

City Council Meeting Agenda

Date: Monday, September 28, 2026

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

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

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

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Frazier Fathers

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
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READING OF LAND ACKNOWLEDGEMENT

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

3.	DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
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4.	ADOPTION OF THE MINUTES
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5.	NOTICE OF PROCLAMATIONS
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Proclamations

British Home Children's Day – September 28, 2026

National Disability Employment Awareness Month – October 2026

Windsor Fire Prevention Week – October 4 – 10, 2026

Windsor Regiment Week – October 19 – 25, 2026

Child Care Worker & Early Childhood Educator Appreciation Day – October 21, 2026

Flag Raising Ceremony

Franco-Ontarian Day – September 25, 2026

Windsor Regiment Week – October 19 – 25, 2026

Illumination

British Home Children's Day – September 28, 2026

National Disability Employment Awareness Month – October 15, 2026

6. COMMITTEE OF THE WHOLE

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

7.1. Correspondence Report for Monday, September 28, 2026 **(CMC 15/2026)**

7.2. Windsor Canada Utilities Ltd. 1st Quarter 2026 Financial Statements - City Wide **(C 115/2026)** *Author: Lorie Gregg, Executive Director, Financial Planning / Deputy Treasurer*

7.3. Auditor General 2026 Q3 Status Report **(SCM 303/2026)**

8. CONSENT AGENDA

CONSENT COMMITTEE REPORTS

8.1. Amendment to Sign By-law 250-2024 2595 Dougall Ave, SGN-001/25 (Proposed Electronic Changing Copy Billboard Ground Sign) - Ward 10 **(SCM 147/2026)** **(S 32/2026)** *Author: Sophia Di Blasi, Planner III – Senior Urban Designer*

Clerk's Note: Administration is providing the **attached** Additional Information memo **(AI 13/2026)** *Author: Sophia Di Blasi, Planner III – Senior Urban Designer*

8.2. Zoning By-law Amendment Application for 466 California Avenue, Z-014/26 [ZNG-7375], Ward 2 **(SCM 293/2026)** **(S 89/2026)** *Author: Brian Nagata, MCIP, RPP Planner III - Development (A)*

8.3. Amendment to Subdivision Agreement CE811195 regarding the properties known as 3586, 3592, 3597, 3598 SUTTON AVENUE; File No. SDN-002/26 [SDN/7381]; Ward 9 **(SCM 293/2026)** **(S 89/2026)** *Author: Justina Nwaesei, MCIP, RPP Planner III - Development*

8.4. Part Closure of Roseland Crescent East and Roseland Crescent West located east of Dougall Avenue and south of Cabana Road East, Ward 9, SAS-4182 **(SCM 295/2026)** **(S 78/2026)** *Author: Brian Nagata, MCIP, RPP, Planner III - Development (A)*

Clerk's Note: Administration is providing the **attached** Additional Information memo **(AI 12/2026)** *Author: Brian Nagata, MCIP, RPP, Planner III - Development (A)*

8.5. Closure of the east/west alley located east of Prado Place, south of Wyandotte Street East and west of Villaire Avenue, SAA-7255, Ward 6 **(SCM 296/2026)** **(S 95/2026)** *Author: Denise Wright, Manager Real Estate Services*

8.6. Closure of the north/south and east/west alleys located north of Vimy Avenue, east of Elsmere Avenue, south of Lens Avenue and west of Parent Avenue, SAA-7240, Ward 4 **(SCM 297/2026) (S 96/2026)** *Author: Denise Wright, Manager Real Estate Services*

8.7. Part Closure of north/south alley located between Highland Avenue and Howard Avenue, south of Shepherd Street East, SAA-7270 - Ward 3 **(SCM 192/2026) (S 52/2026)** *Author: Denise Wright, Manager Real Estate Services*

Clerk's Note: Administration is providing the **attached** Additional Information memo **(AI 14/2026)** *Author: Denise Wright, Manager Real Estate Services*

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS AND DELEGATIONS

PRESENTATIONS (10 MINUTES)

10.1. Windsor Regiment 90th Anniversary Presentation
a) Major Kyle Kellam & Master Warrant Officer Matthew Smith (in person)

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.1. Windsor-Canada Utilities Ltd. - Annual General Meeting - City Wide **(C 111/2026)**
Author: Josh Meloche, Senior Legal Council

11.2. OBCM Solve the Crisis Campaign – City Wide **(C 116/2026)** *Author: Doran Anzolin, Executive Initiatives Coordinator*

11.3. 825 Riverside Drive West, CBC/CKLW Building – Consideration of Notice of Objection and Heritage Designation By-law (Ward 3) **(C 88/2026)** *Author: Kristina Tang, MCIP, RPP Planner III-Heritage*

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)

12.2. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held July 7, 2026 **(SCM 275/2026)**

13. BY-LAWS (First and Second Reading)

- 13.1. **By-law 139-2026** – A BY-LAW TO AMEND BY-LAW NUMBER 139-2013, BEING A BY-LAW TO DELEGATE AUTHORITY TO THE CITY PLANNER TO APPROVE AND PROCESS CERTAIN APPLICATIONS UNDER THE PLANNING ACT AND PERMITS UNDER THE ONTARIO HERITAGE ACT, authorized by CR401/2026, dated September 14, 2026.
- 13.2. **By-law 140-2026** – A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR397/2026, dated September 14, 2026.
- 13.3. **By-law 141-2026** – A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR396/2026, dated September 14, 2026.
- 13.4. **By-law 142-2026** – A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, MUNICIPALLY KNOWN AS 825 Riverside Drive West, TO BE OF CULTURAL HERITAGE VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, see item 11.3.
- 13.5. **By-law 143-2026** – A BY-LAW TO AUTHORIZE THE DECOMMISSIONING OF A SEPTIC SYSTEM AND CONSTRUCTION OF A SANITARY PRIVATE CONNECTION LOCATED AT 1410 NORTHWAY AVENUE, IN THE CITY OF WINDSOR, AS A LOCAL IMPROVEMENT, authorized by CR 329/2023, dated August 8, 2023.
- 13.6. **By-law 144-2026** – A BY-LAW TO REGULATE NUISANCE INDOOR AND OUTDOOR ILLUMINATION IN THE CITY OF WINDSOR, authorized by CR 237/2026, dated June 8, 2026.
- 13.7. **By-law 145-2026** – A BY-LAW TO REGULATE THE FORTIFICATION OF LAND AND PROTECTIVE ELEMENTS APPLIED TO LAND AND TO PROHIBIT EXCESSIVE FORTIFICATION OF LAND AND EXCESSIVE PROTECTIVE ELEMENTS BEING APPLIED TO LAND WITHIN THE CITY OF WINDSOR, authorized by CR 237/2026, dated June 8, 2026.
- 13.8. **By-law 146-2026** – A BY-LAW TO PROVIDE VITAL SERVICES TO RESIDENTIAL TENANTS IN THE CITY OF WINDSOR, authorized by CR 237/2026, dated June 8, 2026.
- 13.9. **By-law 147-2026** – A BY-LAW TO ESTABLISH STANDARDS RESPECTING YARD WASTE & EXTERIOR PROPERTY MAINTENANCE AND TO PROHIBIT LITTERING IN THE CITY OF WINDSOR, authorized by CR 237/2026, dated June 8, 2026.
- 13.10. **By-law 148-2026** – A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR 237/2026, dated June 8, 2026.

- 13.11. **By-law 149-2026** – A BY-LAW TO ESTABLISH STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF ALL PROPERTY IN THE CITY OF WINDSOR, authorized by CR 237/2026, dated June 8, 2026.
- 13.12. **By-law 150-2026** – A BY-LAW TO ESTABLISH STANDARDS, REGULATIONS AND MAINTENANCE REQUIREMENTS FOR SWIMMING POOLS, THEIR ENCLOSURES AND EQUIPMENT, authorized by CR 237/2026, dated June 8, 2026.
- 13.13. **By-law 151-2026** – A BY-LAW TO PRESCRIBE THE HEIGHT AND DESCRIPTION OF FENCES IN THE CITY OF WINDSOR, authorized by CR 237/2026, dated June 8, 2026.
- 13.14. **By-law 152-2026** – 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 SEPTEMBER, 2026.

14. MOVE BACK INTO FORMAL SESSION

15. NOTICES OF MOTION

16. THIRD AND FINAL READING OF THE BY-LAWS

By-laws 139-2026 through 152-2026 inclusive

17. PETITIONS

18. QUESTION PERIOD

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

Environment, Transportation, and Public Safety Standing Committee - **CANCELLED**
Wednesday, September 23, 2026
4:30 p.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee
Sitting as the Transit Windsor Board of Directors
Wednesday, September 23, 2026
4:30 p.m., Room 140, 350 City Hall Square West

Community Public Art Working Group
Wednesday, September 23, 2026
5:00 p.m., via Zoom video conference

Windsor Accessibility Advisory Committee
Thursday, September 24, 2026
10:00 a.m., via Zoom video conference

Development & Heritage Standing Committee
Monday, October 5, 2026
4:30 p.m., Council Chambers

Community Services Standing Committee
Wednesday, October 7, 2026
9:00 a.m., Council Chambers

Age Friendly Windsor Working Group
Friday, October 16, 2026
9:00 a.m., Room 203, 350 City Hall Square West

City Council Meeting - **CANCELLED**
Monday, October 19, 2026
10:00 a.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee
Wednesday, October 28, 2026
4:30 p.m., Council Chambers

Environment, Transportation, and Public Safety Standing Committee
Sitting as the Transit Windsor Board of Directors
Wednesday, October 28, 2026
Immediately following the Environment, Transportation & Public Safety Standing
Committee meeting, Room 140, 350 City Hall Square West

Development & Heritage Standing Committee
Monday, November 2, 2026
4:30 p.m., Council Chambers

Community Services Standing Committee
Wednesday, November 4, 2026
9:00 a.m., Council Chambers

City Council Meeting
Monday, November 9, 2026
10:00 a.m., Council Chambers

21. ADJOURNMENT



Correspondence Report: CMC 15/2026

ATTACHMENTS

Subject: Correspondence for Monday, September 28, 2026

No.	Sender	Subject
7.1.1	Essex Region Conservation Authority (ERCA)	ERCA Draft Budget Consultation Notice Administrative Lead: Commissioner, Finance & City Treasurer EI2026 Note & File
7.1.2	Essex Region Conservation Authority (ERCA)	Resolution of ERCA Board – WLERCA Cost Apportionment Redistribution Administrative Lead: Commissioner, Finance & City Treasurer EI2026 Note & File
7.1.3	Deputy City Planner – Development	Application for Zoning By-law Amendment and Official Plan Amendment, 14493559 Canada Inc., 0 St. Luke Rd. & 0 Richmond St., to support the proposed draft Plan of Residential Subdivision on the subject lands. Administrative Lead: City Planner Z/15216 Note & File
7.1.4	Deputy City Planner – Development	Application for Zoning By-law Amendment, Atwan Development Inc., 4470 North Service Rd. E., to add a site-specific zoning provision to allow a Club and a Health Studio as additional permitted uses. Administrative Lead: City Planner Z/15209 Note & File

No.	Sender	Subject
7.1.5	Deputy City Planner – Development	Application for Zoning By-law Amendment and Official Plan Amendment, Saksham Sharma, 1356 Drouillard Rd., to allow the development of a semi-detached dwelling containing 4 proposed units. Administrative Lead: City Planner Z/15210 Note & File
7.1.6	Deputy City Planner – Development	Application for Zoning By-law Amendment, 2047337 Ontario Inc., 3105 Rankin Ave., to permit the development of a proposed semi-detached dwelling, severed along the common wall, containing 2 units each with an attached garage. Administrative Lead: City Planner Z/15212 Note & File
7.1.7	Deputy City Planner – Development	Application for Zoning By-law Amendment and Official Plan Amendment, Pittao Family Holdings & 391568 Ontario Ltd., 2415 Cabana Rd. E., to uniformly designate the site as a Mixed Use Centre and zoning to (CD3.6) to support the proposed development of 5 commercial buildings and 2 combined use buildings. Administrative Lead: City Planner Z/15220 Note & File
7.1.8	Deputy City Planner – Development	Application for Zoning By-law Amendment and Official Plan Amendment, Radical Capital Management Inc., 1880 Assumption St., to allow a change in building height and zoning from (MD1.4) to (CD2.2) to permit the development of a combined use building consisting of 204 dwelling units and commercial space, and a 3 level parking garage. Administrative Lead: City Planner Z/15214 Note & File


admin@erca.org

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Suite 311, Essex, ON N8M 1Y6

September 11, 2026

Town of Amherstburg

Town of Essex

Town of Kingsville

Town of LaSalle

Municipality of Leamington

Municipality of Lakeshore

Township of Pelee

Town of Tecumseh

City of Windsor

Attention: Municipal Clerks (for distribution)

RE: ESSEX REGION CONSERVATION AUTHORITY 2027 DRAFT BUDGET NOTICE TO MEMBER MUNICIPALITIES

Please find attached the 2027 Draft Budget for the Essex Region Conservation Authority (ERCA), which was approved for circulation by the ERCA Board of Directors at its regular meeting on September 10, 2026. This notice is provided in accordance with Ontario Regulation 402/22, including the draft budget consultation process and the notice requirements for the meeting at which apportionment amounts will be considered. ERCA invites member municipalities to provide feedback or comments, if any, prior to October 15, 2026. Should Administration receive further direction from the Board, revised materials will be circulated at the earliest opportunity.

The weighted vote on apportionment is scheduled for Thursday, November 12, 2026, at a meeting of the ERCA Board of Directors.

Should you have any questions regarding this 2027 Draft Budget, please feel free to contact Mr. Tim Byrne, tbyrne@erca.org or by phone 519-776-5209 ext. 350.

Thank you,

Tim Byrne
CAO/Secretary-Treasurer

Shelley McMullen
CFO/Director, Finance and Corporate Services

CC: Municipal CFO/Treasurer/Director of Finance

Attachments: ERCA 2027 Draft Budget, Discussion & Analysis

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READER'S NOTICE: BASIS OF 2027 BUDGET PRESENTATION

This companion budget package is intended to assist municipal Board members and participating municipalities with understanding the major financial drivers, the distinction between mandatory and non-mandatory programs, and the proposed municipal cost apportionment for 2027. It should be read together with the summary budget schedules and appendices, which provide detailed financial information supporting the narrative sections that follow.

In 2025, the Province enacted Bill 68, the Plan to Protect Ontario Act (Budget Measures), 2025 (No. 2), which amended the Conservation Authorities Act to establish the Ontario Provincial Conservation Agency (OPCA) and provide the legislative framework for the transition to a regional watershed-based conservation authority structure. In southwestern Ontario, the West Lake Erie Region Conservation Authority (WLERCA) will merge the Essex Region Conservation Authority, Lower Thames Valley Conservation Authority, St. Clair Region Conservation Authority, and Upper Thames River Conservation Authority, with consolidation anticipated to take effect on February 1, 2027.

The Province has requested that each conservation authority prepare its 2027 budget on the same basis as 2026 and have it approved by its existing Board of Directors before December 31, 2026. Accordingly, ERCA's 2027 budget is presented as a status quo, full-year budget, without incorporating transition costs, merger-related financial impacts, or potential changes to governance, staffing, service delivery, systems integration, assets, liabilities, reserves, or funding requirements.

Actual operations during 2027 may differ substantially depending on provincial implementation direction, transition timing, governance decisions, and the financial and operational requirements of the consolidated Authority. While consolidation planning and transition activities are expected to place additional demands on staff and governance resources during 2027, the financial implications of consolidation have not been quantified or included in this budget and will need to be addressed separately once further provincial direction, transition planning details, and implementation requirements are known.

CONSERVATION AUTHORITIES AND LEGISLATIVE BACKGROUND

In Ontario, Conservation Authorities develop and deliver local, watershed-based resource management programs on behalf of the Province and municipalities. Conservation Authorities are public sector organizations established by the Province and governed by the Conservation Authorities Act (Act), which is administered by the Ministry of Environment, Conservation and Parks (MECP).

Since its establishment by the Province in 1973, the Essex Region Conservation Authority (ERCA) has served its participating municipalities by providing local watershed-based programs, coordinating across municipal boundaries, and managing natural resources. Consistent with provincial budget direction, Administration is presenting 2027 budget information using the current ERCA structure and separating activities between mandatory and non-mandatory programs and services.

While the Authority delivers its programs through five service delivery areas, they are also further refined into sub-units, as presented in the Programs & Services sections below.

PRIMARY SERVICE DELIVERY AREAS

1. **Watershed Management Services** are identified as mandatory and ensure that development in the region progresses in a sustainable manner. Within this business unit, Development Services, Watershed/Water Resources Engineering, Flood Management/Flood Forecasting and Warning, and Watershed Planning are all identified as mandatory services. Geographic Information Systems services is delivered through Watershed Management Services and supports all mandatory and non-mandatory programs and services across the organization.
2. **Conservation Services** protects, restores, and manages natural heritage systems within ERCA's watersheds. Conservation lands management, passive recreation at conservation areas, and tree planting and restoration on conservation lands, are identified as mandatory services. Conservation Services identified as non-mandatory include land acquisition tree planting and restoration on private or municipal lands, and Holiday Beach Conservation Area operations.
3. **Water Quality Services** endeavors to improve the health of local watercourses. Source Water Protection is identified as a mandatory service and ensures local sources of drinking water are protected through the implementation of policies in the Source Protection Plan. Water quality monitoring to support the Provincial Water Quality Monitoring Network is also identified as mandatory, while other watershed science programs such as the more extensive and informative water quality monitoring and agricultural water quality programs fall under the non-mandatory category.
4. **Community Outreach Services** supports all business units of the Authority, through design and provision of communications collateral material including videos, signage, brochures and website content. Corporate communications, supporting mandatory activities, is identified as mandatory, while curriculum-based outdoor education, museum operations at the John R. Park Homestead and most outreach activities are non-mandatory. Community Outreach Services provides an essential link to external stakeholders.
5. **General/Corporate Services** provides leadership and management in the delivery of all programs and services. Administration and oversight are central to the successful functioning of the entire organization, through the office of the CAO, and services are categorized as General Services under Ontario Regulation 402/22. Corporate Services is organized into four program areas: Governance & Risk; Financial Services; Human Resources; and Information Management/Technology. Team members work collectively to ensure corporate compliance with multiple pieces of legislation and also provide support to the Foundation.

The following table presents the detailed categorization of the Authority's portfolio of programs and services:

Conservation Authorities Act 21.1 - Mandatory Programs & Services			
Risks of Natural Hazards	Conservation and Management of Lands Owned / Controlled	Water Quality/DWSP	General/Corporate Services
S.28 Regulations Permits Protection of new development and evaluating proposals for maintenance, upgrades, and repairs to existing development, for compliance with the Regulation S.39 Flood/Erosion Program Maintaining a regional flood forecasting contingency plan Watershed Engineering Stormwater Management reviews, hazards modelling and mapping, project management services to municipalities Planning – Risk of Hazards Review and input on long-range planning instruments (OPs, OPAs), coordination of watershed-scale studies.	CA Lands & Infrastructure Management (Forest Management, Biodiversity, Long Range Plans & Conservation Strategies) CA Lands & Infrastructure Maintenance (Operational day to day) CA Lands - Restoration of Natural Areas (Tree replacement, wetlands, etc.)	Drinking Water Source Protection Authority under the Clean Water Act (2006) Provincial surface and ground water monitoring programs (PWQMN and PGMN)	Corporate Governance, Board of Directors, Office of the CAO Risk Management & Legislative Compliance Finance, Budgets, Financial Statements Human Resources Information Systems / Records / Technology
	Climate Change – Risk of Hazards Consider impacts to regulatory, engineering, and planning related decisions with respect to natural hazards. This program is integrated into daily work activities	Municipal Water & Erosion Control (WECI) Projects (50% Municipal / 50% Province) Other municipal technical studies or infrastructure projects (100% municipally funded)	Corporate Communications
TRANSFERS TO INFRASTRUCTURE RESERVES – CONSERVATION AREAS ASSET REPLACEMENT			
TRANSFERS TO CORPORATE (ADMINISTRATIVE) RESERVES – LEGAL, HR, IT, ETC.			

Conservation Authorities Act 21.1 - Non-Mandatory Programs & Services			
Watershed Management Services	Conservation Services	Water Research	Community & Outreach Services
	Land Securement & Acquisition Acquisition Restoration - Non ERCA lands (fee for service or grant subsidized) Holiday Beach Management - Agreement 2001-2031	Ongoing Water Quality program, including monitoring sites, report cards, grant securement Special grant/term-limited research projects & studies Municipal Services provided through agreement (Risk Management Services Part IV CWA) Conservation Authorities Act 21.1.1	Educational programming - various CA locations General outreach, events and partnership engagement Other externally funded community engagement projects John R. Park Museum and Education Programs and Preservation of Heritage Buildings Essex Region Conservation Foundation

To enhance the reader's understanding of the Authority's programs and current funding mechanisms, and to respond to the Province's demand for funding transparency, ERCA Administration has provided additional analysis relating to non-mandatory programming through the identification of activities that require a degree of municipal support and those that are specific to term-limited special projects or fee-for-service activities and do not require municipal funds.

The budget for the five service delivery functions (departments), allocated between mandatory (in bold) and non-mandatory functions is highlighted below:

Figure 1 – 2027 Budget by Service Delivery Function with Mandatory and Non-Mandatory Expenses Identified-\$12.8M

2026 Budget by Service Delivery Area by Mandatory / Non-Mandatory Functions - \$13.7M

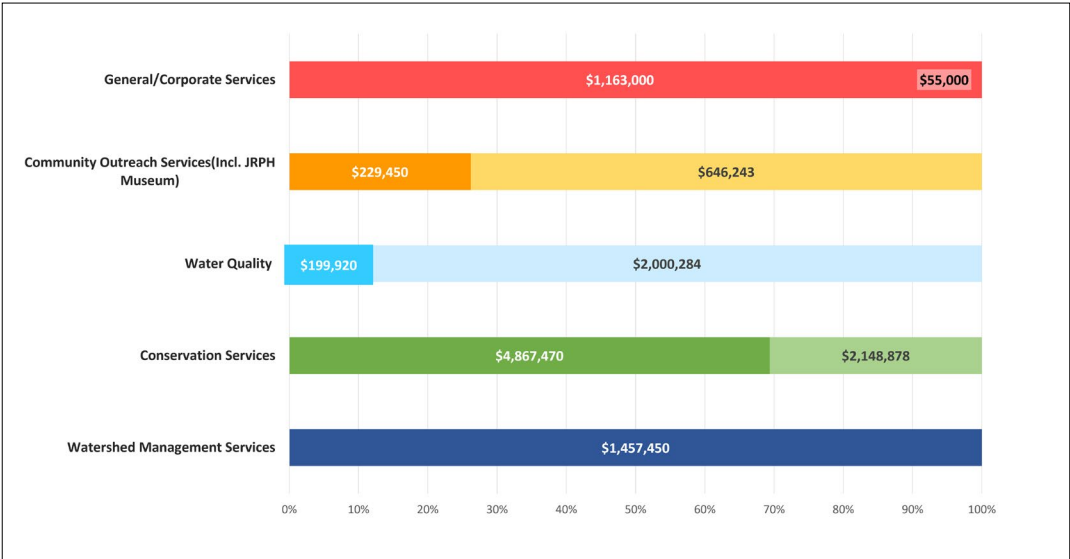
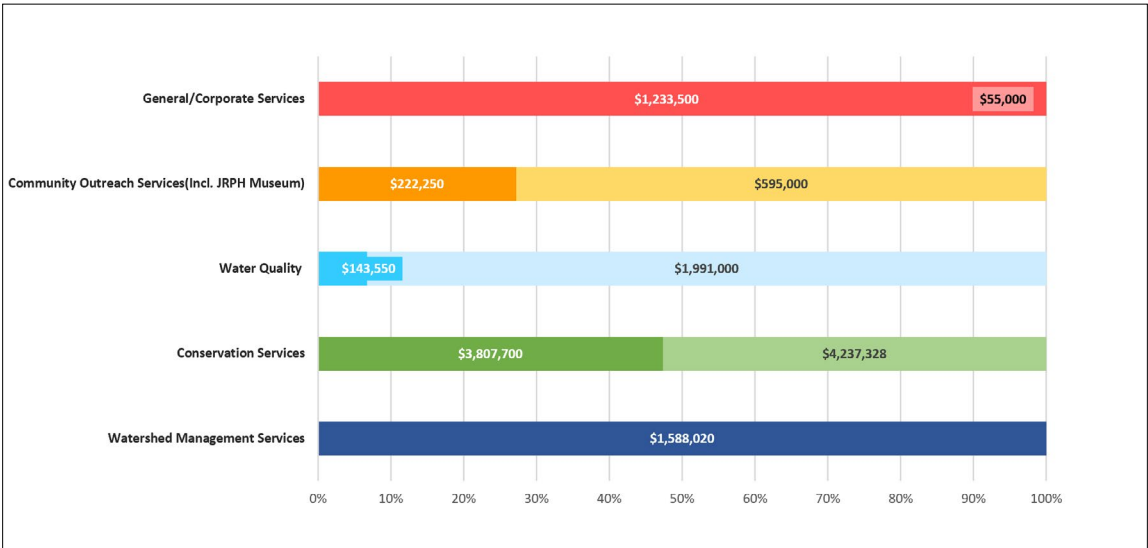


Figure 2 – 2026 Budget by Service Delivery Function with Mandatory and Non-Mandatory Expenses Identified-\$13.7M

2026 Budget by Service Delivery Area by Mandatory / Non-Mandatory Functions - \$13.7M



2027 Overview and Analysis

- While the net result of budget pressures, after mitigating items were considered, approaches \$67,000, an increase of 1.9% in mandatory cost apportionment, Administration and the Finance and Audit Advisory Board are recommending that it be offset with the accumulated surplus, to alleviate a source of budget pressure for its member municipalities.
- Year-over-year budget pressures for mandatory programs and services total \$545,930, while offsetting items included in the budget total \$563,280, resulting in a potential net decrease in mandatory cost apportionment of \$17,350; however, this decrease is notional because the 2026 budget accounted for a deficit of \$83,142.
- Non-mandatory budget pressures amount to \$220,600 and can be fully mitigated in 2027, resulting in no projected increase to non-mandatory cost apportionment. However, the municipal cost-apportioning agreements expire in 2027, creating a significant service-delivery risk for non-mandatory programs in 2028 and beyond.
- As in 2026, the 2027 draft budget prioritizes regular capital repairs and replacement of conservation areas' infrastructure, consistent with customary replacement cycles and preliminary asset condition reports for greenway infrastructure (bridges/culverts and trail surfaces). With the addition of the CASO trail, the infrastructure reserve will be under future pressure, when that trail is developed.
- The Authority's total adjusted operating and capital budget is projected to decrease from ~\$13.8 million to \$12.8 million. This includes mandatory operating expenses of just under \$4.9 million and mandatory capital expenditures of slightly more than \$2.5 million. The increase in capital projects relates to phased construction at Hillman Marsh.
- Non-mandatory expenses account for approximately \$4.8 million, a year-over-year budget decrease of \$1.8 million; however, this decrease relates to a multi-phase, large-scale restoration project on the Detroit River that is funded entirely by non-municipal sources, with construction primarily being undertaken in 2026.
- Municipal funds of \$3,119,283 are required to fulfil the Authority's mandated obligations in 2027 and non-mandatory cost apportionment of \$327,262 is required to maintain other core watershed programs, that operate on a recurrent annual basis. During the 2023 negotiations regarding the Cost Apportioning Agreements, several participating municipalities included an additional voluntary contribution to Clean Water~Green Spaces land acquisition and securement. The 2027 additional contributions of \$174k are included in the draft budget.
- Assuming a 0% increase, the operating budget of ~\$12.8 million would be funded with ~\$3.5 million in current year cost apportionment, \$8.2 million from non-municipal sources, \$292k from previous years' deferred revenues, \$544k from reserves and \$66k from the unrestricted accumulated surplus.
- The capital budget of \$2.5 million is projected to be funded through a transfer of \$528k from reserves and \$2 million from non-municipal sources
- Current value assessment in the Authority's jurisdiction has increased 1.63%, therefore the total cost apportionment would decrease by 35 cents per household, to \$21.60, if the cost apportionment is maintained at the 2026 level. It's worth noting that over the past ten years, CVA in the region has grown 25% while the household cost apportionment has declined by 10% during this time.

- Between 2020 and 2026, the local investment of levy and municipal special project funding attracted \$1.70 for every \$1 of municipal investment for all non-mandatory programs, special-term projects and capital projects. During that time, the Authority received \$10,684,410 in municipal levy and special-project funds for programs and projects categorized as non-mandatory under the Act, while \$18,135,955 in non-municipal funds supported those same initiatives. **The non-mandatory work relating to the water quality program has attracted more than \$11 from outside funding sources for every levy dollar invested into the program.**
- This budget reflects negotiated changes to 2027 wages and benefits as provided for in the collective agreement with CUPE Local 3784, as well as grid increases that are applied as service hours are completed. In total, the approximately 49 FTEs represent a slight decline from the 53 positions included in 2026, notably among staff positions supporting mandatory services. This reflects reduced permit application revenues, broader budgetary pressures, and a cautious approach to filling vacancies while consolidation planning continues and potential changes to organizational structure are clarified.

CHANGES TO LEVY/COST APPORTIONMENT AND PROCESS

The Authority entered into multi-year Cost Apportioning Agreements, prior to January 1, 2024 as legislated, with each of its participating municipalities. The planned consolidation of Authorities in 2027 will not impact the Agreements that expire at the end of 2027, as assets and liabilities of the predecessor Authorities transfer to the new regional Conservation Authority.

These agreements allow the Authority to cost apportion, in any given year and subject to other available funding, for a suite of non-mandatory programs and services, including:

- John R. Park Homestead museum operations and programming
- Restoration and tree planting on non-ERCA properties
- Water quality monitoring, research and watershed report cards
- Community outreach and engagement through tree planting days, cleanups and corporate volunteerism.

Additionally, five municipalities agreed to a voluntary contribution, specific to land acquisition and securement, and directed to the next iteration of the former Clean Water ~ Green Spaces program. These land acquisition contributions total \$171,488 for 2027.

YEAR OVER YEAR BUDGET PRESSURES AND MITIGATING MEASURES

Financial Pressures and Cost Drivers Mandatory Programs and Services

- Costs relating to human resources are the largest driver of the upward pressure on budget, including negotiated wage/grid increases and capacity shifts from special projects to mandatory programs. This totals approximately \$160k.
- Interest rates have declined and the Authority was benefitting from a high locked-in interest rate on a \$2 million GIC that matured in May 2026. The estimated impact is \$21k on revenues; however, the transfer to the infrastructure reserve will also be reduced.
- Budgeted permit application fees are further reduced by approximately \$54k, to reflect 2026 projected results.
- While an increase in property taxes is included, current and past CLIP applications are still being processed by the Province and that budget pressure could be eliminated.
- Certain transfers from deferred revenues and reserves have been eliminated but, in most cases, those are offset by reductions in the associated expenses (staff positions, legal expenses, equipment acquisitions etc.).

Mitigating Measures

- With the announcement of amalgamation of Conservation Authorities, the Authority has experienced attrition, primarily in the WMS department. With restrictions on hiring imposed by the Province, and the decline in permitting revenues, an engineering position will be left vacant. The AMP Coordinator position will also remain vacant, although it had not been filled.
- An increase in the transfer payment agreement for the Drinking Water Source Protection program is anticipated as the agreement will renew in April 2027, which will offset the increased expenses of the program.
- The reduction in expenses for corporate services reflect reduced FTEs, cost experience and adjustments to shared service recoveries based on 2026 expected results.
- Additional provincial grants in Conservation Services are included, to address Phragmites management, and will support staffing, supplies and subcontracting. Other revenues have been adjusted upwards to reflect recent experience.

Full details of increased costs and mitigating items related to mandatory programs and services are presented in the table below:

Table 1 - Budget Pressures and Mitigating Items - Mandatory and General (Administrative/Corporate) Programs & Services

2027 BUDGET PRESSURES MANDATORY AND GENERAL (ADMINISTRATIVE) PROGRAMS & SERVICES		
Item	Impacts	Estimated YoY Budget Change
Reduction interest revenues (lower rates)	Corporate Services	21,000
Reduce deferred revenue transfer related to 2026	Conservation Services	12,900
Reduce permit revenues	Watershed Mgmt Services	53,750
Increase wages for negotiated %/Grid/Pay Equity increases and staffing transfers from special projects	Watershed Mgmt Services	49,000
Reduce transfers from reserves/def revenues	Watershed Mgmt Services	25,650
Reduce transfers from reserves/def revenues	Conservation Services	38,700
Eliminate transfer from fleet/Equip't reserve	Conservation Services	73,000
Eliminate infrastructure transfer for AMP position	Conservation Services	67,000
Increase wages for negotiated %/Grid/pay equity increases	Conservation Services	40,100
Property taxes	Conservation Services	39,480
Decrease ERCF/other grants	Conservation Services	34,000
Adjust shared service allocations	Conservation Services	20,650
Increase FTEs for Source Protection Plan updates and deliverables	DWSP/WQ monitoring	57,700
Increase wages for negotiated %/Grid increases/allocations of support staff	Communications	13,000
		\$545,930

MITIGATING/OFFSETTING ITEMS- MANDATORY & GENERAL PROGRAMS & SERVICES

Item	Impacts	Estimated YoY Budget Change
Reduce FTEs (Watershed Resources Engineer)	Watershed Mgmt Services	130,000
Reduce legal, consulting & insurance	Watershed Mgmt Services	22,430
Adjust operating expenses	Watershed Mgmt Services	5,970
Increase corporate allocations/recoveries	Corporate Services	25,000
Reduce FTEs (HR Assistant)	Corporate Services	25,000
Reduce interest transfer to Infrastructure reserve	Corporate Services	20,000
Adjust IT expenses to reflect experience	Corporate Services	10,000
Adjust operating expenses to reflect experience	Corporate Services	15,500
Reduce FTEs (AMP Coordinator)	Conservation Services	104,460
Increase Provincial grants	Conservation Services	78,500
Increase fee for service revenues to reflect experience	Conservation Services	25,820
Reduce fleet/equip't acquisition	Conservation Services	36,000
Reduce operating expenses	Communications	5,800
Utilize deferred revenues	Communications	2,500
Increase transfer payment for DSWP program	DWSP/Prov WQ monitoring	54,970
Adjust operating expenses	DWSP/Prov WQ monitoring	1,330
		\$563,280
Reduction in budgeted deficit from 2026		-\$17,350

Financial Pressures and Cost Drivers Non-Mandatory Programs and Services

- The most significant budget pressure on non-mandatory programs is the potential reduction in government grants for discretionary tree-planting and restoration. In recent budget cycles, the focus remained on securing grants for Phragmites management, Hillman Marsh erosion mitigation and water quality. As previously noted, the Authority was retaining surpluses from non-mandatory program funds in deferred revenues to address future budget pressures and potential funding shortfalls.
- Other budget pressures arise from the JRPH museum and education program operations, with declining Partners in Sustainability revenues anticipated as most of the 5-year agreements have not been renewed, likely an additional consequence of the pending amalgamation and the perception that student education programs should not solely rely on donor dollars and should receive some level of municipal support.

Mitigating Pressures

- An enhanced drawdown of \$200,000 from the tree-planting deferred revenue account will be required in 2027, an increase of \$104,000 from the 2026 budget. Without new government grant approvals, the program will face a significant funding shortfall that would affect its viability and future service levels.
- It is anticipated that a small balance of Partners in Sustainability education program funding from the 5-year agreements which expired in 2025, will be transferred to 2027; however, this program will also be in jeopardy without an infusion of donor funds or reinstated municipal support.
- Savings in the non-mandatory water quality program can be re-directed to the JRPH museum operations and the \$25k levy allocation re-directed accordingly, from WQ to JRPH operations.

Table 2- Budget Pressures and Mitigating Items – Non-Mandatory Programs & Services

2027 BUDGET PRESSURESS / NON-MANDATORY PROGRAMS & SERVICES

Item	Impacts	Estimated YoY Budget Change
Decline in government grants/fees	Tree Planting	162,840
Return of staff from term grants	Outreach/Engagment	13,500
Increase in operating expenses	Outreach/Engagment	2,500
Decline in ERCF grants	JRPH	23,500
Decline in carryforward from previous year	JRPH	14,000
Increase in operating expenses	JRPH	4,210
		\$220,600

MITIGATING ITEMS / NON-MANDATORY PROGRAMS & SERVICES

Item	Impacts	Estimated YoY Budget Change
Operational savings- rental trucks, plant material	Tree planting	104,000
Increase in ERCF grants and user fees	Tree planting	58,840
Increase in ERCF grants and user fees	Outreach/Engagment	9,000
Utilize deferred revenues	Outreach/Engagment	7,050
Increase in program/fee for service revenues	JRPH	10,200
Wage savings related to substitution of contract staff for bilingual interpreter and allocation of wages to other programs	JRPH	6,510
Allocation of staff to WQ term grants	WQ Program	19,500
Utilize deferred revenues	WQ Program	5,500
Total mitigating items		\$220,600

Table 3 - Summary of Budget Pressures and Mitigating Items – Mandatory Programs & Services

Surplus/(Deficit) Summary by Department- Mandatory Programs and Services					
	2026 Budgeted Surplus/(Deficit)	\$ Pressures	\$ Savings/ Mitigating Items	YoY Chg Net Deficit	2027Budgeted Surplus/Deficit
Watershed Management Services	-\$58,500	-\$128,400	\$158,400	\$30,000	-\$28,500
Conservation Services	-12,242	-312,930	244,780	-\$68,150	-\$80,392
Water Quality	-5,100	-57,700	56,300	-\$1,400	-\$6,500
Communications	-22,300	-13,000	8,300	-\$4,700	-\$27,000
Corporate/General Services	15,000	-33,900	95,500	\$61,600	\$76,600
	-\$ 83,142	-\$ 545,930	\$ 563,280	\$ 17,350	-\$ 65,792

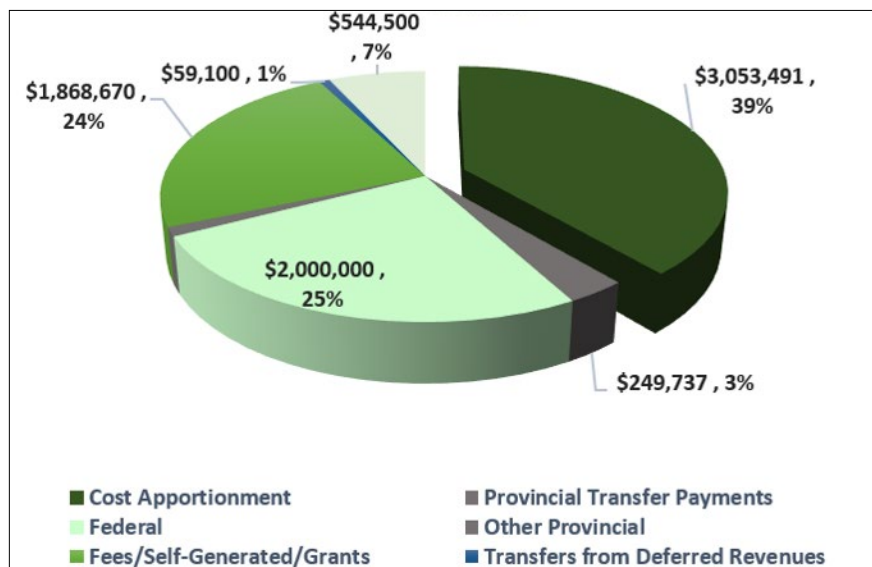
Table 4- Summary of Budget Pressures and Mitigating Items – Non-Mandatory Programs & Services

Surplus/(Deficit) Summary by Department- Non Mandatory Programs and Services					
	2026 Budgeted Surplus/(Deficit)	\$ Pressures	\$ Savings/ Mitigating Items	YoY Chg Net Deficit	2027 Budgeted Surplus/Deficit
Conservation Services	\$0	-162,840	162,840	\$0	\$0
Water Quality	\$0	0	25,000	\$25,000	\$25,000
Outreach and Public Engagement	\$0	-16,050	16,050	\$0	\$0
JRPH Museum/Education programs	\$0	-41,710	16,710	-\$25,000	-\$25,000
	\$ -	-\$ 220,600	\$ 220,600	\$ -	\$ -

Sources of funds for non-mandatory programs and services are depicted as follows:

Figure 3 - 2027 Projected Sources of funds - Mandatory Programs & Services

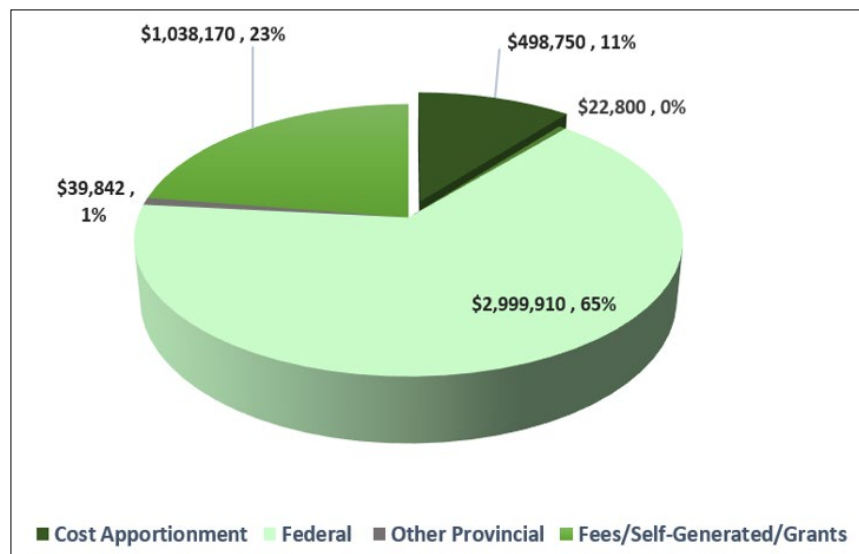
2027 Projected Sources of Funds - MANDATORY Programs & Services



Sources of funds for non-mandatory programs and services are depicted as follows:

Figure 4 - 2027 Projected Sources of Funds Non-Mandatory Programs & Services

2027 Projected Sources of Funds - NON-MANDATORY Programs & Services



COST APPORTIONMENT ANALYSIS AND DRAFT ALLOCATION

After determining operating costs and infrastructure requirements, Administration calculated required municipal cost apportionment funding of \$3,119,283 to fulfil the Authority’s mandated obligations. However, the cost apportionment will remain at the 2026 funding level to acknowledge the budget pressures facing participating municipalities. The proposed cost apportionment is presented below in Figure 5. The anticipated 2027 operating deficit of \$65,792 can be funded with the unrestricted accumulated surplus, which exceeded \$167,000 at the end of 2025 and is expected to grow to over \$200,000 by the end of 2026.

Mandatory Cost Apportionment

The Conservation Authorities Act and O. Regulation 402/22 Budget and Apportionment also make reference to General Programs and Services, defined as operating or capital costs that are not related to the provision of a program or service that an authority provides. These costs are specific to the administrative, governance, finance, HR, communications, and IS/IT requirements of the Authority and are to be allocated to its participating municipalities using the modified current value assessment method (MCVA).

