

ACON 2025

October 17, 2025

TO THE MAYOR AND MEMBERS OF COUNCIL:

The **regular meeting** of Council will be held on **Monday, October 20, 2025 at 10:00 o'clock a.m., in the Council Chambers, 350 City Hall Square.**

A special meeting of Council will be held on **Monday, October 20, 2025, immediately following the regular meeting of Council, in Room 139, 350 City Hall Square.** Council will at the special meeting adopt a resolution to authorize Council to meet in closed session, and the resolution shall contain the general nature of the matters to be considered in the closed session. The resolution must be adopted by a majority of Council present during the open special meeting before the meeting may be closed. An agenda for this meeting is enclosed under separate cover.

A meeting of the **Striking Committee** will be held on **Monday, October 20, 2025, immediately following the in-camera meeting of Council,** in Room 139, 350 City Hall Square. A resolution to meet in closed session must be adopted and shall contain the general nature of the matters to be considered. The resolution must be adopted by a majority of Council present during the open special meeting of the Striking Committee before the meeting may be closed. An agenda for this meeting is enclosed under separate cover.

BY ORDER OF THE MAYOR.

Yours very truly,



Steve Vlachodimos

City Clerk

/bm

c.c. Chief Administrative Officer

Consolidated City Council Meeting Agenda

Date: Monday, October 20, 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
----	---

READING OF LAND ACKNOWLEDGEMENT

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

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

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

4.1.	Adoption of the Windsor City Council minutes of its meeting held September 22, 2025 (SCM 300/2025)
------	--

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

Proclamations

"Foster Parent Appreciation Week" – October 19 to 25, 2025

"Child Care Worker and Early Childhood Educator Appreciation Day" – October 21, 2025

"Flag Raising Ceremony

"Hungarian Heritage Month" – October 22, 2025

"Lebanese Heritage Month" – November 3, 2025

Illuminations

"National Disability Employment Awareness Month" – October 16, 2025

"Lebanese Heritage Month" – November 3 to November 5, 2025

6. **COMMITTEE OF THE WHOLE**

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

7.1 Correspondence 7.1.1. through 7.1.7. **(CMC 14/2025) (previously distributed)**

Clerk's Note: Item 7.1.8 – Correspondence Item **(attached)**

No.	Sender	Subject
7.1.8	Ontario Land Tribunal (OLT)	Letter from the Ontario Land Tribunal in reference to Case OLT-25-000503, an appeal regarding Minor Variance and Consent for 2439 Norman Road. Administrative Lead: City Solicitor Z2025 Note & File

7.2. Ad hoc Committee of Council - City Wide **(C 118/2025) (previously distributed)**
*Author: Luigi Congi, Executive Initiatives Coordinator (See also **REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS** section.)*

Clerk's Note: A request for deferral of this item to a future meeting of Council as a regular business item has been requested to allow for public delegations. (See **attached** request from Darcie Renaud, Area Resident)

7.3. Audited Consolidated Financial Statements for Windsor Business Improvement Areas for 2024 -Wards 2, 3, 4, 5 & 6 **(C 128/2025) (previously distributed)** *Author: Cristina Stanis, Senior Tax Analyst*

8. **CONSENT AGENDA (previously distributed)**

8.1. 2025 Municipally Significant Event Status, Ward 3 **(C 135/2025)** *Author: Samantha Magalas, Assistant Manager, Recreation Programming*

8.3. Municipal Support Resolution - Independent Electricity System Operator (IESO) Long Term 2 (LT2) RFP, ABP Power Specialties Ltd. - Ward 9 **(C 117/2025)** *Author: Branislava Cesljarov, Supervisor, Environmental Sustainability and Climate Change*

CONSENT COMMITTEE REPORTS

- 8.4. Rezoning Application - 4325-4445 Cabana Rd E - Z-018/25 [ZNG/7315] - Ward 9
(SCM 319/2025) (S 109/2025) Author: Adam Szymczak, Senior Planner - Development
- 8.6. Joy Road Sanitary Sewer - Oversizing - Ward 9 **(SCM 320/2025) (S 117/2025)** Author: Shannon Mills, Technologist III
- 8.7. Part Closure of east/west alley located between Seventh Street and Eighth Street, SAA-7320 - Ward 1 **(SCM 321/2025) (S 115/2025)** Author: Brian Nagata, Planner II - Development Review
- 8.8. Minutes of the International Relations Committee of its meeting held September 5, 2025
(SCM 322/2025) (SCM 293/2025)
- 8.9. Report No. 59 of the International Relations Committee **(SCM 323/2025) (SCM 297/2025)**
- 8.10. Minutes of the Active Transportation Expert Panel of its meeting held June 12, 2025
(SCM 301/2025) (SCM 236/2025)
- 8.11. Minutes of the Environment & Climate Change Advisory Committee of its meeting held July 17, 2025 **(SCM 302/2025) (SCM 262/2025)**
- 8.12. Minutes of the Transit Windsor Working Group of its meeting held August 13, 2025
(SCM 303/2025) (SCM 286/2025)
- 8.13. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held July 9, 2025 **(SCM 304/2025) (SCM 289/2025)**
- 8.14. Diaper Disposal Program Alternatives – City Wide **(SCM 305/2025) (S 110/2025)**

