsible for administering the Fraud and Waste Hotline, including the authority to establish and revise all protocols, workflows, triage criteria, and investigative procedures necessary for its operation, subject to applicable law.

9.2 The Auditor General shall establish a structured intake, assessment, investigation, documentation, and reporting framework to ensure fairness, effectiveness, and consistency in handling suspected fraud, waste, or misuse.

9.3 The professional auditing standards referenced in Section 9 do not apply to the administration or investigation of allegations through the Fraud and Waste Hotline. The Auditor General shall determine appropriate requirements and practices for such investigations as part of the protocols governing the Hotline

Calls out the hotline requirements but delinates them as an additional responsibility and provides for specific frameworks and practices to be developed and applies.

10. STANDARDS Audits shall be conducted in accordance with either: a) The International Standards for the Professional Practice of Internal Auditing (IIA Standards); or b) Generally Accepted Government Auditing Standards (GAGAS), as determined by the Auditor General at the outset of the Auditor General's term of appointment and to be complied with during the term of appointment. The Auditor General is granted discretion to select other professional standards for specific projects where the Auditor General deems those standards more appropriate to the nature of the project; such project determinations do not supersede the overall standards for the office or function.

Provides for use of either of the two most commonly used standards in Ontario and Canada, but then they are set for the term of appointment.

10. AUDIT PLAN

10.1 The Auditor General shall submit an Annual Audit Plan to City Council for information by December 31 of each year.

Defines the requirement.

Optional Clause for City Council Direction on Bylaw:

10.2 City Council may request additions to the plan, subject to available resources and the Auditor General's approval.

10.3 City Council may not remove or change any projects. Only the Auditor General may remove or amend items from the plan.

These options reinforce the independence of the Auditor General in alignment with 81% of the other Auditor General structures; however this is a limitation that City Council would be self-imposing on itself to create a higher level of independence.

11. OFFICE STRUCTURE The Auditor General shall have authority to:

a) Hire, manage, and evaluate staff within the Office of the Auditor General;

b) Establish internal administrative policies and procedures;

c) Retain external consultants as needed;

d) Engage individuals or entities to provide services to the Office of the Auditor General through contracts for service, consulting agreements, secondments, or employment arrangements. The composition of the Office may include employees, contractors, or outsourced service providers in part or in whole.

e) The Auditor General shall be entitled to receive appropriate administrative and procedural support from City departments, including the Office of the City Clerk, to enable timely and proper submission of reports, notices, and other matters to City Council or its Committees, and to facilitate compliance with City meeting procedures, timelines, and documentation standards.

Such support shall not interfere with the independence of the Auditor General and shall be provided in good faith and in a timely manner, consistent with the AG's reporting obligations under this By-law and the Municipal Act.

The Auditor General shall not be required to engage or appoint a separate liaison or legislative specialist solely to comply with administrative processes that are otherwise within the City's standard operating support

Provides for creation of and operation of the office. A few municplaities have also empowered the Auditor General to administer the budget and sign-contracts for all items related to the office operations (excluding land) fully or at the same limits as the Cheif Administrative Officer. Inclusion of this authority would require City Council direction.

12. BUDGET The annual budget for the Office of the Auditor General shall be a separate line item in the City budget.

Provides for transparency in the budget without Administrative input and thereby reinforces independence.

Additional clauses for consideration given the research would be Budget Presentation independence (a) and establishment of minimum budget leves (b) which aligns to INTOSAI and Desautels report:

Optional Clause for City Council Direction on Bylaw:

a) *The Auditor General prepares and submits the requested budget directly to the Mayor and City Council without prior review by any City department or administrative agency, preserving the independence of the office's financial planning.*

Optional Clause for City Council Direction on Bylaw - Effective January 1, 2027, the budget shall be no less than ##% of the City's total annual operating budget.

For the 2026 fiscal year, the budget shall reflect a transitional provision and be no less than ##% of the City's total annual operating budget, recognizing the phased implementation of the Office's full operations.

13. ROLE CLARIFICATION The roles of the Integrity Commissioner and Ombudsman are distinct and governed by applicable statutes and by-laws. The Auditor General shall coordinate with these offices to ensure clarity of mandate and avoid duplication.

    Provides role clarity

14. IMMUNITY No action or proceeding shall be instituted against the Auditor General or staff for acts done in good faith in performance of their duties.

    Provides role independence and aligns to INTOSAI and Desautels report.

15. ENACTMENT This by-law shall come into force and take effect on the date of its passing.

BY-LAW NUMBER 131-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 28th day of July, 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. That subsection 1 of Section 20, of said by-law, is amended by adding the following:

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

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

a. Gross Floor Area – maximum 471.0 m^2

[ZDM 4; ZNG/7275]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	4	Lots 544 AND 545 on PLAN 973 and Part 21, Plan 12R23215 (located on the east side of Randolph Ave and north of Algonquin Street)	N/A	S.20(1)525

DREW DILKENS, MAYOR

CITY CLERK

By signing this by-law on July 28, 2025, Mayor Drew Dilkens will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

First Reading – July 28, 2025
Second Reading – July 28, 2025
Third Reading – July 28, 2025

Item No. 13.2

BY-LAW NUMBER 132-2025

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 28TH DAY OF JULY, 2025

Passed the 28th day of July, 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

By signing this by-law on July 28, 2025, Mayor Drew Dilkens will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

First Reading - July 28, 2025
Second Reading - July 28, 2025
Third Reading - July 28, 2025