Figure 5 - 2027 Proposed Cost Apportionment (Municipal Levies) Supporting Mandatory Programs & General Services - \$3,053,491

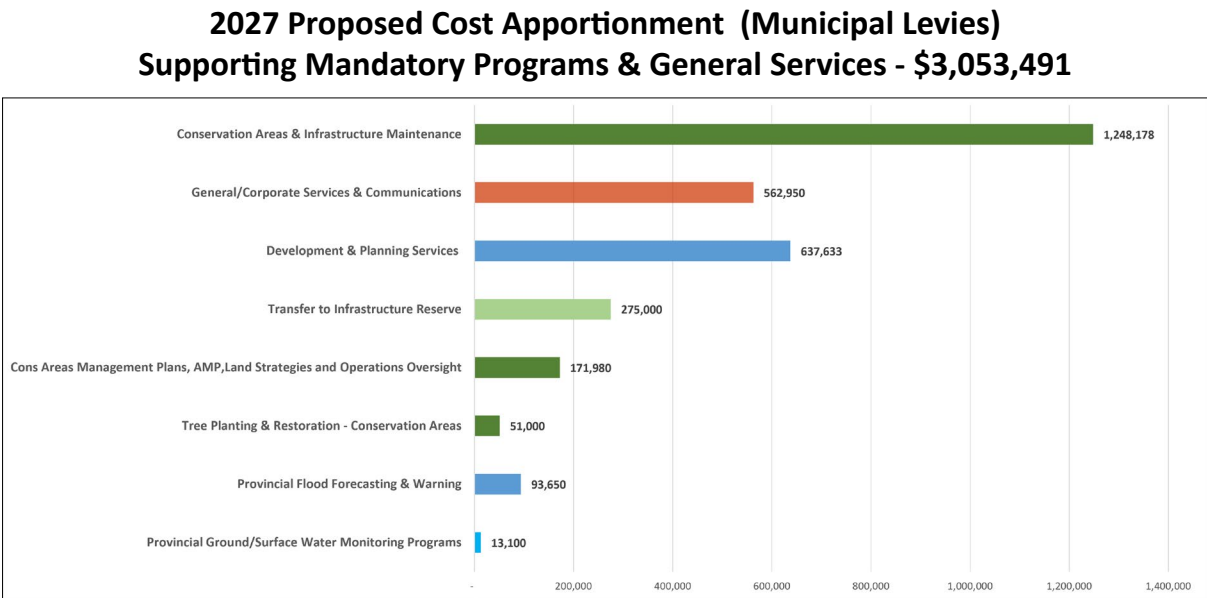


Figure 6 – Mandatory Cost Apportionment Comparison From 2025 to 2027

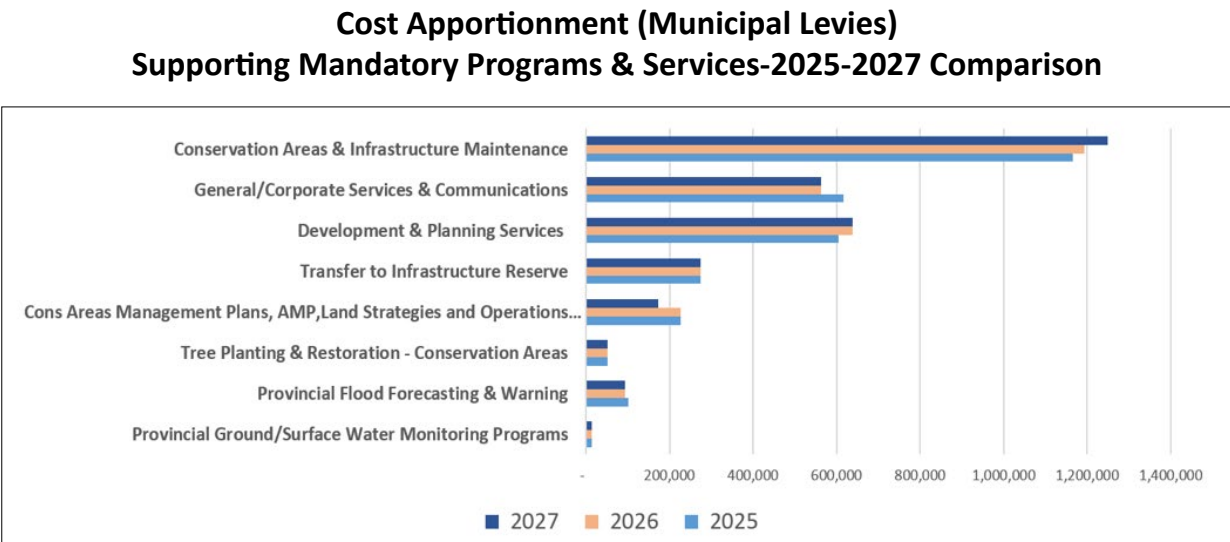
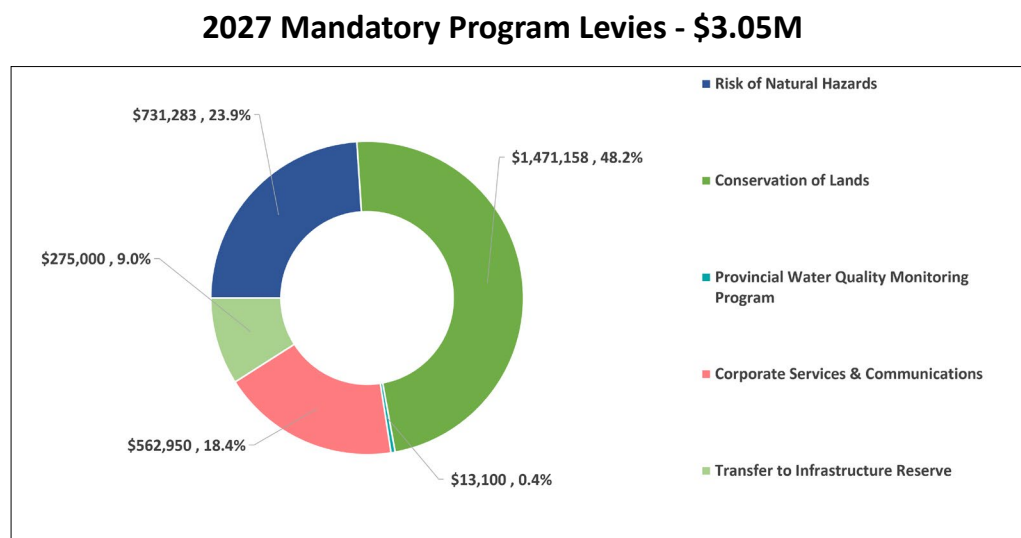


Figure 7 – Summary of Proposed Mandatory Cost Apportionment By Mandatory Programs Specified in Ontario Regulation 686/21



Non-Mandatory Cost Apportionment

Necessary municipal funding/cost apportionment associated with non-mandatory services (excluding voluntary land acquisition funds) totals \$327,262, representing only 20% of the cost to deliver the ongoing non-mandatory programs and services. While the non-mandatory cost apportionment supports a variety of programs including tree-planting, water quality monitoring, and community outreach, approximately 60% is required to support the operational needs of the John R. Park Homestead.

Over \$3 million is included in the 2027 budget, for term-limited projects, financed by a third party, or government funding, or fee-for-service contracts. These projects do not require municipal financial support and are excluded from municipal non-mandatory cost-apportioning agreements. When these large-scale term projects for restoration and water quality are included, **municipal funding accounts for only 10% of the total of the Authority’s non-mandatory programs and services.**

Figure 8 – Non-Mandatory Cost Apportionment Comparison From 2025 to 2027

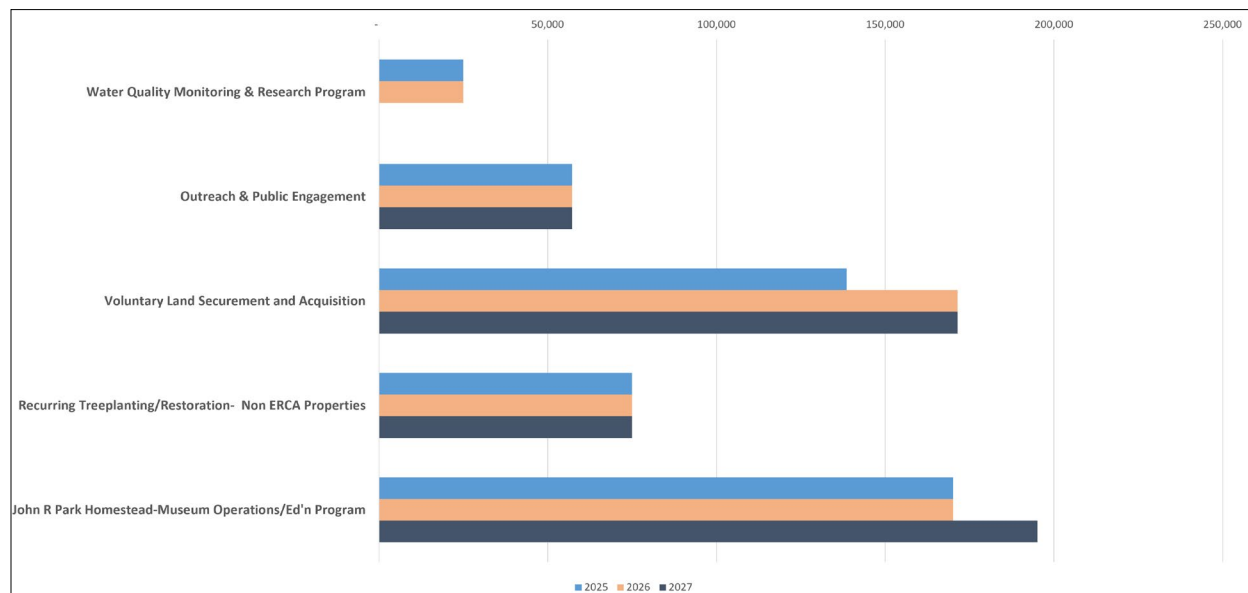
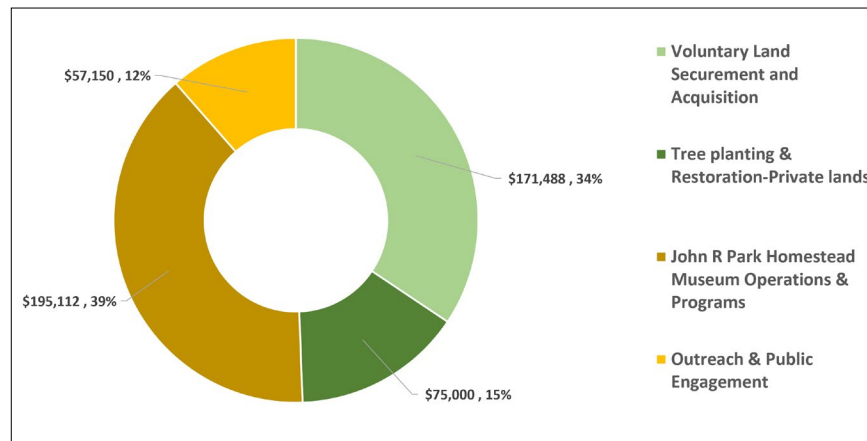


Figure 9 – Proposed 2027 Non-Mandatory Cost Apportionment By Cost Apportioning Agreement Categories

**2027 Proposed Cost Apportionment - \$327,262+ 171,488 (voluntary land acquisition)
- Non-Mandatory Programs & Services**



Cost Apportionment summary is as follows:

Table 5 – Cost Apportionment Comparison 2026 to 2027

COST APPORTIONMENT - MANDATORY PROGRAMS	2026	2027
CA Lands & infrastructure - operations & maintenance	\$1,193,178	\$1,248,178
Corporate services & Communications	562,950	562,950
Development Services & Planning Services	637,733	637,733
Transfer to Infrastructure Reserve/AMP	275,000	275,000
CA Lands & Infrastructure - management plans/strategies	226,980	171,980
Flood Forecasting & Warning	91,550	91,550
CA Lands -restoration/natural resource management	51,000	51,000
Provincial WQ monitoring program	13,100	13,100
Watershed Management Services special projects	-	-
	\$ 3,053,491	\$ 3,053,491

COST APPORTIONMENT - NON MANDATORY PROGRAMS	2026	2027
John R Park Homestead-Museum ops/school program	\$170,112	\$195,112
Restoration and Tree planting - non owned properties	75,000	75,000
Outreach & Public/Corporate Engagement	57,150	57,150
Water Quality - monitoring/research/reporting	25,000	0
	\$327,262	\$327,262
Land acquisition and securement (voluntary contributions starting in 2024)	\$171,488	\$171,488
	\$3,552,241	\$3,552,241
TOTAL COST APPORTIONMENT - MANDATORY & NON MANDATORY		
COST APPORTIONMENT - MANDATORY PROGRAMS REQUIRED UNDER SECTION 21.1	2026	2027
Conservation of Lands	\$1,746,158	\$1,746,158
Risk of Natural Hazards	731,283	731,283
Corporate/Shared Services & Communications	562,950	562,950
Drinking Water Source Protection & Prov WQ Monitoring	13,100	13,100
	\$3,053,491	\$3,053,491

INFRASTRUCTURE RISK AND REQUIRED FUNDING FOR REPAIRS / REPLACEMENT / PRESERVATION OF ASSETS

The greatest threat to the Authority's financial condition, with resulting implications for increased municipal funding, relates to the risk of infrastructure deterioration, specifically the magnitude of future financial obligations associated with required repairs/replacements of bridges, culverts and crossings for three greenways. While the infrastructure is most often associated with passive recreation, the Greenways provide connections to other municipal trail systems and may potentially serve as a viable alternate transportation corridor during major flood events. Since they are conservation lands, any maintenance or replacement is captured under the mandatory programs category. Notwithstanding, Administration always pursues non-municipal funding sources, to alleviate the requirement for local municipal funding.

During 2022, the Authority engaged a consultant to undertake an assessment of its Greenways bridges and crossings, excluding the newly acquired CASO rail trail. The preliminary report, indicates significant financial exposure, placing additional pressure on future budgets. Administration has been working with municipal staff to achieve bridge replacements at substantially lower costs than projected and will continue to recommend appropriate bridge replacements and upgrades that are both functional and economical, however the sheer volume will still have a profound impact on the asset management plan.

While the risk of infrastructure and facilities failure and obsolescence is an on-going concern at Holiday Beach, the Authority does not have ownership nor an easement over the property and is operating the property by way of a management agreement that expires in 2031. Significant investments were made over the past ten years, utilizing the infrastructure reserve, however site operations are recognized as non-mandatory. The Authority is not responsible for asset replacement and accounts for minor non-capital repairs and maintenance in the operating budget in accordance with the Provincial agreement.

RESERVE FUNDS (Appendix C)

The Authority maintains several reserve funds and this budget includes levy-funded transfers of \$275,000 to the general infrastructure reserve fund, an additional transfer of \$20,000 to the same fund, resulting from an interest allocation and a surplus-funded transfer arising from HBCA operations, to the HBCA maintenance reserve. Total transfers to reserves are projected to be \$297,500.

Accounting for the transfers from reserves of \$544,500 results in a net transfer from reserves of \$247,000. As detailed below, transfers from the infrastructure reserve total \$528,000.

Capital projects supporting mandatory programs are as follows:

Table 6: 2027 Capital Projects -Mandatory Programs & Services

Mandatory Projects	Total Cost	Funding from Infrastructure Reserve
Hillman Marsh coastal erosion rehabilitation	\$2,000,000	\$40,000
Collavino Conservation Area erosion mitigation	125,000	125,000
Greenway culverts/bridges replacement	160,000	160,000
Parking lot(s) resurfacing	98,000	98,000
Kopegaron boardwalk replacement (Phase 2)	53,000	53,000
Contingency for emergency infrastructure repairs	26,000	26,000
Greenway fencing/property securement	25,000	25,000
	\$2,528,000	\$528,000

HUMAN RESOURCES ANALYSIS

Compensation, including payroll taxes and benefits, is the Authority's largest category of expense, comprising 38% of the budget and 67% of the compensation expense is associated with mandatory services. In total, the approximately 49 FTEs represent a slight decline from the 53 positions included in 2026, notably among staff positions supporting mandatory services. This reflects reduced permit application revenues, broader budgetary pressures, and a cautious approach to filling vacancies while consolidation planning continues and potential changes to the organizational structure are clarified. There is a slight shift in conservation services staff to term projects as well, as phragmites management continues to be funded and another federal contribution is anticipated for natural areas property management.

Refer to Table 1 Budget Pressures for details of budget pressures related to human resources.

Table 7 - 2027 Compensation Analysis

	2027 BUDGETED WAGES	2026 BUDGETED WAGES	2026 PROJECTED WAGES
Total Wages & Benefits Mandatory/General Programs & Services	\$3,247,740	\$3,357,400	\$3,174,162
Total Wages & Benefits Non-Mandatory Programs & Services - Recurring	938,788	927,798	971,838
Total Wages & Benefits Non-Mandatory Term-Limited Special Projects + Category 2 Municipal Services	639,170	374,400	471,875
Total Wages & Benefits	\$4,825,698	\$4,659,598	\$4,617,875

Table 8 - Summary of Employee Full Time Equivalents

Service Delivery Area	2027 Mandatory	2027 Non-Mandatory Ongoing	2027 Non-Mandatory Term Project	2026 Mandatory	2026 Non-Mandatory Ongoing	2026 Non-Mandatory Term Project
Watershed Management Services	9.7			11		
Conservation Services	10.9	5.8	2.4	13.2	6	.4
Water Quality	1.5	.4	5	1.2	.7	5.1
Comm'ns/ Outreach/ Heritage programs	1.7	5.2	.1	1.7	6	.1
General/ Corporate Services	6.2	.4		6.2	.4	
Total FTEs	30.0	11.8	7.5	33.3	13.1	5.6

RETURN ON LOCAL INVESTMENT

Historically, the local investment of cost apportionment/levy and municipal special project funding has been matched dollar for dollar, and significantly exceeded for some programs. Between 2020 and 2026, the Authority received municipal funds of \$ 10.8 million, representing levy and special-project funds for programs and projects that are categorized as non-mandatory under the Act. During that time, non-municipal funds of over \$18 million were received supporting those very same initiatives, representing a 166% return on the local investment.

A 2024 report to Board, regarding the 20+-year investment in Clean Water~Green Spaces initiative, has highlighted that since 2003, ERCA has obtained \$15.2 million dollars in external funding, primarily from the Federal and Provincial Governments along with grants from non-governmental agencies (NGOs) and the Essex Region Conservation Foundation. During this same period, the municipal investment was \$14.8 million and financed the protection of vulnerable lands of ecological importance; the restoration of habitat and green spaces; and the improvement of water quality in the region.

Table 9 - Leveraged Funds Analysis-External Grant Funds (excludes self-generated revenues e.g. fees)

2020-2026 Sources of Funds - On going/Core Programs & Services	Mandatory	Non-Mandatory
Levies+ Municipal Special Project \$	\$19,779,750	\$6,040,404
Federal & Provincial Grants	3,461,932	2,058,941
Essex Region Conservation Foundation Grants	133,863	1,023,031
Other Non-Government Grants & Donations	49,150	930,118
Total available funds excluding fee for service revenue	\$23,424,695	\$10,052,494
Cost Apportionment/Levy to External Grants	\$1:\$1.18	\$1:\$1.66

2020-2026 Sources of Funds - Non Mandatory Term Limited Special Projects	Mandatory	Non-Mandatory
Levies+ Municipal Special Project \$		\$3,105,270
Federal & Provincial Grants		10,748,494
Essex Region Conservation Foundation Grants		326,226
Other Non-Government Grants & Donations		246,686
Total available funds		\$14,426,676
Levy to External Grants		\$1:\$3.65

For mandatory capital projects, which also support passive recreation, ERCA has attracted almost \$2, for every \$1 of local taxpayer investment, over the past seven years. Non-mandatory capital projects have also been supported with significant government and ERCF grants, as shown below:

Table 10 – Leveraged Funds Analysis Capital and Infrastructure Projects

2020-2026 Sources of Funds –Capital/Infrastructure Projects	Mandatory	Non-Mandatory
Levies + Municipal Special Project \$	\$1,742,637	\$1,538,736
Federal & Provincial Grants	2,771,001	1,411,487
Essex Region Conservation Foundation Grants	410,411	1,372,497
Other Non-Government Grants & Donations	103,750	18,475
Total available funds	\$5,027,799	\$4,341,195
Levy to External Grants	\$1:\$1.89	\$1:\$1.82

The Essex Region Conservation Foundation has provided almost \$3.4 million in funding, towards mandatory and non-mandatory programs and capital projects, since 2020, with substantial investment directed to the Fox Creek Conservation Centre, various greenway community entrances, restoration projects including Peche Island reefs, and recently, to the substantial repairs and restoration of the John R Park Museum and ancillary buildings.

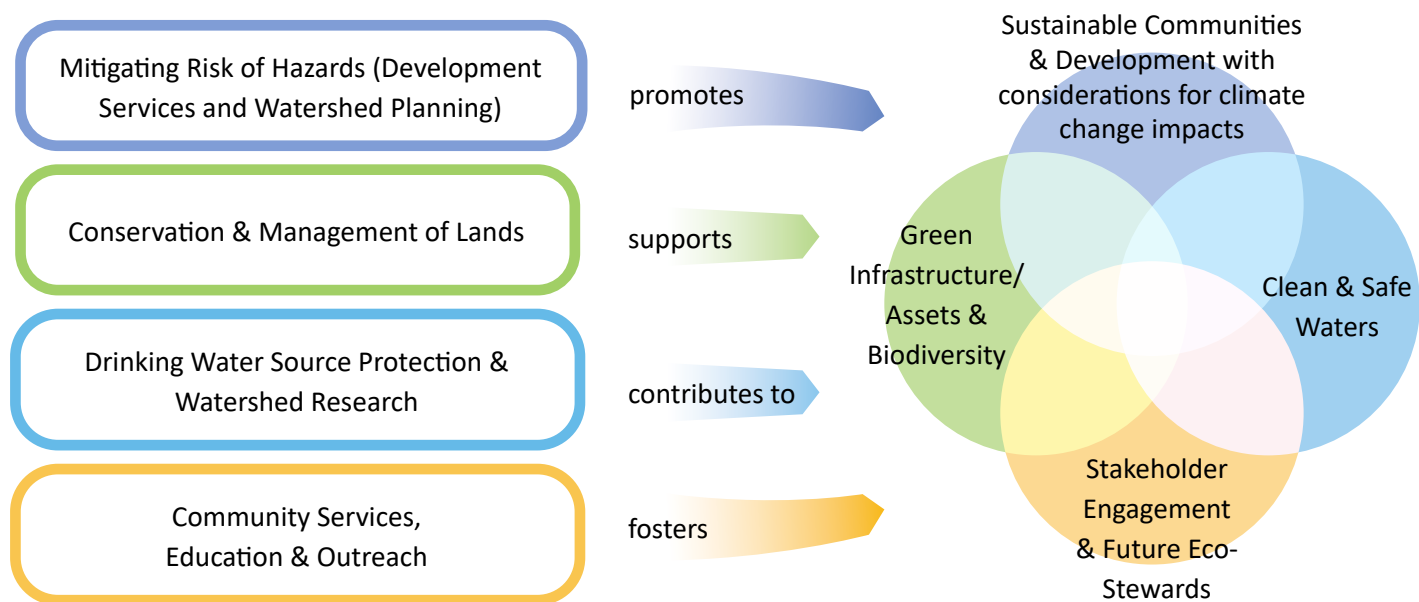
Integrated Watershed Management

As an integrated watershed management agency, ERCA's five service delivery areas have developed over decades, and include beneficial programs and services that support our collective shared objectives and goals, related to ecological, social, and economic health.

These programs were developed by and are implemented by recognized experts in civil/environmental engineering, environmental studies, watershed planning, forestry, biology, ecology, agronomy, water quality science, restoration, and natural resource management. ERCA works across all sectors and levels of government, to secure mission support and sustainable funding, in order to achieve the community's vision for our region.

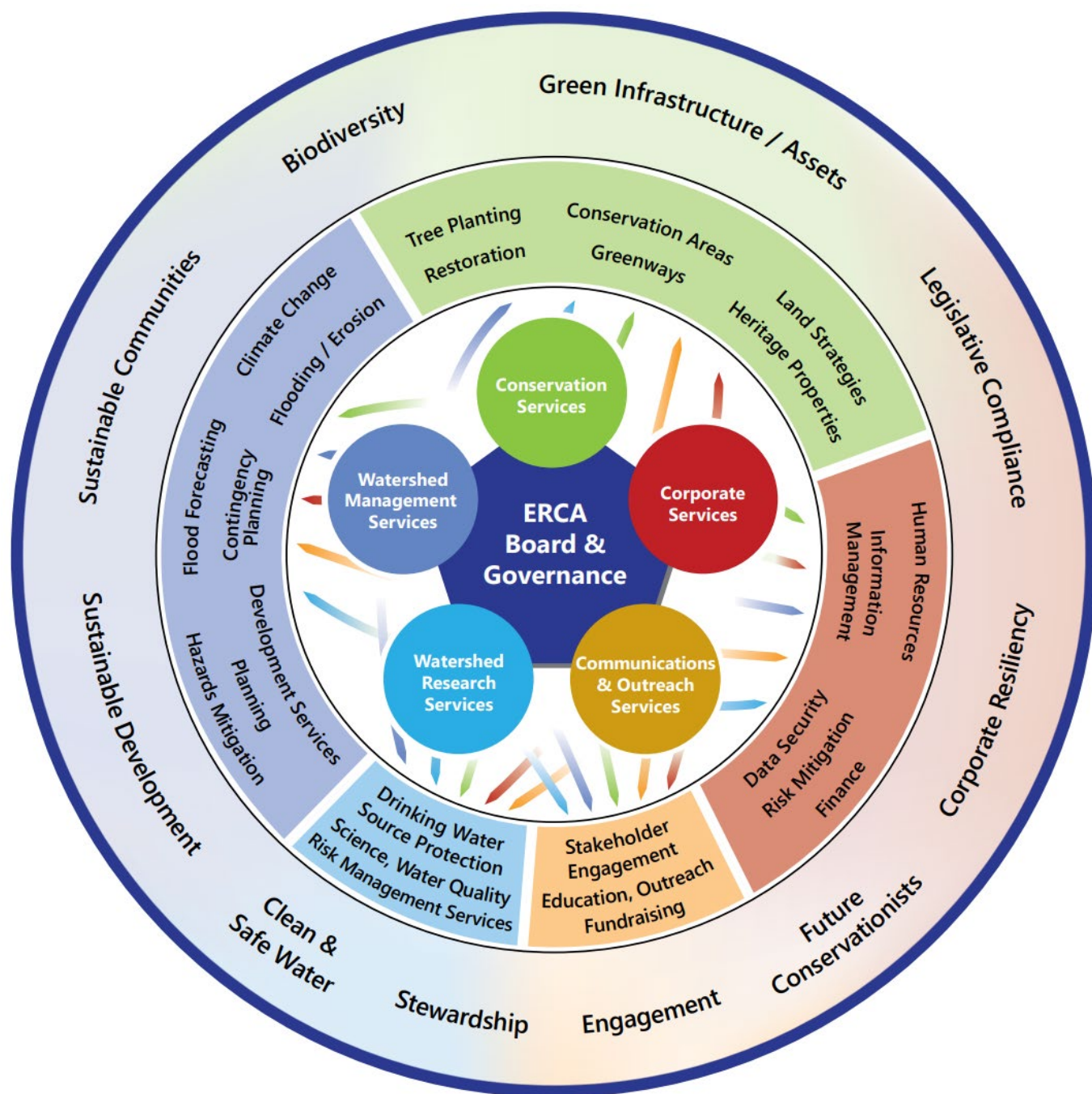
Recent changes to the Conservation Authorities Act confirmed core and the mandatory functions of conservation authorities including: mitigating risks of natural hazards; conserving and managing lands, for heritage, hazards and passive recreation; drinking water source protection; and surface water and groundwater monitoring. To continue to be relevant and to serve the residents of this region, ERCA should be delivering, and can continue to deliver the ancillary programs and services that impact the overall well-being, health and safety of the region and its citizens. The beneficial programs that are now categorized as non-mandatory, have attracted government and other grants of \$1.20 for every local taxpayer dollar since 2018, with some programs attracting almost \$11 per \$1 of municipal support.

While it is convenient to organize business functions by service delivery areas and additionally, they align with Provincial categories, each of ERCA's programs support environmental objectives, embraced by all:



ERCA delivers programs consistent with the objects of Conservation Authorities, as defined in the Conservation Authorities Act and is committed to delivering the non-mandatory local natural resource programs and services, in consultation with its participating municipalities and with their valued financial support, though the negotiated cost apportioning agreements.

PROGRAM INTEGRATION MODEL



The Integrated Watershed Management approach requires an understanding of the interactions between our environment, the economy, and society. At the core of everything that ERCA does to better understand, preserve, and enhance our region, is ERCA's Board of Directors and our five key service areas. Through the Board's sound governance and oversight, along with Administration's efforts in delivering the various interconnected programs within these service areas, ERCA continues to gain a better understanding of our watershed. It is through this approach that ERCA will continue to protect our region's resources, people, and property, and address the escalating environmental challenges we face now and in the future. The Program Integration Model above demonstrates the linkages between each of the various programs and services, both Mandatory and Non-Mandatory, which are all crucial to achieving our region's objectives of a healthy, sustainable future for the residents of Windsor-Essex County and Pelee Island.

Service Delivery Areas

Operating Plan Highlights



Watershed Management Services

Watershed Management Services are identified as mandatory services and ensure that development in the region progresses in a sustainable manner, is directed away from natural hazards, while protecting existing development, water resources, and natural features that contribute to flood and erosion attenuation.

Watershed Management Services are delivered through three main programs:

- Development & Engineering Services (mandatory services)
- Flood Management/Flood Forecasting and Warning (mandatory services)
- Watershed Planning (mandatory services)
- Approximately 10 FTEs to deliver these services

Figure 10 – Mandatory Watershed Management Programs By Function

Mandatory Watershed Management Programs & Services - \$1.45M

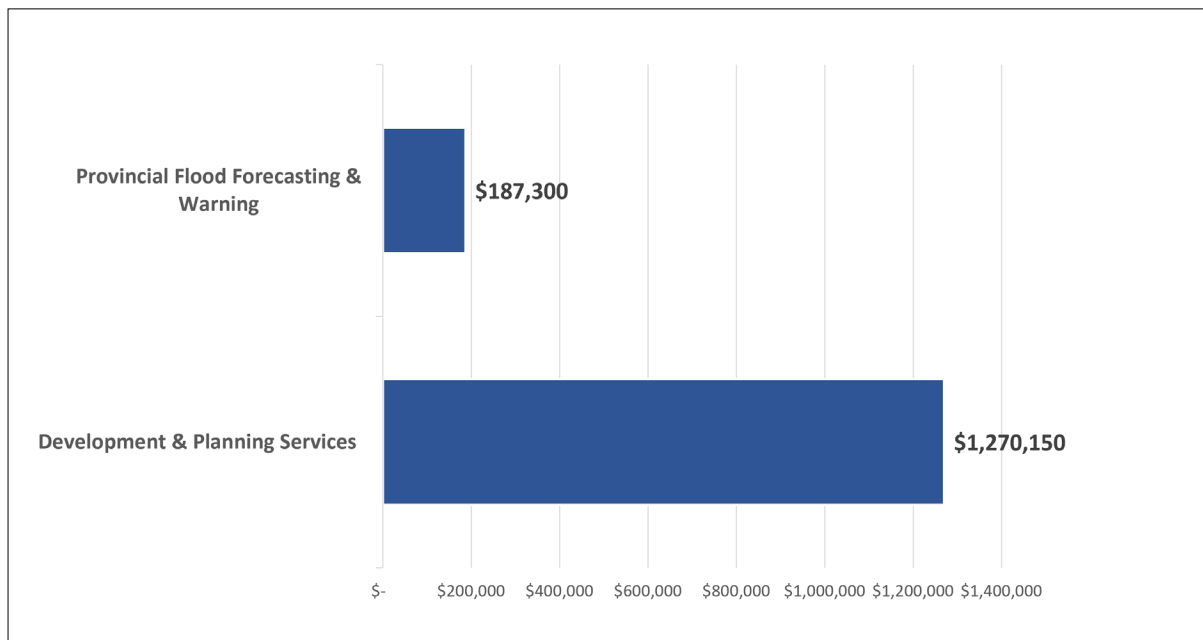


Figure 11 – Sources of Revenues -Mandatory Watershed Management Programs

2027 Watershed Management Services - MANDATORY Revenue Sources - \$1.46M

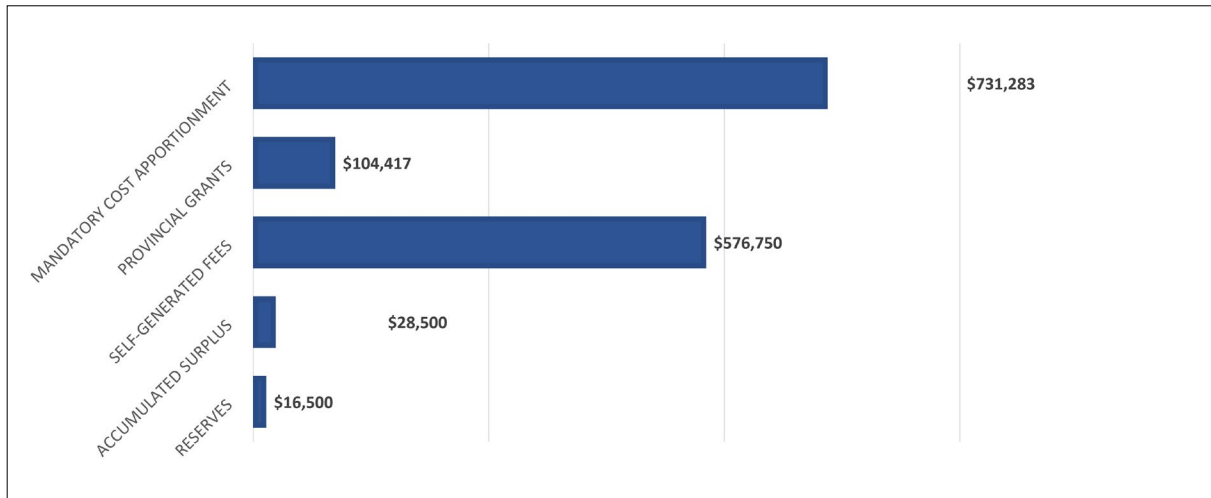
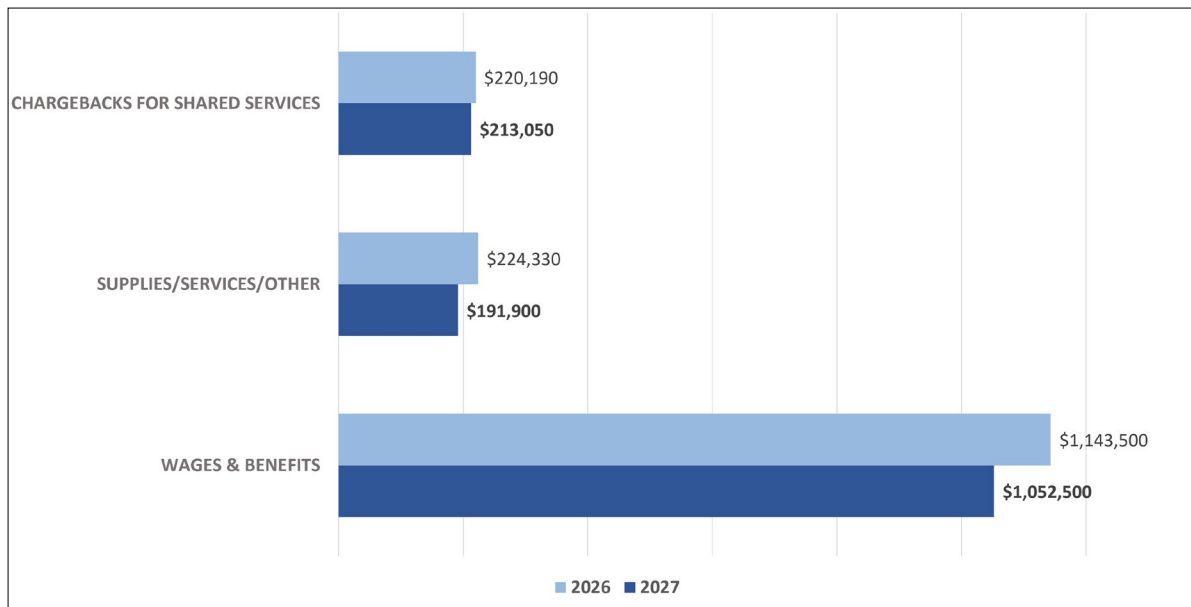


Figure 12 – 2026 and 2027 Mandatory Watershed Management Program Expenses By Type

MANDATORY Watershed Management Program Expenses by Category



DEVELOPMENT SERVICES, PLANNING, FLOOD FORECASTING, GIS

Development Services administers Section 28 of the Conservation Authorities Act through Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits. The Regulation allows ERCA to regulate development within hazardous lands through a permitting process. These lands could be unsafe for development because of naturally occurring processes associated with flooding, erosion, unstable soils, dynamic beaches, unstable soil or bedrock. The priority is to reduce risk to life, damage to property, and social disruptions resulting from natural hazards.

Watershed Management Services also includes all mandatory-related reviews and comments on various Planning Act instruments, as mandated through the Conservation Authorities Act and Ontario Regulations 686/21: Mandatory Programs and Services. It is through this service that the Authority provides the necessary comments related to natural hazards, source water protection, and conservation authority owned lands, ensuring the continued “planning-first approach” to protecting the watershed.

2027 Program Highlights

- Review and process permit applications and technical submissions related to residential, industrial and commercial development and planning-related applications.
- Continue to serve as a technical resource to member municipalities when requested or as legislative requirements dictate.
- Prioritize training, mentoring, and the transfer of institutional knowledge within the department to support new staff and maintain service continuity during the transition timeline.
- Monitor lake levels and a network of 30 climate stations to provide advanced warning of flooding and accelerated erosion as a key activity of the Provincial Flood Forecasting program.
- Participate in operational transition subcommittees related to the integration of development services, including implementation of a Provincially planned one-window system, harmonization of fee schedules, permit review processes and service standards, and integration of GIS data, mapping and related information systems.

Conservation Services

ERCA's Conservation Services programs protect, restore, and manage natural heritage areas and systems within ERCA's watersheds. This is accomplished through a system of conservation lands, strategic and leveraged investment in land securement, and by identifying and implementing priority restoration projects. All Conservation Areas within the ERCA watershed are impacted on by natural hazards, fundamental to the management of sites is the access to hazard areas for flood observation and in the case of trails, physical access to areas that would otherwise be inaccessible. Further, some of our properties are designed/engineered to receive flood waters to reduce upstream impacts of flood waters should they occur. Conservation Services are delivered through multiple programs, in a mix of mandatory and non-mandatory services:

Table 11 – Conservation Services Programs

Mandatory Services	Non-Mandatory Services
Conservation Land Management	Tree Planting and Habitat Restoration on Private and Municipal lands
Public Conservation Areas	Land Securement & Acquisition
Tree Planting & Restoration-Conservation Lands	Holiday Beach Conservation Area
Capital Projects	

Approximately 19 FTEs deliver the services and include the Forester, Restoration Biologist, conservation areas maintenance staff, tree planters, and support staff. Included in the 2027 budget are costs associated with staff capacity during the winter months to undertake maintenance along the greenways, including the new CASO property and hazard tree removals to ensure public safety and invasive species management.

Figure 13 – Mandatory Conservation Services Expenses By Function

Mandatory Conservation Programs & Services - \$4.8M

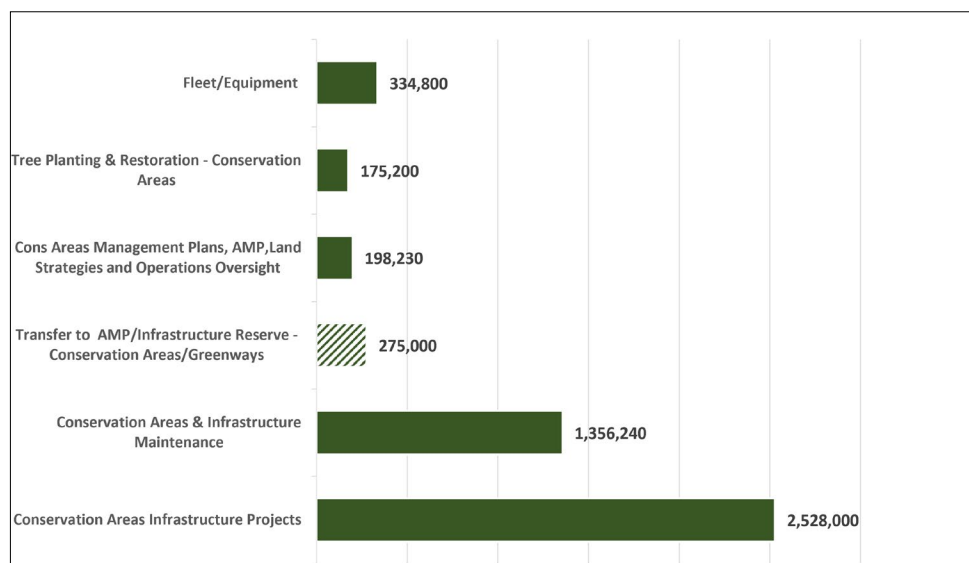


Figure 14 – Sources of Revenues -Mandatory Conservation Services Programs

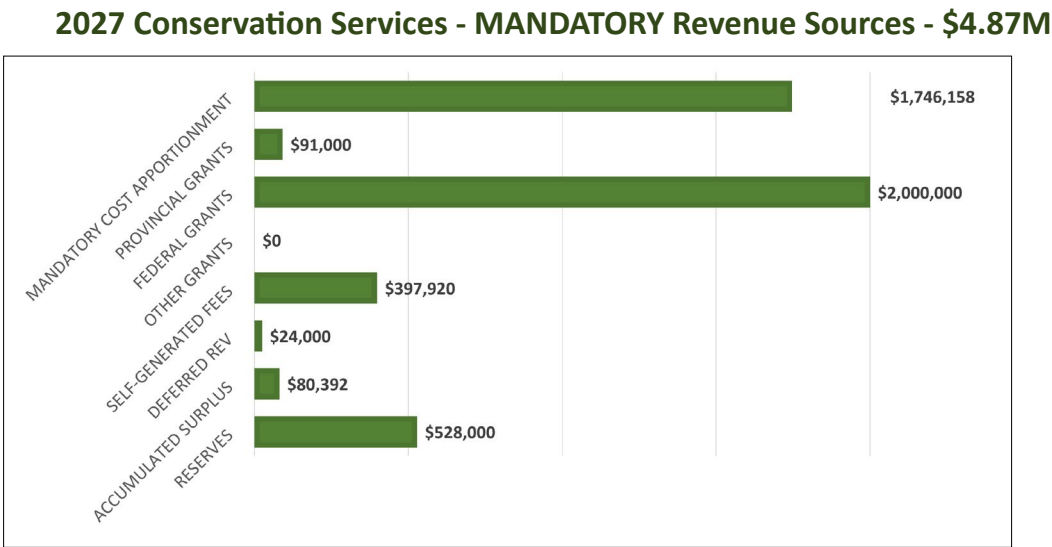
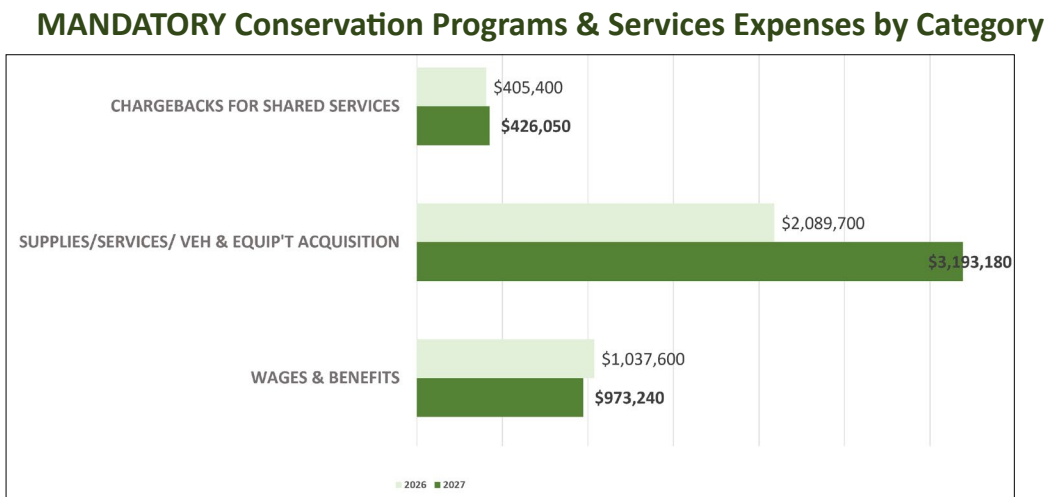


Figure 15 – 2026 and 2027 Mandatory Conservation Services Program Expenses By Type



CONSERVATION LAND MANAGEMENT

The Essex Region supports a higher diversity of plant and animal species than any other region in Canada and sustains one of the highest concentrations of globally rare species in an area with some of the lowest percentage of natural cover in Canada. Conservation Areas are managed to protect this natural heritage, preserve human and cultural heritage, and support active and healthy living.

ERCA will continue to manage the natural resources of our region as outlined in the updated Conservation Authorities Act and undertake management of Conservation Areas to improve the biodiversity of the region while also improving the resilience of species at risk that are vulnerable to climate change.

2027 Program Highlights

- ERCA’s Forester will undertake and update forest inventories in many conservation areas to inform management planning documents.
- Invasive species management will be undertaken along the Greenway properties and our Conservation Areas which includes the continued efforts to eradicate Hydrilla in Hillman Marsh with funding from the Province and coordinating ongoing Phragmites management with local municipalities and First Nations

- With the completion of the new Collavino Conservation Area Management Plan, staff will continue implementing strategies to improve the biological health of this wetland.
- ERCA has initiated a multi-year restoration and climate adaptation planning process at Hillman Marsh to restore habitat lost in this wetland and to stabilize the eroding shoreline.

PUBLIC CONSERVATION AREAS

Since 1974, ERCA has been acquiring lands to ensure the protection and conservation of their significant natural and cultural heritage features. Conservation Areas ensure that valuable greenspace is protected while allowing for recreational opportunities in safe, well maintained natural settings which are critical to maintaining physical and mental health. Conservation Areas and trails are also identified as key economic drivers and of critical importance to creating an environmentally and economically sustainable region, where people want to live and where companies want to invest. ERCA continues to expand natural habitat in this region by increasing wetland, prairie and tree cover on properties it owns.

2027 Program Highlights

- Operate and maintain 18 conservation areas welcoming thousands of visitors each year.
- Ongoing replacement of fleet and equipment.
- Improve the John R. Park Homestead parking facilities (overflow event parking) with tar and chip surfacing to improve visitor experience and reduce annual maintenance costs.