Clerk's Note: Administration is providing the **attached** additional information memo **(AI 23/2025)** Author: Jim Leether, Senior Manager, Environmental Services
- 8.15. Response to CR11/2025, CQ 1-2025 and CQ 2-2025 - Traffic Impact Analysis of Greenfield and Infill Developments – City Wide **(SCM 306/2025) (S 112/2025)** Author: Chris Gerardi, Engineer II
- 8.16. Response to CQ 45-2024 – Traffic Flow Status – City Wide **(SCM 307/2025) (S 113/2025)** Author: Ian Day, Senior Manager, Transportation

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

- 7.2. Ad hoc Committee of Council - City Wide **(C 118/2025)** *(previously distributed)*
Author: Luigi Congi, Executive Initiatives Coordinator

Clerk's Note: A request for deferral of this item to a future meeting of Council as a regular business item has been requested to allow for public delegations. (See **attached** request from Darcie Renaud, Area Resident)

10. PRESENTATIONS: (10 MINUTES) (previously distributed)

- 10.1. Auditor General Communication Regarding: 2026 Budgetary & Governance Scenarios Considered; 2026 Work Plan Proposal; and 2026 Risk Assessment **(SCM 316/2025)**
- a) Christopher O'Connor, The Corporation of the City of Windsor's Auditor General (in person)
- 10.2. Auditor General Follow-Up on July 28, 2025 Report – Auditor General Report Regarding Comparator Research and Recommendations (Standards, Budget, Allocation) **(SCM 312/2025)**
- a) Christopher O'Connor, The Corporation of the City of Windsor's Auditor General (available for questions)
- 10.3. Auditor General Follow-Up on July 28, 2025 Report – Auditor General Report Regarding Comparator Research and Recommendations (Fraud & Waste Governance and Policy) **(SCM 313/2025)**
- a) Christopher O'Connor, The Corporation of the City of Windsor's Auditor General (available for questions)
- 10.4. Auditor General Report Regarding Council's Alignment with IIA Essential Conditions **(SCM 314/2025)**
- a) Christopher O'Connor, The Corporation of the City of Windsor's Auditor General (available for questions)

DELEGATIONS: (5 MINUTES)

- 8.2. Municipal Support Resolution - Independent Electricity System Operator (IESO) Long Term 2 (LT2) RFP, Riverside Cogen LP - Ward 4 **(C 132/2025)** *Author: Branislava Cesljarov, Supervisor, Environmental Sustainability and Climate Change*
- a) Matthew Lensink, CEO, CEM Engineering (in person)

- 8.5. ZBA Application - 619 Cabana Rd W - 2013-2025 [ZNG/7307] - Ward 1
(SCM 318/2025) (C 108/2025) *Author: Frank Garardo, Planner III – Policy & Special Studies*
- a) Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc., available for questions (via Zoom)
 - b) Anna Lanoszka, Area Resident (in person)
 - c) Dan Coccimiglio, Area Resident (in person)

Clerk's Note: The following written submission is **attached**:

- a) Dan Coccimiglio, Area Resident

11. REGULAR BUSINESS ITEMS (Non-Consent Items) (previously distributed)

- 11.1. A By-Law to Establish the Mandate and Responsibilities of the Auditor General - City Wide **(C 133/2025)** *Author: Luigi Congi, Executive Initiatives Coordinator*

Clerk's Note: P&C memo provided to Mayor and members of Council only.

- 11.2. Connecting Links Program Intake 2026-2027 Grant Funding - Huron Church Road - City Wide **(C 134/2025)** *Author: Wayne Roy, Asset Coordinator*
- 11.3. Proposed Partial Expropriation of 378 Brock Street (Parking Lot) - Ward 2 **(C 136/2025)**
Author: Aaron Farough, Senior Legal Counsel

Clerk's Note: This item must remain as a Regular Business item as Council would be the approving authority under the *Expropriation Act*.

- 11.4. Surplus Declaration and Sale Authorization – 3026 Sandwich Street – Ward 2
(C 137/2025) *Author: Stephanie Allen Santos, Coordinator of Real Estate Services*

Clerk's Note: P&C memo provided to Mayor and members of Council only.

12. CONSIDERATION OF COMMITTEE REPORTS (attached)

- 12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)
- 12.2. Report of the Special Meeting of Council – In-Camera of its meeting held September 22, 2025 **(SCM 327/2025)**

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

- 13.1 **By-law 158-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR355/2025, dated September 8, 2025.
- 13.2 **By-law 159-2025** - A BY-LAW TO ADOPT AMENDMENT NO. 196 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR356/2025, dated September 8, 2025.
- 13.3 **By-law 160-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR374/2025, dated September 22, 2025.
- 13.4 **By-law 161-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR372/2025, dated September 22, 2025.
- 13.5 **By-law 162-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR373/2025, dated September 22, 2025.
- 13.6 **By-law 163-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR354/2025, dated September 8, 2025.
- 13.7 **By-law 164-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.80 METRE NORTH/SOUTH ALLEY SOUTH OF MILLEN STREET, EAST OF LENA AVENUE, AND WEST OF HARRISON AVENUE, CITY OF WINDSOR, authorized by CR403/2024, dated September 23, 2024.
- 13.8 **By-law 165-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.80 METRE NORTH/SOUTH ALLEY SOUTH OF MILLEN STREET, EAST OF LENA AVENUE, AND WEST OF HARRISON AVENUE, CITY OF WINDSOR, authorized by CR403/2024, dated September 23, 2024.
- 13.9 **By-law 166-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE EAST/WEST ALLEY EAST OF THOMPSON BOULEVARD, SOUTH OF WYANDOTTE STREET EAST, AND WEST OF PRADO PLACE, CITY OF WINDSOR, authorized by CR230/2025, dated May 26, 2025.
- 13.10 **By-law 167-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE EAST/WEST ALLEY EAST OF THOMPSON BOULEVARD, SOUTH OF WYANDOTTE STREET EAST, AND WEST OF PRADO PLACE, CITY OF WINDSOR, authorized by CR230/2025, dated May 26, 2025.
- 13.11 **By-law 168-2025** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.60 METRE NORTH/SOUTH ALLEY NORTH OF WYANDOTTE STREET EAST, EAST OF CHILVER ROAD, SOUTH OF BRANT STREET AND WEST OF KILDARE ROAD, CITY OF WINDSOR, authorized by CR286/2025, dated July 14, 2025.

- 13.12 **By-law 169-2025** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.60 METRE NORTH/SOUTH ALLEY NORTH OF WYANDOTTE STREET EAST, EAST OF CHILVER ROAD, SOUTH OF BRANT STREET AND WEST OF KILDARE ROAD, CITY OF WINDSOR, authorized by CR286/2025, dated July 14, 2025.
- 13.13 **By-law 170-2025** - A BY-LAW TO EXPROPRIATE CERTAIN LANDS FOR THE PURPOSE OF MAINTAINING ACCESS TO THE ENTRANCE OF MACKENZIE HALL, see Item 11.3.
- 13.14 **By-law 171-2025** - A BY-LAW TO PROHIBIT VEHICULAR ACCESS TO THE EMERGENCY ACCESS BETWEEN PARKWOOD AVENUE TO KAMLOOMPS STREET EXCEPT FOR PEDESTRIANS, BICYCLES, UTILITIES OR AUTHORIZED EMERGENCY VEHICLES, authorized by CR210/2015, dated November 2, 2015.
- 13.15 **By-law 172-2025** - A BY-LAW TO ESTABLISH THE POSITION AND DUTIES OF THE AUDITOR GENERAL OF THE CITY OF WINDSOR, see Item 11.1.
- 13.16 **By-law 173-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 20TH DAY OF OCTOBER, 2025.

14. MOVE BACK INTO FORMAL SESSION

15. NOTICES OF MOTION

16. THIRD AND FINAL READING OF THE BY-LAWS

By-laws 158-2025 through 173-2025 inclusive

17. PETITIONS

18. QUESTION PERIOD (*previously distributed*)

- 18.1. Summary of Outstanding Council Questions as of October 10, 2025 (**SCM 324/2025**)
- 18.2. Outstanding Council Directives as of September 22, 2025 (**SCM 317/2025**)

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

Community Public Art Working Group
Tuesday, October 21, 2025
5:00 p.m., via Zoom

Windsor Licensing Commission
Wednesday, October 29, 2025
9:30 a.m., Room 140, 350 City Hall Square West

Environment, Transportation, and Public Safety Standing Committee - **CANCELLED**
Wednesday, October 29, 2025
4:30 p.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee
Sitting as the Transit Windsor Board of Directors
Wednesday, October 29, 2025
4:30 p.m., Room 140, 350 City Hall Square West

Development & Heritage Standing Committee
Monday, November 3, 2025
4:30 p.m., Council Chambers

Community Services Standing Committee
Wednesday, November 5, 2025
9:00 a.m., Council Chambers

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

21. ADJOURNMENT



Committee Matters: SCM 327/2025

Subject: Report of the Special Meeting of Council – In-Camera of its meeting held September 22, 2025

**SPECIAL MEETING OF COUNCIL – IN CAMERA
September 22, 2025**

Meeting called to order at: 4:05 p.m.