- Staff are continuing to add tree cover along sections of the Greenway with the assistance of community volunteers.
- Inventory and management of ERCA's landholdings under the National Urban Park umbrella will continue, ensuring that rare habitats are maintained for many endangered species.

- Continue to contribute to the update of ERCA's Asset Management Plan to accurately reflect future capital funding requirements.
- Continue restoration works at the JRPH site to improve the many barns and outbuildings at this historic site.
- Continue implementing the replacement of bridges on the Greenway to ensure public safety and continuity of service.
- Remove vegetation from trail edges, replace boardwalks, grade trails and remove hazardous trees, throughout our 100 kms of trails.
- Continue making infrastructure investments in the Collavino Conservation Area, including widening the dyke trail system and providing erosion protection.
- Ongoing tree planting and restoration in Conservation Areas.

CAPITAL PROJECTS

An overview of major mandatory capital projects included in the 2027 budget is summarized below. These projects provide multiple benefits, including conserving important natural areas and features, mitigating erosion risks, protecting public infrastructure, reducing the likelihood of asset failures such as bridge, culvert, or boardwalk failures, and securing Authority-owned lands where fencing or other measures are needed to address encroachments, support public safety, and maintain continuity of service.

Table 12 – 2027 Capital Projects with Sources of Funding

Mandatory Projects	Total Cost	Funding from Infrastructure Reserve	Other Funding Sources
Hillman Marsh coastal erosion rehabilitation	\$2,040,000	\$40,000	Federal grant \$2 million
Greenway culverts/bridges replacement	160,000	160,000	
Parking lot(s) resurfacing	98,000	98,000	
Kopegaron boardwalk replacement (Phase 2)	53,000	53,000	
Contingency for emergency infrastructure repairs	26,000	26,000	
Chrysler Canada Greenway fencing	26,000	26,000	
Collavino Conservation Area erosion mitigation	125,000	125,000	
	\$2,528,000	\$528,000	\$2,000,000

CONSERVATION SERVICES - NON-MANDATORY

Figure 16 – Non-Mandatory Conservation Services Expenses By Function

Non-Mandatory Conservation Services - \$2.1M

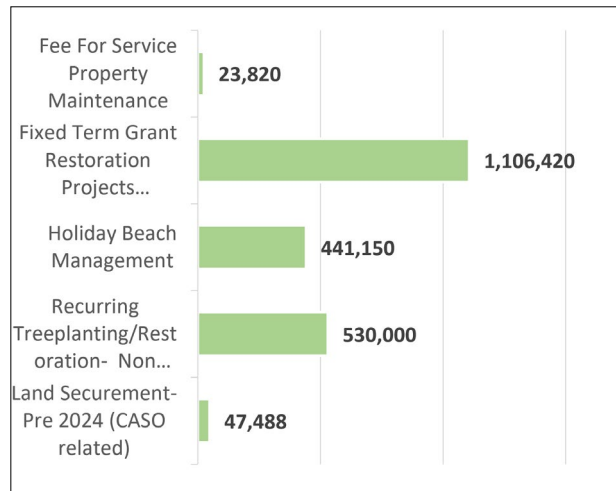


Figure 17 – Sources of Revenues -Non-Mandatory Conservation Services Programs

2027 Conservation Services - NON-MANDATORY Revenue Sources - \$2.15M

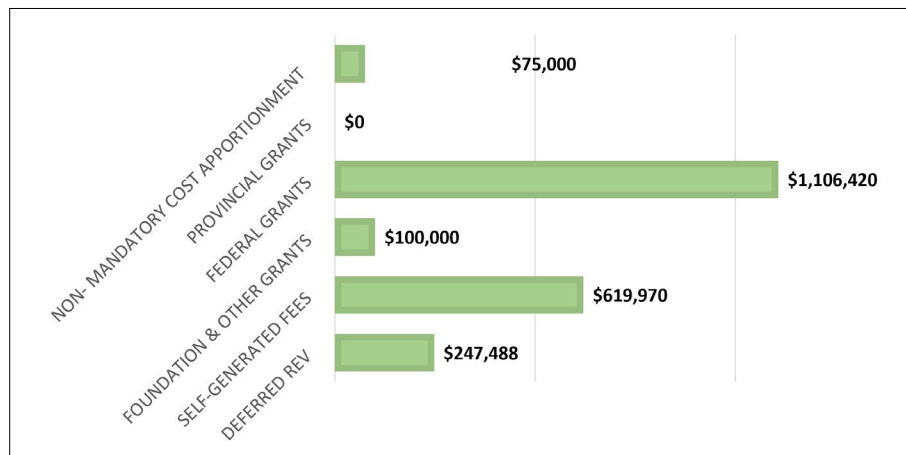
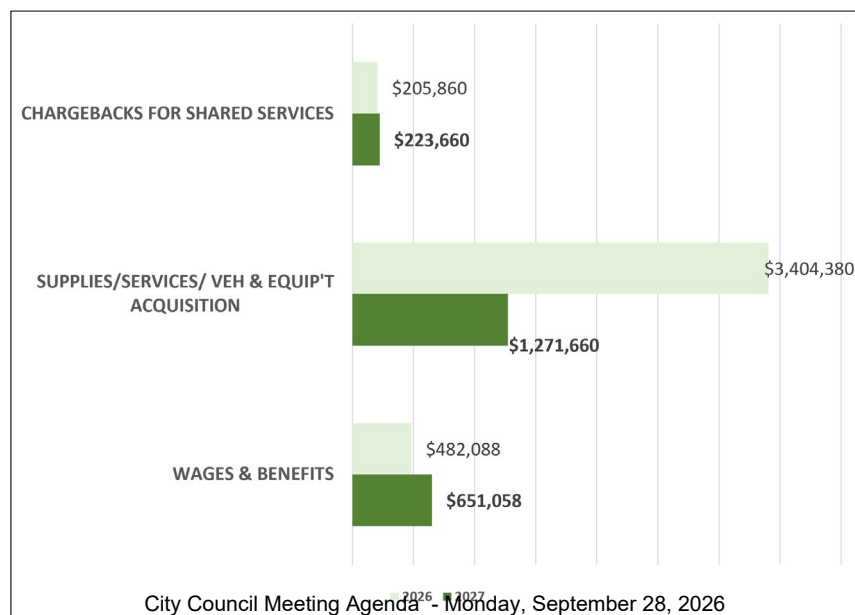


Figure 18 – 2026 and 2027 Non-Mandatory Conservation Services Program Expenses By Type

NON MANDATORY Conservation Programs & Services Expenses by Category



Tree Planting and Habitat Restoration on Private and Municipal lands

To support a more sustainable future, partnerships with private landowners must continue to expand restored habitat, improve water quality, increase tree canopy cover, mitigate climate impacts, and support species at risk. ERCA secures grants and donations to help offset restoration costs on private lands and to provide the biological expertise needed to plan and implement this work. Municipal funding provided through the Non-Mandatory Cost Apportionment Agreement also supports this activity, accounting for approximately 15% of private lands restoration costs, excluding the value of the land. Since 2018, ERCA has restored more than 529 acres on private property. These privately owned restoration sites represent an invaluable community contribution to the rehabilitation of the region.

2027 Program Highlights

- Plant 50,000 trees throughout the region on Authority property as well as privately owned lands, creating at least 70 acres of new habitat.
- Build a minimum of three new wetlands in the region to reduce erosion, improve water quality and create habitat.
- Continue restoration projects on Caldwell First Nation property involving tree planting and wetland construction.

LAND SECUREMENT

Through collaborations, lands with conservation potential that align with ERCA's Land Securement Strategy may be strategically acquired through purchase or donation to support a more sustainable region. Specifics of new land acquisitions are managed in Committee of the Whole and once purchased, restoration and management of these lands is categorized under the conservation of lands mandatory program.

The 2027 budgeted expenses for land acquisition relate to ongoing legacy costs of the CASO acquisition, which include property surveys and legal expenses.

The former CW~GS land acquisition fund has nearly \$1.8 million in available funds. This fund is maintained separately from the fund that was created in 2024, to hold the new voluntary land acquisition contributions, funded through the Non-Mandatory Cost Apportionment Agreements. contributions, funded through the Non-Mandatory Cost Apportionment Agreements.

HOLIDAY BEACH CONSERVATION AREA

The Province of Ontario with the Ministry of Natural Resources and Forestry as its representative, is the legal owner of Holiday Beach Conservation Area but the site is operated by the Authority via a thirty-year management agreement with the Province, which expires in 2031. The operational costs associated with this site are covered by user fees related to camping, hunting and cottage rentals, however, revenue generation is not sufficient to fund future capital replacement and major renovation costs nor is the Authority contractually responsible for those expenses. Recent trail and amenity improvements have been funded through government grants and contributions from the Foundation.

The upgrades to the cottage amenities and furnishings in 2025 are resulting in higher revenues, as anticipated. Any net surplus is directed towards park operations to the extent that funds are required for operations with remaining surplus funds transferred to the maintenance reserve for the cottage and site.

The 2027 budget anticipates a small transfer to the maintenance reserve.

Watershed Research

Watershed Research improves regional water quality by collecting and interpreting watershed data, identifying priority issues, supporting agricultural best management practices, and advancing applied research. This work helps ERCA better understand local watercourses, target water quality improvements, support evidence-based restoration and land-use decisions, and protect sources of drinking water. Staff also develop, secure, and administer significant multi-year grants that expand program capacity and leverage local investment. Strong relationships with academic and government scientists support research-based solutions suited to the region's unique geography and watershed conditions.

Drinking Water Source Protection is also delivered within Watershed Research as a mandatory program under the Clean Water Act and is described in more detail later in this section.

Watershed Research Services are delivered through three main related program areas that collectively support improved water quality and drinking water protection:

- Source Water Protection (mandatory)
- Watershed Science & Monitoring (mandatory and non-mandatory)
- Targeted water quality term grant programs (non-mandatory)
- 6 FTEs to deliver the combination of mandatory and non-mandatory programs

Figure 19 – Mandatory and Non-Mandatory Water Quality Programs By Function

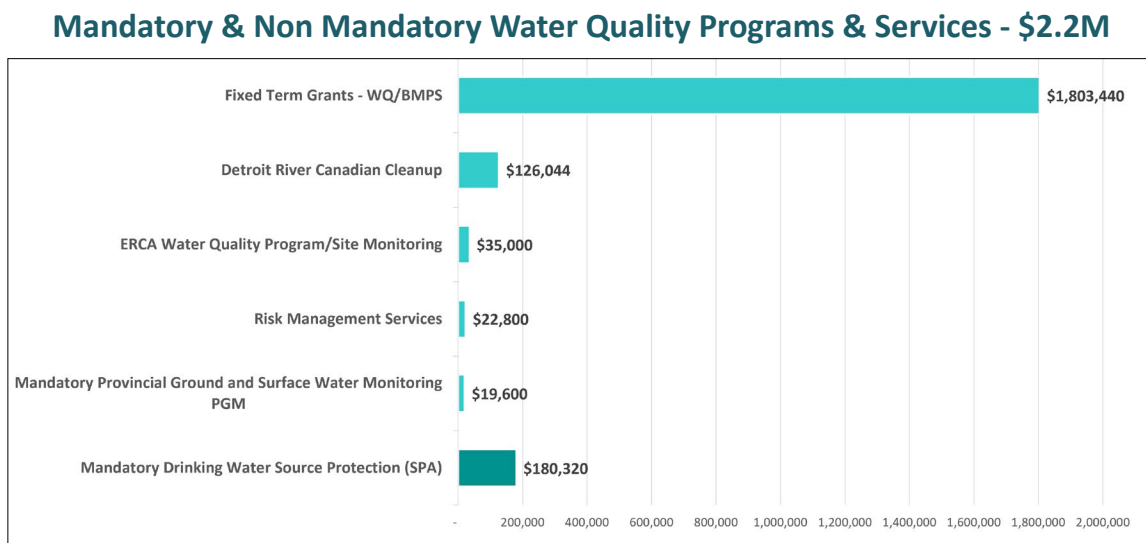


Figure 20 – Sources of Revenues -Mandatory Water Quality Programs

2027 Water Quality - MANDATORY Program Revenue Sources - \$0.2M

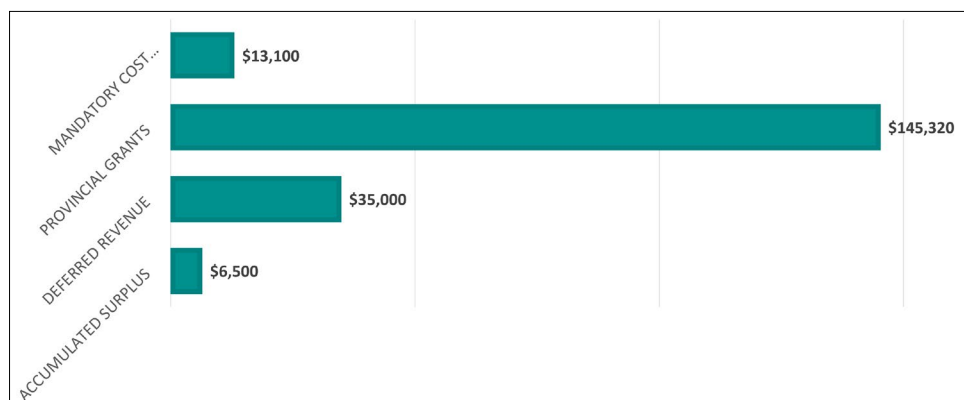
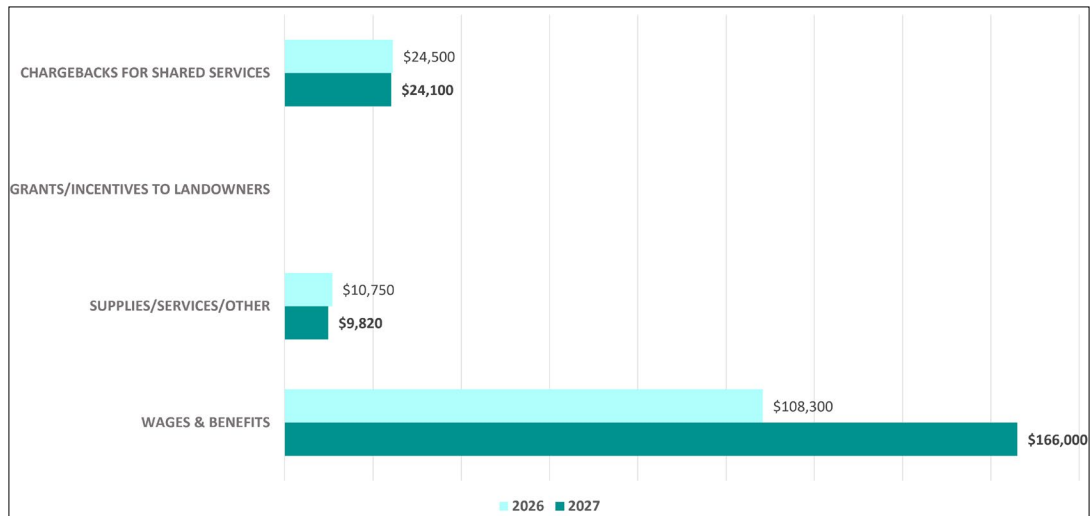


Figure 21 – 2026 and 2027 Mandatory Water Quality Program Expenses By Type

MANDATORY Water Quality Programs & Services Expenses by Category



SOURCE WATER PROTECTION

Administered under the Clean Water Act, the watershed-based mandatory Source Protection Program is the first step in a multi-barrier approach to protect drinking water. It complements municipal water treatment and supports sound land use planning decisions. ERCA, and other conservation authorities, have designated responsibilities under the Clean Water Act to work closely with stakeholders to ensure that sources of municipal drinking water are safe and abundant. ERCA's Risk Management Services implements a specific subset of policies on behalf of municipalities.

- Source Water Protection (Clean Water Act) is identified as a mandatory program and service in the Conservation Authorities Act, and the Province remains committed to providing funding for this program; ERCA received a slight increase for the current three-year funding cycle (2024-2027 to support capacity to accommodate expanded workload while the Source Protection Plan is being amended. This is the first time that the Province has provided three-year funding for this program, and their commitment provides greater stability for this mandatory work.
- Risk Management Services are provided by ERCA on behalf of all municipalities in the Essex Region through a municipal agreement originally established in 2015. These services support municipal responsibilities under Part IV of the Clean Water Act, which may be delegated to a conservation authority. Risk Management Officials implement the Source Protection Plan policies for which municipalities are the designated implementing body.

Because this work is performed on behalf of municipalities rather than as a direct mandatory conservation authority program under the Conservation Authorities Act, it is treated as a Category 2 municipal service.

2027 Program Highlights

- Provide annual reporting to the Province and Municipalities.
- Continue technical work to update the Source Protection Plan and Assessment Report to align with changes to the Director Technical Rules and the Section 36 Assessment Report. Conduct the formal consultation process on the comprehensive updates to the Source Protection Plan, policies and Assessment Report.
- Conduct compliance monitoring to ensure properties with Risk Management Plans continue to adhere to Risk Management Measures.
- Continue reviewing s.59 applications for potential new significant drinking water threats.
- A number of staff support this program and deliver DWSP services, which account for approximately one full-time person when combined.

WATERSHED SCIENCE & MONITORING

Healthy rivers, headwaters, and species in our watershed are key elements of a sustainable and healthy environment that we all rely on for our sources of drinking water, our economy and for recreation. Monitoring allows us to track and report on several indicators of watershed health. Understanding current watershed health and emerging trends is necessary for setting environmental management priorities to manage, protect or enhance watershed resources and to identify research gaps that we can work with academic and other research partners to address. ERCA undertakes its watershed science programs through partnerships with the Provincial Water Quality Monitoring Network (PWQMN), and the Provincial Groundwater Monitoring Network (PGMN) and works in partnership with Provincial and Federal programs and with universities including the Great Lakes Institute for Environmental Research at the University of Windsor.

- Participation in the PWQMN and PGMN are mandatory programs in the Conservation Authorities Act. However, the majority of the water quality science work, providing residents of this region and partners with critical information, falls outside mandatory services. In 2027, ERCA will continue to monitor ground and surface water quality stations and provide this information to the Province, consistent with most Conservation Authorities. Beyond this fundamental monitoring, ERCA will also undertake the following water quality work, which is supported by Provincial and Federal grants:

2027 Program Highlights

- Collect water samples, funded by various external partners as funding is available, to provide samples for research projects that could not otherwise be collected due to travel restrictions or other logistical challenges.
- Continue with ERCA's non mandatory water quality monitoring program to inform the public about our regional watershed health.
- Continue monitoring of greenhouse influenced streams in Leamington tributaries, identified by the federal and provincial governments as problematic for water quality. This sampling has been supported by the Provincial and Federal Governments.
- Conduct enhanced monitoring in the Ruscom and Canard Rivers with the installation of ISCO auto-samplers and the addition of more monitoring locations throughout the watersheds. The work is supported by funding through the Canada Water Agency's Great Lakes Freshwater Ecosystem Initiative.
- Deliver a comprehensive agricultural incentive program for best management practices throughout the region. ERCA staff will work directly with the agricultural community to provide funds to support sustainable farming practices. Outreach and knowledge transfer events will be delivered to promote the use of these practices and encourage peer to peer learning. This will include working with the greenhouse sector to find appropriate solutions in those watersheds. The majority of funding for projects throughout the region is provided by the Canada Water Agency's Great Lakes Freshwater Ecosystem Initiative.
- ERCA serves as the administrative home for the fully funded Detroit River Canadian Cleanup, a federal-provincial partnership that implements the Detroit River Remedial Action Plan and coordinates actions to protect, restore, and enhance the Detroit River ecosystem.

Figure 22 – Sources of Revenues -Non-Mandatory Water Quality Programs

2027 Water Quality - NON-MANDATORY Program Revenue Sources - \$2M

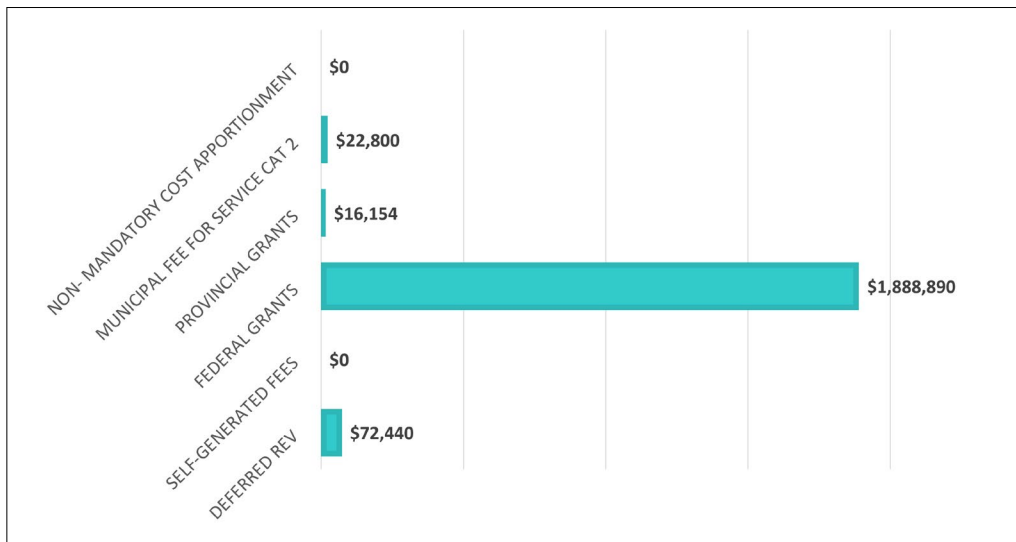
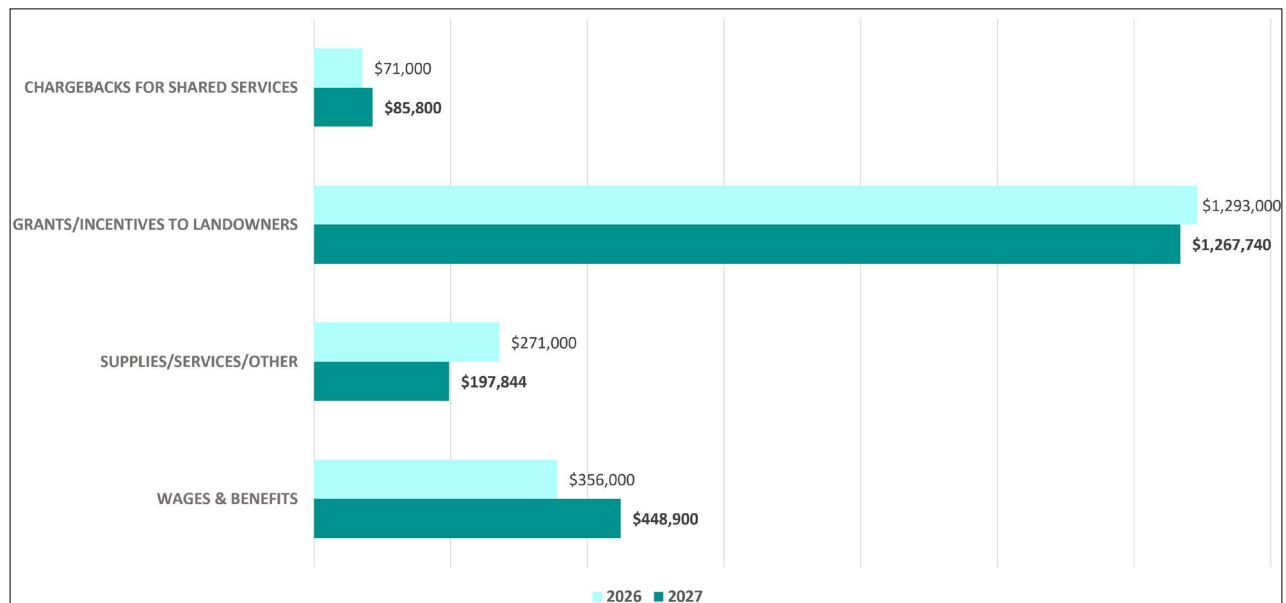


Figure 23 – 2026 and 2027 Non-Mandatory Water Quality Program Expenses By Type

NON-MANDATORY Water Quality Programs & Services Expenses by Category



Communications & Outreach Services

Communications and outreach services support all business units of the Authority. This includes supporting flood messaging, disseminating natural hazard information, engaging landowners in conservation practices and climate action, educating students of all ages about environmental sustainability, promotion of and engagement in tree planting and restoration, connecting people to nature through a variety of programs and events, and identifying the value of natural connections to our health. Communications efforts also support revenue-generating activities for conservation areas and other programs. Communicating broadly with stakeholder groups and watershed residents will be of continued importance through the transition period and beyond to ensure stakeholders are engaged in and informed about merger activities.

Providing stewardship and educational opportunities to residents living within our watersheds is important and critical to conservation success across the region. Providing hands on opportunities for people to connect with nature and take action for the environment will raise awareness about broader local environmental needs, including expanding natural areas coverage, protecting mature forests, and mitigating climate change impacts such as frequent and more intense flood events.

Community Outreach Services are delivered through four programs:

- Communications (mandatory)
- Outdoor Education (non-mandatory)
- Outreach and Engagement (non-mandatory)
- JRPB Museum Operations & Programming
- ~6 FTEs will deliver the mandatory and non-mandatory programs

Figure 24 – Mandatory and Non-Mandatory Community Outreach Programs By Function

Communications and Non Mandatory Programs & Services + John R Park Homestead -\$.8M

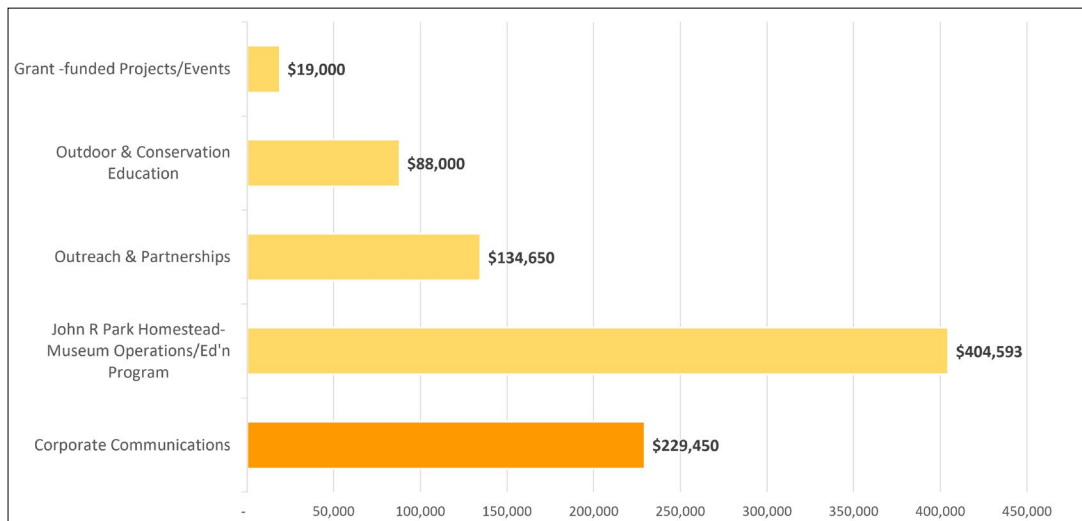


Figure 25 – Sources of Revenues -Mandatory Communications Program

Communications Outreach Sources of Revenues for MANDATORY Programs - \$.2M

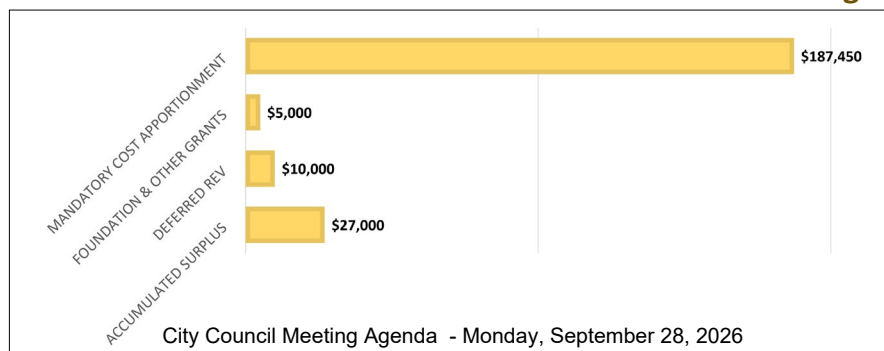
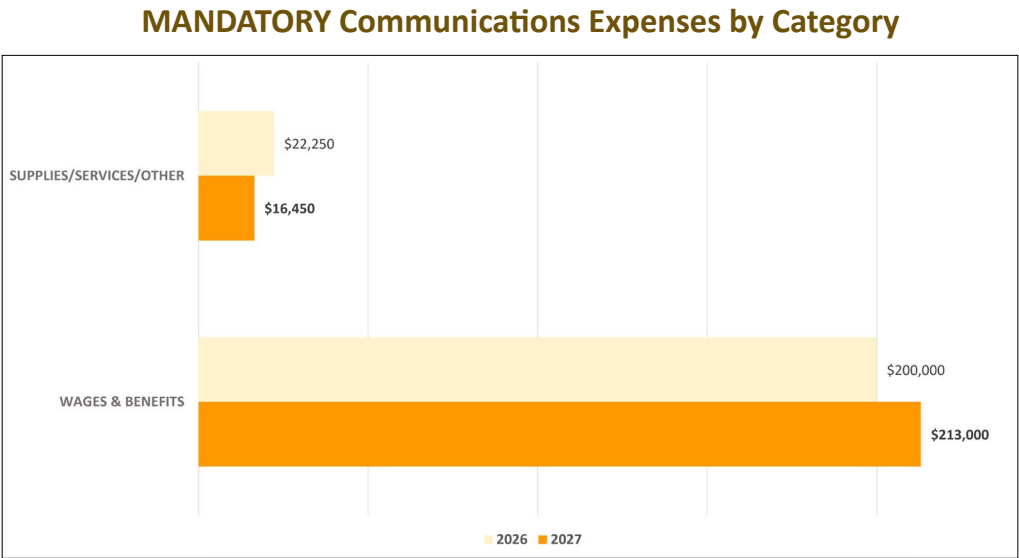


Figure 26 – 2026 and 2027 Mandatory Communications Program Expenses By Type



COMMUNICATIONS

Corporate communications is included as a mandatory service as it supports the communication needs of the Authority’s mandatory functions, including critical flood messaging, to various audiences across multiple platforms. This includes Annual Reporting, stakeholder relations, engagement through traditional and social media, media relations and other communications priorities. It is anticipated that significant communications support will be required to inform stakeholders through the Conservation Authority merger.

2027 Program Highlights

- Continue to engage and inform stakeholders and watershed residents to engage in conservation practices, programs and transition activities across a variety of platforms.
- Continue to deliver a multi-year communications strategy to engage private landowners in water quality improvement projects.
- Continue to support revenue generation through enhanced marketing of conservation programs.
- Continue to add functionality to the website to improve the customer experience and maximize revenue generation.
- Continue to support the Essex Region Conservation Foundation in fundraising to support conservation projects and program areas.

NON-MANDATORY PROGRAMS

Figure 27 – Sources of Revenues - Non Mandatory Community Outreach Programs

2027 Community Outreach - NON-MANDATORY Revenue Sources - \$.65M

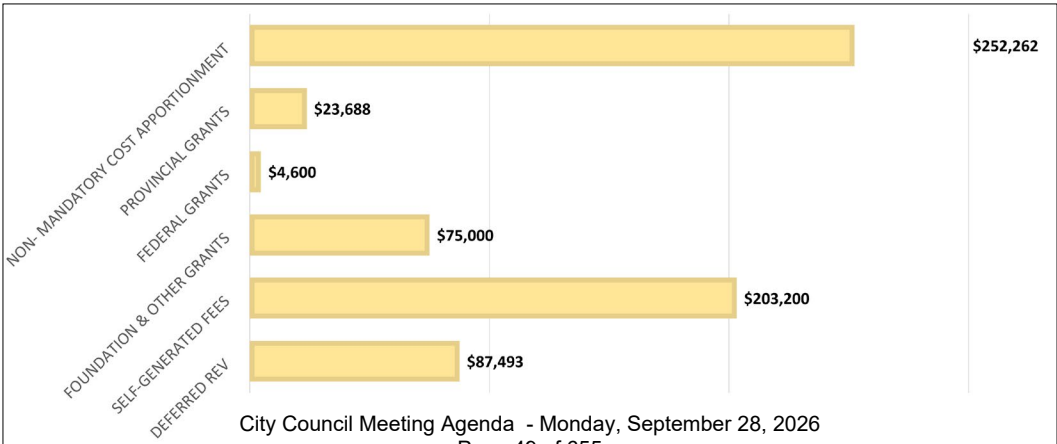
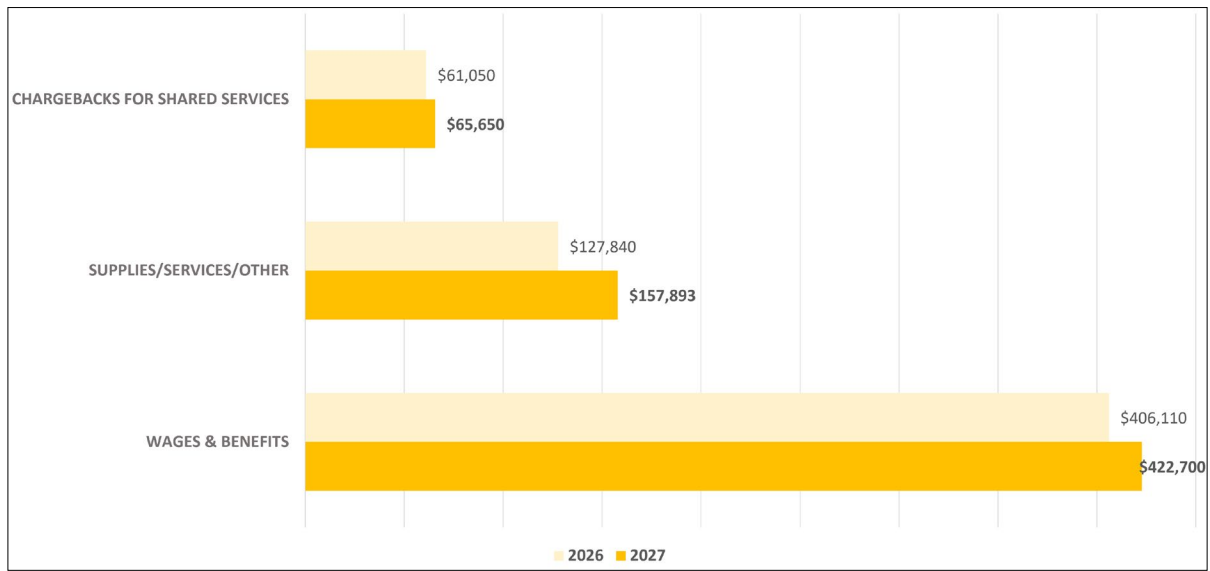


Figure 28 – 2026 and 2027 Non-Mandatory Community Outreach Program Expenses By Type

NON-MANDATORY Community Outreach Program Expenses by Category



OUTDOOR EDUCATION

ERCA's Outdoor Education programs provide experiential environmental programs and services for kindergarten to grade 12 students and teachers, meeting the objectives of the provincial curriculum. The demand for outdoor education programs typically exceeds capacity to deliver.

Enhanced partnerships and relationships with all major school boards continue to position ERCA's outdoor education and Specialist High Skills Major programs as a preferred service delivery partner. Nature-Near-You programs continue to be popular when bussing is not available. While outdoor education is identified as non-mandatory, significant fundraising through the Essex Region Conservation Foundation had eliminated the reliance on municipal funding to continue to deliver these vital conservation education programs. However, as these five-year donation agreements draw to an end, there is a need to consider municipal re-instatement of support in future municipal cost-apportionment agreements.

2027 Program Highlights

- Continue to deliver curriculum-based field trips to conservation areas to engage students in environmental learning.
- Continue to deliver Nature Near You – Indigenous Innovation program to Grade 3 students within the Windsor-Essex Catholic District School Board.
- Continue to deliver Specialist High Skills Major certification programs as a preferred service delivery provider to ensure students across the province can receive training modules required to graduate with the SHSM designation.
- Continue to enhance relationships with teachers and all school boards within the region.
- Streamline delivery services across sites to focus on seasonal educational highlights within capacity limits.

OUTREACH AND ENGAGEMENT

There continues to be significant demand to provide opportunities for the community to engage in environmental restoration activities. Tree planting events for 2027 include Earth Day in east Windsor, as well as along the Greenway trail system. Watershed-based cleanup activities also provide hands-on stewardship opportunities. Administration continues to pursue grants and partner funding to implement far-reaching stewardship and outreach programs, as well as support through the Essex Region Conservation Foundation. The Outreach and Partnerships Coordinator position continues to be a shared position also supporting the Detroit River Remedial Action Plan on a cost-recovery basis.

JOHN R. PARK HOMESTEAD - MUSEUM OPERATIONS

While passive recreation and related maintenance costs are eligible within the mandatory levy category, the John R. Park Homestead (JRPH) Museum and other heritage buildings are associated with the provision of non-mandatory services and the Authority is precluded from applying mandatory levy for preservation of these heritage assets. This is despite the fact that the transfer of the property from the Province in 2008 contained a number of restrictive covenants and obligations, regarding operations and the maintenance of assets, including that it be operated in accordance with the Community Museum Standards, as defined in the Ontario Heritage Act.

Structural repairs to the historic Horse Barn were completed in 2026, and additional priority repairs to the Calf Barn, Hog Barn, Tobacco Barn and Grain Barn were initiated with funds raised through the Essex Region Conservation Foundation's Giving Tuesday and Museum Month campaigns. This work will continue in 2027.

2027 Program Highlights

- Tree planting and citizen science programs include Earth Day Tree Planting in Windsor, as well as at various locations along the Greenway trail system and others, with support from a variety of community partners.
- Continue to grow the Greenway Guardians program with various community partners to undertake semi-annual cleanups of the 80km multi-use trail system.
- Continue to engage the local community in delisting the Detroit River as an Area of Concern.

2027 Program Highlights

- Enhance marketing of rental opportunities for the Conservation Centre; with a focus on small, intimate events.
- Implement priority barn repairs across the site, while continuing to support the Essex Region Conservation Foundation in raising funds for this work.
- Continue to grow the Homestead's signature revenue-generating events, such as the Maple Syrup Festival, Harvest & Horses Festival and other seasonal programming.
- Enhance workshop offerings as a revenue stream within existing staff capacity.

Corporate (General) Services

Corporate Services oversees and manages the following functions:

- Administration/Governance
- Compliance/Risk Management
- Finance
- Human Resources
- Information Management/Records/Systems/Network
- All services are provided to the Essex Region Conservation Foundation
- ~7 FTEs deliver and support the diverse functions of Corporate Services

Figure 29 – Mandatory Corporate/General Programs By Function

General/Corporate Services - \$1.2M

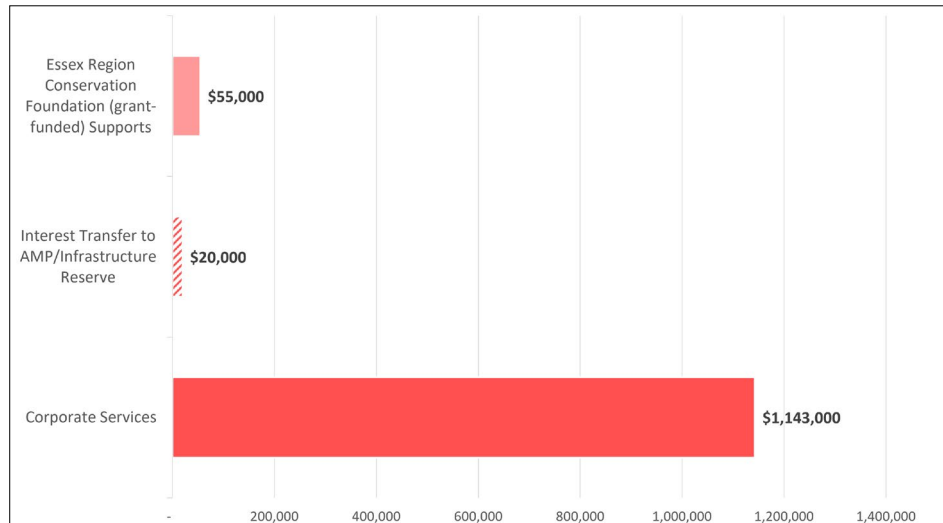


Figure 30 – Sources of Revenues Corporate Services

2027 Corporate Services - MANDATORY Revenue Sources - \$1.25M

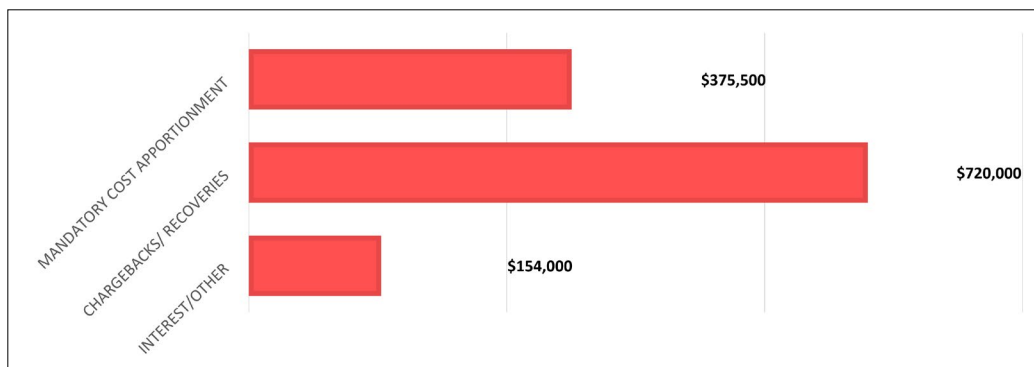
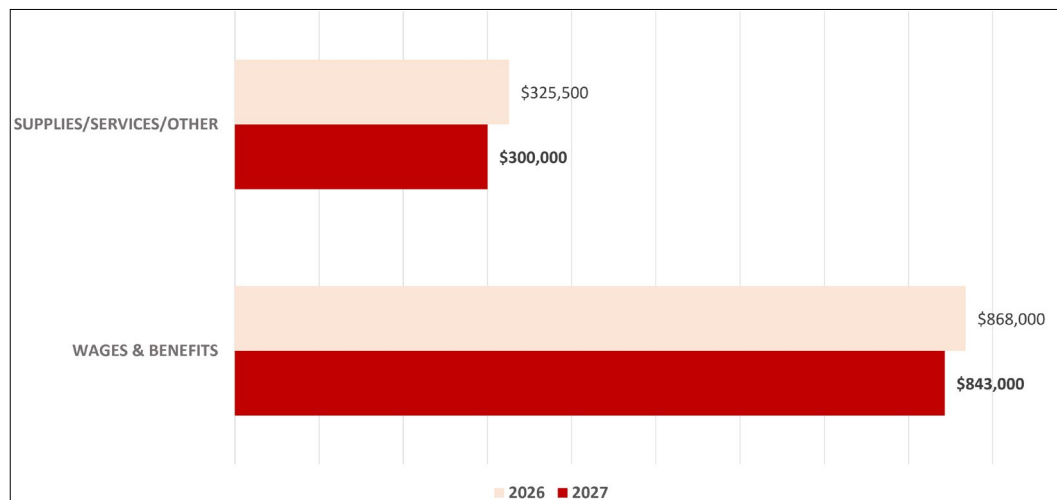


Figure 31 – 2026 and 2027 Corporate Services Program Expenses By Type

MANDATORY Corporate Services Expenses by Category



ADMINISTRATION / GOVERNANCE / FINANCE

2027 Program Highlights

- In 2027, Corporate Services will play a central role in supporting the planned consolidation of the authorities forming the Western Lake Erie Conservation Authority and transition to a new regional governance and administrative structure. The initial phase of consolidation is expected to place a significant workload burden on administrative and corporate staff, as early implementation activities will focus heavily on governance changes, financial integration, information technology infrastructure, human resources structures, policies and processes, records management, and corporate reporting.
- Ongoing legislative compliance, budget administration, audit support, payroll and benefits administration, procurement, information management, privacy and support to the Board and member municipalities during the transition period.

INFORMATION SYSTEMS & MANAGEMENT

2027 Program Highlights

- Contribute to assessments and analysis of IT systems, cybersecurity requirements, software licensing, records management, data migration needs, in the context of consolidation and with the goal of integrating and/or merging service platforms during the transition period.

HUMAN RESOURCES

2027 Program Highlights

- Support HR-related transition planning, including participation on transition subcommittees, review of HR policies, collective agreement implications, job descriptions, payroll and benefits processes, organizational structure, and staff transition requirements to support alignment of employment practices and workforce processes across the new regional Authority.

Summary

This 2027 Draft Budget, including appendices, once approved by the Essex Region Conservation Authority Board of Directors, will be posted publicly on the Authority's website at www.essexregionconservation.ca and circulated to municipalities in accordance with Ontario Regulation 402/22. The budget vote, including the weighted vote, is expected to proceed on October 8, 2026.