Members in Attendance:

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

Also in attendance:

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

Verbal Motion is presented by Councillor Mark McKenzie, seconded by Councillor Ed Sleiman, to move in Camera for discussion of the following item(s), adding Item 2:

Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i>, as amended
-----------------	---

- 1 **Property matter – sale of land, Section 239(2)(c)**
- 2 **Legal matter, advice subject to solicitor-client privilege – reconsideration of matter from July 28, 2025 in-camera, Section 239(2)(f) - ADDED**

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

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

Motion Carried.

Moved by Councillor Fred Francis, seconded by Councillor Mark McKenzie, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held September 22, 2025 directly to Council for consideration at the next Regular Meeting.

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

Motion Carried.

Verbal Motion is presented by Councillor Kieran McKenzie, seconded by Councillor Angelo Marignani,

that Rule 3.3 (c) of the *Procedure By-law, 98-2011*, BE WAIVED to allow for, the reconsideration without prior notice of an in-camera decision made on July 28, 2025 respecting a legal matter – advice subject to solicitor-client privilege.

The motion is put and is lost as 2/3 majority not attained.

In favour: Councillors Kieran McKenzie and Jim Morrison

Opposed: Councillors Fred Francis, Renaldo Agostino, Mark McKenzie, Ed Sleiman, Jo-Anne Gignac, Angelo Marignani, Gary Kaschak and Mayor Drew Dilkens.

2. That the verbal discussion regarding the reconsideration of an item from the July 28, 2025 in-camera meeting of Council respecting a legal matter – advice subject to solicitor-client privilege **BE NOTED AND FILED**.

Motion Carried.

Moved by Councillor Kieran McKenzie, seconded by Councillor Mark McKenzie,
That the special meeting of council held September 22, 2025 BE
ADJOURNED.

(Time: 4:22 p.m.)

Motion Carried.

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: October 14, 2025

CASE NO(S).:

OLT-25-000503

PROCEEDING COMMENCED UNDER subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Rafic Rizk
Subject:	Minor Variance
Description:	New lot with reduced minimum lot area for both lots
Reference Number:	A-050/25
Property Address:	2439 Norman Road
Municipality/UT:	Windsor/Essex
OLT Case No.:	OLT-25-000503
OLT Lead Case No.:	OLT-25-000503
OLT Case Name:	Rizk v. Windsor (City)

PROCEEDING COMMENCED UNDER subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Rafic Rizk
Subject:	Consent
Description:	New lot with reduced minimum lot area for both lots
Reference Number:	B-038/25
Property Address:	2439 Norman Road
Municipality/UT:	Windsor/Essex
OLT Case No.:	OLT-25-000504
OLT Lead Case No.:	OLT-25-000503
OLT Case Name:	Rizk v. Windsor (City)

Heard: September 04, 2025 by video hearing

APPEARANCES:**Parties**

Rafic Rizk

City of Windsor

Counsel

Mariana Samaan

Aaron Farough

**MEMORANDUM OF ORAL DECISION DELIVERED BY K. HEWITT ON
SEPTEMBER 04, 2025 AND ORDER OF THE TRIBUNAL**

[Link to Order](#)**INTRODUCTION**

[1] This Decision and Order arises from an appeal filed by Mr. Rafic Rizk (“Appellant”) pursuant to s. 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (“Act”), in respect of the refusal by the City of Windsor’s (“City”) Committee of Adjustment (“CoA”) of his applications for a Minor Variance and Consent, which sought to create two residential lots with frontages of 12.2 metres (“m”) and areas of 397–403 square metres (“m²”), seeking relief from the City’s Zoning By-law No. 8600 (“ZBL”).

BACKGROUND

[2] The properties subject to the applications are known as 2439 Norman Road and 0 Norman Road (“Subject Properties”) in a neighbourhood designated for low density residential use, in the urban boundary of the City.

[3] The Appellant applied to the County of Essex CoA for a Minor Variance and Consent to create two separate residential lots. After thorough review of the applications, the Planning staff for the City recommended support to both the Consent and Minor Variance applications and that it was their belief that it satisfied the four tests

for the variance and the consent to sever the lots, that they were consistent with the City's Official Plan ("OP") and the Provincial Policy Statement, 2024 ("PPS 2024").

THE HEARING

[4] The Appellant called Ms. Rita Jabbour, a Registered Professional Planner, to provide expert opinion evidence. Her qualifications are well documented within her Expert Witness Statement within the Book of Documents, marked as Exhibit 1.

[5] The City was represented by Mr. Aaron Farough, who was only there to respond to any questions from the Tribunal, and maintained the City's support of the applications as it was presented to the City's CoA.

[6] There were no requests for Party or Participant status. The Subject Properties are legally described as Plan 1157 Lot 24, 25 and PT Lot 26; PT CLSD ALLEY on Registered Plan 1157. The Subject Properties are zoned Residential District 1.1 ("RD1.1") on Zoning District Map 11 under the ZBL.