The 2027 budget has been prepared as a full-year, status quo budget, consistent with the Province's direction that existing conservation authorities prepare their budgets on the same basis as 2026 and obtain Board approval before the end of 2026. Although consolidation into the West Lake Erie Region Conservation Authority is anticipated during 2027, this budget does not include transition costs, merger-related financial impacts, or potential changes to governance, staffing, service delivery, systems, assets, liabilities, reserves, or funding requirements.

Despite the calculated mandatory cost apportionment increase of approximately \$66,000, or 1.9%, Administration is recommending that municipal cost apportionment be maintained at the 2026 level, with the difference offset from accumulated surplus. This approach recognizes municipal budget pressures and the transitional nature of the 2027 budget year, which has been prepared on a continuity basis while consolidation timing, implementation requirements, and related financial implications remain uncertain.

APPENDICES

- **Appendix A** – 2027 Draft Detailed and Summary Budgets
- **Appendix B** – 2027 Draft Municipal Cost Apportionment Schedule (0%)
- **Appendix C** – 2027 Draft Reserves Continuity Schedule
- **Appendix D** – 2027 Funding Sources by Service Delivery Program Area
- **Appendix E** – 2027 Cost Apportionment Per Household
- **Appendix F** – 2027 Municipal Cost Apportionment Category 3 (Non-Mandatory) Programs & Services



ERCA Board

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Jay Santarossa, Multimedia Specialist

DETAILED STATEMENT OF FINANCIAL ACTIVITIES 2027 DRAFT BUDGET

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
WATERSHED MANAGEMENT SERVICES					
CATEGORY 1 MANDATORY SERVICES - RISKS OF NATURAL HAZARDS					
DEVELOPMENT SERVICES					
MANDATORY MUNICIPAL COST APPORTIONMENT	549,864	554,050	600,100	602,200	581,600
SELF-GENERATED FEES	523,401	535,000	520,500	482,500	491,750
TRANSFERS FROM RESERVES	-	-	36,500	10,000	16,500
	1,073,265	1,089,050	1,157,100	1,094,700	1,089,850
WAGES	823,730	818,500	889,000	789,000	808,000
CONSULTING	6,901	-	10,000	10,000	-
SUPPLIES/OFFICE/JANITORIAL	43,438	46,250	40,230	42,730	43,350
VEHICLE/TRAVEL/EQUIP'T USAGE	20,261	19,300	20,300	20,300	20,000
CORP SUPPORT/SHARED SVCS	155,705	125,000	143,870	140,870	145,000
RENT/INS/TAXES/UTILITIES	54,021	64,000	60,000	60,000	60,500
DUES/MEMBERSHIPS	1,711	1,000	1,200	1,200	1,500
AUDIT AND LEGAL	68,989	15,000	50,000	30,000	40,000
CAP MAINT/LOW VALUE ASSETS	351	-	1,000	1,000	-
	1,175,107	1,089,050	1,215,600	1,095,100	1,118,350
PLANNING RELATED TO HAZARDS					
MANDATORY MUNICIPAL COST APPORTIONMENT	57,180	50,650	37,533	38,433	56,033
PROVINCIAL GRANTS	5,678	3,000	10,767	13,767	10,767
SELF GENERATED FEES	93,050	90,000	110,000	74,000	85,000
	155,908	143,650	158,300	126,200	151,800
WAGES	127,294	115,000	126,000	100,000	121,000
SUPPLIES/OFFICE/JANITORIAL	1,353	2,150	2,300	2,300	2,550
VEHICLE/TRAVEL/EQUIP'T USAGE	698	500	-	-	250
CORP SUPPORT/SHARED SVCS	20,768	15,000	23,000	18,000	23,000
RENT/INS/TAXES/UTILITIES	5,749	11,000	7,000	5,500	5,000
	155,861	143,650	158,300	125,800	151,800
FLOOD /EROSION PROGRAM (\$5.39 PROV \$)					
MANDATORY MUNICIPAL COST APPORTIONMENT	98,739	101,083	93,650	90,650	93,650
PROVINCIAL GRANTS	98,739	101,417	93,650	90,650	93,650
	197,478	202,500	187,300	181,300	187,300
WAGES	117,942	114,000	114,500	99,300	123,500
CONSULTING/INFO'N/DATA SVCS	34,204	44,000	28,000	28,000	25,000
SUPPLIES/OFFICE/JANITORIAL	4,460	1,000	4,300	4,300	4,500
VEHICLE/TRAVEL/EQUIP'T USAGE	7,084	6,000	7,000	7,000	7,250
CORP SUPPORT/SHARED SVCS	28,559	29,000	26,000	26,000	20,550
RENT/INS/TAXES/UTILITIES	5,250	8,500	7,500	7,500	5,500
CAP MAINT/LOW VALUE ASSETS	117	-	-	9,000	1,000
	197,617	202,500	187,300	181,100	187,300
OTHER WMS TERM PROJECTS					
TRANSFERS (TO)/FROM DEFERRED REVENUES	46,900	79,000	15,650	-	-
	46,900	79,000	15,650	-	-
DIRECT WAGES	13,509	33,000	4,000	-	-
CONSULTING/OUTSIDE ENGINEERING	30,292	40,000	10,000	-	-
TRAVEL/VEHICLE/ADMINISTRATION/OVERHEAD	3,100	6,000	1,650	-	-
	46,900	79,000	15,650	-	-

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
SUMMARY - CATEGORY 1 WMS MANDATORY SERVICES, RISKS OF NATURAL HAZARDS					
MANDATORY MUNICIPAL COST APPORTIONMENT	705,783	705,783	731,283	731,283	731,283
PROVINCIAL GRANTS	104,417	104,417	104,417	104,417	104,417
SELF-GENERATED FEES	608,451	625,000	630,500	556,500	576,750
TRANSFER TO/FROM DEF REVENUES	54,900	79,000	15,650	-	-
TRANSFER TO/FROM RESERVES	-	-	36,500	10,000	16,500
	1,473,551	1,514,200	1,518,350	1,402,200	1,428,950
WAGES & BENEFITS	1,082,474	1,080,500	1,133,500	988,300	1,052,500
SUPPLIES/SERVICES/OTHER	259,183	234,200	224,330	204,330	191,900
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	233,829	199,500	219,020	209,370	213,050
	1,575,485	1,514,200	1,576,850	1,402,000	1,457,450
SURPLUS/(DEFICIT)	(101,934)	-	(58,500)	200	(28,500)
OTHER MUNICIPAL TERM STUDIES/PROJECTS					
MUNICIPAL	50,000	-	11,170	11,170	-
OTHER GRANTS/USER FEES/RECOVERIES	220	-	-	-	-
	50,220	-	11,170	11,170	-
WAGES	220	-	10,000	-	-
CONSULTING/OUTSIDE ENGINEERING	50,000	-	-	10,000	-
TRAVEL/VEHICLE/ADMINISTRATION/OVERHEAD	-	-	1,170	1,170	-
	50,220	-	11,170	11,170	-
SUMMARY CATEGORY 1 MANDATORY SERVICES - WECI PROJECTS AND MUNICIPAL SPECIAL STUDIES					
MUNICIPAL	50,000	-	11,170	11,170	-
SELF-GENERATED FEES	220	-	-	-	-
	50,220	-	11,170	11,170	-
WAGES & BENEFITS	220	-	10,000	-	-
CONSTRUCTION/ENGINEERING/SUPPLIES	50,000	-	-	10,000	-
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	-	-	1,170	1,170	-
	50,220	-	11,170	11,170	-
SURPLUS/(DEFICIT)	-	-	-	-	-

CONSERVATION SERVICES

CATEGORY 1 MANDATORY SERVICES - CONSERVATION LANDS MANAGEMENT GENERAL PROGRAM OPERATIONS, MANAGEMENT PLANS & LAND STRATEGIES

MANDATORY MUNICIPAL COST APPORTIONMENT	181,980	226,980	171,980	165,080	171,980
	181,980	226,980	171,980	165,080	171,980
WAGES	101,724	195,500	146,500	139,500	164,000
SUPPLIES/OFFICE/JANITORIAL	3,169	2,000	2,800	2,800	3,110
VEHICLE/TRAVEL/EQUIP'T USAGE	2,016	6,480	6,000	4,000	4,120
CORP SUPPORT/SHARED SVCS	22,292	23,000	24,000	24,000	27,000
	129,201	226,980	179,300	170,300	198,230

CONSERVATION AREAS/GREEWAYS/OWNED PROPERTIES MAINTENANCE

MANDATORY MUNICIPAL COST APPORTIONMENT	1,137,178	1,137,178	1,193,178	1,248,178	1,223,178
FEDERAL GRANTS	-	2,200	-	2,500	-
FOUNDATION & OTHER GRANTS	2,082	2,000	22,000	24,500	-
SELF-GENERATED USER FEES	103,188	89,750	83,100	96,400	102,920
TRANSFERS (TO)/FROM DEFERRED REVENUES	(37,000)	2,000	2,200	20,000	-
TRANSFERS TO/FROM RESERVES	(11,500)	(13,300)	-	-	-
	1,193,948	1,219,828	1,300,478	1,391,578	1,326,098
WAGES	509,838	565,298	655,900	652,600	636,340
CONSTRUCTION	21,999	1,000	4,600	3,900	3,500
ENGINEERING/CONSULTING	29,007	90,000	10,300	20,900	15,800
SUPPLIES/OFFICE/JANITORIAL	92,655	68,613	82,800	110,650	104,410
VEHICLE/TRAVEL/EQUIP'T USAGE	183,520	133,750	151,800	156,000	169,360
PLANT MAT/LANDOWNER GRANTS	-	-	11,000	11,000	-
CORP SUPPORT/SHARED SVCS	145,874	142,700	183,900	170,300	178,210
RENT/INS/TAXES/UTILITIES	175,106	185,667	174,500	240,100	213,390
AUDIT AND LEGAL	-	-	500	400	-
CAP MAINT/LOW VALUE ASSETS	28,050	32,300	23,300	20,850	32,730
	1,190,324	1,219,828	1,299,100	1,386,700	1,356,240

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
CAPITAL OR MAJOR MAINTENANCE/IMPROVEMENT PROJECTS-Mandatory					
MANDATORY MUNICIPAL COST APPORTIONMENT	-	-	55,000	-	-
FEDERAL GRANTS	798,460	740,000	900,000	900,000	2,000,000
FOUNDATION & OTHER GRANTS	116,933	-	-	950	-
SELF-GENERATED FEES	-	-	-	5,000	-
TRANSFERS TO/FROM DEFERRED REVENUES	29,400	75,000	85,500	73,595	-
TRANSFERS TO/FROM RESERVES	557,670	537,000	570,000	597,044	528,000
	1,502,464	1,352,000	1,610,500	1,576,589	2,528,000
WAGES	108,014	80,000	177,200	100,062	95,000
CONSTRUCTION	59,636	490,000	1,237,600	1,050,550	2,208,500
ENGINEERING/CONSULTING/SUB CONTRACTING	2,734	747,000	122,000	338,740	158,000
CONSTRUCTION SUPPLIES	7,339	-	-	13,650	29,200
VEHICLE/TRAVEL/EQUIP'T USAGE	6,470	-	6,000	6,144	4,500
CORP SUPPORT/SHARED SVCS	15,293	12,000	44,700	46,644	32,800
CAP MAINT/LOW VALUE ASSETS	16,346	23,000	23,000	20,800	-
	215,832	1,352,000	1,610,500	1,576,589	2,528,000
TREE PLANTING,RESTORATION & INVASIVE SPECIES MGMT -ERCA LANDS					
MANDATORY MUNICIPAL COST APPORTIONMENT	96,000	51,000	51,000	51,000	51,000
PROVINCIAL GRANTS	293,821	-	12,500	366,500	91,000
FOUNDATION & OTHER GRANTS	12,000	-	12,000	-	-
SELF GENERATED FEES	101	-	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(13,000)	-	-	20,000	24,000
	388,922	51,000	75,500	437,500	166,000
WAGES	104,784	39,000	48,000	104,800	70,200
ENGINEERING/CONSULTING/SUB CONTRACTING	90,465	-	20,000	20,000	71,000
SUPPLIES/OFFICE/JANITORIAL	170,704	2,500	3,600	288,600	15,600
VEHICLE/TRAVEL/EQUIP'T USAGE	3,047	2,500	2,700	2,700	3,000
PLANT MAT/LANDOWNER GRANTS	10,422	-	500	-	-
CORP SUPPORT/SHARED SVCS	17,952	7,000	7,000	14,000	15,400
	397,374	51,000	81,800	430,100	175,200
FLEET & FIELD EQUIPMENT					
MANDATORY MUNICIPAL COST APPORTIONMENT	28,000	28,000	-	-	25,000
RECOVERIES/CHARGEBACKS	346,275	262,880	289,000	296,718	295,000
GAIN/LOSS ON DISPOSITION	26,085	-	-	-	-
TRANSFERS TO/FROM RESERVES	(30,000)	50,000	73,000	130,000	-
	370,359	340,880	362,000	426,718	320,000
MAINTENANCE/REPAIRS	92,507	68,000	82,000	84,500	84,700
FUEL	47,125	52,380	46,000	47,000	47,000
LICENCES/MISC/SMALL TOOLS	35,059	20,500	24,000	29,100	29,100
AMORTIZATION	98,158	92,000	105,000	105,000	105,000
	272,850	232,880	257,000	265,600	265,800
SUMMARY CATEGORY 1 MANDATORY SERVICES -LAND MGMT, (OWNED) CA OPERATIONS, MAINTENANCE & CAPITAL					
MANDATORY MUNICIPAL COST APPORTIONMENT	1,443,158	1,443,158	1,471,158	1,464,258	1,471,158
PROVINCIAL GRANTS	293,821	-	12,500	366,500	91,000
FEDERAL GRANTS	798,460	742,200	900,000	902,500	2,000,000
FOUNDATION & OTHER GRANTS	131,015	2,000	34,000	25,450	-
SELF-GENERATED FEES	449,563	352,630	372,100	398,118	397,920
TRANSFER TO/FROM DEF REVENUES	(20,600)	77,000	87,700	113,595	24,000
TRANSFER TO/FROM RESERVES	516,170	573,700	643,000	727,044	528,000
	3,611,588	3,190,688	3,520,458	3,997,465	4,512,078
WAGES & BENEFITS	831,313	887,798	1,037,600	1,004,462	973,240
CONSTRUCTION/ENGINEERING/SUPPLIES	984,913	1,888,190	1,984,700	2,404,040	3,124,180
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	389,354	306,700	405,400	420,788	426,050
	2,205,580	3,082,688	3,427,700	3,829,289	4,523,470
SURPLUS/(DEFICIT)	1,406,008	108,000	92,758	168,176	(11,392)
CATEGORY 3 NON MANDATORY SERVICES - ONGOING ERCA CORE CONSERVATION-RELATED PROGRAMS					
LAND SECUREMENT & ACQUISITION					
NON MANDATORY MUNICIPAL COST APPORTIONMENT	171,488	138,609	171,488	171,488	171,488
OTHER INCOME	17,485	-	-	-	-
TRANSFERS (TO)/FROM LAND ACQ FUND	(153,288)	(81,609)	(108,000)	(123,000)	(124,000)
TRANSFERS (TO)/FROM RESERVES	(17,485)	-	-	-	-
	18,200	57,000	63,488	48,488	47,488

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
WAGES	8,090	5,500	22,488	7,988	7,488
LEGAL, SURVEYING,CONSULTNG	8,023	50,000	37,500	37,000	35,000
CORP SUPPORT/SHARED SVCS	2,087	1,500	3,500	3,500	5,000
	18,200	57,000	63,488	48,488	47,488
RESTORATION/TREE PLANTING PROGRAM - NON ERCA PROPERTIES					
NON MANDATORY MUNICIPAL COST APPORTIONMENT	75,000	75,000	75,000	75,000	75,000
PROVINCIAL GRANTS	-	50,000	50,000	50,000	-
FEDERAL GRANTS	3,000	160,000	130,000	-	-
FOUNDATION & OTHER GRANTS	214,544	65,000	112,500	112,500	100,000
SELF-GENERATED FEES	246,381	201,600	111,340	116,000	141,000
IN-KIND	22,823	10,000	14,000	14,000	14,000
TRANSFERS (TO)/FROM DEFERRED REVENUES	(14,271)	55,000	96,000	225,000	200,000
	547,477	616,600	588,840	592,500	530,000
WAGES	165,593	196,500	215,200	236,200	213,200
CONSTRUCTION	-	30,000	-	-	-
SUPPLIES/OFFICE//ANITORIAL	12,279	14,500	13,300	14,200	12,300
VEHICLE/TRAVEL/EQUIP'T USAGE	90,634	61,600	75,060	74,000	58,000
PLANT MAT/LANDOWNER GRANTS	192,621	220,000	192,280	180,500	160,000
CORP SUPPORT/SHARED SVCS	56,255	75,000	70,000	65,000	65,000
RENT/INS/TAXES/UTILITIES	7,550	9,000	9,000	9,000	7,500
IN KIND SVCS SUPPLIES	22,823	10,000	14,000	14,000	14,000
	547,757	616,600	588,840	592,900	530,000
HOLIDAY BEACH (OPERATED UNDER MGMT AGREEMENT)					
SELF GENERATED	441,650	414,000	417,550	440,250	441,150
TRANSFERS TO/FROM RESERVES	(8,800)	(8,800)	2,450	7,000	(2,500)
	432,850	407,000	420,000	452,250	438,650
WAGES	209,015	208,200	215,000	215,450	235,600
ENGINEERING/CONSULTING/SUB CONTRACTING	4,823	3,500	7,800	13,000	10,000
SUPPLIES/OFFICE//ANITORIAL	73,217	60,630	64,000	78,000	56,950
VEHICLE/TRAVEL/EQUIP'T USAGE	40,193	28,720	27,000	27,000	29,900
CORP SUPPORT/SHARED SVCS	37,719	39,000	40,500	40,500	41,500
RENT/INS/TAXES/UTILITIES	39,400	43,250	41,500	40,950	41,500
MAJOR MAINT/ROADS/VEGETATION	28,154	22,500	22,000	35,000	22,000
	432,849	407,000	420,000	452,100	438,650
SUMMARY CATEGORY 3 NON MANDATORY SERVICES - ERCA ONGOING CORE CONSERVATION PROGRAMS					
NON MANDATORY MUNICIPAL COST APPORTIONMENT	246,488	213,609	246,488	246,488	246,488
PROVINCIAL GRANTS	-	50,000	50,000	50,000	-
FEDERAL GRANTS	3,000	161,800	130,000	5,000	-
FOUNDATION & OTHER GRANTS	216,008	65,000	112,500	112,500	100,000
SELF-GENERATED FEES	702,072	615,600	528,890	556,250	582,150
IN-KIND	24,804	10,000	14,000	14,000	14,000
TRANSFER TO/FROM DEF REVENUES	(167,560)	(26,609)	(12,000)	102,000	76,000
TRANSFER TO/FROM RESERVES	(26,285)	(8,800)	2,450	7,000	(2,500)
	998,526	1,080,600	1,072,328	1,093,238	1,016,138
WAGES & BENEFITS	382,698	410,200	452,688	459,638	456,288
OTHER OPERATING/SITE SUPPLIES/PROF SERVICES	441,659	489,400	429,180	456,850	382,350
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	174,449	181,000	190,460	177,000	177,500
	998,806	1,080,600	1,072,328	1,093,488	1,016,138
SURPLUS/(DEFICIT)	(280)	-	(0)	(250)	(0)
CATEGORY 3 NON MANDATORY SERVICES - FIXED TERM SPECIAL PROJECTS AND FEE FOR SERVICE CONTRACTS					
NON MANDATORY RESTORATION PROJECTS					
MUNICIPAL SPECIAL PROJECTS/OTHER	(33,000)	-	-	-	-
FEDERAL GRANTS	1,123,385	1,510,000	3,000,000	701,500	1,106,420
TRANSFERS (TO)/FROM DEFERRED REVENUES	(569,040)	-	-	643,105	-
	521,345	1,510,000	3,000,000	1,344,605	1,106,420
WAGES	53,530	39,740	17,500	45,400	179,000
CONSTRUCTION	-	1,250,000	2,770,000	211,000	662,600
ENGINEERING/CONSULTING/SUB-CONTRACTING	135,371	110,676	200,000	20,000	140,000
SUPPLIES/OFFICE//ANITORIAL	212,883	3,084	1,000	1,050,000	11,500
VEHICLE/TRAVEL/EQUIP'T USAGE	682	-	-	3,650	6,400
PLANT MAT/LANDOWNER GRANTS	83,011	78,500	-	3,000	70,000
CORP SUPPORT/SHARED SVCS	12,578	28,000	7,500	7,500	33,920
RENT/INS/TAXES/UTILITIES	1,668	-	4,000	4,000	3,000
AUDIT AND LEGAL	1,331	-	-	-	-
	501,055	1,510,000	3,000,000	1,344,550	1,106,420

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
FEE FOR SERVICE CONTRACTS					
SELF-GENERATED FEES	23,562	18,700	20,000	20,700	23,820
	23,562	18,700	20,000	20,700	23,820
WAGES	13,574	9,500	11,900	15,200	15,770
SUPPLIES/OFFICE/JANITORIAL	1,486	-	-	-	980
VEHICLE/TRAVEL/EQUIP'T USAGE	4,273	5,300	4,500	1,900	3,420
PLANT MAT/LANDOWNER GRANTS	81	-	-	-	50
CORP SUPPORT/SHARED SVCS	3,496	3,000	3,400	3,400	2,920
RENT/INS/TAXES/UTILITIES	650	900	200	200	680
	23,561	18,700	20,000	20,700	23,820
SUMMARY CATEGORY 3 NON MANDATORY SERVICES - FEE FOR SERVICE CONTRACTS AND TERM LIMITED PROJECTS					
MUNICIPAL SPECIAL PROJECTS/OTHER	(33,000)	-	-	-	-
FEDERAL GRANTS	1,123,385	1,510,000	3,000,000	701,500	1,106,420
SELF-GENERATED FEES	23,562	18,700	20,000	20,700	23,820
TRANSFER TO/FROM DEF REVENUES	(569,040)	-	-	643,105	-
	544,907	1,528,700	3,020,000	1,365,305	1,130,240
WAGES & BENEFITS	67,104	49,240	29,400	60,600	194,770
CONSTRUCTION/SUPPLIES/OTHER	437,308	1,443,160	2,975,200	1,288,200	889,310
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	20,203	36,300	15,400	16,450	46,160
	524,616	1,528,700	3,020,000	1,365,250	1,130,240
SURPLUS/(DEFICIT)	20,291	-	-	55	-

WATERSHED RESEARCH

CATEGORY 1 MANDATORY SERVICE - DRINKING WATER SOURCE PROTECTION AND PROV SURFACE/GROUND WATER MONITORING PROGRAMS

MANDATORY MUNICIPAL COST APPORTIONMENT	13,100	13,100	13,100	20,000	13,100
PROVINCIAL GRANTS	164,102	128,850	125,350	125,350	145,320
OTHER GRANTS/USER FEES/RECOVERIES	1,983	-	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(30,961)	-	-	35,670	35,000
	148,224	141,950	138,450	181,020	193,420
WAGES	116,290	104,000	108,300	133,200	166,000
SUPPLIES/OFFICE/JANITORIAL	2,621	4,150	3,150	16,320	3,320
VEHICLE/TRAVEL/EQUIP'T USAGE	3,078	4,700	4,000	5,000	5,000
CORP SUPPORT/SHARED SVCS	19,880	19,500	19,500	20,000	19,100
RENT/INS/TAXES/UTILITIES	2,530	3,500	2,500	2,000	2,000
CAP MAINT/LOW VALUE ASSETS	-	1,500	1,500	1,500	1,500
PER DIEMS/MISC	3,825	4,600	4,600	3,000	3,000
	148,224	141,950	143,550	181,020	199,920

CATEGORY 2 MUNICIPAL SERVICES - RISK MANAGEMENT SERVICES (PART IV CWA, 2006)

MUNICIPAL SPECIAL PROJECTS/OTHER	24,393	36,715	30,300	30,300	22,800
	24,393	36,715	30,300	30,300	22,800
WAGES	18,743	25,807	23,300	23,300	20,000
CONSULTING	175	-	400	400	-
SUPPLIES/OFFICE/JANITORIAL	448	1,500	100	100	300
VEHICLE/TRAVEL/EQUIP'T USAGE	150	1,500	300	300	-
CORP SUPPORT/SHARED SVCS	2,876	5,908	4,500	4,500	2,500
RENT/INS/TAXES/UTILITIES	2,000	2,000	1,700	1,700	-
	24,393	36,715	30,300	30,300	22,800

CATEGORY 3 NON MANDATORY SERVICE - ONGOING ERCA CORE WATER QUALITY/RESEARCH PROGRAM

WATERSHED WATER QUALITY PROGRAM

NON MANDATORY MUNICIPAL COST APPORTIONMENT	25,000	25,000	25,000	25,000	-
OTHER	4,658	-	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES/PROJECT TRANSFERS	(5,623)	23,000	29,500	39,500	35,000
	24,035	48,000	54,500	64,500	35,000

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
WAGES	2,512	15,500	29,000	39,000	10,000
SUPPLIES/OFFICE/JANITORIAL	2,436	3,000	2,000	2,000	2,500
VEHICLE/TRAVEL/EQUIP'T USAGE	3,120	9,000	5,000	5,000	5,000
CORP SUPPORT/SHARED SVCS	3,204	6,500	6,500	6,500	6,500
RENT/INS/TAXES/UTILITIES	2,325	2,000	2,000	2,000	2,000
TECHNICAL EQUIPMENT/LAB SERVICES	10,439	12,000	10,000	10,000	9,000
	24,035	48,000	54,500	64,500	35,000
SUMMARY CATEGORY 3 NON MANDATORY SERVICES - ERCA ONGOING WATER QUALITY/ RESEARCH PROGRAMS					
NON MANDATORY MUNICIPAL COST APPORTIONMENT	25,000	25,000	25,000	25,000	-
FOUNDATION & OTHER GRANTS	234	-	-	-	-
SELF-GENERATED	2,442	-	-	-	-
TRANSFER TO/FROM DEF REVENUES	(3,640)	23,000	29,500	39,500	35,000
	24,035	48,000	54,500	64,500	35,000
WAGES & BENEFITS	2,512	15,500	29,000	39,000	10,000
SUPPLIES/TECH SERVICES/EQUIP'T	15,200	18,000	14,000	14,000	13,500
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	6,324	14,500	11,500	11,500	11,500
	24,035	48,000	54,500	64,500	35,000
SURPLUS/(DEFICIT)	-	-	-	-	-
CATEGORY 3 NON MANDATORY SERVICES - TERM LIMITED GRANT-FUNDED/FEE-FOR-SERVICE PROJECTS/STUDIES					
DETROIT RIVER CANADIAN CLEANUP					
PROVINCIAL GRANTS	61,557	75,000	31,200	95,044	16,154
FEDERAL GRANTS	67,737	75,000	75,000	70,000	72,450
TRANSFERS (TO)/FROM DEFERRED REVENUES	21,727	5,000	-	(37,440)	37,440
	151,021	155,000	106,200	127,604	126,044
WAGES	120,190	115,000	91,200	92,793	92,000
SUPPLIES/OFFICE/JANITORIAL	14,674	14,600	15,000	15,213	15,244
VEHICLE/TRAVEL/EQUIP'T USAGE	1,200	1,000	-	1,318	1,300
CORP SUPPORT/SHARED SVCS	13,094	22,000	-	16,000	16,000
RENT/INS/TAXES/UTILITIES	1,700	2,400	-	480	500
CAP MAINT/LOW VALUE ASSETS	163	-	-	1,800	1,000
	151,021	155,000	106,200	127,604	126,044
OTHER WATER QUALITY STUDIES (FED\$ & PROV\$)					
PROVINCIAL GRANTS	41,921	85,300	-	28,221	-
FEDERAL GRANTS	1,869,734	1,889,000	1,800,000	1,241,644	1,803,440
OTHER	-	-	-	3,800	-
IN-KIND	172,437	-	-	273,306	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(248,790)	-	-	427,554	-
	1,835,302	1,974,300	1,800,000	1,974,525	1,803,440
WAGES	356,643	359,400	212,500	275,682	314,900
CONSTRUCTION	90,317	185,000	204,200	70,000	70,000
CONSULTING/SUB CONTRACTING	27,142	-	-	29,105	28,700
SUPPLIES/OFFICE/JANITORIAL	35,307	39,800	32,500	62,853	55,100
VEHICLE/TRAVEL/EQUIP'T USAGE	20,883	28,800	5,000	18,653	15,500
PLANT MAT/LANDOWNER GRANTS	1,004,508	1,249,989	1,293,000	1,171,643	1,267,740
CORP SUPPORT/SHARED SVCS	72,203	108,511	50,000	71,783	50,000
RENT/INS/TAXES/UTILITIES	1,000	-	-	1,500	1,500
IN KIND SVCS SUPPLIES	172,437	-	-	273,306	-
TECHNICAL EQUIPMENT	54,862	2,800	2,800	-	-
	1,835,302	1,974,300	1,800,000	1,974,525	1,803,440
OTHER WATER QUALITY FEE FOR SERVICE (SAMPLING/DATA/ANALYSIS)					
FEDERAL GRANTS	40,654	13,500	-	20,300	13,000
TRANSFERS (TO)/FROM DEFERRED REVENUES/PROJECT TRANSFERS	(14,700)	-	-	-	-
	25,954	13,500	-	20,300	13,000
WAGES	19,065	7,500	-	11,500	12,000
SUPPLIES/OFFICE/JANITORIAL	130	500	-	1,500	-
VEHICLE/TRAVEL/EQUIP'T USAGE	2,810	2,500	-	4,500	-
CORP SUPPORT/SHARED SVCS	3,799	2,500	-	2,500	1,000
RENT/INS/TAXES/UTILITIES	150	500	-	300	-
	25,954	13,500	-	20,300	13,000

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
SUMMARY CATEGORY 3 NON MANDATORY SERVICES - TERM LIMITED GRANT-FUNDED/FEE-FOR-SERVICE PROJECTS/STUDIES					
PROVINCIAL GRANTS	103,477	160,300	31,200	123,265	16,154
FEDERAL GRANTS	1,978,125	1,977,500	1,875,000	1,331,944	1,888,890
SELF-GENERATED	-	-	-	3,800	-
IN-KIND	172,437	-	-	273,306	-
TRANSFER TO/FROM DEF REVENUES	(241,763)	5,000	-	390,114	37,440
	2,012,277	2,142,800	1,906,200	2,122,429	1,942,484
WAGES & BENEFITS	495,899	481,900	303,700	379,975	418,900
SUBSIDIES/MATERIALS/TECH SVCS/EQUIP'T	1,414,451	1,496,089	1,547,500	1,641,495	1,451,784
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	101,928	164,811	55,000	100,959	71,800
	2,012,278	2,142,800	1,906,200	2,122,429	1,942,484
SURPLUS/(DEFICIT)	-	-	-	-	-

COMMUNITY SERVICES

GENERAL SERVICES

CORPORATE COMMUNICATIONS

MANDATORY MUNICIPAL COST APPORTIONMENT	187,450	187,450	187,450	187,450	187,450
FOUNDATION & OTHER GRANTS	5,000	5,000	5,000	5,000	5,000
TRANSFERS (TO)/FROM DEFERRED REVENUES	5,000	7,500	7,500	-	10,000
	197,450	199,950	199,950	192,450	202,450

WAGES	182,064	182,000	200,000	190,000	213,000
CONSULTING	-	5,000	5,000	5,000	-
SUPPLIES/OFFICE/JANITORIAL	14,838	10,200	14,500	14,500	15,300
VEHICLE/TRAVEL/EQUIP'T USAGE	195	750	750	750	150
CAP MAINT/LOW VALUE ASSETS	468	2,000	2,000	2,000	1,000
	197,565	199,950	222,250	212,250	229,450

CATEGORY 3 NON MANDATORY SERVICES - ONGOING ERCA STAKEHOLDER ENGAGEMENT, OUTREACH & EDUCATION

OUTDOOR & CONSERVATION EDUCATION

PROVINCIAL GRANTS	3,830	-	-	-	-
FOUNDATION & OTHER GRANTS	60,197	45,000	25,000	47,000	23,000
SELF-GENERATED	23,884	30,000	18,000	18,700	25,000
TRANSFERS (TO)/FROM DEFERRED REVENUES	13,970	19,000	46,000	18,000	40,000
	101,880	94,000	89,000	83,700	88,000

WAGES	67,285	73,600	71,000	66,000	70,600
SUPPLIES/OFFICE/JANITORIAL	5,302	2,650	2,750	2,130	2,400
VEHICLE/TRAVEL/EQUIP'T USAGE	455	2,650	2,650	2,650	2,400
PLANT MAT/LANDOWNER GRANTS	-	-	-	350	-
CORP SUPPORT/SHARED SVCS	12,269	13,000	11,000	11,000	11,000
RENT/INS/TAXES/UTILITIES	1,600	1,600	1,600	1,600	1,600
CAP MAINT/LOW VALUE ASSETS	14,969	500	-	-	-
	101,880	94,000	89,000	83,730	88,000

OUTREACH & ENGAGEMENT

NON MANDATORY MUNICIPAL COST APPORTIONMENT	57,150	57,150	57,150	57,150	57,150
FOUNDATION & OTHER GRANTS	34,810	15,000	10,000	33,000	19,000
SELF-GENERATED FEES	36,324	1,000	10,000	18,000	25,000
TRANSFERS (TO)/FROM DEFERRED REVENUES	(31,067)	11,250	26,450	30,000	33,500
	97,217	84,400	103,600	138,150	134,650

WAGES	48,746	52,700	66,600	72,600	80,100
SUPPLIES/OFFICE/JANITORIAL	10,493	4,200	8,800	9,000	5,450
VEHICLE/TRAVEL/EQUIP'T USAGE	3,388	4,100	4,800	4,800	4,500
PARTNER GRANTS/PLANT MATERIAL	33,794	9,000	9,000	35,000	25,000
CORP SUPPORT/SHARED SVCS	14,454	12,000	12,000	15,000	17,000
RENT/INS/TAXES/UTILITIES	2,400	2,400	2,400	2,400	2,400
CAP MAINT/LOW VALUE ASSETS	142	-	-	-	-
	113,417	84,400	103,600	138,800	134,650

JOHN R PARK HOMESTEAD MUSEUM OPERATIONS AND EDUCATIONAL PROGRAMMING

NON MANDATORY MUNICIPAL COST APPORTIONMENT	170,112	170,112	170,112	170,112	195,112
PROVINCIAL GRANTS	23,688	23,688	23,688	23,688	23,688
FEDERAL GRANTS	4,544	9,500	4,600	11,200	4,600
FOUNDATION & OTHER GRANTS	26,119	27,020	26,000	27,500	14,000
SELF-GENERATED FEES	173,570	127,535	138,000	150,500	153,200
TRANSFERS (TO)/FROM DEF REVENUES	(22,000)	-	25,000	18,000	13,993
TRANSFERS (TO)/FROM RESERVES	-	-	-	20,000	-
	376,033	357,855	387,400	421,000	404,593

WAGES	241,082	237,785	253,510	279,600	266,500
CONSULTING/SUB K	7,554	520	3,982	4,180	4,200
SUPPLIES/OFFICE/JANITORIAL	53,767	47,700	55,058	59,408	58,351

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
VEHICLE/TRAVEL/EQUIP'T USAGE	3,397	3,760	4,400	5,000	4,000
CORP SUPPORT/SHARED SVCS	30,708	30,250	30,250	30,250	30,000
RENT/INS/TAXES/UTILITIES	36,489	35,900	38,900	39,100	39,542
CAP MAINT/LOW VALUE ASSETS	2,733	1,140	1,000	2,400	1,400
	376,034	357,855	387,400	420,238	404,593

SUMMARY CATEGORY 3 NON MANDATORY SERVICES - COMMUNITY OUTREACH, EDUCATION & JRPH MUSEUM OPERATIONS					
NON MANDATORY COST APPORTIONMENT	227,262	227,262	227,262	227,262	252,262
PROVINCIAL GRANTS	27,518	23,688	23,688	23,688	23,688
FEDERAL GRANTS	4,544	9,500	4,600	11,200	4,600
FOUNDATION & OTHER GRANTS	121,126	87,020	61,000	107,500	56,000
SELF-GENERATED FEES	233,778	158,535	166,000	186,500	203,200
INTERDEPARTMENTAL TRANSFERS	16,200	-	-	700	-
TRANSFER TO/FROM DEF REVENUES	(39,097)	30,250	97,450	66,000	87,493
TRANSFER TO/FROM RESERVES	-	-	-	20,000	-
	591,331	536,255	580,000	642,850	627,243
WAGES & BENEFITS	357,114	364,085	391,110	418,200	417,200
OTHER OPERATING/SITE SUPPLIES/PROF SERVICES	172,399	110,440	127,840	160,518	144,393
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	61,818	61,730	61,050	64,050	65,650
	591,331	536,255	580,000	642,768	627,243
SURPLUS/(DEFICIT)	0	-	(0)	82	-

CATEGORY 3 NON MANDATORY SERVICES - FUNDRAISING/COMMUNITY EVENTS & GRANT FUNDED TERM PROJECTS					
FOUNDATION & OTHER GRANTS	86,126	62,000	15,000	19,000	19,000
SELF-GENERATED	(16,200)	-	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(4,100)	-	-	-	-
	65,826	62,000	15,000	19,000	19,000
WAGES	25,715	22,000	15,000	5,500	5,500
TREES/SUPPLIES	40,112	40,000	-	13,500	13,500
	65,826	62,000	15,000	19,000	19,000

CORPORATE SERVICES

GENERAL SERVICES- CORPORATE & SUPPORT FUNCTIONS					
ADMINISTRATION, GOVERNANCE, RISK, COMPLIANCE, HR, FINANCE & IM/IT					
MANDATORY MUNICIPAL COST APPORTIONMENT	429,000	429,000	375,500	375,500	375,500
RECOVERIES/CHARGEBACKS	702,665	662,000	695,000	720,000	720,000
INTEREST & INVESTMENT INCOME	248,594	263,000	175,000	190,000	154,000
OTHER	115,707	-	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(6,251)	-	(10,000)	(7,000)	(9,900)
TRANSFERS (TO)/FROM RESERVES	(166,000)	(32,000)	(40,000)	(40,000)	(20,000)
	1,323,715	1,322,000	1,195,500	1,238,500	1,219,600
WAGES	825,242	967,400	842,000	832,000	830,000
MEMBER EXPENSES/CO DUES	51,901	63,000	64,500	54,500	54,500
AUDIT/LEGAL/CONSULTING	33,748	20,000	23,000	23,000	25,000
SUPPLIES/EQUIP/NETWORK	88,534	104,600	87,500	75,000	68,500
OCCUPANCY/PHONE	142,011	142,000	145,000	145,000	148,000
TRAVEL & BD/STAFF MEETINGS	5,357	5,000	5,500	5,500	4,000
RETIREE BENEFITS	18,650	20,000	13,000	13,000	13,000
	1,165,444	1,322,000	1,180,500	1,148,000	1,143,000

CORPORATE SPECIAL PROJECTS (RECORDS/IS/IT)					
TRANSFERS FROM DEF REVENUES	26,411	28,000	13,000	13,600	-
	26,411	28,000	13,000	13,600	-
WAGES	21,219	3,000	13,000	13,200	-
CONSULTING/OTHER	5,292	25,000	-	-	-
	26,511	28,000	13,000	13,200	-

RESERVES- MANDATORY PROGRAMS					
MANDATORY LEVY	275,000	275,000	275,000	275,000	275,000
TRANSFER TO/FROM RESERVES	(275,000)	(275,000)	(275,000)	(275,000)	(275,000)
	0	-	-	-	-

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
SUMMARY CORPORATE SERVICES					
MANDATORY MUNICIPAL COST APPORTIONMENT	704,000	704,000	650,500	650,500	650,500
RECOVERIES/CHARGEBACKS	702,665	662,000	695,000	720,000	720,000
INTEREST	248,594	263,000	175,000	190,000	154,000
OTHER	115,707	-	-	-	-
TRANSFER TO/FROM DEF REVENUES	20,160	28,000	3,000	6,600	(9,900)
TRANSFER TO/FROM RESERVES	(441,000)	(307,000)	(315,000)	(315,000)	(295,000)
	1,350,126	1,350,000	1,208,500	1,252,100	1,219,600
WAGES & BENEFITS	846,461	970,400	855,000	845,200	830,000
OTHER OPERATING/SUPPLIES/PROF SERVICES	345,493	379,600	338,500	316,000	313,000
	1,191,955	1,350,000	1,193,500	1,161,200	1,143,000
SURPLUS/(DEFICIT)	158,171	-	15,000	90,900	76,600

NON MANDATORY SERVICES- ESSEX REGION CONSERVATION GOVERNANCE & FINANCE SUPPORTS					
FOUNDATION SUPPORT GRANT	55,000	55,000	55,000	55,000	55,000
ERCF-RELATED WAGE SUPPORTS	55,000	55,000	55,000	55,000	55,000
NET FINANCIAL SUPPORT OF/(PROVIDED BY) ERCF	-	-	-	-	-

BUDGET SUMMARY OF PROGRAMS & SERVICES BY CATEGORY					
General Services (Administration, Finance, Human Resources, IT, & Communications)					
Mandatory Municipal Cost Apportionment	616,450	616,450	562,950	562,950	562,950
Self-generated/Other grants	369,301	268,000	180,000	195,000	159,000
Shared and corporate services recoveries	702,665	662,000	695,000	720,000	720,000
Deferred Revenue Transfers	25,160	35,500	10,500	6,600	100
Reserve transfers	(166,000)	(32,000)	(40,000)	(40,000)	(20,000)
Total revenues - general/administrative programs & services	1,547,575	1,549,950	1,408,450	1,444,550	1,422,050
Wages & benefits	1,047,175	1,172,400	1,068,000	1,048,200	1,056,000
Office supplies & expenses - other ERCA programs	15,785	13,300	12,500	12,500	13,600
Occupancy, taxes & utilities	142,011	143,000	146,000	146,000	148,500
Equipment, software/hardware & website	63,684	81,500	60,500	49,500	50,400
Technical & sub-contracted services/consulting	11,566	33,500	15,000	15,000	2,500
Insurance	11,676	9,000	11,000	11,000	11,000
Audit & Legal	33,748	19,500	23,000	23,000	25,000
Dues & memberships	42,846	49,000	51,000	46,000	45,900
Travel, training & professional development	5,079	10,250	8,750	7,250	4,650
Board ,committee & meeting expenses	15,257	17,500	19,000	14,000	14,000
Bank, credit card charges and interest	689	1,000	1,000	1,000	900
Total operational expenses -general/administrative	1,389,519	1,549,950	1,415,750	1,373,450	1,372,450
Total Surplus/(Deficit)-General/Administrative Programs & Services	158,056	-	(7,300)	71,100	49,600
Category 1 Mandatory Programs & Services associated with Risks of Hazards, Conservation of Lands*, & DWSP					
Mandatory Municipal Cost Apportionment	2,437,041	2,437,041	2,435,541	2,490,541	2,490,541
Municipal Special Project/Other	50,000	-	11,170	11,170	-
Other Government \$	562,340	235,467	242,267	598,767	340,737
Self-generated/Other grants	740,027	714,750	713,600	652,900	679,670
ERCF	14,082	2,000	34,000	24,500	-
Shared services recoveries - Non-Mandatory Programs	110,504	112,380	120,700	108,518	98,360
Deferred Revenue Transfers	(26,061)	81,000	17,850	75,670	59,000
Reserve transfers	(316,500)	(238,300)	(165,500)	(135,000)	(258,500)
Total revenues associated with mandatory programs & services	3,571,433	3,344,338	3,409,628	3,827,066	3,409,808
Operational Expenses associated with mandatory services					
Wages & benefits	1,922,283	1,992,298	2,112,200	2,025,900	2,096,740
Construction	21,999	1,000	4,600	3,900	3,500
Plant material	10,422	-	11,500	11,000	-
Maintenance, supplies, contracted services-cons areas	349,395	175,200	117,600	390,950	175,480
Office supplies & expenses - other ERCA programs	9,984	12,950	10,630	14,430	12,050
Occupancy, taxes, utilities & waste removal	189,414	177,388	178,000	266,700	236,400
Maintenance, repairs & supplies-fleet/equipment	147,233	120,880	127,500	134,100	134,100
Equipment, software/hardware & website	59,930	40,800	37,550	63,770	50,570
Technical & sub-contracted services/consulting	122,897	84,500	50,000	50,000	30,010
Insurance	109,946	133,267	120,500	118,000	115,430
Audit & Legal	68,989	15,000	50,500	30,400	40,000
Dues & memberships	1,711	1,500	1,400	1,200	1,500
Travel, training & professional development	11,237	6,230	7,600	9,300	12,360
Board ,committee & meeting expenses	3,825	4,600	4,600	3,000	3,000
Bank, credit card charges and interest	11,949	11,525	11,200	12,900	11,800
Fleet/Equipment replacement	159,971	159,971	210,000	265,392	174,000
Other	1,027	-	-	3,800	-
Allocated corporate recoveries	414,130	367,200	430,090	414,340	428,260
Total operational expenses -mandatory programs	3,616,343	3,304,309	3,485,470	3,819,082	3,525,200