[7] The RD1.1 zoning district permits one single unit dwelling as a permitted use, and being subject to zoning provisions, including, but not limited to, a minimum lot width of 15 m and a minimum lot area of 450 m² under subsection 10.1.5 of the ZBL.

[8] The Appellant made applications for Consent and Minor Variance to the City's CoA for the purpose of a technical severance. This severance would have the effect of conveying a part of 0 Norman Road to 2439 Norman Road to correct the encroachment of an existing dwelling into the easterly side yard, and to convey parts of the closed alley (Part 3) from 2439 Norman Road to 0 Norman Road for the purpose of correcting the irregular shape of the lot.

[9] The Minor Variance application was required to recognize a reduction in the minimum lot width and minimum lot area for both lots.

[10] Ms. Jabbour was affirmed and her qualifications were highlighted for the Tribunal. In Ms. Jabbour's Expert Witness Statement, she maintained that she also agreed with the City's staff report in that both the Consent and Minor Variance should be granted with no conditions.

[11] Ms. Jabbour went further to state that, in her professional opinion, the variances maintain the general intent of the ZBL and are minor in nature. The variances are required to facilitate technical severance, which will correct an encroachment and will adjust an irregular lot shape. It was further stated that the variances are desirable for the appropriate use of the land, buildings, and structures, that they would not hinder the development or use of the other properties in the neighbourhood, and they would not have any negative impacts or detract from the character of nearby properties.

[12] Ms. Jabbour further contended that the Consent conforms with the OP, the PPS 2024, and the ZBL. Additionally, she stated that the Consent application is consistent with an orderly development pattern and the lot pattern in the neighbourhood.

[13] The Consent application will have the effect of supporting and facilitating residential redevelopment in an area designated in the OP for residential purposes, and therefore, provide for an adequate provision of a full range of housing.

[14] The Municipal Planner has recommended that the Consents be granted with no conditions. No further concerns were raised by other municipal departments, public agencies, or authorities.

THE FOUR TESTS

[15] Pursuant to s. 45(1) of the Act, an application for a minor variance may be granted if the following four tests are met:

1. The application maintains the general intent and purpose of the official plan;

2. The application maintains the general intent and purpose of the zoning by-law;
3. The requested variance is minor in nature; and
4. The requested variance is desirable for the appropriate development or use of the land, building, or structure.

ANALYSIS AND FINDINGS

[16] The Tribunal confirmed that counsel for the City was in agreement with the submitted Expert Witness Statement by Ms. Jabbour and that the City did in fact support the applications as submitted.

[17] The Tribunal agrees with Ms. Jabbour, in her assertions, that the applications pursuant to s. 45(1) of the Act does meet the four tests, and furthermore, that the Consent does in fact improve the Subject Properties in rectifying an irregular lot shape, while maintaining the integrity of the local neighbourhood.

[18] Based on the thorough review and evidence provided by the Planning Report, and Ms. Jabbour's expert statement, the Tribunal finds that the proposal maintains the general intent and purpose of the OP and ZBL, is minor in nature and is desirable for the appropriate development or use of the land.

[19] When evaluating a proposed consent, the Tribunal must ensure that the application meets the criteria outlined in s. 51(24) of the Act. This includes determining whether the proposed consent is premature or serves the public interest, whether it aligns with the official plans of the region and city, as well as applicable zoning by-laws, and whether the land is suitable for the intended purpose of subdivision. The Tribunal is satisfied that the proposed consent meets this criteria.

ORDER

[20] **THE TRIBUNAL ORDERS** that the appeal is allowed for both the Consents and the minor variance to the City of Windsor's Zoning By-law No. 8600 is authorized with no conditions.

"K. Hewitt"

K. HEWITT
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

From: Darcie Renaud < >
Sent: October 17, 2025 09:18
To: clerks <clerks@citywindsor.ca>
Subject: Request for Deferral of Item 7.2 (Ad hoc Committee of Council) to allow for delegates

Good morning,

Below you will find my submission requesting that Council defer item 7.2 on the October 20 agenda to allow for delegations and for verification of the May 26, 2025 meeting minutes.

Thank you

Darcie Renaud

Ward 1 Resident

Dear Mayor and Members of Council,

I am writing to request that item 7.2 on the October 20 agenda of Council regarding the striking of an ad hoc committee to review the City's Investment Policy be deferred and moved from the Communications section to a regular business item on the agenda of a future Council meeting. This would allow for public delegations, including my own.

In addition to allowing for delegations, a deferral is warranted because there is an inaccuracy in the adopted minutes from the May 26, 2025 Council meeting that has a direct bearing on this agenda item.

The motion passed by Council, as confirmed in the official meeting recording, was:

"That we (Council) strike an ad hoc committee consisting of 3 to 5 Councillors, with the support of the City Treasurer, to review the Investment Policy, including Section 3.2.7, portfolio limits and individual limits, and the recommendations that have been brought forward by the Auditor General, and report back to Council with recommendations."