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
Operating surplus/(Deficit) - mandatory programs/services	(44,910)	40,029	(75,842)	7,984	(115,392)
Capital projects associated with Category 1 Programs & Services					
Mandatory Municipal Cost Apportionment	-	-	55,000	-	-
Transfers from Infrastructure Reserve	557,670	537,000	570,000	597,044	528,000
Government grants	798,460	740,000	900,000	900,000	2,000,000
Grants from ERCF/Other funders	146,334	75,000	85,500	74,545	-
Total revenues associated with capital projects/infrastructure	1,502,464	1,352,000	1,610,500	1,576,589	2,528,000
Construction/engineering-ERCA capital projects (transferred to TCA at y/e)	107,818	1,272,000	1,433,300	1,476,528	2,433,000
Wages	108,014	80,000	177,200	100,062	95,000
Capitalized Infrastructure replacement					
Total ERCA infrastructure investment	215,832	1,352,000	1,610,500	1,576,589	2,528,000
Surplus/(Deficit) - Capital Projects	1,286,632	-	-	-	-
Category 3 Non-Mandatory Programs & Services					
On-going recurring core watershed programs & services					
Non Mandatory Municipal Cost Apportionment	327,262	327,262	327,262	327,262	327,262
Non Mandatory Municipal Cost Apportionment-land acq	171,488	138,609	171,488	171,488	171,488
Other Government \$	35,062	244,988	208,288	89,888	28,288
Self-generated/Other grants	1,357,446	991,155	937,390	1,031,750	1,010,350
Interdepartmental Transfers	14,217	-	-	700	-
Deferred Revenue Transfers	(210,297)	26,641	114,950	207,500	198,493
Reserve Transfers	(26,285)	(8,800)	2,450	27,000	(2,500)
Total revenues-ongoing non-mandatory programs & services	1,668,893	1,719,855	1,761,828	1,855,588	1,733,381
Expenses associated with ERCA ongoing non-mandatory programs & services					
Wages & benefits	797,324	845,285	927,798	971,838	938,788
Construction& consulting engineering	2,035	75,000	27,500	27,500	25,000
Plants, removals and landowner subsidies	226,415	229,000	201,280	215,850	185,000
Supplies	132,578	93,840	100,608	112,788	99,051
Maintenance, repairs & security	32,186	34,620	30,900	59,900	30,750
Occupancy, taxes, utilities & waste removal	77,504	68,990	75,500	81,500	82,892
Equipment, software/hardware & website	53,940	22,090	32,350	25,450	24,600
Lab, data, technical & sub-contracted services	22,815	16,020	21,782	27,180	23,200
Insurance	32,125	41,300	36,100	35,750	33,300
Audit & legal	5,988	5,000	10,000	9,500	10,000
Dues & memberships	255	4,250	-	-	-
Travel, training & professional development	4,401	3,180	4,150	4,700	3,350
Board ,committee & meeting expenses	-	300	300	300	300
Bank, credit card charges and interest	15,890	13,750	16,550	16,950	8,500
In-kind supplies & services	22,823	10,000	14,000	14,000	14,000
Land acquisition & acquisition assistance	-	-	-	-	-
Shared services allocations	242,591	257,230	263,010	252,550	254,650
Other misc supplies	303	-	(0)	-	-
	1,668,869	1,719,855	1,761,828	1,855,756	1,733,381
Surplus/(Deficit) associated with ERCA-ongoing Cat 3 non-mandatory programs & services	23	-	-	(168)	-
Category 3 Non-Mandatory Programs & Services					
Term-limited projects with special grants and fixed terms					
Municipal Special Project/Fee For Service	(33,000)	-	-	-	-
Other Government \$	3,204,988	3,647,800	4,906,200	2,156,709	3,011,464
Self-generated/Other grants	265,925	80,700	35,000	316,806	42,820
Deferred Revenue Transfer	(814,903)	5,000	-	1,033,219	37,440
Total Revenues associated with term ltd 3rd-party funded proj & svcs	2,623,010	3,733,500	4,941,200	3,506,734	3,091,724
Expenses associated with term ltd 3rd-party funded projects & services					
Wages & benefits	588,718	553,140	348,100	446,075	619,170
Construction& consulting engineering	228,188	1,545,676	3,174,200	302,700	859,300
Plants, removals and landowner subsidies	1,113,691	1,368,489	1,293,000	1,185,643	1,348,790
Program supplies-	271,057	46,084	46,000	1,128,336	81,576
Maintenance, repairs & security	-	-	-	1,295	-
Equipment, software/hardware & website	67,099	14,400	5,300	12,294	15,012
Lab, data, technical & sub-contracted services	25,248	-	-	27,405	42,400
Insurance, audit & legal	6,499	3,800	4,200	6,480	5,680
Travel, training & professional development	1,624	800	-	4,236	336
In-kind supplies & services	172,437	-	-	273,306	-
Shared services allocations	128,160	201,111	70,400	118,909	119,460
	2,602,720	3,733,500	4,941,200	3,506,679	3,091,724

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
Surplus/(Deficit) associated with term limited 3rd party funded projects & services	20,290	-	-	55	-
Capital projects associated with Category 3 Non-Mandatory Programs & Services					
Transfers from Infrastructure Reserve	(7,926)	-	77,000	113,000	-
Grants from ERCF/Other funders	77,000	-	68,000	106,000	-
Total revenues - Cat 3 capital projects/infrastructure	69,074	-	145,000	219,000	-
Construction/engineering-ERCA capital projects (transferred to TCA at y/e)	62,602	-	142,000	216,500	-
Wages	6,473	-	3,000	2,500	-
Capitalized Infrastructure replacement					
Total expenses- Cat 3 capital projects/infrastructure	69,075	-	145,000	219,000	-
Surplus/(Deficit) - Cat 3 capital projects	-	-	-	-	-
Category 2 Programs & Services (provided on behalf of one or more municipalities through agreement)					
Municipal Special Project/Other Fee for Service	24,393	36,715	30,300	30,300	22,800
Total operating revenues - municipal programs & services	24,393	36,715	30,300	30,300	22,800
Wages & benefits	18,743	25,807	23,300	23,300	20,000
Office supplies & expenses	60	500	100	100	100
Equipment, software/hardware & website	388	1,000	-	-	200
Technical & sub-contracted services/consulting	175	-	400	400	-
Insurance	2,000	2,000	1,700	1,700	-
Travel, training & professional development	150	1,500	300	300	-
Shared/corporate services	2,876	5,908	4,500	4,500	2,500
Other	-	-	-	-	-
total expenses	24,393	36,715	30,300	30,300	22,800
Total operating expenses -municipal programs & services	24,393	36,715	30,300	30,300	22,800
Total Surplus/(Deficit)-Cat 2 Municipal Programs/Services	-	-	-	-	-
Municipal Cost Apportionment - Mandatory Cat 1	3,053,491	3,053,491	3,053,491	3,053,491	3,053,491
Municipal Cost Apportionment - Non Mandatory Cat 3	327,262	327,262	327,262	327,262	327,262
Municipal Discretionary Land Cont'n - Non Mandatory Cat 3	171,488	138,609	171,488	171,488	171,488
Total Municipal Cost Apportionment	3,552,241	3,519,362	3,552,241	3,552,241	3,552,241
CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES-ALL CATEGORIES					
Mandatory municipal cost apportionment Cat 1	3,053,491	3,053,491	3,053,491	3,053,491	3,053,491
Non mandatory municipal cost apportionment Cat 3	327,262	327,262	327,262	327,262	327,262
Non mandatory municipal discretionary land acquisition Cat 3	171,488	138,609	171,488	171,488	171,488
Total Municipal Cost Apportionment	3,552,241	3,519,362	3,552,241	3,552,241	3,552,241
Water & erosion control infrastructure and special projects	17,000	-	11,170	11,170	-
Municipal risk management services- Cat 2	24,393	36,715	30,300	30,300	22,800
Total Municipal Contributions	3,593,633	3,556,077	3,593,711	3,593,711	3,575,041
Provincial					
Section 39 Flood/Erosion Program	104,417	104,417	104,417	104,417	104,417
Drinking Water Source Protection	163,974	126,350	125,350	125,350	145,320
Other (CMOG, SEO etc)	424,944	236,488	117,388	563,453	130,842
	693,335	467,255	347,155	793,220	380,579
Federal	3,907,514	4,401,000	5,909,600	2,952,144	4,999,910
Total Government Transfer Payments & Fees-For-Services	8,194,483	8,424,332	9,850,466	7,339,075	8,955,530
Other revenues					
Permit and applicant fees - mandatory services	608,671	625,000	630,500	556,500	576,750
Admissions, program fees & other services	1,078,824	798,585	708,190	771,850	806,890
Leases & property rentals	104,007	84,000	89,800	97,500	105,200
Donations and other grants					
General	278,281	115,270	112,500	126,000	102,000
Essex Region Conservation Foundation grants	457,270	160,750	175,000	254,450	133,000
In-kind contributions	197,241	10,000	14,000	287,306	14,000
Interest income	248,594	263,000	175,000	190,000	154,000
Gain on sale of assets	26,085	-	-	-	-
Total other revenues	2,998,973	2,056,605	1,904,990	2,283,606	1,891,840
Transfers from/(to) deferred revenues	(1,040,742)	223,141	291,800	1,446,584	295,033
Interdepartmental recoveries	1,022,855	924,880	984,000	1,016,718	1,015,000
TOTAL REVENUES	\$ 11,175,569	\$ 11,628,958	\$ 13,031,256	\$ 12,085,983	\$ 12,157,403

	2025 AUDITED	2025 BUDGET	2026 BUDGET	2026 PROJECTION	2027 DRAFT BUDGET
EXPENSES BY CLASSIFICATION					
Wages & benefits	4,488,730	4,668,930	4,659,598	4,617,875	4,825,698
Construction/engineering fees-municipal projects	80,292	40,000	10,000	10,000	-
Construction/engineering fees-term grant projects	225,688	1,575,676	3,174,200	301,000	857,600
Construction/engineering fees-ERCA capital projects	145,124	1,283,000	1,499,700	1,647,590	2,421,000
Plant material, partner/landowner grants-term grant projects	1,030,599	1,289,989	1,293,000	1,182,643	1,278,740
Plant material, partner/landowner grants-ERCA operations	319,930	307,500	212,780	229,850	255,050
Program supplies- term grant projects	322,054	78,484	79,400	1,163,536	110,896
Site & operational supplies - Conservation Areas	254,264	92,030	100,600	374,700	81,160
Supplies and cost of goods sold - other ERCA operations	77,829	65,660	67,438	74,618	74,301
Occupancy, taxes, utilities & waste removal	408,929	388,378	398,500	493,200	467,292
Maintenance, repairs & security-sites	52,028	74,320	64,600	82,995	62,950
Maintenance, repairs & supplies-fleet/equipment	158,032	123,380	132,500	144,100	144,100
Equipment, software/hardware & website-term grant projects	74,793	18,950	10,350	28,914	19,832
Equipment, software/hardware & website- ERCA operations	162,450	138,340	120,350	122,100	111,150
Lab, data, technical & sub-contracted services -term grant	27,142	-	-	29,105	28,700
Lab, data, technical & sub-contracted services - ERCA operations	204,449	184,020	137,082	119,480	157,910
Insurance	160,916	189,367	173,500	172,930	165,410
Audit & legal services	110,056	39,500	83,500	62,900	75,000
Dues & memberships	44,812	54,750	52,400	47,200	47,400
Travel, training & professional development	22,192	19,960	20,000	24,986	20,546
Board ,committee & meeting expenses	19,082	22,400	23,900	17,300	17,300
Bank, credit card charges and interest	28,528	26,275	28,750	30,850	21,200
In-kind supplies & services	195,260	10,000	14,000	287,306	14,000
Land acquisition & acquisition assistance	-	-	-	-	-
Amortization	437,440	421,500	427,100	427,100	105,000
Internal recoveries included in revenues	1,022,574	995,949	991,800	1,038,087	1,038,960
TOTAL EXPENSES	\$ 10,073,671	\$ 12,108,358	\$ 13,775,448	\$ 12,730,764	\$ 12,401,195
Total Revenues					
	11,175,569	11,628,958	13,031,256	12,085,983	12,157,403
Total Expenses					
	10,073,671	12,108,358	13,775,448	12,730,764	12,401,195
SURPLUS/(DEFICIT) (ACCRUAL BASIS)	1,101,898	(479,400)	(744,193)	(644,781)	(243,792)
ADD/SUBTRACT: NON CASH ITEMS					
Donation of land to ERCA	-	-	-	-	-
Gain/loss on asset disposal	(12,576)	-	-	-	-
Amortization	437,440	421,500	427,100	427,100	105,000
Transfers from Reserves (Per Schedule)	-	-	-	-	544,500
DEDUCT: CAPITAL ITEMS					
Land acquisition	-	-	-	-	-
Purchased fleet/equipment	(159,971)	(200,000)	(210,000)	(265,392)	(174,000)
Infrastructure additions	(1,306,922)	-	-	-	-
(DECREASE)/INCREASE IN NET SURPLUS (prior to reserve transfers)	59,870	(257,900)	(527,093)	(483,073)	231,708
TRANSFER (TO)/FROM RESERVES (Per Schedule)	40,959	257,900	443,950	562,044	297,500
INCREASE/(DECREASE) IN UNRESTRICTED ACCUMULATED OPERATING FUND SURPLUS					
	\$ 100,829	\$ 0	\$ (83,143)	\$ 78,971	\$ (65,792)

Appendix B: 2027 Draft Municipal Cost Apportionment Schedule-0%

MUNICIPAL COST APPORTIONMENT -Categories 1 (Mandatory) & Category 3 (Non-Mandatory)														
MUNICIPALITY	MCVA %		MCVA % CHG	Cat 1 Mandatory		Cat 1 Mandatory Apportionment % Chg \$ Chg 0.0%	Cat 3 Non-Mandatory*		Cat 3 Non-Mandatory Apportionment % Chg 0.0%	Total Apportionment		2027-2026 \$	% CHG	Optional Land Acquisition based on MVCA
	2027	2026		2027	2026		2027	2026		2027	2026			
	DRAFT	APPROVED		DRAFT	APPROVED		DRAFT	APPROVED		DRAFT	APPROVED			
	\$3,053,491	\$3,053,491		\$3,053,491	\$3,053,491		\$327,262	\$327,262		\$3,380,753	\$3,380,753			
TOWN OF AMHERSTBURG	6.48%	6.33%	2.3%	\$ 197,890	\$ 193,374	\$ 4,516	\$ 21,209	\$ 20,725	\$ 484	\$ 219,100	\$ 214,100	\$ 5,000	2.3%	31,257.99
TOWN OF ESSEX	4.97%	4.94%	0.6%	151,606	150,758	848	\$ 16,249	16,158	91	167,855	166,916	939	0.6%	24,543.73
TOWN OF KINGSVILLE	6.61%	6.65%	-0.5%	201,847	202,943	(1,097)	\$ 21,633	21,751	(118)	223,480	224,694	(1,214)	-0.5%	32,878.88
MUNICIPALITY OF LAKESHORE	9.88%	9.91%	-0.4%	301,566	302,702	(1,136)	\$ 32,321	32,443	(122)	333,887	335,145	(1,258)	-0.4%	49,697.85
TOWN OF LASALLE	9.20%	9.21%	0.0%	281,020	281,144	(124)	\$ 30,119	30,132	(13)	311,139	311,276	(138)	0.0%	-
MUNICIPALITY OF LEAMINGTON	6.39%	6.44%	-0.7%	195,197	196,557	(1,360)	\$ 20,920	21,066	(146)	216,117	217,623	(1,506)	-0.7%	31,767.09
TOWNSHIP OF PEELE	0.27%	0.26%	0.3%	8,101	8,077	24	\$ 868	866	3	8,969	8,942	26	0.3%	1,342.05
TOWN OF TECUMSEH	8.13%	8.13%	0.0%	248,344	248,393	(49)	\$ 26,617	26,622	(5)	274,961	275,015	(54)	0.0%	-
CITY OF WINDSOR	48.07%	48.13%	-0.1%	1,467,920	1,469,541	(1,621)	\$ 157,326	157,500	(174)	1,625,247	1,627,041	(1,795)	-0.1%	-
TOTALS	100%	100%		\$ 3,053,491	\$ 3,053,491	\$ -	\$ 327,262	\$ 327,262	\$ -	\$ 3,380,753	\$ 3,380,753	\$ -	0.0%	\$ 171,488

Appendix C - 2027 Draft Reserves Continuity Schedule

ESSEX REGION CONSERVATION AUTHORITY		INFRASTRUCTURE/ MAJOR MAINTENANCE	REVENUE STABILIZATION	GRANT MATCHING	VEHICLE/CA EQUIP'T	SUITE/F&F/IT/IS	HUMAN RESOURCES/ ADMIN	LEGAL/ INSURANCE	KINGSVILLE TRAIN STATION	JRPH PRESERVATION	HBCA MAINTENANCE	TREE WARRANTY & SELF- INSURANCE	OTHER WATERSHED (Trail Dev't/ Flood&Erosion)	TOTAL RESERVES
2027 PROJECTED RESERVES														
	PROJECTED OPENING BALANCE -01/01/2027	\$ 808,195	\$ 138,342	\$ 60,000	\$ 42,287	\$ 230,508	\$ 162,685	\$ 50,000	\$ 96,335	\$ 573	\$ 21,434	\$ 90,000	\$ 130,555	\$ 1,830,913
	Transfers to reserves	275,000	-	-	-	-	-	-	-	-	2,500	-	-	277,500
	Interest	20,000												20,000
	AVAILABLE BALANCE	\$ 1,103,195	\$ 138,342	\$ 60,000	\$ 42,287	\$ 230,508	\$ 162,685	\$ 50,000	\$ 96,335	\$ 573	\$ 23,934	\$ 90,000	\$ 130,555	\$ 2,128,413
	RESERVE FUND EXPENSES/TRANSFERS													
	Collavino Conservation Area erosion mitigation	125,000							-	-				125,000
	Watershed Management Services operational/legal		6,500					10,000						16,500
	Hillman Marsh - erosion project	40,000							-					40,000
	Greenways culvert/bridge replacement	160,000												160,000
	Parking lot(s) resurfacing	98,000												98,000
	Emergency infrastructure repair contingency	26,000												26,000
	Property securement-fencing	26,000												26,000
	Kopegaron boardwalk repair	53,000							-					53,000
	TOTAL EXPENSES	\$ 528,000	\$ 6,500	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 544,500
	PROJECTED CLOSING BALANCE 12/31/2027	\$ 575,195	\$ 131,842	\$ 60,000	\$ 42,287	\$ 230,508	\$ 162,685	\$ 40,000	\$ 96,335	\$ 573	\$ 23,934	\$ 90,000	\$ 130,555	\$ 1,583,913
														\$ (247,000)

Appendix D – 2027 Funding Sources by Service Delivery Program Area



CVA in the watershed 49,345,525,094
Population in the watershed 327,830

2027 FUNDING SOURCES BY SERVICE DELIVERY FUNCTION

Dept/Category of Program	Program Sub-Unit	Budgeted Expenses/Transfers	Mandatory Cost Apportionment	Non-Mandatory Cost Apportionment	Municipal Special	Provincial Transfer Payments	Other Provincial	Federal	Fees/ NGO Grants	(To)/From Def Rev	(To)/From Reserves	Accumulated Surplus	Total	Municipal Funding %	Municipal \$ Per Household (\$300k)
Watershed Management Programs & Services															
Cat 1 - Risks of Natural Hazards	Development & Planning Services	\$ 1,270,150	\$ 637,633	\$ -	\$ -	10,767	\$ -	\$ -	\$ 576,750	\$ -	\$ 16,500	\$ 28,500	\$ 1,270,150	50%	\$ 3.88
Cat 1 - Risks of Natural Hazards	Provincial Flood Forecasting & Warning	187,300	93,650	-	-	93,650	-	-	-	-	-	-	187,300	50%	\$ 0.57
Watershed Management Summary		1,457,450	731,283	-	-	104,417	-	-	576,750	-	16,500	28,500	1,457,450	50%	\$ 4.45
Conservation of Lands Programs & Services															
Cat 1 - Conservation of Lands	Conservation Areas Infrastructure Projects	2,528,000	-	-	-	-	-	2,000,000	-	-	528,000	-	2,528,000	0%	\$ -
Cat 1 - Conservation of Lands	Conservation Areas & Infrastructure Maintenance	1,356,240	1,223,178	-	-	-	-	-	102,920	-	-	30,142	1,356,240	90%	\$ 7.44
Cat 1 - Conservation of Lands	Transfer to AMP/Infrastructure Reserve - Conservation Areas/Greenways	275,000	275,000	-	-	-	-	-	-	-	-	-	275,000	100%	\$ 1.67
Cat 1 - Conservation of Lands	Cons Areas Management Plans, AMP, Land Strategies and Operations Oversight	198,230	171,980	-	-	-	-	-	-	-	-	26,250	198,230	87%	\$ 1.05
Cat 1 - Conservation of Lands	Tree Planting & Restoration - Conservation Areas	175,200	51,000	-	-	-	91,000	-	-	24,000	-	9,200	175,200	29%	\$ 0.31
Cat 1 - Conservation of Lands	Fleet/Equipment	334,800	25,000	-	-	-	-	-	295,000	-	-	14,800	334,800	7%	\$ 0.15
Cat 3-Non Mandatory Services	Land Securement-Pre 2024 (CASO related)	47,488	-	-	-	-	-	-	-	47,488	-	-	47,488	0%	\$ -
Cat 3-Non Mandatory Services	Recurring Treeplanting/Restoration- Non ERCA Properties	530,000	-	75,000	-	-	-	-	255,000	200,000	-	-	530,000	14%	\$ 0.46
Cat 3-Non Mandatory Services	Holiday Beach Management	441,150	-	-	-	-	-	-	441,150	-	-	-	441,150	0%	\$ -
Cat 3 -Fee for Service/Contracts	Fixed Term Grant Restoration Projects (Municipal/Other)	1,106,420	-	-	-	-	-	1,106,420	-	-	-	-	1,106,420	0%	\$ -
Cat 3 -Fee for Service/Contracts	Fee For Service Property Maintenance	23,820	-	-	-	-	-	-	23,820	-	-	-	23,820	0%	\$ -
Cat 3-Non Mandatory Services	Land Protection/Securement-Post 2023 Voluntary Contributions	-	-	171,488	-	-	-	-	-	(171,488)	-	-	-	100%	\$ 1.04
Conservation of Lands Summary		7,016,348	1,746,158	246,488	-	-	91,000	3,106,420	1,117,890	100,000	528,000	80,392	7,016,348	28%	\$ 12.11
Water Quality Programs & Services															
Cat 1 - Drinking Water Source Protection	Mandatory Drinking Water Source Protection (SPA)	180,320	-	-	-	145,320	-	-	-	35,000	-	-	180,320	0%	\$ -
Ground and Source Water Monitoring PGM	Mandatory Provincial Ground and Surface Water Monitoring PGM	19,600	13,100	-	-	-	-	-	-	-	-	6,500	19,600	67%	\$ 0.08
Cat 2 Municipal Services	Risk Management Services	22,800	-	-	22,800	-	-	-	-	-	-	-	22,800	0%	\$ -
Cat 3 -Non Mandatory Services	ERCA Water Quality Program/Site Monitoring	35,000	-	-	-	-	-	-	-	35,000	-	-	35,000	0%	\$ -
Cat 3- Special/Term Projects	Detroit River Canadian Cleanup	126,044	-	-	-	-	16,154	72,450	-	37,440	-	-	126,044	0%	\$ -
Cat 3- Special/Term Projects	Fixed Term Grants - WQ/BMPS	1,803,440	-	-	-	-	-	1,803,440	-	-	-	-	1,803,440	0%	\$ -
Watershed Quality Summary		2,200,204	13,100	-	22,800	145,320	16,154	1,888,890	-	107,440	-	6,500	2,200,204	1%	\$ 0.08

Dept/Category of Program		Budgeted Expenses/ Transfers	Mandatory Cost Apportionment	Non-Mandatory Cost Apportionment	Municipal Special	Provincial Transfer Payments	Other Provincial	Federal	Fees/ NGO Grants	(To)/From Def Rev	(To)/From Reserves	Accumulated Surplus	Total	Municipal Funding %	Municipal \$ Per Household (\$300k)	
Communications & Outreach Programs & Services																
General Programs - Mandatory	Corporate Communications	229,450	187,450	-	-	-	-	-	5,000	10,000	-	27,000	229,450	82%	\$ 1.14	
Cat 3 -Non Mandatory Services	John R Park Homestead-Museum Operations/Ed'n Program	404,593	-	195,112	-	-	23,688	4,600	167,200	13,993	-	-	404,593	48%	\$ 1.19	
Cat 3 -Non Mandatory Services	Outreach & Partnerships	134,650	-	57,150	-	-	-	-	44,000	33,500	-	-	134,650	42%	\$ 0.35	
Cat 3 -Non Mandatory Services	Outdoor & Conservation Education	88,000	-	-	-	-	-	-	48,000	40,000	-	-	88,000	0%	\$ -	
Cat 3 -Non Mandatory Projects	Grant -funded Projects/Events	19,000	-	-	-	-	-	-	19,000	-	-	-	19,000	0%	\$ -	
Community Outreach Summary		875,693	187,450	252,262	-	-	23,688	4,600	283,200	97,493	-	27,000	875,693	50%	\$ 2.67	
General & Corporate Services																
Mandatory	Corporate Services	1,143,000	375,500	-	-	-	-	-	854,000	-	9,900	-	(76,600)	1,143,000	33%	\$ 2.28
Mandatory	Interest Transfer to AMP/Infrastructure Reserve	20,000	-	-	-	-	-	-	20,000	-	-	-	20,000	0%	\$ -	
Non Mandatory Services	Essex Region Conservation Foundation (grant-funded) Supports	55,000	-	-	-	-	-	-	55,000	-	-	-	55,000	0%	\$ -	
General & Corporate Services Summary		1,218,000	375,500	-	-	-	-	-	929,000	-	9,900	-	(76,600)	1,218,000	31%	2.28
		\$ 12,767,695	\$ 3,053,491	\$ 498,750	\$ 22,800	\$ 249,737	\$ 130,842	\$ 4,999,910	\$ 2,906,840	\$ 295,033	\$ 544,500	\$ 65,792	\$ 12,767,695	28%	\$ 21.60	
Mandatory Services (BOLDED)		\$ 7,917,290	\$ 3,053,491	\$ -	\$ -	\$ 249,737	\$ 91,000	\$ 2,000,000	\$ 1,868,670	\$ 59,100	\$ 544,500	\$ 65,792	\$ 7,917,290	39%	\$ 18.56	
Non Mandatory Services		\$ 4,850,405	\$ -	\$ 498,750	\$ 22,800	\$ -	\$ 39,842	\$ 2,999,910	\$ 1,038,170	\$ 235,933	\$ -	\$ -	\$ 4,850,405	10%	\$ 3.03	

Appendix E: Mandatory / Non Mandatory Cost Apportionment Per Household



*Six municipalities continue to contribute to a special-purpose land securement fund, except for Windsor, Tecumseh and Lasalle, resulting in an additional cost apportionment of \$1.04 per household for households in the contributing municipalities.

Appendix F – 2027 Municipal Cost Apportionment Category 3 (Non-Mandatory) Programs & Services

Category 3 Cost Apportionment for Non Mandatory Programs & Services	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	Total 2027	Total 2026
Participating Municipality	Amherstburg		Essex		Kingsville		Lakeshore		Lasalle		Leamington		Pelee		Tecumseh		Windsor			
MCVA	6.48%	6.33%	4.97%	4.94%	6.61%	6.65%	9.88%	9.91%	9.20%	9.21%	6.39%	6.44%	0.27%	0.26%	8.13%	8.13%	48.07%	48.13%	100%	100.00%
Conservation Services																				
Tree planting/Wetland construction	4,861	4,689	3,724	3,682	4,958	4,932	7,407	7,455	6,902	6,842	4,794	4,765	199	201	6,100	6,127	36,055	36,308	75,000	75,000
Holiday Beach Infrastructure Maintenance	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-
Water Quality																				
Watershed Stewardship and Outreach (Rural & Agricultural)	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-
Water Quality Program	0	1,563	0	1,227	0	1,644	0	2,485	0	2,281	0	1,588	0	67	0	2,042	0	12,103	0	25,000
Outreach, Engagement & Education																				
Curriculum-based outdoor education	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-
Outreach/Community partnerships	3,704	3,573	2,837	2,805	3,778	3,758	5,644	5,680	5,260	5,213	3,653	3,631	152	153	4,648	4,669	27,474	27,667	57,150	57,150
John R Park Homestead Museum																				
JRPH Museum Operations	12,645	10,635	9,687	8,350	12,898	11,186	19,269	16,908	17,957	15,518	12,473	10,808	518	457	15,869	13,897	93,797	82,352	195,112	170,112
JRPH Museum & Heritage Bldgs Preservation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cost Apportionment MCBA Basis	21,209	\$ 20,459	16,249	\$ 16,064	21,633	\$ 21,520	32,321	\$ 32,528	30,119	\$ 29,854	20,920	\$ 20,792	868	\$ 878	26,617	\$ 26,735	157,326	\$ 158,430	327,262	\$ 327,262
Allocation as agreed to by participating municipalities	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	2027	2026	Total 2027 Levy	Total 2026 Levy
Conservation Services																				
Land Acquisition	\$31,258	\$31,258	\$24,544	\$24,544	\$33,231	\$33,231	\$49,698	\$49,698	\$-	\$-	\$31,767	\$31,767	\$1,342	\$1,342	\$ -	\$-	\$ -	\$-	\$ 171,840	\$ 171,840
Cost Apportionment as agreed to by participating municipalities	\$ 31,258	\$ 31,258	\$ 24,544	\$ 24,544	\$ 33,231	\$ -	\$ 49,698	\$ 49,698	\$ -	\$ 45,612	\$ 31,767	\$ 31,767	\$ 1,342	\$ 1,342	\$ -	\$ -	\$ -	\$ -	\$ 171,840	\$ 171,840
Total Cost Apportionment for Category 3 Non Mandatory Programs & Services	\$ 52,467	\$ 51,717	\$ 40,792	\$ 40,608	\$ 54,865	\$ 21,520	\$ 82,019	\$ 82,226	\$ 30,119	\$ 75,467	\$ 52,688	\$ 52,559	\$ 2,210	\$ 2,220	\$ 26,617	\$ 26,735	\$ 157,326	\$ 158,430	\$ 499,102	\$ 499,102
Total Cost Apportionment (without land acquisition allocation)	\$ 21,209	\$ 20,459	\$ 16,249	\$ 16,064	\$ 21,633	\$ 21,520	\$ 32,321	\$ 32,528	\$ 30,119	\$ 29,854	\$ 20,920	\$ 20,792	\$ 868	\$ 878	\$ 26,617	\$ 26,735	\$ 157,326	\$ 158,430	\$ 327,262	\$ 327,262



admin@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

September 10, 2026 Meeting of the ERCA Board of Directors

BD22/26 WLERCA Cost Apportionment Redistribution

Resolution No. 89/26

Moved by Kieran McKenzie

Seconded by Ryan McNamara

THAT Report BD22/26 WLERCA Cost Apportionment Redistribution be received for Members' information; and further,

THAT Administration be directed to circulate Report BD21/26 WLERCA Cost Apportionment Redistribution to member municipalities across Windsor-Essex-Pelee region as correspondence.

Carried

I, Nicole Kupnicki, Manager, Human Resources & Council Services of the Essex Region Conservation Authority, do hereby certify this to be a true and complete copy of Resolution No. 89/26, passed by the Essex Region Conservation Authority at the meeting of the Board of Directors on the 10th day of September, 2026.

DATED at Essex, Ontario
this 11th day of September, 2026.

Nicole Kupnicki



Essex Region Conservation Authority

Board of Directors

BD22/26

From: Shelley McMullen, CFO

Date: Wednesday, September 2, 2026

Subject: WLERCA Cost Apportionment Redistribution Analysis

Compliance Action: [Bill 97, Plan to Protect Ontario Act \(Budget Measures\), 2026](#)
[Conservation Authorities Act, R.S.O. 1990, c. C.27](#)

Recommendation: THAT Report BD22/26 WLERCA Cost Apportionment Redistribution be received for Members' information.

Summary

- The preliminary redistribution analysis indicates that ERCA's municipalities should expect upward levy pressure under the proposed WLERCA cost apportionment model, even if the consolidated WLERCA budget does not increase overall.
- The anticipated levy impacts are not a function of MCVA. MCVA determines how eligible costs are allocated among municipalities, but the redistribution is driven by the blending of four predecessor authorities with a wide variance in cost structures.
- ERCA has historically operated at a lower household levy rate than the other predecessor authorities included in the analysis. As costs are harmonized through the consolidated WLERCA model, municipalities within the current ERCA jurisdiction are more exposed to increases because they are moving from a lower-cost local model into an overall higher-cost blended regional model.
- For ERCA's municipalities shown in Table 1, the estimated redistribution impact is approximately \$522,000 for the City of Windsor, \$491,000 for the County of Essex, and \$3,000 for the Township of Pelee. These increases reflect movement from ERCA's current household levy rate of approximately \$19 per \$300,000 of MCVA toward the combined WLERCA average of approximately \$25 per \$300,000 of MCVA, before any overall WLERCA budget increase is considered.

Discussion

The purpose of this report is not to characterize one predecessor authority as more or less efficient than another. Rather, it is to explain the structural levy impact that occurs when municipalities currently participating in a lower-cost authority become part of a larger and higher-cost blended regional model. Administration has reviewed preliminary redistribution data to better understand the potential impact of consolidation on cost apportionment and levy distribution across the proposed WLERCA municipal base. The analysis also recognizes that smaller authorities can show higher household levy rates

because fixed governance and administration costs must be recovered over a smaller municipal assessment and household base.

The analysis should be interpreted as an indication of direction of change, not the final levy allocation. It assumes that operating costs for mandatory programs and services are apportioned on an MCVA basis, as permitted under Ontario Regulation 402/22. If a different apportionment methodology were approved for some costs, the municipal impacts shown in Table 1 would change. The MCVA figures are based on 2027 assessment values, except for SCRCa where 2025 figures were used. The cost allocation and levy data reflect 2026 information, and Elgin was excluded due to missing/unreconcilable data. In addition, special benefiting levies for flood control structures etc., and other levies were removed from the data set, so the amounts shown in Table 1 reflect historic general levy allocations only.

Table 1

Member	Current levy	Authority MCVA*	Current levy per \$300k household	Ex-Elgin MCVA share	Ex-Elgin levy	Revised levy per \$300k household	Change \$	Change %	Levy @ \$18.58 per \$300k household	Reconciliation- 13.97% of additional levy allocation attributable to higher blended cost WLERCA
London	\$5,162,252	\$53,075,855,009	\$29.18	31.25%	\$4,465,241	\$25	-\$697,011	-13.5%	\$ 3,287,949	
Oxford County	\$1,315,137	\$13,695,172,616	\$28.81	8.06%	\$1,152,167	\$25	-\$162,970	-12.4%	\$ 848,390	
Lambton County	\$1,258,714	\$18,746,286,373	\$20.14	11.04%	\$1,577,114	\$25	\$318,400	25.3%	\$ 1,161,297	
Essex County (excl. Pelee)	\$1,814,288	\$27,411,341,548	\$19.86	16.14%	\$2,306,100	\$25	\$491,812	27.1%	\$ 1,698,081	
Windsor	\$1,469,541	\$23,722,124,374	\$18.58	13.97%	\$1,995,729	\$25	\$526,188	35.8%	\$ 1,469,541	\$526,188
Chatham-Kent	\$1,334,079	\$12,390,764,970	\$32.30	7.29%	\$1,042,428	\$25	-\$291,651	-21.9%	\$ 767,585	
Middlesex County	\$937,652	\$10,459,477,884	\$26.89	6.16%	\$879,950	\$25	-\$57,702	-6.2%	\$ 647,945	
Perth County	\$309,288	\$3,207,792,554	\$28.93	1.89%	\$269,870	\$25	-\$39,418	-12.7%	\$ 198,717	
Huron County	\$15,533	\$162,386,432	\$28.70	0.10%	\$13,661	\$25	-\$1,872	-12.0%	\$ 10,060	
St. Marys	\$113,204	\$1,163,691,221	\$29.18	0.69%	\$97,901	\$25	-\$15,303	-13.5%	\$ 72,088	
Stratford	\$551,963	\$5,688,302,962	\$29.11	3.35%	\$478,554	\$25	-\$73,409	-13.3%	\$ 352,380	
Pelee (standalone)	\$8,077	\$130,909,260	\$18.51	0.08%	\$11,013	\$25	\$2,936	36.4%	\$ 8,110	
TOTAL	\$14,289,728	\$169,854,105,202	\$ 25.24	100.00%	\$14,289,728	\$25	\$0	0.0%	\$ 10,522,142	\$3,767,585.56

The preliminary redistribution analysis indicates that the proposed WLERCA cost apportionment model will likely result in upward levy pressure for municipalities within the current ERCA jurisdiction. This is not a consequence of modified current value assessment, in that the ERCA jurisdiction has significant MCVA but reflects the outcome of combining four predecessor authorities that have different operating cost bases into one regional conservation authority. Table 1 highlights the variance in current household rates for the existing Upper and Single Tier municipalities and the ultimate blended rate of the new WLERCA.

Under the current framework, MCVA functions as the allocation mechanism used to distribute eligible costs among participating municipalities. It does not, by itself, determine the total cost to be shared. Once the WLERCA budget is established, the levy requirement will be apportioned across the new regional municipal base. Municipalities that are currently part of a lower-cost authority will therefore begin contributing based on a blended regional cost structure. **In practical terms, this means that ERCA's municipalities may pay more because the combined WLERCA cost per unit of MCVA is higher than ERCA's current cost per unit of MCVA, not simply because the total levy pool is larger.**

Table 1 helps reconcile the estimated increase for the City of Windsor. If ERCA's current household rate of approximately \$19 per \$300,000 of MCVA were applied across the combined municipal base, the total levy allocation would be approximately \$10.5 million. Under the blended WLERCA model, the region would continue to bear its current base allocation and would also be responsible for its ~14%

share of the additional costs (~\$3.8 million) associated with the higher combined regional cost structure. This explains why Windsor's estimated allocation increases by approximately \$522,000, assuming no overall increase to the WLERCA budget. Because Windsor's share of the combined levy base is approximately 14%, any future WLERCA cost reductions would benefit Windsor only in proportion to that share. As a result, cost reductions cannot be expected to fully offset the redistribution impact shown in Table 1. As has been stated by the Province, the end goal is not to reduce total cost, but to transfer resources that are duplicative in nature, to front-line service delivery.

ERCA has historically operated as a comparatively lower-cost authority on an MCVA/household basis. That position has benefited local municipalities and taxpayers, but it also means that the Essex Region is more exposed to levy increases when costs are harmonized through the consolidated WLERCA model. The redistribution is therefore less a question of whether ERCA's municipalities are being treated differently, and more a reflection of the fact that they are moving from a recognized lower local cost model into a consolidated regional model. Table 1 shows that ERCA's household levy rate, at approximately \$18.58 per \$300,000 of MCVA, is lower than the comparable rates for the other predecessor authorities included in the analysis. By comparison, LTVCA's rate is approximately \$32 per \$300,000 of MCVA. This should not be interpreted as a simple measure of efficiency or inefficiency. Smaller authorities may have higher household levy rates because fixed governance, administration, technology, finance, human resources and corporate service costs are spread across a smaller municipal assessment and household base. Service levels, reserve positions, asset condition, geography and program delivery models also influence the household levy rate.

The anticipated increase should be framed to stakeholders as a structural impact of provincial consolidation and cost harmonization across the merged WLERCA. While future decisions of the WLERCA Board will influence the pace and extent of harmonization, the initial redistribution reflects the starting point created by combining authorities with different financial profiles. Board Members should be prepared for the likelihood that ERCA municipalities will see increased levy obligations under the consolidated regional model.

Recommendation

That Report BD22/26 be received for Members' information.

Approved By:



Tim Byrne, CAO/Secretary Treasurer

Attachments:

None

PLANNING AND DEVELOPMENT SERVICES**Memo**

To: City Clerk
From: Deputy City Planner
Date: September 4, 2026
Subject: TRANSMITTAL OF NEW FILE - **Our File Number: Z 015-26 [ZNG-7376] & OPA 202 [OPA-7377] & SDN 001-26 [SDN-7378]**
RE: Application For Zoning Amendment, Official Plan Amendment and Draft Plan of Subdivision

Applicant: 144493559 CANADA INC.
Location: 0 ST. LUKE RD. & 0 RICHMOND ST.
Description: The applicant is requesting a site-specific Official Plan Amendment and a site-specific Zoning By-law Amendment in support of the applicant's proposed draft Plan of Residential Subdivision on the lands located at the southwest corner of Richmond Street and St. Luke Road.

OPA: Applicant proposes to change the designation of the subject lands from BUSINESS PARK and INDUSTRIAL to **RESIDENTIAL** to permit the proposed residential uses on the subject lands.

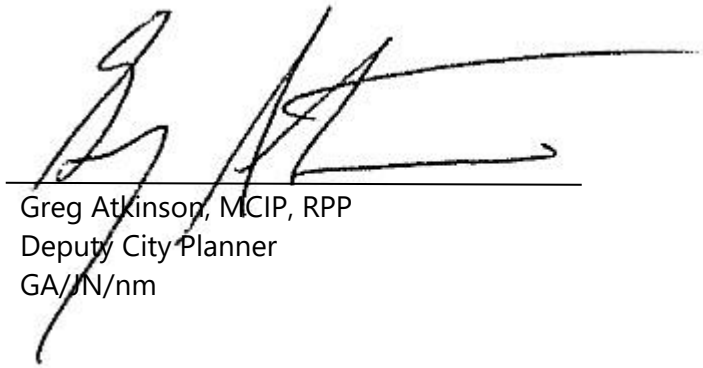
ZBA: The applicant proposes to re-zone the subject lands from MD2.1 & HMD1.4 to RD2.2 to permit the proposed residential uses (semi-detached and townhome dwellings) on the subject land.

SDN: The applicant proposes to develop a residential subdivision consisting of 12 blocks containing 24 semi-detached dwelling units, 13 blocks containing 51 townhome dwelling units, 1 block for stormwater facility, 1 block for corner cut-off, 3 blocks for Land Reserves, and one proposed new road allowance (Street A). 75 dwelling units are proposed within the subject plan of subdivision. The proposed new road allowance will be accessed from Richmond Street and will terminate southerly in a cul-de-sac.

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

The ZONING BY-LAW AMENDMENT, OFFICIAL PLAN AMENDMENT & DRAFT PLAN OF SUBDIVISION application submitted on JULY 16, 2026, by 144493559 CANADA INC. for 0 ST. LUKE RD. & 0 RICHMOND ST. was deemed complete on September 3, 2026.

For full application details, please visit our [Current Development Applications | City of Windsor](#) website.



Greg Atkinson, MCIP, RPP
Deputy City Planner
GA/JN/nm

PLANNING AND DEVELOPMENT SERVICES

Memo

To: City Clerk
From: Deputy City Planner
Date: September 4, 2026
Subject: TRANSMITTAL OF NEW FILE - **Our File Number: Z-017/26 [ZNG/7382]**
RE: Application For Zoning Amendment

Applicant: ATWAN DEVELOPMENT INC.

Location: 4470 NORTH SERVICE RD. E.

Description: The applicant is requesting an amendment to Zoning By-law 8600 for the land described as Pt of Lot 108 Concession 2, [PIN 015621056 LT]. The subject land is designated INDUSTRIAL on Schedule D: Land Use, City of Windsor Official Plan Volume 1, and zoned Manufacturing District 1.1 by By-law 8600.

The applicant proposes to add a site-specific zoning provision to the MD1.1 zoning category to permit a Club and a Health Studio as additional permitted uses on the subject land.

Official Plan Amendment is not required.

The ZONING BY-LAW AMENDMENT application submitted on JULY 16, 2026, by ATWAN DEVELOPMENT INC. for 4470 NORTH SERVICE RD. E. was deemed complete on July 22, 2026.

For full application details, please visit our [Current Development Applications | City of Windsor](#) website.



Greg Atkinson, MCIP, RPP
Deputy City Planner
GA/nm

PLANNING AND DEVELOPMENT SERVICES

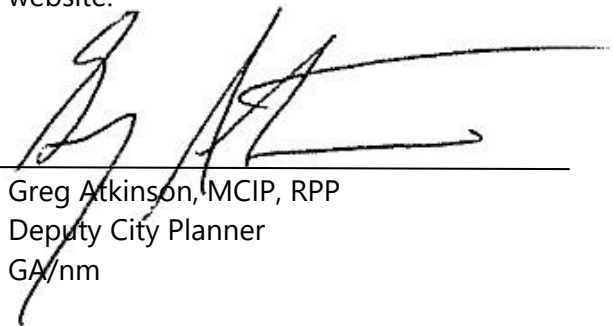
Memo

To: City Clerk
From: Deputy City Planner
Date: September 4, 2026
Subject: TRANSMITTAL OF NEW FILE - **Our File Number: Z-019/26 [ZNG/7386] & OPA 204 [OPA/7386]**
RE: Application For Zoning Amendment and Official Plan Amendment

Applicant: SAKSHAM SHARMA
Location: 1356 DROUILLARD RD.
Description: The applicant proposes one new semi-detached dwelling on the subject parcel. The semi-detached dwelling will be severed along the common wall. Four units are proposed in total (one main unit and one additional dwelling unit on each side). Parking space requirements will be satisfied. The applicant is requesting to amend the existing Official Plan Mixed Use Corridor land use designation to permit a semi-detached dwelling. The applicant is also requesting to change the zoning of the property from Commercial District 4.1 (CD4.1) to Residential District 2.2 (RD2.2) to permit a semi-detached dwelling. The parcel has a lot width of 18.29 m, a lot depth of 30.48 m and a lot area of 557.42 m². The subject parcel currently contains a legal non conforming single unit dwelling.