However, the adopted minutes record the motion as:

"That Administration be directed to report back to Council with recommendations regarding the creation of a low-cost ad hoc committee to include 3 to 5 Councillors, with the support of the City Treasurer, to review the Investment Policy, including Section 3.2.7, portfolio limits and individual limits, and the recommendations that have been brought forward by the Auditor General."

This discrepancy is not clerical. It changes the substance of Council's decision from forming an ad hoc committee to requesting that Administration report back on whether such a committee should be created, leading directly to the report (item 7.2) before Council recommending that no committee be established.

If the minutes accurately reflected the motion as passed, any decision not to proceed with the committee would require a motion for reconsideration. Proceeding on the basis of inaccurate minutes would therefore implement a result that is inconsistent with Council's direction and may erode public confidence in the transparency and reliability of Council's official record.

I understand that inaccuracies and errors in meeting records can occur inadvertently and do not attribute intent to this discrepancy. Nonetheless, because the inaccuracy changes the direction of a Council decision

and has produced a contradictory report, it requires clarification and correction before any further action is taken.

In light of the above, I respectfully request that Council not receive or adopt the report at this time, and that this matter be referred back to the Clerk's Office to verify and correct the official record of the May 26 motion before any further action is taken.

Sincerely,

Darcie Renaud

Ward 1 Resident

Sent from my iPhone

619 Cabana Road West By-Law 8600 Section 91.10

A Precedent Setting Development via By-Law Relief

Presented by: Dan Coccimiglio Oct. 20th 2025

Introduction

- I'd like to thank Mayor Dilkens' leadership in changing Cabana to a Residential Corridor, and eliminating any potential for commercial development
- I come here today as an area resident with an engineering degree and someone that owns and operates a real estate development company with over 75,000 sq ft of holdings
- I'm hear to ask Members of City Council to reject the RD2.2 site specific rezoning application for 619 CRW with its requested lot width reliefs, and misguided lot area comparisons relating to over intensification.
- Also asking to challenge the design of site specific Section 91.10.
- Based on neighbourhood feedback, we are not opposed to the 475 Cabana Road West proposed development, with 12 units, reasonable intensification which fits the character of this beautiful neighbourhood.
- 619 Cabana does not conform with the purpose and intent of the City of Windsor OP, does not conform to good Zoning principles, and would set a harmful precedent of over-intensification on Cabana Road West being the first major re-development under a Corridor Designation.

Development and Heritage Standing Committee

- I'd like to thank Councillor Francis for his support at the Committee Meeting
- A circular argument was the basis of the approval at the Committee meeting
 - "This should be no surprise" as the Residential Corridor was already approved
 - ...but at the time the Residential Corridor was passed, it was mentioned that design and analysis of sites would be on a site specific basis.
 - Limited analysis and discussion occurred on how Section 91.1 was designed for this specific site by our Planning Department and why.
- I heard ADU Fear: This isn't a townhouse development. We shouldn't be creating site specific rules based on townhouse comparisons when the developer is clearly favoring a cheap and dense college style residence development.
- 18 units x 2 bedrooms (proposed) vs. 12 units x 3 bedrooms = 36 bedrooms either way
- I heard from Planning that limiting the number of dwellings from 18 to 12, would just make the developer move from two bedroom units to three bedroom units, so it didn't matter. Don't we believe that 3 bedroom units at the very least opens the door to these being rented by families?? Family Units would also reduce the number of vehicles at play.

Main Concerns around the Planning Departments

Section 91.1

- Creating Site Specific Designs which overstep Guiding Principles and Provincial Directives
- Section 91.1 allows for too many Max Dwellings (6) while incorrectly matching specifications from RD2.2
- We should be better protecting our Min Lot Widths and Min Lot Area specs
 - Significant reductions have been approved by Planning.
- No protection of existing neighbourhood street character by altering established lotting
- There are many OP Policies that aren't upheld that are detailed in my written submission

Zoning Issues: Min Lot Area Calcs and Max Dwelling Specs work together

- Section 91.1 proposes RD2.2 Design methodology designed for Max 4 dwellings. Amending the Max dwellings to 6 changes the design intention. How so...
- RD 2.2 - Minimum lot area is calculated via overall lot size
 - Max of 4 dwellings Specification to control intensification.
- Section 91.1 should not be approved as is, as these provisions are meant to work together hand in hand to control intensification.
- We have RD2.5 which is designed for the purpose of dealing with multiple dwellings of 5 or more.

Zoning Issues with 619 and Section 91.1: Min Lot Area

- So what would happen if this development was attempting to apply for the RD2.5 zoning bylaw similar to the past? Or if Section 91.1 adopted principles closer to RD2.5?
- The Min lot area calculation changes from an overall lot area to a Min lot area per dwelling and therefore, this development would severely fail the Lot Area Provision. Concludes over-intensification when analyzing the ratio of # of Dwellings to Lot Area.
- Full Lot Area=1991m² vs 2988m² (when calculated at 18x166m² per dwelling)
- Severed Lot Area Proposed = 626 m² (from PRR) vs 996m² (6x166m²) minimum
- The Lot Coverage Specification: passes because the units for this development are very small. This shouldn't be the only argument to determine that this isn't over intensification. (Total building footprint area / Total lot area) x 100%

Zoning Issues: Min Lot Width Relief

- RD2.2 Min Lot Width is designed for 18m and a Max of 4 dwellings.
RD2.5 Min Lot Width is designed for 20m and Over 5 dwellings
- There are ramifications to allowing Section 91.10 and the 619 application:
 - Min Lot Widths down to 15m is a large 25% reduction while increasing allowable units to 6
- Do we realize the impacts to lotting and street character such a reduction to this Roseland area will have?

Solutions for Section 91.1

- If Max of 4 dwellings, design 91.1 guidelines to follow intentions from RD2.2 for Min Lot Widths and Min Lot Areas
- If Max of 6 dwellings, design 91.1 guidelines to follow intentions from RD2.5 for Min Lot Widths and Min Lot Areas
- The above solutions limit the impact to lotting and street character for this precious Roseland neighbourhood while hopefully adding responsible units for families.

Housing That We Need

- Units of **650–750 sq. ft. are not family-oriented and will not provide the types of housing needed in this area.
- The Lot Coverage Specification passes because the units for this development are very small. This shouldn't be a major argument to determine if this development passes.
- Provincial Directive: 4 plexes (which would allow these units to be larger and family oriented) have less compatibility impacts than medium and high density proposals within existing neighbourhoods (Why are we going up to 6 dwellings in Section 91.1?)
- Provinces New Planning Policy Statement started Oct. 2024: Building up around Transit Hubs and Retail/Shopping Nodes – Neither are on Cabana Road West, thus REASONABLE intensification is justified
- Windsor Infill and Intensification Design Guideline April 2022 and June 2022:
 - 3.2: All development shall ensure excellence in design, be designed to achieve a high degree of environmental sustainability, and demonstrate high quality architectural detailing

OPA 159 – A 20 year vision

- Key findings in OPA 159 include:
 - There is concern that uncontrolled intensification can adversely impact the character of existing residential neighbourhoods within the City.
 - Low profile residential neighbourhoods should accommodate intensification that maintain their character and built forms

Official Plan vs. PRR Statements:

- OP Policy 3.2 – Growth Concept:
 - Policy: Encourages strong pedestrian orientations
 - Reality: This site plan does NOT contain STRONG orientations as the buildings are not frontage facing.

- OP Policy 6.1 – Goals:
 - Policy: 6.1.3 Housing suited to the needs of Windsor's residents.
 - Reality: With units sizes of 664 and 770sq ft, these rental units are not designed for the needs of our residents. These units will not create more housing for families like the application at 475 CRW will. These needs are contrary to the policy as the size dictates the market is for out of town students.

- OP Policy 6.5.3.4:
 - Policy: Council shall promote the infilling and consolidation of existing Mixed Use Corridors.
 - Reality: This infilling strategy is aggressive and not site suitable. 12 units is a compatible and reasonable infilling strategy as proposed by 475 CRW which has the same dimensions as 619.

Official Plan Issues:

OP Policy 6.5.3.8 – Design Guidelines:

OP Policy 6.5.3.8 /Massing Concerns – PRR States “The design and style of the proposed buildings will blend well with the scale and massing of the surrounding area.”

Reality: 3 buildings with the proposed tight lot width relief and small lot areas doesn’t achieve this.

Example: Massing at 475 as a comparison– the proposed 2 buildings with existing lot widths will blend well with the low profile scale and massing of the area, as deemed by Ms. Abbs herself in the 475 PRR application but doesn’t mention this in the 619 application.

OP Policy 6.5.3.8 (d) where possible, parking is located in the rear of the property to **encourage continuous building facades adjacent to the street;**

Reality: The buildings do not face Cabana Road West and hence do not adopt continuous building facades with strong charming street presence adjacent to the street as desired. This does not blend with the existing character of the surrounding area as the PRR application states.

PRR States in 6.5.3.8 – “Hence the proposed development will blend with the existing character of the surrounding area”.

Reality: Commercial style Flat Roofing, Over Massing extent, façade orientations which don’t face CRW, and lotting relief requested all contradict the blending of the existing character in an effort to over-intensify.