The ZONING BY-LAW AMENDMENT and OFFICIAL PLAN AMENDMENT applications submitted on JULY 13, 2026, by SAKSHAM SHARMA for 1356 DROUILLARD RD. was deemed complete on August 4, 2026.

For full application details, please visit our [Current Development Applications | City of Windsor](#) website.



Greg Atkinson, MCIP, RPP
Deputy City Planner
GA/nm

PLANNING AND DEVELOPMENT SERVICES
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Memo

To: City Clerk
From: Deputy City Planner
Date: September 4, 2026
Subject: TRANSMITTAL OF NEW FILE - **Our File Number: Z-020/26 [ZNG/7388]**
RE: Application For Zoning Amendment

Applicant: 2047337 ONTARIO INC.

Location: 3105 RANKIN AVE.

Description: The applicant proposes one new semi-detached dwelling on the subject parcel. The semi-detached dwelling will be severed along the common wall. Two units are proposed in total (one unit on each side), each having an attached garage. Six parking spaces, accessed from Rankin Avenue, are proposed.

The applicant is requesting a site-specific amendment to the existing Residential District 1.4 (RD1.4) zoning to permit one new semi-detached dwelling as an additional permitted use, as well as a provision for increased maximum gross floor area. The application as proposed is not subject to Site Plan Control.

The subject land is designated "Residential" on *Schedule D – Land Use*, zoned RD1.4 in Zoning By-law 8600, and is located on a Local Road (Rankin Avenue) on *Schedule F – Roads & Bikeways*. The parcel has a lot width of 25.27 m, a lot depth of 32.92 m and a lot area of 867.24 m². The subject parcel is currently vacant. Previous use of the property was for a single unit dwelling.

The ZONING BY-LAW AMENDMENT application submitted on JULY 13, 2026, by 2047337 ONTARIO INC. for 3105 RANKIN AVE. was deemed complete on July 21, 2026.

For full application details, please visit our [Current Development Applications | City of Windsor](#) website.



Greg Atkinson, MCIP, RPP
Deputy City Planner
GA/nm

PLANNING AND DEVELOPMENT SERVICES**Memo**

To: City Clerk
From: Deputy City Planner
Date: September 4, 2026
Subject: TRANSMITTAL OF NEW FILE - **Our File Number: Z-021/26 [ZNG/7390] & OPA 203 [OPA/7383]**
RE: Application For Zoning Amendment & Official Plan Amendment

Applicant: Pittao Family Holdings & 391568 Ontario Ltd.

Location: 2415 Cabana Rd. E.

Description: The applicant is requesting amendments to the Official Plan and Zoning By-law 8600 for the lands located on the southeast corner of Walker Road and Cabana Road East in the City of Windsor. The current designations of the site are "Mixed Use Centre," "Mixed Use Corridor," and "Industrial" on Schedule D: Land Use Plan of the City of Windsor Official Plan (OP) Volume 1. The subject lands are zoned Manufacturing District 1.2 (MD1.2) and Commercial District 3.3 (CD3.3) by By-law 8600.

The applicant proposes to amend the OP to uniformly designate the site as a Mixed Use Centre and change the zoning of the site to Commercial District 3.6 (CD3.6) to support the proposed development of 5 commercial buildings (includes a drive-through restaurant and a grocery store) and 2 combined use buildings on the subject site. The proposed combined use buildings contain a total of 74 dwelling units and are designed as one 5-storey building containing 44 dwelling units above ground floor commercial uses, and a 3-storey building containing 30 dwelling units above ground floor commercial uses. 956 on-site parking spaces are proposed.

The ZONING BY-LAW AMENDMENT & OFFICIAL PLAN AMENDMENT applications submitted on JULY 21, 2026, by PITTAO FAMILY HOLDINGS & 391568 ONTARIO LTD. for 2415 CABANA RD. E. was deemed complete on September 1, 2026.

For full application details, please visit our [Current Development Applications | City of Windsor](#) website.



Greg Atkinson, MCIP, RPP
Deputy City Planner
GA/JN/nm

PLANNING AND DEVELOPMENT SERVICES

Memo

To: City Clerk
From: Deputy City Planner
Date: September 4, 2026
Subject: TRANSMITTAL OF NEW FILE - **Our File Number: Z-027/26 [ZNG/7396] & OPA 205 [OPA/7397]**
RE: Applications For Zoning Amendment & Official Plan Amendment

Applicant: Radical Capital Management Inc.

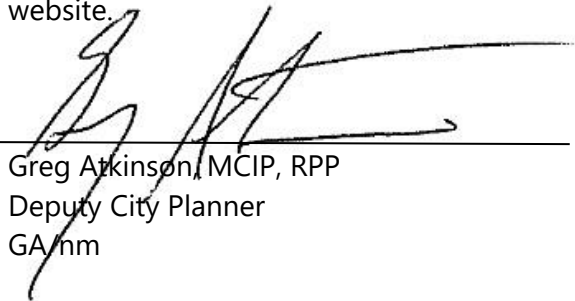
Location: 1880 Assumption St.

Description: The Applicant is requesting an amendment to the Official Plan by adding a Special Policy Area to allow for an increase in building height, and an amendment to Zoning By-law 8600 from Manufacturing District 1.4 (MD1.4) to Commercial District 2.2 (CD2.2) and Zoning Exceptions (relief from building height, visitor parking spaces and loading spaces).

The purpose of the application is to permit the development of a combined use building with a height of 67 m (19 storeys & penthouse), consisting of 204 dwelling units, 477.71 m² of commercial space along Assumption Street over 2 storeys, and 285 parking spaces within a 3 level parking garage. The subject site is located within the Walkerville Planning District, is designated "Mixed Use Corridor" in the Official Plan, and is currently occupied by a single storey commercial building and parking area.

The ZONING BY-LAW AMENDMENT & OFFICIAL PLAN AMENDMENT applications submitted on AUGUST 12, 2026, by RADICAL CAPITAL MANAGEMENT INC. for 1880 ASSUMPTION ST. was deemed complete on August 24, 2026.

For full application details, please visit our [Current Development Applications | City of Windsor](#) website.



Greg Atkinson, MCIP, RPP
Deputy City Planner
GA/nm



Council Report: C 115/2026

Subject: Windsor Canada Utilities Ltd. 1st Quarter 2026 Financial Statements - City Wide

Reference:

Date to Council: September 28, 2026
Author: Lorie Gregg
Executive Director, Financial Planning/Deputy Treasurer
(519) 255-6100 Ext. 6522
lgregg@citywindsor.ca
Financial Planning
Report Date: 9/4/2026
Clerk's File #: AF2026

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE** the Windsor Canada Utilities Ltd. 1st Quarter 2026 Financial Statements, attached as Appendix A, for information.

Background:

The current Shareholder Direction for Windsor Canada Utilities Ltd. (WCU) requires quarterly financial statements to be provided to the shareholder.

Discussion:

To meet this requirement, WCU provided consolidated financial statements as at March 31, 2026, with comparative figures as at March 31, 2025. Administration is presenting this information on behalf of WCU to Council for information.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Appendix A includes the following information as at March 31, 2026:

- 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:

This report is submitted to City Council in accordance with the WCU Shareholder Direction.

Approvals:

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

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A – WCU – 2026 Q1 Financial Statements



To: Mayor and Members of City Council

2026 09 03

From: Matt Carlini

Re: Windsor Canada Utilities Ltd. March 2026 Quarterly Financial Statements

BACKGROUND AND BASIS OF REPORTING

Enclosed are the financial reports for Windsor Canada Utilities Ltd. (WCU) as at March 31, 2026.

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 May 2026 the International Accounting Standards Board (IASB) issued a new IFRS Accounting Standard to improve financial reporting for entities subject to a specific type of rate regulation. IFRS 20 Regulatory Assets and Regulatory Liabilities replaces IFRS 14 Regulatory Deferral Accounts. IFRS 20 has an effective date of January 1, 2029, 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 less than budget through the first quarter of 2026 due to higher than expected operating expenses. Despite this, WCU is projected to be consistent with 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, 2026, WCU is reporting Total Revenue of \$17.9 million, Operating Income of \$6.9 million, and Net Income of \$2.0 million under IFRS. The 2026 forecast shows revenue and operating expenses consistent with 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.

Liquidity and Financial Strength

As at March 31, 2026, WCU is in a positive cash flow position. Cash is expected to slowly decrease throughout 2026 due to approximately \$40.3 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 2026 Consolidated Financial Review Statements

Windsor Canada Utilities Ltd.

Board Financial Review Statements

March 31, 2026

Unaudited

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Windsor Canada Utilities Ltd.

Consolidated Balance Sheet
(In thousands of Canadian dollars)

March 31, 2026, with comparative information for 2025

	March 2026	March 2025	December 2025
Assets			
Current assets:			
Cash and cash equivalents	\$ 9,834	\$ 15,414	\$ 11,380
Accounts receivable	51,522	55,623	60,723
Due from related parties	3,880	7,911	5,832
Inventory	10,169	8,941	9,835
Other assets	3,518	4,197	2,867
	78,923	92,086	90,637
Non-current assets:			
Property, plant and equipment	289,458	276,783	286,750
Intangible assets	1,321	1,291	1,441
Investment, sinking fund	21,102	19,653	22,098
Investments in subsidiaries	22,928	-	22,928
Investment in joint venture	307	232	308
Due from related parties - debentures and post-retirement	52,000	52,000	52,000
Promissory note receivable	6,907	-	6,907
Deferred income taxes	-	1,388	-
Goodwill	2,459	2,487	2,459
	396,482	353,834	394,891
Total assets	\$ 475,405	\$ 445,920	\$ 485,528
Liabilities			
Current liabilities:			
Accounts payable and accruals	\$ 23,810	\$ 29,917	\$ 36,666
Payments in lieu of income taxes payable	1,259	2,066	2,050
Due to related parties	12,071	11,874	11,384
Current portion of customer deposits	1,478	1,524	1,533
Deferred revenue	186	544	78
	38,804	45,925	51,711
Non-current liabilities:			
Customer deposits	5,981	7,636	5,287
Deferred income taxes	1,757	-	1,820
Deferred revenue - customer contributions	22,553	21,157	21,393
Long-term debt	130,880	106,289	130,876
Employee future benefits	51,643	49,049	51,442
	212,814	184,131	210,818
Total liabilities	251,618	230,056	262,529
Equity			
Common shares	81,842	81,842	81,842
Contributed surplus	516	516	516
Retained earnings	141,429	133,506	140,641
	223,787	215,864	222,999
Total liabilities and equity	\$ 475,405	\$ 445,920	\$ 485,528

Windsor Canada Utilities Ltd.

Consolidated Statement of Income
(In thousands of Canadian dollars)

March 31, 2026, with comparative information for 2025

	YTD - March 31, 2026			YTD - March 31, 2025		2026 Annual	2026
	Actuals	Budget	Variance	Actuals	Variance	Budget	Forecast
Distribution revenue:							
Residential	\$ 8,070	\$ 8,072	\$ (2)	\$ 7,753	\$ 317	\$ 32,289	\$ 32,287
General service - small	5,603	5,408	195	5,316	287	21,981	22,177
General service - large	1,174	1,174	-	1,120	54	4,900	4,898
Street lighting	487	486	1	469	18	1,945	1,946
	15,334	15,140	194	14,658	676	61,115	61,308
Net service revenue							
Services provided to WUC	5,748	6,106	(358)	5,271	477	24,422	24,158
Services provided to City	792	891	(99)	719	73	3,566	3,511
	6,540	6,997	(457)	5,990	550	27,988	27,669
Cost of services - MSA	(6,219)	(6,659)	440	(5,689)	(530)	(26,635)	(26,228)
Cost of services - depreciation - MSA	(200)	(219)	19	(182)	(18)	(874)	(961)
	121	119	2	119	2	479	480
Other income	2,456	2,746	(290)	1,651	805	10,722	9,539
Total revenue	17,911	18,005	(94)	16,427	1,484	72,316	71,327
Operating expenses:							
Distribution operation and maintenance	3,696	3,429	(267)	3,055	(641)	14,549	14,710
Billing and collection	1,242	1,011	(231)	1,191	(51)	4,176	4,414
Community relations	106	99	(7)	65	(41)	433	429
Administration and general	1,996	1,960	(36)	1,690	(306)	7,450	7,638
Property and tools and maintenance	624	653	29	686	62	2,249	2,099
Salaries and benefits	2,728	2,868	140	2,216	(512)	10,747	10,574
Regulatory	142	187	45	142	-	747	584
Employee future benefits	502	469	(33)	471	(31)	1,878	1,946
	11,036	10,676	(360)	9,529	(1,507)	42,229	42,394
Operating income / EBITDA	6,875	7,329	(454)	6,898	(23)	30,087	28,933
Other income/expenses:							
Share of joint venture's net loss (gain)	-	6	6	2	2	(111)	(242)
Depreciation and amortization	3,140	2,982	(158)	3,041	(99)	13,637	14,085
Net finance expense	1,557	442	(1,115)	305	(1,252)	1,802	1,645
Loss on disposal of PP&E	189	-	(189)	28	(161)	-	190
	4,886	3,430	(1,456)	3,376	(1,510)	15,328	15,678
Income before tax	1,989	3,899	(1,910)	3,522	(1,533)	14,759	13,255
Provision for PILs of corporate taxes	503	1,247	744	957	454	4,740	3,208
Deferred income taxes	-	4	4	-	-	16	-
	503	1,251	748	957	454	4,756	3,208
Net income - MIFRS	1,486	2,648	(1,162)	2,566	(1,079)	10,003	10,047
Regulatory adjustment (IFRS)	553	713	(160)	5,177	(4,624)	2,852	2,199
Net income - IFRS	\$ 2,039	\$ 3,361	\$ (1,322)	\$ 7,743	\$ (5,703)	\$ 12,855	\$ 12,246

Windsor Canada Utilities Ltd.

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

March 31, 2026, with comparative information for 2025

	March 2026	March 2025	December 2025	Forecast 2026
Cash flows from operating activities:				
Total IFRS net income (loss) for the year	\$ 2,039	\$ 7,743	\$ 18,701	\$ 12,245
Adjustments for non-cash items:				
Depreciation and amortization	3,337	3,218	13,135	15,032
Amortization of deferred revenue customer contribution	(163)	(153)	(622)	(705)
Remeasurement of employee future benefits	-	-	1,721	-
Loss (gain) on investment	996	515	(1,329)	(526)
Loss (gain) on sale of property, plant and equipment	190	25	437	191
Amortization of debt issuance costs	4	4	17	18
Share in joint venture's net loss (gain)	1	2	(74)	(242)
Net finance expense	1,408	262	327	1,496
Income tax expense	503	957	1,640	4,002
	8,315	12,573	33,953	31,511
Changes in working capital components	(3,819)	(2,834)	(2,743)	(5,939)
	4,496	9,739	31,210	25,572
Cash flows from investing activities:				
Acquisition of PP&E and intangible assets	(6,170)	(5,098)	(25,965)	(40,344)
Acquisition of investments	-	(4,425)	(27,853)	(1,200)
Investment in joint venture	-	-	-	-
Deferred revenue - customer contributions	1,360	201	959	1,809
Proceeds from investments	-	-	-	-
Proceeds on sale of PP&E	18	174	563	18
	(4,792)	(9,148)	(52,296)	(39,717)
Cash flows from financing activities:				
Change in bank indebtedness	-	-	-	3,700
Acquisition of long term debt	-	-	28,300	-
Decrease (increase) in shareholder note receivable	-	-	(6,907)	-
Dividends paid	(1,250)	(1,250)	(5,000)	(5,000)
	(1,250)	(1,250)	16,393	(1,300)
Net increase (decrease) in cash and cash equivalents	(1,546)	(659)	(4,693)	(15,445)
Cash and cash equivalents, beginning of period	11,380	16,073	16,073	11,380
Cash and cash equivalents, end of period	\$ 9,834	\$ 15,414	\$ 11,380	\$ (4,065)



Committee Matters: SCM 303/2026

Subject: Auditor General 2026 Q3 Status Report

That the report of the Office of the Auditor General dated September 11, 2026, entitled "Auditor General 2026 Q3 Status Report" **BE RECEIVED** for information.

Clerk's File: AF/14508



AUDITOR GENERAL 2026 Q3 STATUS REPORT

Issued: September 11, 2026

Council Tabling: September 28, 2026

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1. Purpose

The purpose of this report is to provide City Council with a consolidated status update on Auditor General activities, including audits, investigations, and follow-up work, and to support Council's oversight responsibilities.

City Council receives individual Auditor General audit and investigation reports as distinct items on the Consent Agenda for receipt and direction, as applicable. This ensures that Council formally receives completed Auditor General reports and that they remain part of the public record.

The Auditor General's Status Report is scheduled as a Presentation/Delegation item and provides a summary of individual reports to support Council discussion, clarification, and direction, as Council deems necessary. Any individual Auditor General report may be removed from the Consent Agenda for discussion at Council's discretion or may be addressed during discussion of the Status Report.

This reporting approach is intended to enhance governance efficiency, focus Council discussion on areas of interest or risk, and preserve Council's full access to Auditor General information while maintaining transparency and procedural flexibility.

2. Reports Included With This Status Report

The following table summarizes Auditor General reports included with this Status Report. All reports listed below are complete and have been issued. Council scheduling reflects agenda sequencing and does not impact report completion status.

2.1 Auditor General Reports

Report Title	Recommended Council Action	Current Status
Auditor General 2026 Q3 Status Report	Receive	Scheduled for September 28, 2026
Required Communication – Auditor General Transition Plan	Receive	Issued September 10; Council consideration deferred to incoming Council through Administrative agenda review

2.2. Report Summaries

The summaries below provide contextual highlights of the Auditor General reports included with this Status Report. Where applicable, detailed analysis and supporting information are contained in the individual reports issued or included for Council consideration.

2.3.1 2026 Q3 Auditor General Status Report

The Q3 Status Report provides Council with a consolidated update on Auditor General activities, including work completed and in progress, Fraud and Waste Hotline activity, the investigation queue, and the inventory of findings requiring future follow-up. The report also provides an updated view of progress against the 2025 and 2026 Auditor General Work Plans.

The report identifies eight allegations currently in the investigation queue, with approximately 794 hours of estimated investigation effort remaining, and 86 findings being tracked for future follow-up. It also updates Council on ongoing investigations, the Transit Windsor policy and procedure review, transition activities, and other continuing responsibilities of the Auditor General function.

2.3.2 Required Communication – Auditor General Transition Plan

The incumbent Auditor General will continue transition preparation, documentation, complainant-management, confidentiality, records-protection and other transition activities within the authority provided by the existing governance framework, approved Work Plan and engagement. Matters requiring Council direction, corporate implementation or the identification of a successor or other authorized transition party will remain pending.

Deferral of Council consideration to the incoming Council reduces the time available to complete the transition before the current service-provider engagement concludes on December 31, 2026. Given the remaining timeframe, the incumbent Auditor General will determine and undertake those transition actions within the Auditor General's existing authority that are reasonably necessary to mitigate transition, continuity, confidentiality and records-management risks pending Council's consideration of the Transition Plan. This may require elements of the transition to proceed without prior Council consideration of the complete Transition Plan, while preserving for Council those matters requiring its direction or decision.

The City has been advised that the reduced transition period may limit the transition activities capable of completion before year-end and may require the participation of City personnel and an identified authorized transition party during the remaining transition period. The incoming Council will receive the deferred Transition Plan together with an updated assessment of transition status, actions undertaken, outstanding requirements and any resulting timing and capacity implications.

3. Ongoing/In Process Activities

The following activities reflect ongoing investigative, administrative, and oversight work currently underway within the Auditor General function.

In Process

- **Audit Projects**
 - None
- **Investigations**
 - **Compensation Practices** - issued and being tabled with the relevant Board. Council will receive an update on the outcome in the next Auditor General reporting package.
 - **Procurement Practices** - issued, awaiting management comments.
- **Initiatives**
 - **Council Directed Project - Transit Windsor Alignment - (Selected Policies/Procedures Review)** - in progress - initial analysis provided to Administration
 - **Transition Activities** - in progress

Ongoing

- **Fraud & Waste Hotline Administration and Triage**
- **Auditor General Administration**

4. Inventory of Open Matters and Follow-Up Activities

4.1 Fraud and Waste Hotline Administration

For the period August 1, 2025 through August 31, 2026, no additional hours were allocated to investigations beyond the approved resource envelope. Following Council's March 30, 2026 direction, new investigations ceased, and matters meeting the investigation threshold have been queued.

During the 12 month period, the following outline provides an overview of the inbound volumes during that elapsed period:

- There have been 1,422 inbound communications through the hotline;
 - of these, 1,030 have been unique communications;
 - 392 related to follow-up interactions;
- of the 1,030 unique inbound communications, 72 required effort beyond the initial intake assessment; and

Auditor General Status Report

- of the 72 allegations assessed and triaged, 7 have progressed to the investigation queue, and the remaining 65 have been rerouted or ceased under the Fraud and Waste Hotline policy.

The current investigation queue contains eight allegations. Based on the incumbent Auditor General's preliminary scoping, these matters represent approximately 794 hours of estimated investigation effort. These estimates are provided to indicate the approximate scale of the outstanding inventory and are not intended to prescribe the scope, procedures or resource requirements that may ultimately be determined by a future authorized investigator. These effort estimates are based on the nature and scope of the allegations, as well as the investigation approach and support required under the current approved Fraud and Waste Hotline Policy. Changes to the overall policy, scope, and evidentiary support requirements can impact the overall effort estimate.

4.2 Investigation Queue¹

The following is a list of allegations eligible for investigation, their intake risk assessment rating, and the incumbent Auditor General's rough estimate of the investigation effort based on current investigation protocols. As in prior quarterly reporting, these estimates are preliminary and may change as investigation scope, administrative practices and available evidence are assessed.

The following projects are listed in order of their overall Allegation Intake Risk Assessment rating.

#	Investigation Queued	Allegation Intake Risk Assessment (Critical, High, Medium, Low)	Status	Projected Effort (not qualified)
1	Financial Governance and Administrative Practices Of Significance*	Critical	Reverted to Queue	247
2	Contractor Billing and Invoice Controls*	Critical	Queued	75
3	Conflict of Interest Concern (Design, Department and Individual)*	Critical	Reverted to Queue	130
4	Employment Concerns^	High	Queued	114
5	Inappropriate Use of Overtime Protocols Resulting in Unnecessary Costs*	High	Queued	130
6	Investment Policy - Disclosure and Reporting Gap*	High (has a significant dependency on prior investigation working paper file)	Reverted to Queue	55

¹Consistent with the operational implementation state communicated through the Required Communication – Auditor General 2026 Work Plan Implementation Update, queued investigations are not expected to advance during 2026 absent future Council direction or changes to the current implementation assumptions. The resulting implementation also required certain previously commenced investigations to be paused and returned to the investigation queue.

Auditor General Status Report

#	Investigation Queued	Allegation Intake Risk Assessment (Critical, High, Medium, Low)	Status	Projected Effort (not qualified)
7	Hourly Compensation for Specified Personnel*	High	Queued	25
8	Sharing Personal Information*	Medium	Queued	18
Total Expected Investigation Efforts To Be Completed				794 Hours

Notes:

^ Denotes an allegation received and queued before August 1, 2025

* Denotes an allegation received and queued after August 1, 2025

Queued indicates that no active investigation work has begun.

Reverted to Queue indicates that investigation work had commenced but was subsequently paused following Council's March 30, 2026 direction and the resulting implementation of the 2026 Work Plan.

4.3 Inventory of Findings Tracked For Future Follow-Up

Category	Count
Active findings expected to require validation/follow-up (having a resolution date on or before Dec. 31, 2026)	34
In-progress items requiring reassessment of closure timelines	5
Current Total of Findings expected for validation in 2027	39
Longer-cycle BIA governance/compliance reassessment items	47 ²
Total tracked follow-up inventory	86

5. Key Themes & Risks

² Given the significant alignment of the reported Ford BIA findings with the General BIA Governance & Compliance review and resultant actions, consideration may be given to incorporating follow-up of the resolution of these findings into an overall BIA sample-based compliance review, which may be more cost-effective and representative. The original report received by Council included a plan for a follow-up review of BIA Governance By-law compliance between 2028 and 2030.

5.1 Fraud, Waste, and Wrongdoing Considerations

During the reporting period, the Auditor General continued to administer the Fraud and Waste Hotline and assess inbound submissions under the approved intake process. The Auditor General also considered fraud, waste, wrongdoing, and other integrity-related risks within audit and investigation activities already in progress and permitted to continue.

Since March 30, 2026, Council's direction and the resulting operational implementation of the 2026 Work Plan have limited the Auditor General's ability to assess fraud, waste and wrongdoing risk beyond initial allegation intake and previously authorized work.

As a result, the Auditor General is not presently in a position to conclude whether allegations in the investigation queue, individually or collectively, indicate systemic or emerging fraud, waste, wrongdoing or control concerns. The nature of certain allegations received includes potential financial, procurement, employment, compensation and integrity-related risks; however, these remain allegations and have not been investigated or substantiated. As noted above, the current investigation queue includes eight matters with an estimated 794 hours of investigation effort.

The work the Auditor General has been able to complete has not identified any systemic fraud issue requiring immediate escalation to Council. This should not be interpreted as assurance that no such issue exists, given the limitations described above.

Council has previously been advised of the operational constraints affecting investigation responsiveness through the *Required Communication – Auditor General 2026 Work Plan Implementation Update*. Outstanding matters and associated records will also form part of the Auditor General transition process to support their future consideration by an authorized successor.

6. Conclusion

This status report provides City Council with a consolidated overview of Auditor General activities and reporting issued during the period. The report supports transparency, coordinated oversight, and disciplined follow-up without duplicating the content of individual audit and investigation reports.

No additional Council direction is requested beyond that associated with the individual Auditor General reports before Council.

Appendix A - Overall Workplan Progress

Reporting Status reflects the stage of work completion (Completed, Issued, or Tabled). Council Scheduling Status reflects the timing and disposition of formal Council consideration. Bolded items are included in this Status Report submission for the Council Agenda. Bolded titles are reports included in this Status Report for Council.

2025 Auditor General Workplan Related Projects

#	Project	Project Status	Council Action	Reporting Status (Completed / Issued / Tabled)	Council Scheduling Status
1	Auditor General's Report on Administration's Alignment with Essential Conditions	Completed	Submitted for Council receipt and direction	Issued	June 29, 2026
2	2026 Auditor General Charter Amendments (Alignment with Auditor General By-law 172-2025)	Completed	None at this time	Completed	Deferred – Superseded by Governance Changes ³
3	Auditor General Memo - Contract Alignment Arising from Council-Approved Auditor General Governance Instruments	Completed	None at this time	Completed	Deferred - Superseded by Governance Changes ⁴
4	2025 Annual Quality Self-Assessment and Reporting	Completed	Submitted for Council receipt	Tabled	March 30, 2026
5	2025 Performance Report (Year in Review)	Completed	Submitted for Council receipt	Tabled	March 30, 2026
6	Investigation – Administration of Right-of-Way Sewer Permits	Completed	Submitted for Council receipt and direction	Tabled	June 29, 2026

³ Superseded by Administration-led Charter revisions adopted April 27, 2026. The Auditor General subsequently completed a review of the adopted Charter and identified additional governance and professional standards alignment considerations expected to be communicated through future governance reporting.

⁴ Superseded by subsequent changes to the Auditor General governance framework, including Council Resolution CR144/2026, amendments to the Auditor General By-law and Charter, and resulting operational implementation changes. Any future contract-alignment assessment would need to consider the revised governance framework.

Auditor General Status Report

#	Project	Project Status	Council Action	Reporting Status (Completed / Issued / Tabled)	Council Scheduling Status
7	Investigation – Conflict of Interest – City Department (Governance Review)	Completed	Submitted for Council receipt and direction	Tabled	March 30, 2026
8	Investigation – Hiring Practices	Completed	Submitted for Council receipt	Tabled	June 29, 2026
9	Investigation – Safety Concerns and Responsibility Dispute Over Municipal Road Closure	Completed	Submitted for Council receipt and direction	Tabled	June 29, 2026
10	Investigation – Conflict of Interest – City Department (Governance Review) #2	Completed	Submitted for Council receipt and direction	Tabled	March 30, 2026
11	Investigation – Respectful Workplace	Completed	Submitted for Council receipt and direction	Tabled	March 30, 2026
12	Investigation - Treatment of Citizen - Exclusionary Communication	Completed	Submitted for Council receipt and direction	Tabled	June 29, 2026

2026 Auditor General Workplan Related Projects

#	Project	Project Status	Council Action	Reporting Status (Completed / Issued / Tabled)	Council Scheduling Status
Governance & Framework-Related Initiatives					
1	Auditor General Revised 2026 Work Plan	Completed	Deferred- Not Being Advanced	Completed	No longer applicable
2	Required Communication - Annual AG Charter Update (2027)	Not Progressed	NA	NA	NA
3	Required Communication - 2027 Strategy & Technology	Not Progressed	NA	NA	NA
4	Required Communication – Auditor General 2026 Work Plan Implementation Update	Completed	Submitted for Council receipt	Tabled	June 29, 2026
5	Required Communication – Auditor General Transition Plan <i>(formerly - Auditor General Function – Future Governance and Service Delivery Consideration)</i>	Completed	Submitted for Council receipt	Issued	Requested September 28, 2026 deferred to later date by Administrative agenda review
6	2026 Annual Quality Self-Assessment and Reporting	Not Progressed	NA	NA	NA
7	Q1 Status Report (Feb 2026) (Amended to March 19, 2026)	Completed	Submitted for Council receipt	Tabled	March 30, 2026
8	Q2 Status Report	Completed	Submitted for Council receipt	Tabled	June 29, 2026
9	Q3 Status Report	Completed	Submitted for Council receipt	Issued	September 28, 2026
10	Q4 Status Report	Not Yet Started			
11	2026 Performance Report (Year in Review)	Not Progressed	NA	NA	NA

Auditor General Status Report

#	Project	Project Status	Council Action	Reporting Status (Completed / Issued / Tabled)	Council Scheduling Status
12	Auditor General Executive Leadership Development Plan	Not Progressed	NA	NA	NA
13	Risk Assessment	Not Progressed	NA	NA	NA
14	2027 Work Plan	Not Progressed	NA	NA	NA
15	Fraud & Waste Hotline Administration Year End Summary				
16	Transition Report – Transition Constraints, Approach and Documentation Outputs				
Audit and Assurance Projects					
	None				
Fraud and Waste Hotline Responsibilities & Initiatives					
17	Fraud and Waste Hotline Administration	In Process / Ongoing			
18	Investigation – Compensation Practices	Issued / External tabling in process			
19	Investigation – Procurement Practices	Issued / Management comments pending			
20	Investigation – City Employee Operational Conduct - Transit Windsor	Completed	Submitted for Council receipt	Tabled	June 29, 2026
21	Investigation - Parking Ticket Administration and System	Completed	Submitted for Council receipt, acknowledgement and acceptance	Tabled	June 29, 2026

Auditor General Status Report

#	Project	Project Status	Council Action	Reporting Status (Completed / Issued / Tabled)	Council Scheduling Status
22	Investigation - WECHC Complaint (Oversight of Ongoing Communications)	Completed		Tabled	June 29, 2026
23	Investigation – Respectful Workplace	Completed	Submitted for Council receipt and direction	Tabled	March 30, 2026
24	Financial Governance and Administrative Practices Of Significance	Reverted to Queue	NA	NA	NA
25	Contractor Billing and Invoice Controls	Queued	NA	NA	NA
26	Conflict of Interest Concern (Design, Department and Individual)	Reverted to Queue	NA	NA	NA
27	Employment Concerns	Queued	NA	NA	NA
28	Inappropriate Use of Overtime Protocols Resulting in Unnecessary Costs	Queued	NA	NA	NA
29	Investment Policy - Disclosure and Reporting Gap	Reverted to Queue	NA	NA	NA
30	Hourly Compensation for Specified Personnel	Queued	NA	NA	NA
31	Sharing Personal Information	Queued	NA	NA	NA
Council Directed Projects					
32	Transit Windsor Alignment (Selected Policies/Procedures Review)	In Process			



Committee Matters: SCM 147/2026

**Subject: Amendment to Sign By-law 250-2024 2595 Dougall Ave, SGN-001/25
(Proposed Electronic Changing Copy Billboard Ground Sign) - Ward 10**

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

Decision Number: **DHSC 819**

- I. THAT the application for a Site-Specific Amendment to By-law 250-2004 (the “Sign By-law”), being a by-law respecting signs and other advertising devices in the City of Windsor, as amended, to allow for the installation of an Electronic Changing Copy Ground Sign at 2595 Dougall Avenue, **BE DENIED**; and,
- II. THAT the Chief Building Official **SHALL** review the status of any sign permit previously issued for the subject property municipally known as 2595 Dougall Avenue after a period of six (6) months, and that, in the event construction of any sign has not seriously commenced, the permit(s) **MAY BE** revoked in accordance with the applicable provisions of the *Building Code Act* and relevant municipal by-laws; and,
- III. THAT Administration **BE DIRECTED** to notify the property owner of the requirement to address the existing illegal fascia wall sign located on the principal building at 2595 Dougall Avenue through the appropriate building permit and sign approval process.

Carried.

Report Number: S 32/2026
Clerk’s File: AB2026

Clerk’s Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.3 from the Development & Heritage Standing Committee held on May 4, 2026.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20260506/-1/10626>

Subject: Amendment to Sign By-law 250-2024 2595 Dougall Ave, SGN-001/25 (Proposed Electronic Changing Copy Billboard Ground Sign) - Ward 10

Reference:

Date to Council: May 4, 2026
Author: Sophia Di Blasi, M.Arch
Planner III – Senior Urban Designer
(519) 255-6543 ext 6820
Planning & Building Services
Report Date: 4/8/2026
Clerk's File #: AB2026

To: Mayor and Members of City Council

Recommendation:

- I. THAT the application for a Site-Specific Amendment to By-law 250-2004 (the "Sign By-law"), being a by-law respecting signs and other advertising devices in the City of Windsor, as amended, to allow for the installation of an Electronic Changing Copy Ground Sign at 2595 Dougall Avenue, **BE DENIED**;
- II. THAT the Chief Building Official **SHALL** review the status of any sign permit previously issued for the subject property municipally known as 2595 Dougall Avenue after a period of six (6) months, and that, in the event construction of any sign has not seriously commenced, the permit(s) **MAY BE** revoked in accordance with the applicable provisions of the *Building Code Act* and relevant municipal by-laws; and
- III. THAT Administration **BE DIRECTED** to notify the property owner of the requirement to address the existing illegal fascia wall sign located on the principal building at 2595 Dougall Avenue through the appropriate building permit and sign approval process.

Executive Summary:

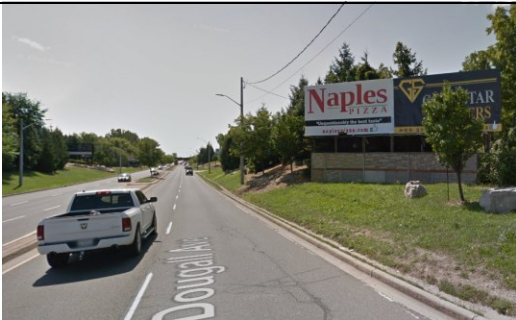
N/A

Background:

The subject property, municipally known as 2595 Dougall Avenue, is located along a major arterial road characterized by a signalized intersection along a curved roadway. The site is adjacent to a railway corridor and is situated within an area containing a concentration of commercial development and existing billboard signage.

The history of signage on the property dates to 1980, when a first-party advertising sign (not a billboard) was originally erected. In 2013, the sign was converted to a billboard without the required permits. As a result, the Building Department issued an Order to Comply and determined that the sign had been both illegally converted to a billboard and located entirely within the public right-of-way. To address this, an encroachment agreement was required. On September 26, 2014, City Council approved an encroachment agreement permitting the billboard within the Dougall Avenue public right-of-way.

In 2019, the segment of Dougall Avenue between Ouellette Place and Grand Marais Road West underwent significant right-of-way improvements. The works included the construction of a multi-use trail along the west side of Dougall Avenue, roadway reconfiguration, and intersection improvements intended to enhance safety and operational performance. To facilitate these improvements, the City terminated the encroachment agreement, and the existing billboard was removed.

	
Figure 1: Traveling South-East along Dougall Ave, 2017	Figure 2: Traveling South-East along Dougall Ave, 2025

Following the completion of the infrastructure works, the property owner applied for a new sign permit in 2020 under Clause 3.7 of Sign By-law 250-2004, which permits the relocation or replacement of signs due to municipal infrastructure projects. This provision forms the basis for permitting a poster billboard on the subject property. A Sign Permit for a single-sided Poster Billboard Ground Sign, with a sign face area of approximately 37.2 m², was subsequently issued on June 19, 2020.

The sign permit remains valid, as no record has been identified indicating that it has expired or been revoked. As such, the applicant may proceed with the previously approved permit to reconstruct the poster billboard, subject to the applicable permitting process and any standard conditions.

The current application seeks a site-specific amendment to permit the conversion of the previously approved poster billboard to an Electronic Changing Copy Billboard Ground Sign. While a poster billboard may be reconstructed in accordance with its permit status, the proposed Electronic Changing Copy Billboard represents a new sign type subject to the current provisions of Sign By-law No. 250-2004. Electronic changing copy billboards are regulated more restrictively than poster billboard signage due to their operational characteristics, visual prominence, and potential impacts on traffic safety.

Discussion:

In February 2025, Zelinka Priamo, contacted the City of Windsor's Building & Planning Departments with a proposal to modify the permit application for a Poster Billboard sign to an Electronic Changing Copy Billboard Ground Sign.

Applicable Sign By-law Framework

Electronic Changing Copy Billboard Ground Signs are subject to specific location, separation, size, and safety-related regulations under Section 6.3 of Sign By-law No. 250-2004, as amended by By-law 93-2024. These provisions include mandatory minimum standards and explicit prohibitions intended to manage cumulative impacts and reduce driver distraction in sensitive roadway environments.

In addition to the location and dimensional requirements set out in Section 6.3, the proposed Electronic Changing Copy Billboard has been reviewed against the traffic safety provisions of Section 10.3 of the sign by-law which establishes that no sign, sign structure, or component part shall distract pedestrians or motorists or reduce the effectiveness of traffic control signs, signals, or devices. The by-law further prohibits signs that, by virtue of their size, shape, location, content, colouring, or manner of illumination, may be confused with or detract from traffic control devices.

The requested site-specific amendment seeks relief from several of these provisions. Administration has reviewed the application against the Sign By-law and finds that the proposal fails to comply with multiple mandatory requirements.

Roadway Context and Visual Environment

The subject site is located within a corridor that has undergone recent and significant transportation infrastructure improvements intended to address longstanding operational and safety concerns. The right-of-way improvements along Dougall Avenue between Ouellette Place and Grand Marais Road West were implemented to address constrained roadway conditions, complex traffic movements, and a history of collision activity in the area.

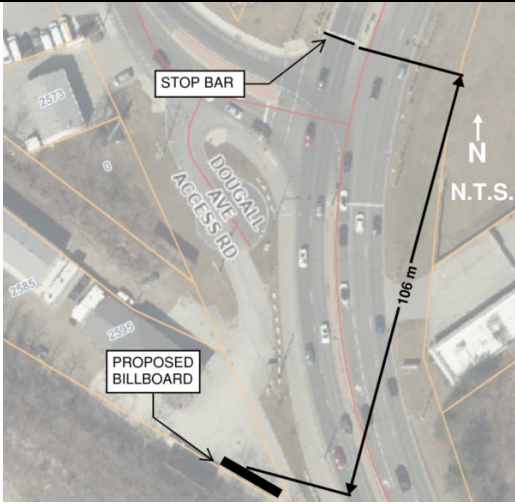
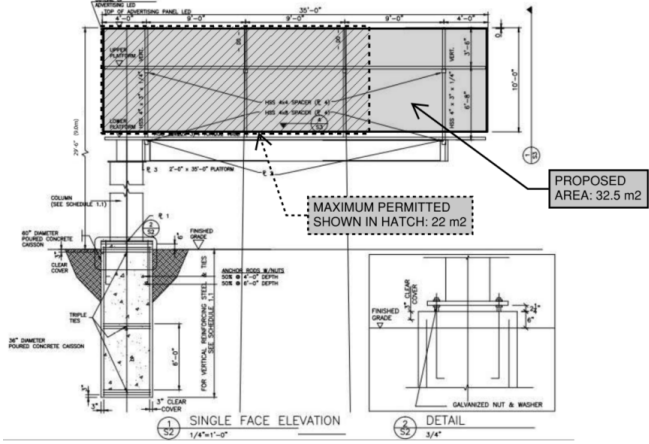
While these improvements have enhanced corridor function, the roadway remains a complex environment characterized by a curved alignment, multiple signalized intersections, adjacent rail infrastructure, and high traffic volumes. The concentration of existing billboard signage and commercial advertising elements further contributes to a visually demanding setting for motorists.

In this context, the introduction of an Electronic Changing Copy Billboard presents an increased potential for driver distraction during critical decision-making moments, particularly when compared to a poster billboard sign. The operational characteristics of electronic changing copy signage, including illumination and message transitions, distinguish it from poster signage and warrant heightened scrutiny under the current Sign By-law framework.

Regulatory Non-Compliance and Prohibitions

The proposed Electronic Changing Copy Billboard Ground Sign does not comply with the following provisions of the Sign By-law:

6.3 Regulations for BILLBOARD GROUND AND WALL SIGNS

Subsection	Requested Amendment
Table 6.3.1 - Prohibited location for erecting ELECTRONIC CHANGING COPY BILLBOARDS Posted Speed Limit (km/hour): 60 Distance after Stop Line (m): 110	 Figure 3: The proposed billboard is approximately 106 m from the stop line and does not meet this requirement.
6.3.7 – Maximum Total Sign Face Area: 22.0 m² per SIGN FACE	 Figure 4: Increase the SIGN FACE to 32.5 m².

Section 6.3.14(b)(ii) – Sign Restrictions:

b) No part of any BILLBOARD GROUND SIGN shall:

ii. Be ERECTED within 3.0 m of a SIDE LOT LINE;

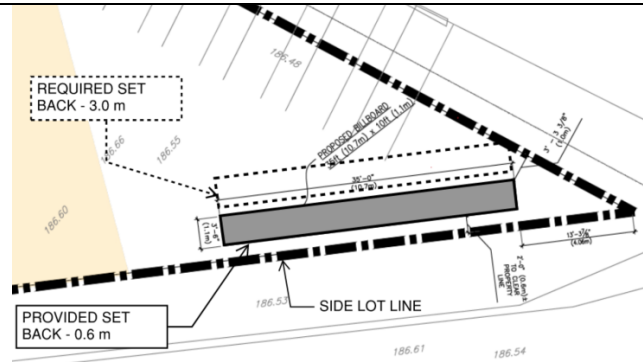


Figure 5: Proposed decrease of the SIDE LOT LINE to 0.6 m.

Section 6.3.17(i) – Prohibitions for ELECTRONIC CHANGE COPY BILLBOARDS:

No part of any ELECTRONIC CHANGING COPY SIGN, that is either a BILLBOARD GROUND or WALL SIGN, shall:

i. Be ERECTED within a 200.0 m radius of any POSTER BILLBOARD SIGN that is a GROUND SIGN or WALL SIGN;

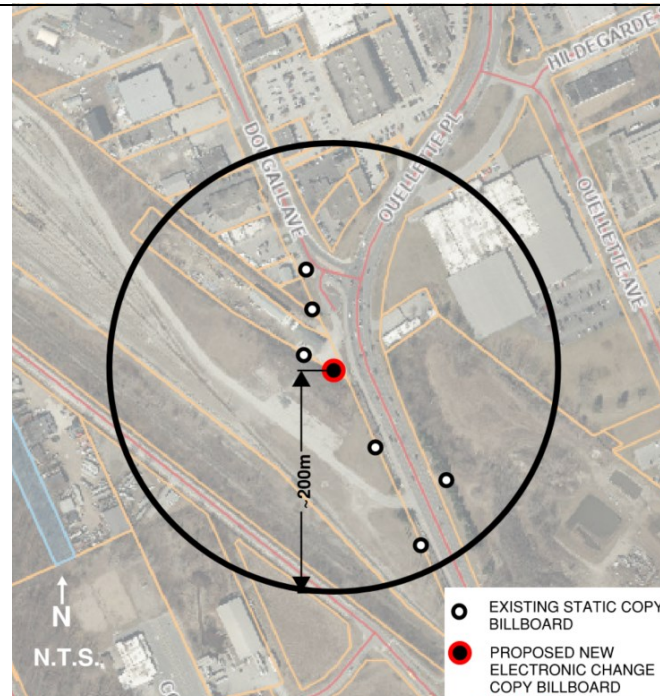


Figure 6: Six (6) existing billboard ground signs are located within the 200.0 m radius of the proposed Electronic Change Copy Ground Billboard.

The infrastructure improvements within the right-of-way introduced signalization at the Ouellette Place and Dougall Avenue intersection. Line of sight to the proposed electronic change copy billboard sign falls immediately between the signal heads, adding an element of distraction at a critical time for south-bound Ouellette Place vehicle motorists, as they approach the intersection on a curved roadway. Reducing the size of the sign or adjusting its location does not resolve the fundamental conflicts created by proximity to traffic control signals and surrounding billboard signage.

Review of Existing On-Site Signage

In addition to the proposed billboard signage, Administration reviewed the existing

signage on the subject property as part of a comprehensive site review. This review identified a fascia wall sign located on the principal building at 2595 Dougall Avenue for which no active sign permit could be confirmed.

This signage matter is separate from the requested site-specific amendment and does not form part of the rationale for the recommended refusal. Administration will address the fascia sign through the appropriate permitting and compliance processes.

Transportation Safety and Location Context

Transportation Planning has reviewed the proposal and does not support the application. The proposed sign location is directly between two traffic signals along a curved segment of Dougall Avenue (see Figure 7), an area characterized by complex traffic movements, turning vehicles, and multiple visual stimuli.



Figure 7: Precise Location of the Billboard, Prepared by CIMA INC., Traffic Study for Billboard Installation at 2595 Dougall Ave in Windsor

The roadway geometry places the proposed sign within the sightline of approaching motorists and within the cone of vision during critical decision-making moments, including intersection approach, turning movements, and pedestrian crossings. The intersection has been designed with additional signal infrastructure due to its complexity, further reflecting the existing sensitivity of this visual environment.

Transportation Planning has identified the following concerns:

- The proposed sign does not meet the minimum 110-metre separation from the stop line, a fixed regulatory requirement.
- The location lies within a complex visual environment where driver attention is already heavily taxed. In addition, this intersection is ranked 27th among the top 50 high collision intersections in the City.
- Electronic changing copy signage introduces periodic visual change and increases the potential for distraction during intersection navigation.
- The analysis provided focuses on limited scenarios and does not adequately account for continuous traffic flow, turning movements, or roadway curvature.
- Signal timing in this corridor is dynamic and cannot be coordinated with the

proposed sign's frame duration; as such, advertisement changes cannot be synchronized with traffic signal phases, increasing the likelihood of visual distraction during critical decision-making moments.

The City remains firmly committed to advancing its Vision Zero objectives, adopted in 2020, which prioritize the elimination of traffic-related fatalities and serious injuries. Introducing additional sources of distraction at an identified high-risk intersection is not aligned with these objectives.

Furthermore, as noted in CIMA's response index, there is no established or widely accepted methodology to quantitatively assess or compare the relative safety impacts of poster versus digital billboards, limiting the ability to conclusively evaluate potential risk in this context.

Based on these factors, Transportation Planning has advised that the proposed electronic changing copy billboard poses an unacceptable safety risk in this location and is not supported.

Distinction between Poster and Electronic Signage

The Sign By-law explicitly distinguishes between poster billboards and electronic changing copy billboards, recognizing their different operational characteristics, visual impacts, and potential influence on driver behaviour. Electronic changing copy billboards are subject to more restrictive standards precisely because they introduce luminance, motion, and periodic visual change.

The prior approval of a poster billboard under an earlier regulatory framework does not establish support for an electronic changing copy billboard under the current by-law.

Risk Analysis:

Approval of a site-specific amendment to permit an Electronic Changing Copy Billboard at this location would introduce both public safety and policy risks.

From a transportation and safety perspective, approval would introduce additional visual stimuli within a complex roadway environment characterized by curved geometry, multiple signalized intersections, and high driver decision-making demands. Given the subject site's location between two signalized intersections along a curved roadway segment, the operational characteristics of an Electronic Changing Copy Billboard, including illumination and message transitions, introduce an elevated risk of driver distraction and visual interference during critical decision-making moments. The operational characteristics of Electronic Changing Copy Billboards increase the potential for driver distraction at a location already requiring heightened driver attention. This presents an increased exposure to safety risk, including the potential for collisions, particularly during critical intersection movements. In this context, the proposed sign does not satisfy the intent of Section 10.3 of the Sign By-law, which prioritizes maintaining clear sightlines, minimizing distraction, and preserving the effectiveness of traffic control devices within complex roadway environments.

From a policy and administrative perspective, approval would establish a challenging precedent for the City in administering and enforcing the provisions of Sign By-law No.

250-2004. Administration has received several applications for Electronic Changing Copy Billboard signage, many of which involve similar non-compliances and require variances or site-specific amendments. Council's decision on the subject application may influence the review and outcome of these and future applications, potentially undermining the intent and effectiveness of the regulatory framework adopted through By-law 93-2024.

Climate Change Risks

Climate Change Mitigation:

Light pollution is a contributing factor to climate change and light levels for LED display signs are regulated by the Sign Bylaw. Automatic brightness controls even out the illumination levels related to the ambient light surrounding the signage. Currently, the Sign By-law does regulate the brightness of illuminated signs in Section 3.3 Illumination Regulations, however Illuminated Electronic Change Copy Billboard Signs create light pollution as they cannot be full cut-off as per CR228/200 Lighting Intensity Standards Study.

Climate Change Adaptation:

LED technology has proven more energy efficient than traditional poster billboard lighting. With climate change and increasing strain on natural resources, limiting carbon footprints is essential. Electronic Change Copy Billboard Signs help to reduce the amount of poster waste entering our landfills and recycling plants but however have other risks from climate perspectives.

Financial Matters:

There are no direct matters of financial consequence to the Corporation of the City of Windsor arising from the recommendations of this application for an amendment.

Consultations:

Several municipal departments and external agencies were circulated for consultation and comments, including Transportation Planning, Traffic Operations, Engineering, Planning and Building Services, Windsor Police Services, CPKC Rail, ENWIN Utilities, and the Legal Department, to address the variances, restrictions and prohibitions, related to this proposal.

Administration met with the applicant, property owner and agent, on multiple occasions to review the application and discuss identified concerns. Primary issues associated with the proposal relate to transportation safety. In response, the City's Manager of Transportation Planning & Design completed a detailed technical review and mark-up of the applicant's Traffic Study. The resulting review and comment matrix has been provided in Appendix C for Council's consideration.

Conclusion:

The proposed Electronic Changing Copy Billboard Ground Sign at 2595 Dougall Avenue does not comply with multiple provisions and prohibitions of Sign By-law No. 250-2004. The proposal introduces increased safety risks due to its location within a complex roadway environment and fails to meet minimum separation distances

established to mitigate driver distraction.

The previously approved poster billboard does not establish support for an electronic changing copy billboard, and approval of the requested amendment would create an undesirable precedent that undermines the intent of the City's Sign By-law framework.

Planning Act Matters:

N/A

Approvals:

Name	Title
Sophia Di Blasi	Planner III – Senior Urban Designer
Jason Campigotto	Deputy City Planner – Growth (A)
John Revell	Chief Building Official
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email
North Construction (c/o Angelo Lunetta)		
Zelinka Priamo (c/o Connor Wright)		

Appendices:

- 1 Appendix A – Application
- 2 Appendix B – Traffic Study Prepared by CIMA+
- 3 Appendix C – Review of Traffic Study by Manager of Transportation Planning & Design and Response Comment Matrix by CIMA+
- 4 Appendix D – Approved 2020 Permit for a Poster Billboard at 2595 Dougall Ave

Appendix A - Application



CORPORATION OF THE CITY OF WINDSOR
Department
Planning Department
350 City Hall Square West
◆ Windsor ON N9A 7K6
Tel: 519-255-6543 Fax: 519-255-6544

SIGN BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Prior to submission, a meeting with a City of Windsor Planner is necessary to determine the supporting documents required to evaluate the proposal, to verify information on the application, and to clarify the procedures to follow. Please contact the Planning Department –Urban Design Division at 519-255-6543 to arrange a meeting.

Complete all sections in full.

Provide the full name of the applicant, agent and registered property owner and the name of the company.

Include the signature of the registered property owner in Section 4.

Submit 3 copies of all drawings and photo(s) of existing signage, if applicable.

All drawings must be legible, accurate and professionally drawn. The following information must be provided:

- Description of the sign including the type of illumination, structural and decorative materials and colours to be used.
- Scale, north point and unit of measurement.
- All dimensions of the sign and the total sign face area.
- Location of sign on the subject property and distance from other signs (including abutting properties), property lines, parking areas, buildings and other structures.
- Elevations with full view of all sides of the sign and showing all dimensions including the height of the sign.
- Any additional information and materials describing the sign, as required.

File the application, all drawings and supporting material and the application fee with the Planning Department, 350 City Hall Square West, 2nd Floor, Suite 210.

A City of Windsor Planner will review the application and **MAY RETURN IT IF IT IS INCOMPLETE OR FEES UNPAID.**

Allow a minimum of six weeks for processing of the application.

APPLICATION FEE

\$1070.00. Cheque payable to the Corporation of the City of Windsor, Trans Code #63012

Fee is subject to change. Confirm application fee prior to submission of application form.

CONTACT INFORMATION

Planning Department
350 City Hall Square W, Suite 320
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@city.windsor.on.ca
Website: www.citywindsor.ca

SIGN BY-LAW AMENDMENT
APPLICATION

1. APPLICANT: North Construction (c/o Angelo Lunetta)

Address: [REDACTED] Postal Code: [REDACTED]

Telephone: _____ Fax: _____

Email: [REDACTED]

2. AGENT: Zelinka Priamo Ltd. (c/o Connor Wright)

Address: 20 Maud Street, Suite 305, Toronto, ON Postal Code: M5V 2M5

Telephone: 226-979-0336 Fax: _____

Email: connor.w@zpplan.com

3. DESCRIPTION OF SUBJECT PROPERTY

Municipal Address/Location: 2595 Dougall Avenue

Lot/Block and Plan Number: Part Lot 79, Concession 2

Assessment Roll No: _____

Existing use of land and buildings: Commercial

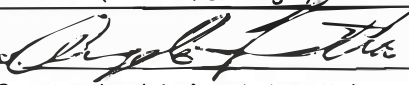
4. AUTHORIZATION SIGNATURES

Applicant:  Date: Oct 30/25

Print Name: North Construction (c/o Angelo Lunetta)

Agent: _____ Date: _____

Print Name: Zelinka Priamo Ltd. (c/o Connor Wright)

Registered Property Owner:  Date: Oct 30/25

Print Name: North Construction (c/o Angelo Lunetta)

DO NOT COMPLETE BELOW – DEPARTMENT USE ONLY

5. APPLICATION DETAILS

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

New SGN File No. SGN- _____ Previous SGN File No. SGN- _____

Other File Numbers: _____ Complete Application: YES ☐ Date: _____

SPC, SDN, PLC, Committee of
Adjustment, etc.

Planning District: _____

SIGN BY-LAW AMENDMENT
APPLICATION

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is collected under the authority of The Planning Act, R.S.O. 1990, Chapter P13, as amended. The information is required in order to process the application. The name and business address of the applicant and/or authorized agent is public information. Any other personal information collected will only be used for internal purposes. Questions about this collection can be made to Neil Robertson, Manager of Urban Design, Planning Department, 519-255-6543, ext. 6443.

Sent via email

November 5, 2025

Planning Department
350 City Hall Square East
Second Floor, Suite 404
Windsor, ON
N9A 6S1

Dear Sir or Madam,

**Re: Application for Sign By-law Amendment
 North Construction
 2595 Dougall Avenue
 Windsor, ON**
Our File: STA/WIN/21-01

Zelinka Priamo Ltd., on behalf of North Construction (the Owner and Applicant), is pleased to submit an Application for Sign By-law Amendment ("SBA") as it relates to the property municipally known as 2595 Dougall Avenue (the "subject lands"), further to previous discussions with City Staff.

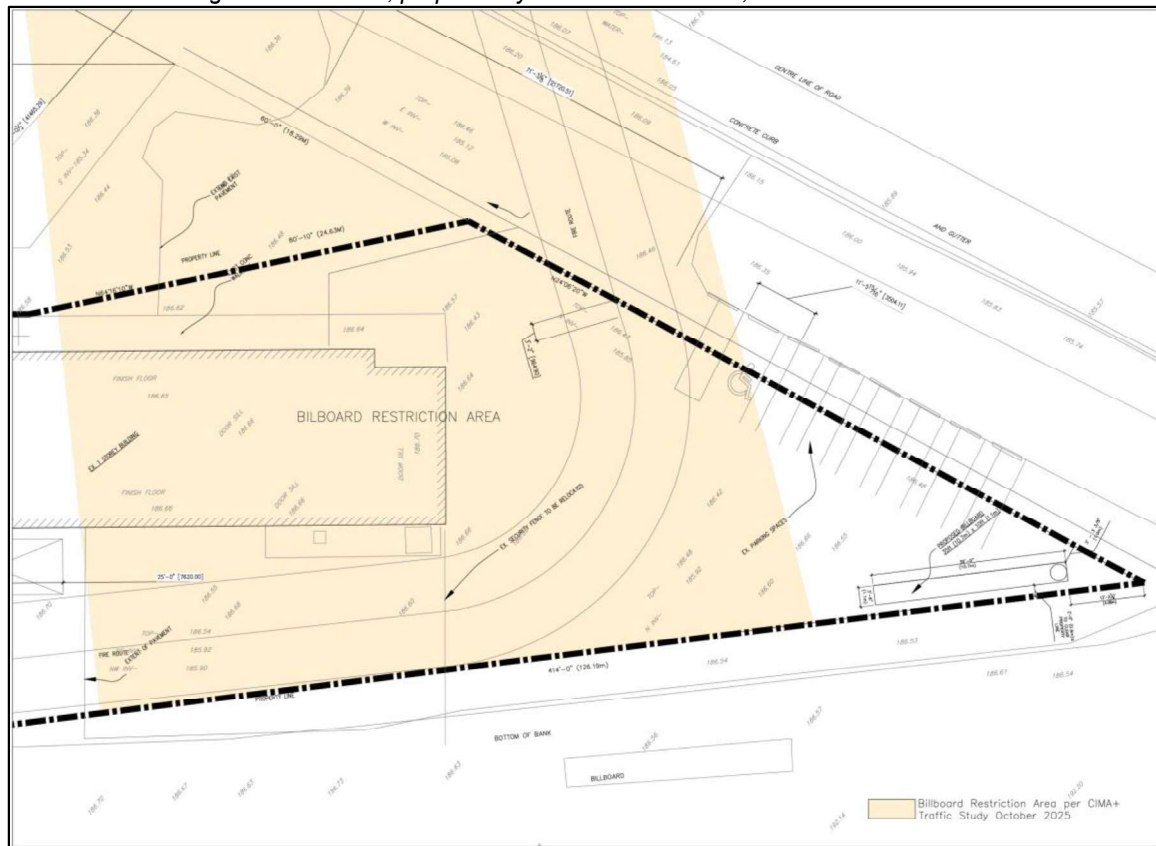
The subject lands are located on the west side of Dougall Avenue, south of the intersection with Ouellete Place. The subject lands are a long linear rectangular shape and currently contain a service commercial use (take-out restaurant). The subject lands are within a Commercial District (zoned as CD2.1 per By-law 8600); situated along Dougall Avenue, between Eugenie Street West to the north, and West Grand Boulevard to the south; and are not within a Special District, as per Schedule C of the Sign By-law.

PROPOSAL

A Static Copy Poster Billboard Ground Sign is currently permitted on the subject lands, in accordance with the City of Windsor Sign By-law 250-2004 ("Sign By-law"). To this end, a Sign Permit for a Billboard Sign on the subject lands was applied for and issued by the City on June 19, 2020. This permit allows the single-sided Static Copy Poster Billboard Ground Sign with a sign face area of 37.2m², located at the south corner of the subject lands.

The purpose of this SBA Application is to apply for a change in sign type from the existing permitted sign. It is proposed that an Electronic Changing Copy Billboard Ground Sign replace the existing Static Copy Poster Billboard Ground Sign, with a similar location and size, although more specifically a reduced sign face area of 32.52 m², and a shifted location which better optimizes safety characteristics (further detailed in enclosed Traffic Study) [Figure 1].

Figure 1: Site Plan, prepared by Zelinka Priamo Ltd., dated October 2025.



In summary, the proposal at hand can be aptly characterized as a requested change in sign type from Poster Billboard to Electronic Changing Copy.

PROPOSED VARIANCES

In order to facilitate the proposed sign conversion, variance from the Sign By-law is requested as follows:

1. **Section 6.3 (Table 6.3.1):** To permit an Electronic Changing Copy Billboard within 110 metres after a Stop Line of an intersection where a posted speed limit is 60 km/hour.

Table 6.3.1 of the Sign By-law provides a matrix of permissible distances from a vehicular intersection for erecting an Electronic Changing Copy Billboard. As the posted speed limit for the relevant direction of travel is 60 km/hour (travelling southbound on Ouelette Place), the applicable minimum distance buffer is 110 metres [Figure 2].

Figure 2: Table 6.3.1 of the Sign By-law.

Table 6.3.1 Prohibited location for erecting ELECTRONIC CHANGING COPY BILLBOARDS				
subsection	(a)	(b)	(c)	(d)
Table 6.3.1	Posted Speed Limit (km/hour)	Distance before Stop Line (m)	Distance after Stop Line (m)*	Lateral Offset Prohibited Location on both sides of street (m)**
	50 or less	65	90	16
	60	85	110	20
	70	110	125	23
	80 or more	140	130	26
*If a stop line is not present than the point for measurement will be prescribed by the City. **Lateral Offset measured from edge of curb or as prescribed by the City. (added B/L 84-2019, June 17, 2019) (amended B/L 93-2024, May 27, 2024)				

The proposed sign is approximately 106 metres away from this Stop Line, falling 4 metres short of the requirement. In support of this being an exceptionally minor and not practically meaningful shortcoming, a robust Traffic Study has been undertaken by CIMA+ to evaluate the safety of this configuration.

Based on technical analysis, the Traffic Study concludes that the sign's proximity to the intersection will not interfere with driver attention to traffic signals or decision-making at the intersection. With the location, characteristics, and frame duration recommended for the sign, it was found that there is not an increase to distraction or collision risk from the proposed modifications to the sign.

Based on the above, and the supporting technical analysis by CIMA+, it is our opinion that this variance is minor and warrants approval in this circumstance.

2. **Section 6.3.17.i:** To permit an Electronic Changing Copy Billboard within a 200-metre radius of any Poster Billboard.

Section 6.3.17.i of the Sign By-law prohibits Electronic Change Copy Billboards from being "erected within a 200.0 m radius of any Poster Billboard Sign that is a Ground Sign or Wall Sign" [Figure 3]. This same prohibition also applies to Poster Billboards.

Figure 3: Excerpt of Section 6.3 of the Sign By-law.

6.3.16	Prohibitions for POSTER BILLBOARDS	No part of any POSTER BILLBOARD GROUND or WALL SIGN shall: i. Be ERECTED within a 200.0 m radius of any type of BILLBOARD GROUND or WALL SIGN; or ii. Be ERECTED within 60.0 m of any RESIDENTIAL or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a RESIDENTIAL or SENSITIVE USE in any BUILDING.
6.3.17	Prohibitions for ELECTRONIC CHANGE COPY BILLBOARDS	No part of any ELECTRONIC CHANGING COPY SIGN, that is either a BILLBOARD GROUND or WALL SIGN, shall: i. Be ERECTED within a 200.0 m radius of any POSTER BILLBOARD SIGN that is a GROUND SIGN or WALL SIGN; ii. Be ERECTED within a minimum distance of 500.0 m any other ELECTRONIC CHANGING COPY SIGN or DIGITAL SIGN, and provided that the two (2) SIGNS cannot be seen simultaneously in the same direction of travel; iii. Be ERECTED within 300.0m of any residential use or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a residential use or SENSITIVE USE in any Building; or iv. Be ERECTED within a prohibited location at a controlled intersection, pedestrian crossing or railway crossing as identified in Section 6.3.2.

Based on our review, the proposed sign location has four (4) Poster Billboards within this 200.0 m radius, being distances of approximately 50 metres, 70 metres, 87 metres, and 184 metres from the proposed sign.

In our opinion, this is a technical and administrative variance. The current approved sign possesses virtually the identical separation distances as outlined above, and has been permitted expressly by the City via permit as of June 2020. The conversion of the sign type does not impact this condition, aside from slight +/- changes to the buffering distances as a result of the 9 m eastward shift of the sign. Furthermore, it is our opinion that the minor locational adjustments for the proposed Electronic Changing Copy Billboard Ground Sign does not create any unacceptable adverse impacts with respect to satisfying the intent of Section 6.3.17 of the Sign By-law.

3. **Section 6.3.7:** To permit a total sign face area greater than 22.0 m².

Section 6.3.7 of the Sign By-law provides the maximum total sign face area for to be 22.0 m² per sign face [Figure 4].

Figure 4: Excerpt of Section 6.3 of the Sign By-law.

6.3.7	Maximum Total Sign Face Area	22.0 m ² per SIGN FACE
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The proposed sign is 32.52 m² in face area, which is a reduction from the existing approved sign face area of 37.2 m².

As the proposed sign conversion reduces the area of the sign, bringing the sign to a state of greater compliance with the Sign By-law, it is our opinion that this variance should be granted, as the proposal is closer to the intent of the Sign By-law.

4. **Section 6.3.14:** To permit a Billboard Ground Sign within 3.0 m of the Public Road Allowance and within 3.0 m of the Side Lot Line.

Section 6.3.14 of the Sign By-law provides minimum setback requirements for Billboard Ground Signs [Figure 5].

Figure 5: Excerpt of Section 6.3 of the Sign By-law.

6.3.14	Sign Restrictions	a) No part of any BILLBOARD GROUND or WALL SIGN shall: i. Be ERECTED within 6.0 m of the intersection of a DRIVEWAY, ALLEY or ACCESS LANE with any PUBLIC ROAD ALLOWANCE; ii. Be ERECTED 30.0 m of any FIRST PARTY ADVERTISING GROUND or WALL SIGN erected on the same LOT or on an abutting LOT; or iii. Be ERECTED on a LOT with a STREET FRONTAGE of less than 30.0 m. b) No part of any BILLBOARD GROUND SIGN shall: i. Be ERECTED within 3.0 m of the PUBLIC ROAD ALLOWANCE; ii. Be ERECTED within 3.0 m of a SIDE LOT LINE; iii. Be ERECTED within 6.0 m of a REAR LOT LINE; iv. Be ERECTED less than 2.4 m above GRADE; or v. BE ERECTED within a DAYLIGHT CORNER. c) No part of any BILLBOARD WALL SIGN shall: i. Be ERECTED on the primary BUILDING FAÇADE of a BUILDING or STRUCTURE; or ii. Be ERECTED on the first floor of any BUILDING.
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The intent of these setback provisions is to ensure that there are no adverse effects to neighbouring and/or City properties, by allowing for appropriate buffering of space where necessary. In this case, relief from the minimum setbacks for front and side lot lines is appropriate for the following reasons.

Firstly, as depicted on the Site Plan prepared by Zelinka Priamo Ltd., and detailed in the Traffic Study prepared by CIMA+, the proposed sign is strategically positioned further east, to maximize clearance from the “billboard restriction area”. While it is indeed possible for the proposed sign to meet both the minimum 3.0 m front yard setback and remain outside of the “billboard restriction area”, increasing the separation is preferred as a conservative/cautious approach. In this case, it is possible to reduce the front yard setback to 1.0 m without resulting in adverse impacts to the public road allowance, on account of the large gap between the road and the property line. Due to the unique geometry of the road allowance and property fabric, there is a large approximately 11 m distance from the curb to the property line, resulting in a 12 m setback from the sign to the road. Therefore,

while technically within 3.0 metres of the road “allowance”, the proposed sign is approximately 4 times this required distance from the road, despite the required variance.

Secondly, with regard to the side yard setback, there is no adverse impact anticipated on account of the following reasons:

- The existing sign is closer to the side lot line than the proposed sign;
- The lands to the southwest are a rail corridor and thus not a sensitive use;
- There is a substantial vegetative buffer that prevents visibility of the sign from the southwest;
- It is preferable to locate the proposed sign as close to the side lot line as possible to maximize distance from the intersection (see variance 1), as well as minimize impact to the other functions of the subject lands.

DISCUSSION

The proposed SBA seeks to permit the replacement of a City-approved Static Copy Poster Billboard Ground Sign with an Electronic Changing Copy Billboard Ground Sign on the subject lands. The proposed Electronic Changing Copy sign will occupy a similar location and orientation to the existing permitted sign, with a modest eastward shift to optimize visibility and safety in accordance with the recommendations of the supporting traffic analysis prepared by CIMA+ (October 2025). The proposed sign face area will be reduced from 37.2 m² to 32.52 m², further bringing the installation into greater compliance with the Sign By-law's intent.

In support of the requested variances, a comprehensive Traffic Study was completed by CIMA+, assessing the proposed sign against the provisions of the Sign By-law, and the Transportation Association of Canada's (TAC) Digital and Projected Advertising Displays (DPAD) Guidelines. The study concluded that, with appropriate sign characteristics such as brightness limits, frame duration, and transition controls the proposed electronic billboard would perform comparably to the static billboard currently permitted, with no measurable increase in driver distraction or collision risk.

From a planning perspective, the requested variances are technical in nature and do not introduce unprecedented forms of signage or materially alter the visual environment along Dougall Avenue. Rather, the proposed SBA represents a modernization of the existing sign within an established commercial corridor characterized by similar billboard installations.

The requested variance to the 110-metre minimum setback from a signalized intersection is minor, amounting to only a 4-metre (3.6%) shortfall. The CIMA+ analysis demonstrates that this location lies outside of the driver's critical decision zone and does not interfere with visibility of traffic signals or driver sightlines. The report further concludes that the City's fixed-distance buffer is more restrictive than the Transportation Association of Canada standardized guidelines, which are based on comprehensive literature review and analysis of road safety engineering principles. Accordingly, approval of the variance is consistent with sound engineering judgment.

The additional variances pertaining to billboard separation and sign face area are administrative refinements. The location and size of the approved static billboard relative to nearby poster billboards has been deemed appropriate by the City through recent approvals. The proposed electronic conversion does not exacerbate these conditions as

has been demonstrated by the technical analysis. Further, the reduced sign face area improves compliance with the Sign By-law by bringing the total sign face area substantially closer to current Sign By-law requirements.

The proposed reductions to minimum setbacks are logical and improve the condition of the proposal than if the setbacks were rigidly adhered to, as described in more detail above in this letter.

In summary, the proposal maintains the overall scale, character, and function of the approved sign while incorporating modern display technology in a controlled and safe manner. The accompanying Traffic Study provides clear evidence that the proposed location and design will not adversely affect driver behavior or the operation of the adjacent intersection. The variances are minor, consistent with the intent of the Sign By-law, and supported by accepted transportation engineering practice.

Accordingly, it is our opinion that the requested amendments are appropriate, desirable, and represent good planning.

SUBMISSION MATERIALS

In addition to this cover letter, please find enclosed the following materials in support of the application:

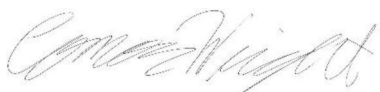
- Completed Application Form;
- Required Application via by cheque in the amount of \$1,070.00, made payable to the "Corporation of the City of Windsor" (note: original cheque will be sent under separate cover);
- Traffic Study, prepared by CIMA+, dated October 2025;
- Site Plan, prepared by Zelinka Priamo Ltd., dated October 2025;
 - 'Zoomed' version also provided for clarity.
- Structural Sign Drawing;
- Plan of Survey, prepared by Clarke Surveyors, dated April 25, 2018;
- Approved permit for the existing Billboard Sign, dated June 19, 2020.

We trust that the enclosed information is complete and satisfactory and look forward to a timely approval process.

If we can be of any assistance, please do not hesitate to contact the undersigned.

Yours very truly,

ZELINKA PRIAMO LTD.



Connor Wright, MCIP, RPP
Intermediate Planner



Harry Froussios, BA, MCIP, RPP
Principal Planner

cc. North Construction
Target Outdoor

KEY PLAN



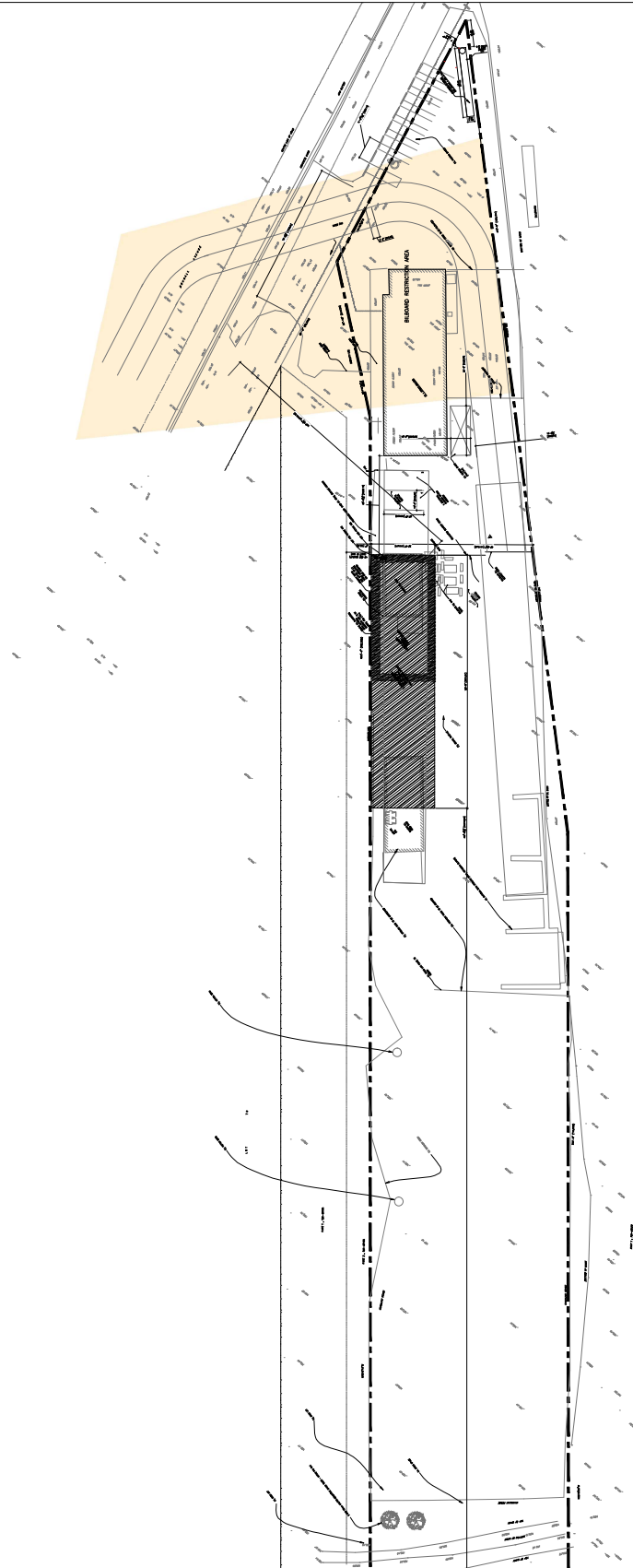
SITE PLAN

2595 DOUGALL AVENUE, WINDSOR

WINDSOR, ONTARIO
WINDSOR-ESSEX REGION

SITE STATS

NO.	REVISION	DATE	INITIAL
1	1	2025	N.T.S.
2	2	2025	N.T.S.
3	3	2025	N.T.S.
4	4	2025	N.T.S.
5	5	2025	N.T.S.
6	6	2025	N.T.S.
7	7	2025	N.T.S.
8	8	2025	N.T.S.
9	9	2025	N.T.S.
10	10	2025	N.T.S.
11	11	2025	N.T.S.
12	12	2025	N.T.S.
13	13	2025	N.T.S.
14	14	2025	N.T.S.
15	15	2025	N.T.S.
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25	25	2025	N.T.S.
26	26	2025	N.T.S.
27	27	2025	N.T.S.
28	28	2025	N.T.S.
29	29	2025	N.T.S.
30	30	2025	N.T.S.
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98	98	2025	N.T.S.
99	99	2025	N.T.S.
100	100	2025	N.T.S.



NO.

REVISION

DATE

INITIAL

LONDON PROPERTY
CORP.

2595 DOUGALL
AVENUE, WINDSOR

Zelinka Priamo Ltd.
LAND USE PLANNERS

300 McMillan Road, Windsor, Ontario, N6C 4E4
Tel: (519) 244-7177 Fax: (519) 944-5284 email: info@zelinkapriamo.com

PROJECT NO.
STW WIN/21-01

DATE
OCT 2025

SCALE
N.T.S.

Billboard Restriction Area per CIMA+
Traffic Study October 2025

GENERAL NOTES:

1. ALL STRUCTURAL STEEL ROLLED SECTIONS AND PLATES SHALL BE M500W STEEL AND COMPLY WITH THE REQUIREMENTS OF CSA SPECIFICATIONS CAN3-G40.21
2. STRUCTURAL HOLLOW STEEL SECTIONS SHALL COMPLY WITH THE REQUIREMENTS OF CSA SPECIFICATION G40.21 GRADE M500W; JUMBO HSS'S TO MEET ASTM A500 GRADE "C"
3. ALL STRUCTURAL BOLTS, NUTS AND WASHERS USED IN CONNECTIONS SHALL BE HIGH STRENGTH TO ASTM STANDARDS AND SHALL BE PRE-TENSIONED IN ACCORDANCE WITH TABLE 12 OF CSA SPECIFICATION S16.
4. ALL WELDS AND WELDING SHALL COMPLY WITH THE REQUIREMENTS OF CSA SPECIFICATION W59, USE E480XX ELECTRODES.

WHERE MEMBERS ARE WELDED TOGETHER THE WELDS SHALL DEVELOP THE FULL CAPACITY OF THE MEMBERS IN BENDING AND SHEAR.

ANCHOR BOLTS, AND BOLTS THROUGH MASONRY SHALL COMPLY WITH THE REQUIREMENTS OF ASTM STANDARD A307. NUTS, BOLTS, RODS & WASHERS TO BE GALVANIZED.

ENSURE THAT MASONRY AT ANCHOR POINTS IS IN GOOD CONDITION. MAKE GOOD AS REQUIRED TO ENSURE ADEQUATE LOAD TRANSFER.

DESIGN WIND PRESSURE IS BASED ON NBC SUPPLEMENT

$$F_{w1} = C_f \times C_d \times C_e \times p_s$$

$$= 1.17 \times 0.54 \times 2.5 \times 1.0 \times 3.05 \times 10.67$$

$$= 51.39 \text{ kN (UNFACTORED)}$$

WHERE BASE PLATES BEAR ON EXISTING ROOF OR PARAPET, FLASH AS NECESSARY TO PROVIDE WATERPROOF SEAL (NON-STRUCTURAL) BY OTHERS

DETAILS OF EXISTING BUILDING AND EXISTING CONDITIONS AS PROVIDED BY CBS OUTDOOR INC.

ALL STEEL IS TO BE COATED WITH TWO COATS OF CORROSION RESISTANT PRIMER AND TWO COATS CHOCOLATE BROWN OUTDOOR ALKID PAINT.

THE DESIGN ENGINEER (SEAN HART, P. ENG.,

C: 416-209-8098) IS TO BE NOTIFIED IN WRITING (F1416-413-1343) 48 HOURS PRIOR TO COMMENCING CONSTRUCTION TO VERIFY DESIGN ASSUMPTIONS, OR ELSE THE ENGINEER WILL NOT BE RESPONSIBLE FOR ANY ASPECT OF THE CONSTRUCTION. THE NOTIFICATION IS TO INCLUDE THE STREET ADDRESS, MUNICIPALITY, KEY PLAN, SIZE AND HEIGHT OF POSTER PANEL STRUCTURE.

13. ALL HOLLOW SECTIONS, COLUMNS, ETC. THAT ARE CLOSED AT THE ENDS ARE TO HAVE MINIMUM (2) 1/4" DIA. WEEP HOLES AT THE UNDERSIDE OR TOP AND BOTTOM.

14. ALL STRUCTURAL BOLTS, NUTS AND WASHERS USED IN CONNECTIONS SHALL BE HIGH STRENGTH TO ASTM STANDARDS AND SHALL BE PRE-TENSIONED IN ACCORDANCE WITH TABLE 7 OF CSA SPECIFICATION S16 AS FOLLOWS:

BOLT DIAMETER	A325	MINIMUM BOLT TENSION kN & (KIPS)	HOLE SIZE
1/2"	53 (11.93)	67 (15.07)	5/8"
5/8"	85 (19.13)	107 (24.07)	3/4"
3/4"	125 (28.13)	157 (35.32)	7/8"
7/8"	174 (39.15)	218 (49.05)	1"
1"	227 (51.08)	285 (64.12)	1 1/8"
1 1/8"	249 (56.02)	356 (80.10)	1 1/4"
1 1/4"	316 (71.10)	454 (102.15)	1 3/8"
1 3/8"	378 (85.05)	535 (121.05)	1 1/2"
1 1/2"	458 (103.05)	656 (148.05)	1 5/8"

15. ALL BOLTS ARE TO BE INSTALLED BY DIRECT TENSION INDICATOR METHOD, IN ACCORDANCE WITH CAN/CSA S16.1.

16. USE OLD GUARD EPOXY SELF-PRIMING MASTIC No.5256/5257 (OR APPROVED EQUAL) TO 12" ABOVE AND BELOW TOP OF GRADE ON STRUCTURAL STEEL.

17. USE No.11 PRODUCT REDUCED WITH 50% SOLVENT No.5568 ON TOP OF CONCRETE CAISSONS.

18. PROVIDE MINIMUM 2% SLOPE AWAY FROM BASE PLATE/CAISSON JUNCTURE.

19. ALL CONCRETE IS TO BE EXPOSURE CLASS S-1 AND IS TO HAVE A COMPRESSIVE STRENGTH OF 35 MPa AT 56 DAYS. USE 4% TO 7% AIR ENTRAINMENT. MAXIMUM AGGREGATE SIZE IS TO BE 3/4" (19mm). CURE CONCRETE FOR 7 DAYS AT MIN. 10° C. WATER CEMENT RATIO = 0.40 ETC.

20. FOOTINGS ARE DESIGNED FOR A FIRM, NON-CLAYING CLAY OR SANDY CLAY.

21. TOP 6" OVER FOOTING IS TO BE COMPRISED OF FREE DRAINING GRANULAR FILL. (IF TOP OF FOOTING IS TO BE COVERED)

22. ALL CONTACT SURFACES OF BOLTED PARTS ARE TO HAVE MILL SCALE THOROUGHLY CLEANED OR ELSE BLAST CLEAN WITH A CLASS "A" COATING APPLIED AS PER CAN/CSA -S16.1.

23. A BUILDING PERMIT IS TO BE OBTAINED PRIOR TO COMMENCING ANY CONSTRUCTION.

24. THE CONTRACTOR IS TO PROTECT ADJACENT PROPERTIES AND VERIFY ALL UTILITY LOCATIONS PRIOR TO INSTALLING FOUNDATIONS.

25. THE CONTRACTOR IS 100% RESPONSIBLE FOR MAINTAINING SAFETY ON SITE DURING CONSTRUCTION PER MINISTRY OF LABOUR AND CBS STANDARDS.

26. MUNICIPAL BY-LAW COMPLIANCE IS BY OTHERS THAN S.P.HART & ASSOCIATES LTD. AND SEAN HART, P. ENG.

27. CONFIRM LED MANUFACTURER WITH ENGINEER AND OBTAIN WRITTEN PERMISSION TO PROCEED WITH MANUFACTURING OF STRUCTURAL STEEL PRIOR TO COMMENCING WITH FABRICATION.

SCHEDULE 1.1

OVERALL HEIGHT	DEPTH OF CAISSON	REINFORCING STEEL		COLUMN SIZE	GUSSET PLATES
		VERT. RE-BARS	NO. OF TIES		
29'-6"	17'-0"	18-25M	13-15M	RHS 24" DIAM x 1/2" COLUMN	1/2" x 52" x 12"

GENERAL NOTES

ALL DIMENSIONS AND STRUCTURAL INFORMATION ARE THE PROPERTY OF THE ENGINEER.
DO NOT SCALE DRAWINGS.

ALL DIMENSIONS AND TOLERANCES ARE TO BE UNLESS OTHERWISE SPECIFIED.
ALL DIMENSIONS ARE TO BE TO THE FACE UNLESS OTHERWISE SPECIFIED.
ALL DIMENSIONS ARE TO BE TO THE FACE UNLESS OTHERWISE SPECIFIED.

ALL DIMENSIONS AND TOLERANCES ARE TO BE UNLESS OTHERWISE SPECIFIED.
ALL DIMENSIONS ARE TO BE TO THE FACE UNLESS OTHERWISE SPECIFIED.
ALL DIMENSIONS ARE TO BE TO THE FACE UNLESS OTHERWISE SPECIFIED.

1	DATE	BY	DESCRIPTION

SEAL MUST BE SOFTLY SIGNED AND 3RD PARTY VERIFIABLE TO BE VALID



PROJECT:

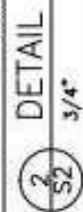
10'-0" x 24'-0" LED PANEL STRUCTURE
- CANT - VEE 8

10 Morse St Toronto

10x35-LED-CANT-V8
NOTES AND SCHEDULES

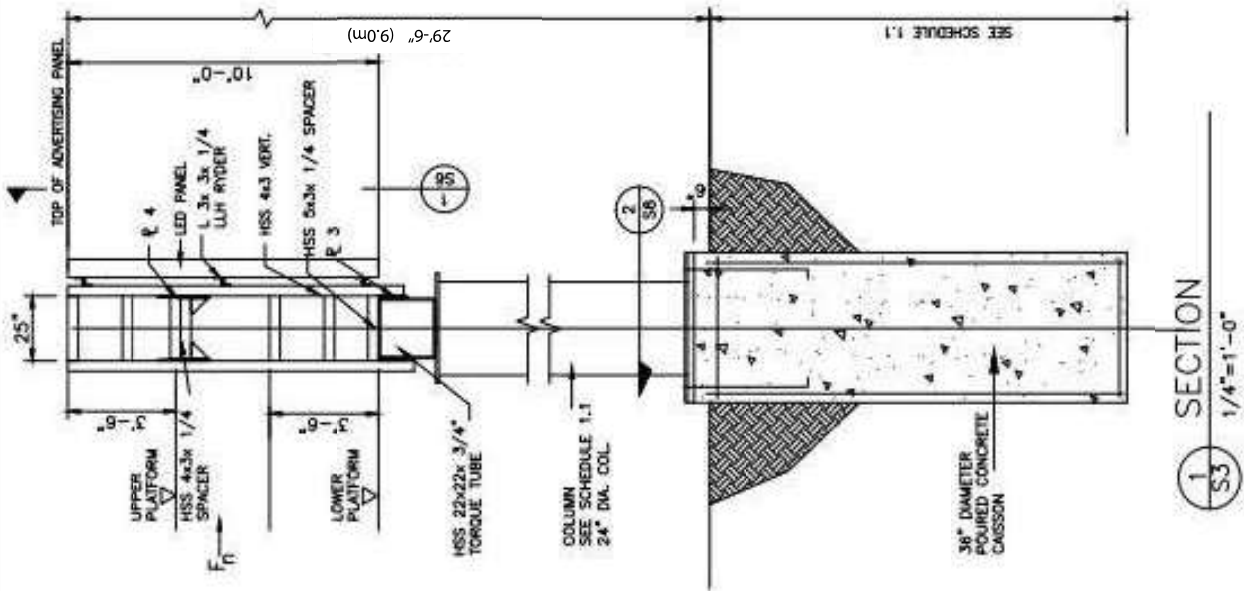
DATE	DATE	DATE	DATE
17763	17763	17763	17763
17763	17763	17763	17763
17763	17763	17763	17763

S1



ORDER NO.	FW	INC. NO.	S2
DATE	MAR. 2018	BY	6
INC. NO.	17753		
REMARKS	AS NOTED		

SEE DETAIL S034



GENERAL NOTES
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SIGN STRUCTURE.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SIGN STRUCTURE.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SIGN STRUCTURE.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SIGN STRUCTURE.
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 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SIGN STRUCTURE.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SIGN STRUCTURE.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SIGN STRUCTURE.