Official Plan Issues:

- OP Policy 8.7.2.3 – Built Form, infill development
- Goal is to maintain and protect the existing neighbourhood character. This is not designed to function as an integral and complementary part of this area's existing development pattern by not having regard for: (a) massing (f) position relative to the road (h) pattern, scale and character of development (i) exterior building appearance.
- The PRR states “The proposed development will be a natural integration of the established area.”
- Reality: According to the drawings, this is a complete clear cut, there natural integration proposal is to plant new trees and remove over 50+ years of natural growth. See “Tree Preservation Plan”
- (a) Massing – The PRR states “the proposed buildings will be limited to 3 storeys, which will blend well with the medium profile scale and massing of the existing surrounding area.”
- Reality: If the massing was consistent with the existing surrounding area, extreme lot width relief wouldn't be needed. The siting place of all 3 buildings is also inconsistent with existing area
- (f) Pedestrian Oriented Design: The proposal does not achieve a **pedestrian-oriented design**, unlike nearby applications such as 475 Cabana whereby the main entrances are oriented to the street sidewalk.

Official Plan Issues:

OP Policy 8.7.2.3 – Built Form, infill development

Continued:

- (h) Pattern, Scale and Character of Existing Development
- PRR states – “**the style of development will blend well** with the scale and massing of the existing medium profile surrounding area.”
- Reality: The proposed flat-roof design is inconsistent with the peaked roof character of the surrounding residential neighbourhood. Even though a peaked roof may increase the height of the overall building for nearby neighbours, it is the right thing to do to preserve existing character.
- See Urban Design Consultation by Sophia Diblasi (Appendix D), with the same concerns and references Section 2.3.2 of the Intensification Guidelines and OP Section 8.7.1.3
- (i) Architectural proportion
- PRR States - “the proposed visual effect of the relationship of the proposed development will blend well with the immediate area. The design will enhance the streetscape along the roadway.”
- Reality: This development does not blend well nor enhance this area.

PRR Section 6.1 Site Suitability Summary

- PRR States “6.1.1 Site Suitability “The land area is sufficient to accommodate the proposed development”.
- Reality: The site isn’t suitable and hence why the City needed to design Section 91.1 and the lot widths still aren’t suitable.
- PRR States “6.1.3 The proposal represents good planning.”
- Reality: It asks for aggressive intensification relief, it eliminates mature environmental buffers, introduces incompatible built forms, and harms pedestrian orientation by not containing road facing front doors
- PRR States “6.1.4 Natural Environment Impacts: The proposal does not have any negative natural environmental impacts.”
- Reality: Potentially removing 8 - 50-75 foot Norway Spruce Trees that are 50-70 years old has negative impacts.

Tree Canopy Elimination on Cabana Road West

- The Urban Tree Canopy Assessment Report 2020 indicates that the City needs to continue to plant, at a minimum, 2200 trees per year. One of the objectives of the City is to improve our Canopy Cover which is currently at 19%.
- PRR – 4.3.3 A Tree Survey and Preservation Plan. How protection and enhancement can coincide with the proposed development.
- Reality – A total of 16 trees were identified and only 3 small trees are on the plan to remain. This would include the loss of 8 mature Norway Spruces, each approximately 50–75 feet tall with a spread of 25–40 feet. No efforts here to maintain existing screening, privacy and environmental buffers for neighbouring residents.

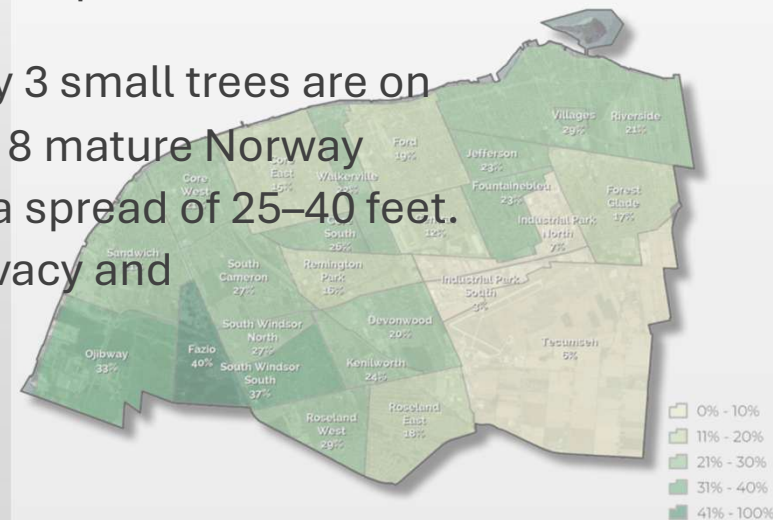


Figure 12. | Urban tree canopy in Windsor by IMS districts.

619 Cabana – Removal of 50+ year old Natural Screening Proposed



Conclusion

Based on the supporting documents submitted by the Applicant and the analysis performed in the submitted reports, it is the neighbourhoods opinion that the requested amendment to Zoning Bylaw 8600 via Section 91.1 is not consistent with the PPS 2024 and is not in conformity with the City of Windsor Official Plan. It represents uncontrolled intensification and undermines neighbourhood character.

For these reasons, I respectfully request that the rezoning application for 619 Cabana Road West at this point is denied and aspects of Section 91.1 are re-designed to meet intensification restrictions such as min lot widths and min lot areas.

Thank you all for your time and consideration.

Dan Coccimiglio