NO.	DATE	BY	DESCRIPTION
1	MM/DD/YY		ISSUED FOR BLDG. PERMIT

STAMP: MUST BE EXACTLY SIGNED AND SEALED
 PARTY VERIFIABLE TO BE VALID



PROJECT: 10'-0"x35'-0" LED PANEL STRUCTURE
 - CANT - V8
 10 Morse St Toronto
 DRAWN BY: EJV
 DATE: MAR. 2018
 SCALE: 1/4"=1'-0"
 SHEET NO.: 17755
 SCALE: AS NOTED

S3
 6

**Appendix C – Review of Traffic Study by Manager of
Transportation Planning & Design and Response Comment Matrix
by CIMA+**

Target Outdoor / Angello Lunnetta (Property Owner)

**Traffic Study for Billboard
Installation at 2595 DOUGALL
Avenue in Windsor**

Final Report

October 2025

Z0032748

SUBMITTED BY CIMA CANADA INC.
400–3027 Harvester Road
Burlington, ON, L7N 3G7
T: 289-288-0287 F: 289-288-0285
cima.ca

CONTACT
Soroush Salek
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PREPARED BY: Sheetal Thukral, P.Eng., M.Eng., RSP₁

Soroush Salek

Soroush Salek, Ph.D., P.Eng., RSP₁

CIMA+

400 – 3027 Harvester Road
Burlington, ON. L7N 3G7

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Appendix A: Recommended Electronic Billboard Location

1. Introduction

CIMA+ was retained by Target Outdoor to prepare a traffic safety report for the location of a proposed advertising sign with “electronic” copy, hereinafter referred to as electronic billboard¹. The location is at the 2595 Dougall Avenue property in the City of Windsor (the City), Ontario. The size of the proposed sign is 10 ft x 35 ft. The City has granted permission to erect a 10 ft x 40 ft Billboard ground sign with “static” copy with illumination, hereinafter referred to as static billboard. The overall height of the permitted sign above ground level as per Sign Permit issued by the City is 9.0 m. The owner of the property, Angello Lunnetta, along with Target Outdoor is looking to convert the permitted static billboard to electronic billboard, for which a traffic safety report is required for submission to the City. The City is concerned for the proposed location of the electronic billboard with respect to a nearby traffic signal installed at the intersection of Ouellette Place and Dougall Avenue.

It is recognized that billboards of any type (static or electronic) provide a type of information at the roadside that is non-essential for the driving task representing a source of distraction to drivers, there may be a subsequent increase to risk of collisions. An ideal approach to permit a billboard on a location is to ensure that the risk would not exceed a given threshold (e.g., a risk that is already accepted at a location) or the increase remains as low as reasonably practical. Electronic billboards differ from static advertising signs in terms of their brightness and ability to display content dynamically. By controlling certain characteristics of electronic billboards, they can be made to emulate static advertising signs and therefore result in a similar distracting and road safety effect as static advertisements. These characteristics include brightness, frame duration, message sequencing, text scrolling, animation, transition time and effects, sign spacing and density, and proximity to certain traffic control devices such as traffic signals. The use of static advertising signs is generally accepted by jurisdictions subject to jurisdictional sign by-laws. The distracting effects of billboards can vary based on the surrounding environment. However, the safety implications of billboards are not quantitatively explored in the available literature. Therefore, the associated collision risks can be only qualitatively evaluated.

This report presents our unbiased opinion with respect to the expected safety implications of the proposed electronic billboard as compared to that of the approved static billboard with respect to its proximity to the traffic signal. The report also presents our recommendations on how the distracting effects of the proposed electronic billboard can be minimized. Our review assumes that the impact of all existing static billboards present on the property will remain unchanged regardless of the status of the new billboard (i.e., electronic, or static).

2. Study Area

The proposed location of the subject billboard is situated at the 2595 Dougall Avenue property in Windsor, Ontario. This property is located approximately 60 m south of the intersection of Dougall Avenue and Ouellette Place, which is a signalized intersection with a pedestrian crosswalk on the west approach. The intersection is located near the beginning of a horizontal curve in the southbound direction providing transition between tangent sections at Ouellette Place and Dougall Avenue. The subject property is located just before the end of the curve in the southbound direction. The north approach of the intersection for the most part is a tangent

¹ The terms electronic billboard and digital billboards are interchangeably used in this document

with a slight curvature near the southbound stop line of the intersection. The south approach is essentially at a curvature. The proposed electronic billboard location is at approximately 106 m south of the southbound stop line of the intersection. The Ouellette Place is posted at a speed of 60 km/h.

A map of the study area with the proposed location of the billboard is included in **Figure 1**.

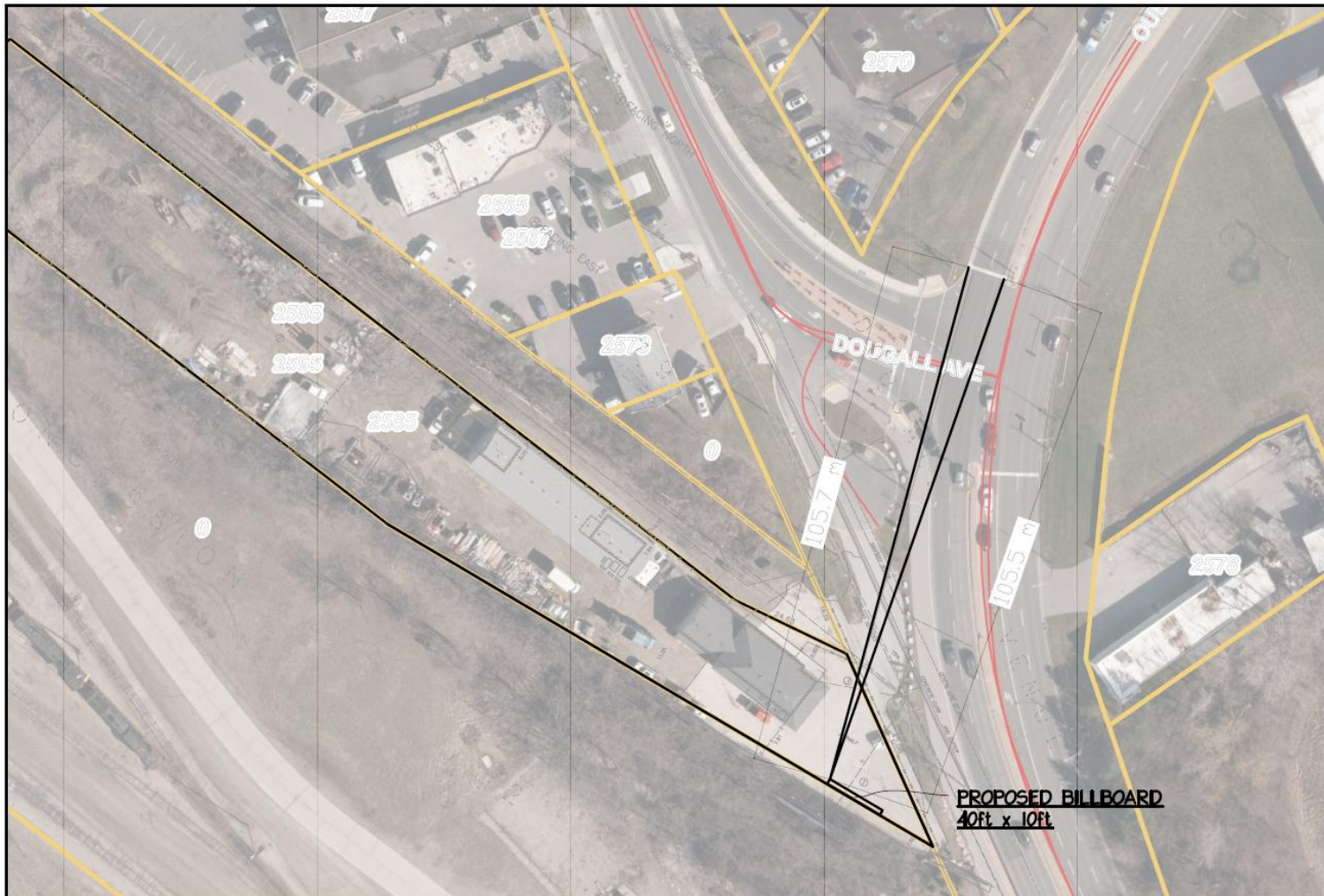


Figure 1: Map of the Study Area

3. Review of Background Information

3.1. Review of City of Windsor By-Law

The City of Windsor Sign By-law Table 6.3.1 (Sign By-Law 250-2004 amendment 93-2024) prescribes the distances before and after stop line for prohibiting a location for erecting electronic billboards in the vicinity of traffic signals. The distance requirements are based on the posted speed of the street towards which the billboard is facing. The subject electronic billboard will be facing the southbound stop line on Ouellette Place, which is posted at 60 km/h. Based on 60 km/h, the billboard cannot be erected 85 m before and 110 m after the stop line. As the proposed location is after the southbound stop line, the 110 m distance requirement applies. The proposed location is approximately 106 m after the stop line. Therefore, the location does not meet the strict requirements of the Sign Bylaw. However, the variance is very minimal.

The City of Windsor Subsection 6.3.17.ii (Sign By-Law 250-2004 amendment 93-2024) prescribes that no part of any electronic changing copy sign, that is either a billboard ground or wall sign shall be erected within a minimum distance of 500 m of any other electronic changing copy sign or digital sign, and provided that the two signs cannot be seen simultaneously in the same direction of travel.

The proposed electronic sign at 2595 Dougall Avenue would be located approximately 300 metres from an existing double-sided sign installation at 130 Ouellette Place. The north-oriented sign face is a poster billboard sign, and the south-oriented sign face is an electronic changing copy sign, as indicted by Target Outdoor.

As the sign face oriented in the same direction of travel as the proposed electronic sign is not electronic changing copy or digital display, the installation of the proposed sign at 2595 Dougall Avenue would not conflict with Subsection 6.3.17.ii of the City of Windsor Sign By-law.

3.2. Review of Traffic Volumes

CIMA+ reviewed the Turning Movement Count (TMC) dated November 25, 2020, obtained from the City (07:00-10:00, 11:00-14:00, 15:00-18:00). During this period, there were no COVID restrictions in place, so the counts can be considered as a true representation of a normal condition. The purpose of this review was to identify the number of vulnerable road users at the intersection. There were only 4 pedestrians during this period, 2 at the west approach, and 2 at the south approach.

3.3. Review of Signal Timing Information

CIMA+ reviewed the provided signal timing information at the intersection of Dougall Avenue and Ouellette Place. The purpose of this review was to understand the duration of various intervals to assess any interference with the dwell time (frame duration of the electronic billboard) of the proposed electronic billboard. Frame duration is the length of time that a single static message is displayed on an electronic board. The ability to display multiple messages make electronic billboards different than static billboards. More information is provided in a subsequent section. The time intervals for the traffic signal are included in **Table 1**.

Table 1: Traffic Signal Intervals

Interval Type	Duration (Seconds)
Maximum Cycle Length	112
Walk Time	10
Pedestrian Clearance Time	16
Yellow Time	4
All Red	1
Maximum Green Time	30

4. Review of DPAD Guidelines

The publication by Transportation Association of Canada (TAC), Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines² (DPAD Guide) is a national document intended to assist jurisdictions in evaluating permit applications and assessing their potential road safety impact. The guidelines are based on comprehensive literature review, survey of Canadian jurisdictions, discussions with advertising and sign industry representatives, and the application of human factors and road safety engineering principles.

4.1. Billboard Restriction Area Around Traffic Signals

The DPAD Guide defines a restriction area for digital billboards around traffic signals as demonstrated in **Figure 2**.

² Transportation Association of Canada (TAC), Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines

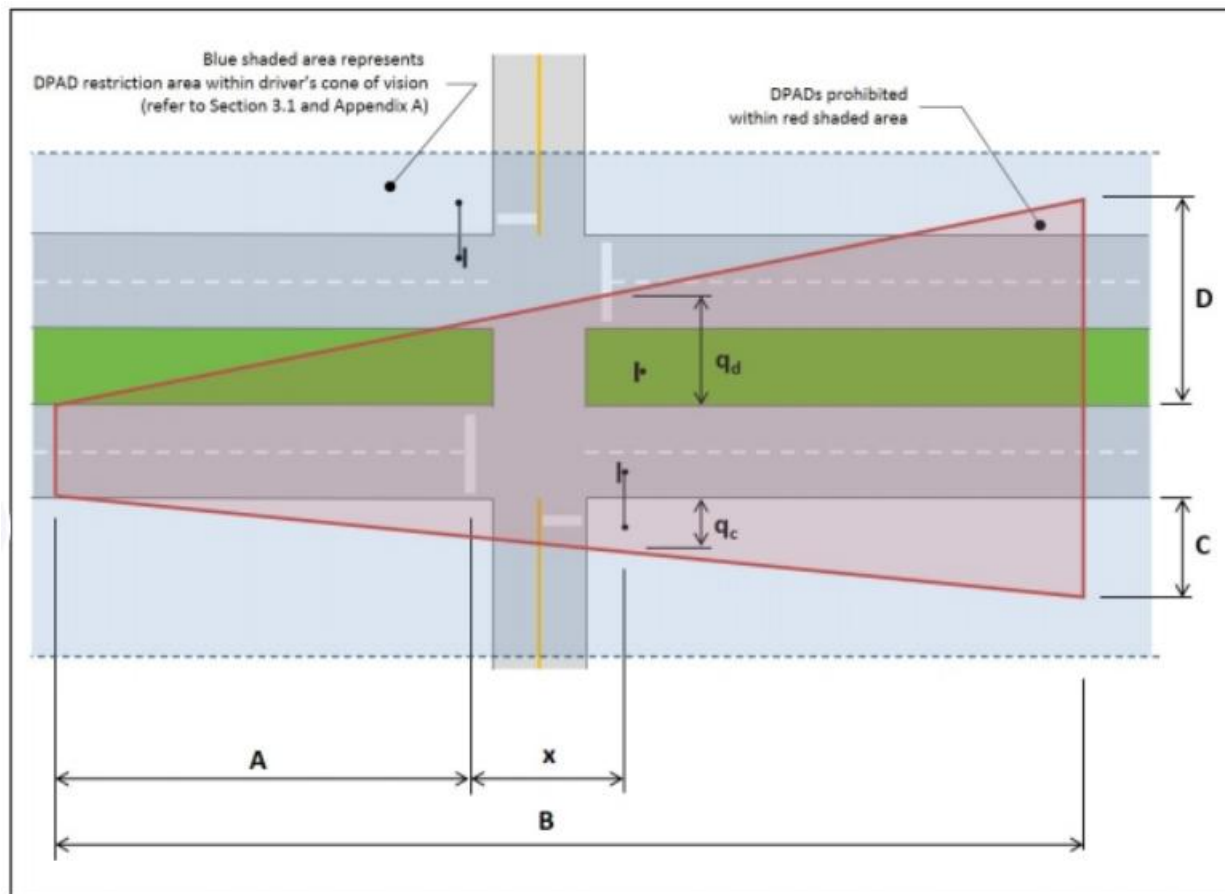


Figure 2: DPAD Restriction Areas for Driver's Cone of Vision and Around Traffic Signals

The DPAD restriction area defines a zone around traffic signals to minimize the potential for a DPAD frame change to interfere with drivers observing a traffic signal change. This is based on the rationale that the billboard should not be within the optimal cone of vision of the driver when the driver must decide to stop or not to stop at the intersection. This optimal cone of vision is also known as the foveal vision, where resolution is sharpest ($2^\circ - 4^\circ$) off the driver's line of sight down the road path).

The calculation of the restriction area begins at a distance "A" from the stop bar. This is the stopping sight distance (SSD) for vehicles approaching the intersection. The length of the restriction area is equivalent to the decision sight distance (DSD) and is shown as measurement "B". These guidelines define the DSD as a driver's sight distance to a billboard. A billboard should not be visible behind a traffic signal during the time that a driver must decide to stop at the intersection. Therefore, the restriction area longitudinal limit is measured from the start of the SSD and is equal to DSD. Based on the guidelines and a posted speed of 60 km/h, various variables for defining the restriction area are provided in **Table 2**.

Table 2: Variables for Defining the Restriction Area

Variable	Description
x	Distance between the stop bar and the nearest traffic control signal. This distance is approximately 30 m at intersection of Dougall Avenue and Ouellette Place in the southbound direction.
q_c	Lateral clearance from the traffic control device, measured from the curb line of the rightmost lane. 3.0 m is recommended by TAC.
q_d	Lateral clearance from the traffic control device, measured from the curb line of the leftmost lane to a distance at least 3.0 m to the left of the traffic signal.
A	Stopping sight distance (SSD), measured to the stop bar. The SSD at a posted speed of 60 km/h recommend by DPAD guide is 85 m.
B	Decision sight distance (DSD). The length of the restriction area is equivalent to the DSD. A digital billboard should not be visible behind a traffic signal during the time that driver must decide to stop at the intersection. Therefore, the restriction area longitudinal limit is measured from the start of the SSD and is equal to DSD. The DSD recommended by DPAD Guide for a speed of 60 km/h is 235 m.
C	Maximum lateral dimension of the restriction area in the direction of travel. It can be calculated geometrically or graphically.
D	Maximum lateral dimension of the restriction area in the opposite direction of travel. It can be calculated geometrically or graphically.

4.2. Spacing Between Digital Billboards

The TAC DPAD Guide indicates that shorter longitudinal distance (or spacing) between digital billboards increases the distracting effects of billboards in terms of glance duration and frequency away from the road. The distracting effects of digital billboards can be mitigated or

decreased by controlling the ‘frame duration’³ that drivers see and the spacing of digital billboards to reduce the probability of a driver observing multiple billboards and number of frame changes in their field of view. The number of digital billboards within a driver’s field of view on his/her approach to the digital billboard represents the number of frame changes. These guidelines are designed to limit a driver exposure to only one frame change as they approach.

The DPAD Guide defines the driver’s field of view by a driver’s decision sight distance. This assumes that a driver attends to objects at decision sight distance and no further, even though those objects might be visible at a greater distance.

The DPAD Guide recommends a maximum of one digital billboard within a driver’s field of view (i.e. a driver’s decision sight distance) and indicates that the minimum spacing between digital billboards should be equal to the decision sight distance, which is based on the design speed of the road, and no less than 300 metres. The decision sight distance recommended by the DPAD Guide for a speed of 60 km/h is 235 m. Therefore, a minimum spacing of 300 m would apply for any digital billboards along Ouellette Place posted at a speed of 60 km/h. This minimum spacing of 300 m is satisfied for the proposed digital sign at the 2595 Dougall Avenue property.

5. Digital Billboard Recommended Characteristics

There are certain characteristics of digital billboards that make them different from static billboards. These characteristics include frame duration, transition time and effects, message sequencing and text scrolling, brightness, and animation. By controlling these characteristics, the digital billboards can be made to emulate static advertising signs and therefore result in a similar distracting and road safety effect as static advertisements. The industry practice is to use the following characteristics. TAC DPAD Guide also recommends most of these.

Frame Duration – Frame duration is the length of time that a single static message is displayed on a digital billboard. Generally, as the frame duration decreases, glance duration and frequency tend to increase in anticipation of the next message. The recommendation is to provide frame duration as a measure of travel speed and sight distance to the billboard. By limiting drivers’ exposure to up to two messages, the driver distraction can be minimized.

Transition Time and Effects – Transition time is the interval between successive frames. During this transition between frames, special visual effects are sometimes used such as flashing, spinning, fading, dissolving, or some form of animation. The recommendation is to minimize the transition time between successive frames, preferably instantaneous and without any special effects so that drivers do not observe a black screen between advertisements.

Message Sequencing and Text Scrolling – Message sequencing refers to the use of more than one frame presented on a single sign in succession to convey a single message. Text Scrolling involves with the text continuously scrolling across the display. The recommendation is to prohibit Message Sequencing and Text Scrolling to minimize the distraction.

Brightness – Brightness is the appearance of the sign to the driver. It is a function of sign luminance, distance to the sign, background against which the sign is viewed, level of adaptation of the eyes, and atmospheric conditions. It can be measured as luminance (candelas

³ Frame duration is the length of time that a single static message is displayed on a digital billboard.

per square metre. Luminance refers to light that is emitted from a surface while illuminance is the amount of light falling upon a surface. Most research recommends that brightness should vary with ambient light levels. TAC DPAD Guide recommends that the digital billboards should be able to adjust brightness automatically (equipped with ambient light sensors) to 0.3 candelas per square metre above ambient levels.

Animation – Animation refers to any motion in the advertisement, including video, special effects within a single frame, and transition, movement, and rotation between successive frames. Compared to static signs, digital billboards with these types of dynamic displays can increase glance frequency by 2 to 200 percent, can increase glance duration by 12 percent. Drivers operating in the vicinity of digital billboards tend to have less lateral lane control, harder braking, slower reaction time, and lower vehicle speed. The negative road safety effects of animation tend to decrease as sight distance to these signs increases. However, to emulate the digital billboards to static signs, the animation should be discouraged. In addition, digital billboards should not contain flashing, blinking, pulsating or intermittent lights.

Proximity to Traffic Control Devices – Digital billboards are usually illuminated using light-emitting diodes, which are increasingly being used for traffic signals. The digital billboards that are located directly behind traffic signals can make it difficult for drivers to identify traffic signals.

Contrast and Colour – Use of colour impacts the legibility of advertising content. Adequate contrast between the letters and their background increases the overall visibility and clarity of a message, while poor contrast makes it difficult to read under even the best lighting conditions. This in turn can increase driver distraction as it may require longer or multiple glances to fully comprehend a message. Therefore, colour choice and contrast should ensure good legibility for drivers. Advertisements should be designed to avoid the use of colours in combinations or shapes that could be interpreted as a traffic control device.

Symbol and Images – Images/photographs or symbols used as part of advertisements should not depict or mimic traffic control devices. The use of abstract symbols should be minimized and where used, should be accompanied by a text component. The use of highly stylised symbols should be avoided to promote ease of driver comprehension.

6. Field Investigation

CIMA+ conducted a site visit to evaluate any conditions that may adversely impact the traffic safety if the approved static billboard be converted to an electronic billboard. The following section presents the findings of our field investigation.

6.1. Review of the Approximate Location of the Billboard

CIMA+ conducted a preliminary review of the location of the electronic billboard with respect to a driver's field of view as observed from the SSD (85 m) before the southbound stop line of the intersection where a driver must decide to proceed or stop at the stop line based on the traffic signal indication. If the indication is green or just turning to amber, the most likely decision will be to go. If the indication is already amber at that point, the most likely decision will be to stop.

Figure 3 shows the clear visibility of the intersection and traffic signals on the southbound approach from approximately 85 m – 100 m. The figure also points to the approximate location

of the billboard relative to this point on the road. Clearly it is far away from the traffic signal indications (out of foveal vision) and is not likely to dominate the traffic signal indications at the driver's decision point.

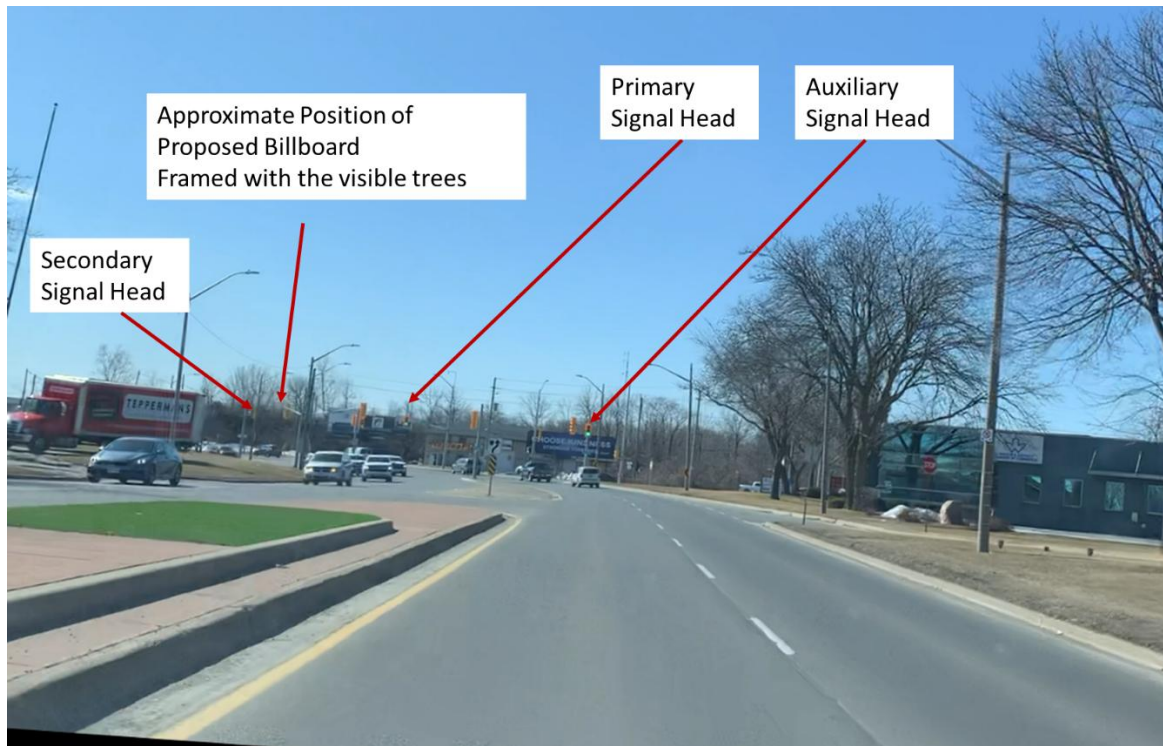


Figure 3: Visibility of Traffic Signal Heads Relative to Potential Billboard Location at Decision Point

6.2. Visibility of the Intersection

Visibility is one of the key factors influencing the level of safety of an intersection. Each quadrant of an intersection should contain a triangular area free of obstructions that might block an approaching driver's view of potentially conflicting vehicles. The recommended dimensions of the clear sight triangles vary with the type of traffic control used at an intersection. According to the Geometric Design Guide for Canadian Roads (the 'Geometric Design Guide'), the vehicle stopped at one approach should be visible to the driver of the vehicle stopped on each of the other approaches. In addition, turning vehicles should have sufficient sight distance to select gaps in oncoming traffic and complete the turning maneuver. Apart from these sight conditions, there are generally no other approach or departure sight triangles needed for signalized intersection.

Based on our field review, motorists were provided with clear and continuous visibility of conflicting streams and of the traffic control devices installed at the intersection. The presence of horizontal curve on the south approach obstructs the visibility of signal heads in the southbound direction. To mitigate that, an auxiliary signal was provided on the north approach. The provided auxiliary signal remains within the clear view of drivers and should be considered

as the dominant signal head. **Figure 4** shows the clear visibility of the intersection and traffic signals on the southbound approach from approximately 30 m of the intersection.

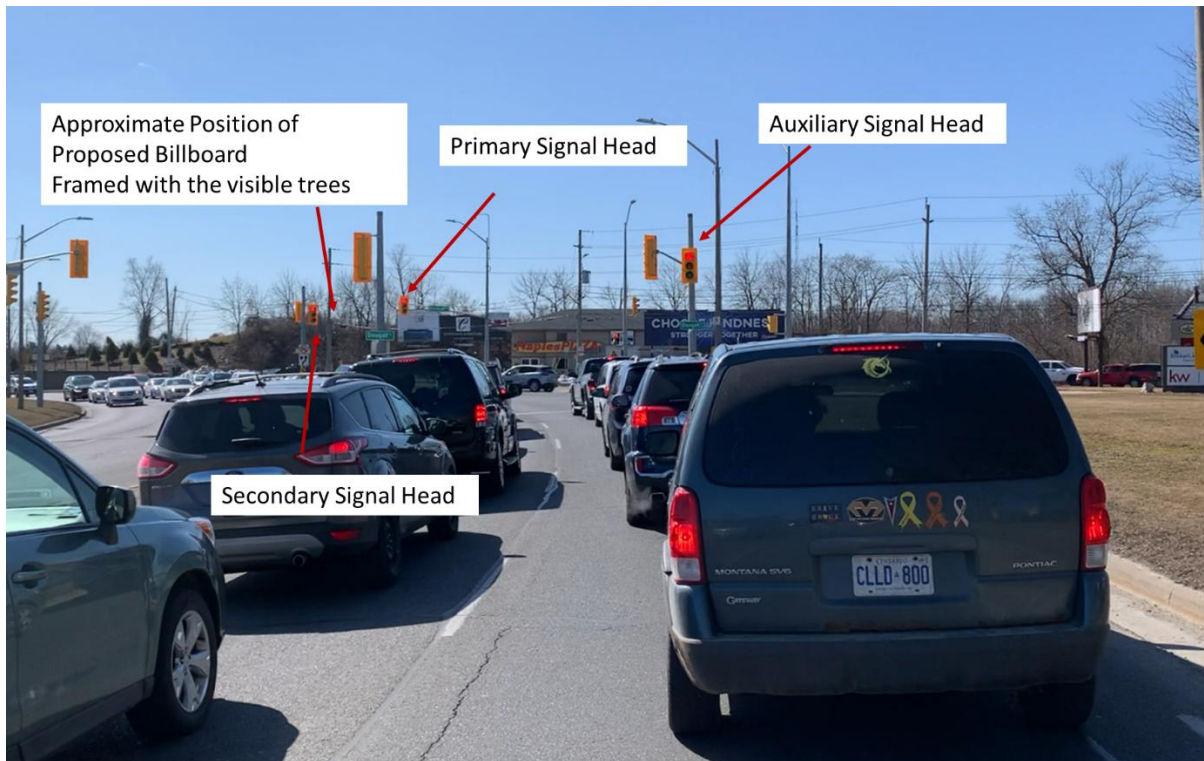


Figure 4: Traffic Signal Visibility at Approximately 30 m from Stop Line

The figure also points to the approximate location of the billboard relative to this point on the road. The billboard at this location is likely to interfere with the secondary signal head. However, the presence of auxiliary signal mitigates any impact. Moreover, the decision point for the drivers is at 85 m and the impact of viewing the billboard from 30 m would be minimal.

The auxiliary signal head also mitigates the impact of horizontal curve on the visibility of the secondary signal. The auxiliary signal head in combination with the primary signal head is likely to dominate the visibility of the billboard (static or digital) within the driver's foveal vision.

As the motorists drive toward the stop line from the 30 m point, the billboard would likely start coming within the foveal vision of drivers. **Figure 5** shows the visibility of the traffic signal heads for drivers waiting at the stop line relative to the approximate location of the billboard. As can be seen the billboard can interfere with traffic signals depending upon the position of the sign. This impact will be only for those drivers who have passed the point where the auxiliary signal head would be visible. However, as these drivers will be stopped, the impact of this interference will be minimal and not different than the approved static sign with illumination. Strategies are available to minimize the impact and are provided in **Section 5**.

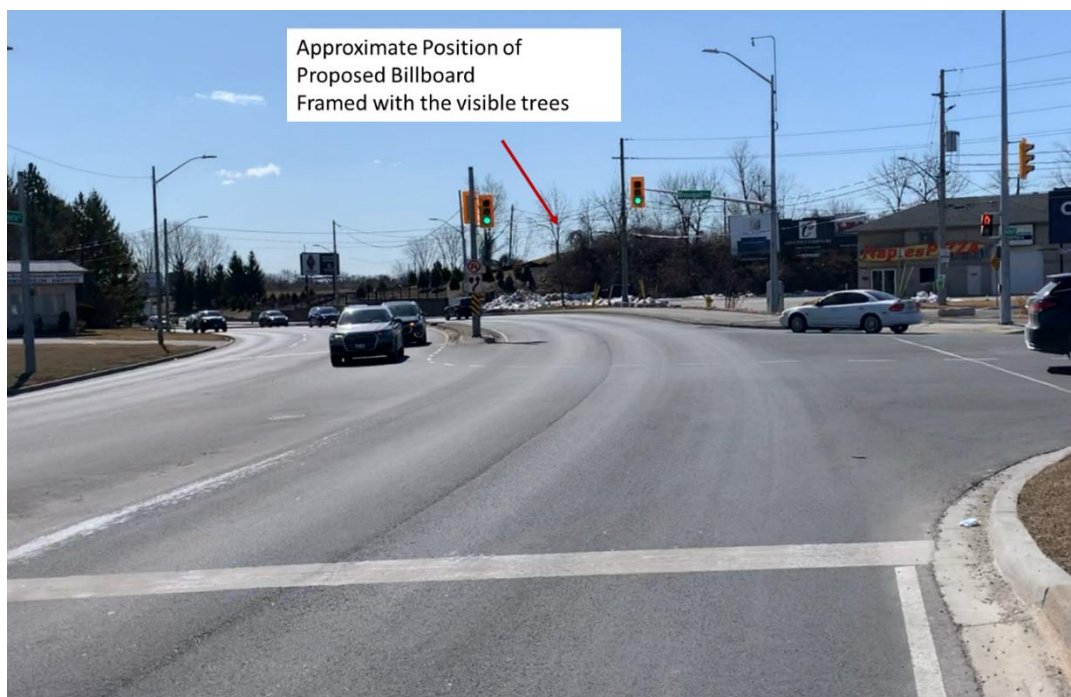


Figure 5: Traffic Signal Visibility at Stop Line

6.3. Access Management

Another important factor influencing safety at an intersection is the presence of driveways within the functional area of the intersection. Intersections are relatively complex driving environments that require motorists to make several simultaneous decisions to determine a safe and prudent way to proceed. Driveways located near an intersection increase the number of conflict points in areas that require additional driver attention.

At the subject location, given the immediate surrounding land uses, there are no driveways on the southbound approach within the stopping sight distance (85.0 m). Therefore, on the approach where the drivers may be distracted by the subject sign, the risk of conflicts with inbound and outbound maneuvers at driveways is minimal.

6.4. Vulnerable Road Users

The field visit did not note presence of any vulnerable road users. No pedestrian or cycling activity was noted at the intersection. The TMC obtained from the City indicated only four (two at west approach and two at south approach) pedestrians during the nine-hour period. There is no crosswalk on the south approach. Therefore, the pedestrians at the south approach were crossing illegally. The City could consider installing signs to prevent pedestrians making these types of illegal movements.

At the time of the site visit, the only crosswalk marking (on the west approach) was in good condition. Pedestrian heads with pushbuttons were provided. The signal timing plan shows a walk time of 10 seconds and a pedestrian clearance time of 16 seconds, which is consistent with the Ontario Traffic Manual (OTM) Book 12 guidance. Conventional bicycle lanes were present on the west approach for both directions.

There are no conflict points between vehicles and pedestrians in the southbound direction as there are no crosswalks on the north- or south- approaches. There can be conflicts between pedestrians and southbound right turning vehicles on the west approach, where there is a crosswalk. However, as noted above a well delineated crosswalk markings exist, and the pedestrian movement is appropriately regulated with pedestrian signals. The proposed electronic billboard will be facing the southbound walking pedestrians. The distracting effect of the electronic billboard to these pedestrians or vehicles, if any, may not be different from a static billboard. To be on the safer side, the dwell time of the billboard can be restricted to minimum 16 seconds, so that the message on the billboard does not change more than once when a pedestrian is walking within the crosswalk. This will help minimizing any distraction to pedestrians.

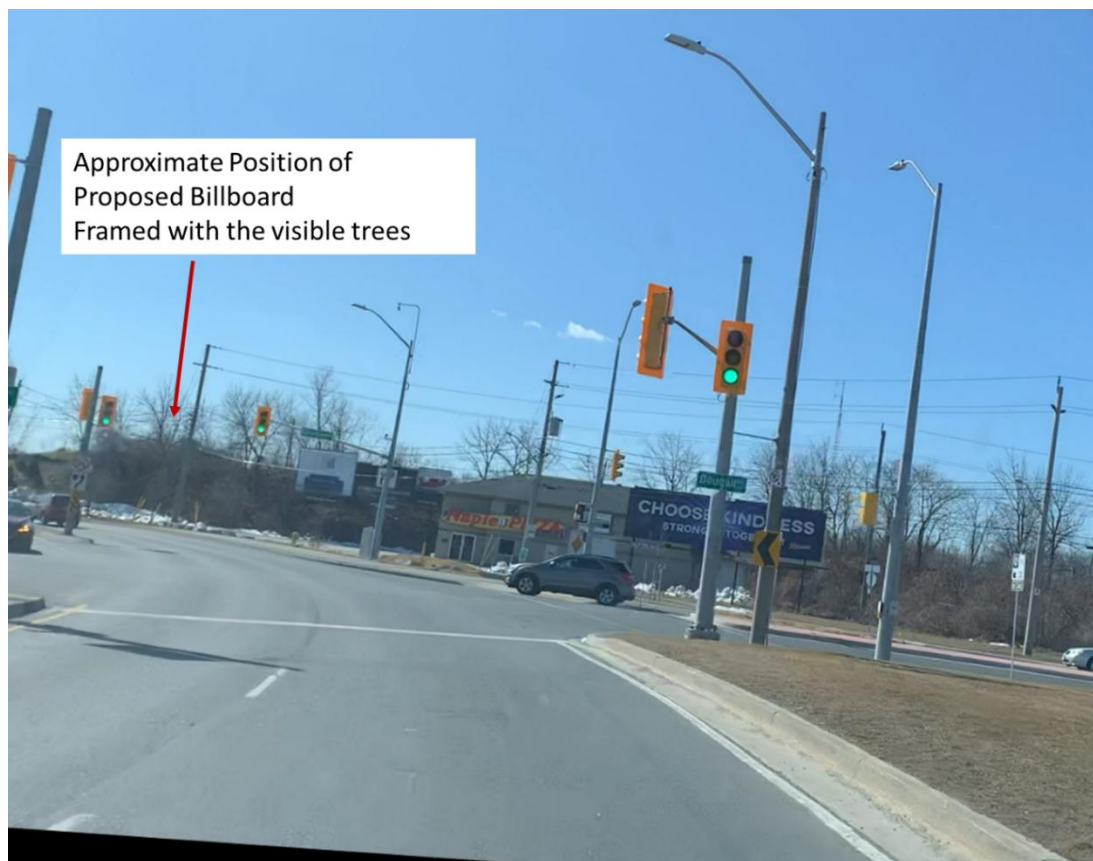


Figure 6: Auxiliary Signal Installed in Southbound Direction

For drivers making right turns, the auxiliary signal provided on the right side as shown in **Figure 6** is expected to dominate their attention minimizing any distracting effects of the billboard. Like for pedestrians, a longer dwell time will further help in minimizing any additional distracting effect, if an electronic billboard is used instead of a static billboard.

6.5. Horizontal Curvature

The north approach of the intersection essentially consists of a tangent section with a curve beginning near the stop line in the southbound direction. The curve obstructs the visibility of the

secondary signal head for the southbound drivers. This was effectively mitigated by providing an auxiliary signal head on the right side of the north approach as shown in **Figure 6** above.

Horizontal curves are visually demanding. On a tangent section, drivers can maintain appropriate lane position and heading angle by looking straight ahead and using peripheral vision to detect lane markings. On a curve, the current position and the future position in the lane are visually separated, and drivers must look in both locations, thus increasing visual demand. It is recognized that any type of billboard (static or electronic) in the vicinity of a curve, which provides non-essential information for the driving task, will impose additional workload on drivers.

The City has permitted the installation of a static billboard at this location. It is very common for jurisdictions to accept the road safety impacts of static billboards. However, the road safety impacts of electronic billboards are not known. It is a common practice to regulate the electronic billboards so that they are perceived by drivers as static billboards. This can be achieved by regulating sign characteristics, such as frame duration, transition time and effects, message sequencing, and brightness as indicated in **Section 5**. By doing that the road safety impacts of electronic billboards can be approximated to the impacts of static signs. This implies that road safety impact of the proposed electronic billboard, if any, can be made similar to the permitted static billboard by adjusting different characteristics. The recommendations are provided in **Section 7.2.2**.

The most critical factor that makes an electronic billboard different than a static billboard in terms of safety impacts of billboards is the number of frames changes a driver can observe while approaching a billboard. By reducing the number of frames changes a driver observes, the distracting effects of electronic billboards can be decreased to those of static billboards. As per the best practices, the number of frame changes in the field of view of a driver should not exceed 2. The TAC DPAD Guide suggests that 2-3 frame changes ensures that the electronic billboards are similar to static signs. Under the current case, as noted previously, the drivers' decision point to make stop or go decision at the intersection is 85 m upstream of the stop line, which is approximately 106 m from the proposed billboard. It implies that the proposed billboard would be approximately 191 m from the drivers' decision point. Although, the proposed billboard is not expected to have distracting effects on road users at this point, as it would be far outside of the drivers' cone of vision as stated in **Section 6.1**, the more conservative approach would be to make the electronic billboard act as a static billboard for motorists who do not need to stop at the signal (i.e., those who do not encounter a red signal indication during their travel from the decision point onwards towards the billboard).

Considering an operating speed of 60 km/h and when the traffic signal indication is green, a driver can pass this 191 m in approximately 12 seconds. Which means a billboard with a frame duration of 12 seconds will change frame only once. With a frame duration of 16 seconds based on pedestrian clearance time, the probability of frame change during 191 m of travel will be very low and the impact of the billboard will be like a static billboard.

7. Findings and Recommendations

Based on the review of background information, review of DPAD Guidelines, and field investigation, we are of the opinion that the road safety impact of the proposed electronic billboard would not exceed the road safety impact of the permitted static billboard with

illumination by adopting certain sign characteristics and appropriate placement of the sign. Our specific findings and recommendations are provided below.

7.1. Findings

7.1.1. Compliance with the City of Windsor By-law

The City of Windsor Sign By-law with respect to electronic billboards is too restrictive in certain aspects as compared to the recommendations of the DPAD Guide. The recommendations of the DPAD Guide are based on the application of human factors and road safety engineering principles.

In terms of the distance requirements, the proposed location of the billboard is 106 m after the stop line of a nearby intersection against the requirements of 110 m based on the Sign by-law. However, this variance is very minimal.

In terms of spacing between digital billboards, the proposed location is at approximately 300 m from an existing double-sided sign installation at 130 Ouellete Place. The sign face which is oriented in the same direction of travel as the proposed electronic sign is not an electronic changing copy or digital display. Therefore, the installation of the proposed sign at 2595 Dougall Avenue would not conflict with Subsection 6.3.17.ii of the City of Windsor Sign By-law.

7.1.2. Static Billboard Vs. Electronic Billboard

All types of billboards (static or electronic) provide a type of information that is non-essential for the driving task representing a source of distraction to road users and there may be a subsequent increase in risk of collisions. It is very common for jurisdictions to accept the road safety impacts of static billboards. The City has already approved a static billboard for this location. It is a common practice to regulate the electronic billboards so that they are perceived by drivers as static billboards.

The most critical factor that makes an electronic billboard different than a static billboard, in terms of their safety implications, is the number of frames changes a driver can observe. By reducing the number of frames changes a driver observes, the distracting effects of electronic billboards can be decreased to those of static billboards.

7.1.3. Impact on Approaching Vehicle from the SSD from Stop Line and on Stop Line

The proposed billboard location is in proximity of the intersection where adequate traffic control devices with proper visibility are provided. The proposed location of the billboard is such that it is not likely to interfere with drivers' visibility as observed from the SSD where a driver must decide to proceed or stop at the stop line based on the traffic signal indication.

The proposed billboard location may interfere with the visibility of traffic signal heads for drivers stopped at the stop line. This interference, if any, will be like the already approved static billboard with illumination and can be mitigated simply by adjusting the position or height of the sign ensuring that it is not directly behind the signal head. The brightness of the electronic billboard can be controlled not to produce distracting effect compared to a static billboard with

illumination. Appropriate colour choice and contrast of the advertisements can also ensure good visibility of the traffic signal. Moreover, if one of the traffic signal heads is clearly visible at the stop line, it will mitigate the impact of any interference of the billboard because of its visibility behind the traffic signal head.

7.1.4. Impact of Horizontal Curve

The south approach of the intersection consists of a horizontal curve. The curve obstructs the visibility of the secondary signal head for the southbound drivers. This issue has been mitigated effectively by providing an auxiliary signal head.

This horizontal curve can be a source of high workload, and the presence of the billboard can impose additional workload on drivers. The additional impact of using an electronic billboard, instead of already approved static billboard, if any, can be reduced to that of a static billboard by selecting specific sign characteristics, such as frame duration, transition time and effects, message sequencing, and brightness as indicated in **Section 5**.

7.1.5. Impact on Pedestrians

The proposed billboard location is expected to have minimal impact on pedestrians that may be present at the intersection. There are no conflict points between vehicles and pedestrians in the southbound direction as there is no crosswalk on the north and south approaches. The proposed billboard will be facing the southbound walking pedestrians. The distracting effect of the electronic billboard to these pedestrians or vehicles, if any, may not be different from a static billboard. As noted above, by limiting the number of frames changes a pedestrian observes the distracting effects of electronic billboards can be decreased to those of static billboards.

7.2. Recommendations

CIMA+ recommendations to ensure that the distracting effects of the proposed electronic billboard are minimized and do not exceed those of the approved static billboard are as follows:

7.2.1. Recommended Location of Electronic Billboard

The distance requirements of electronic billboards in the by-law do not appear to be based on sound engineering practices. TAC DPAD Guide provides the guidelines for establishing restriction areas around traffic signals based on human factor and road safety principles considering driver's cone of vision and level of distraction from the drivers' point of view when approaching the digital boards. The precise location of the proposed electronic billboard should meet the guidelines provided in **Section 0** and should be outside of the restriction area or foveal vision estimated at SSD (85 m from the stop line). A graphical representation of the restriction area with a recommended location of the billboard is provided in **Appendix A**. Target Outdoor identified the precise location (outside of the billboard restriction area) with precise height and width to the scale with the help of a scissor lift as shown in **Figure 7..**



Figure 7: Precise Location of the Billboard

The location was further analyzed to determine the interference of the billboard with the traffic signals at the intersection. The location was reviewed at different distances, and the findings are provided below.

Visibility at Approximately 90m from Stop Line

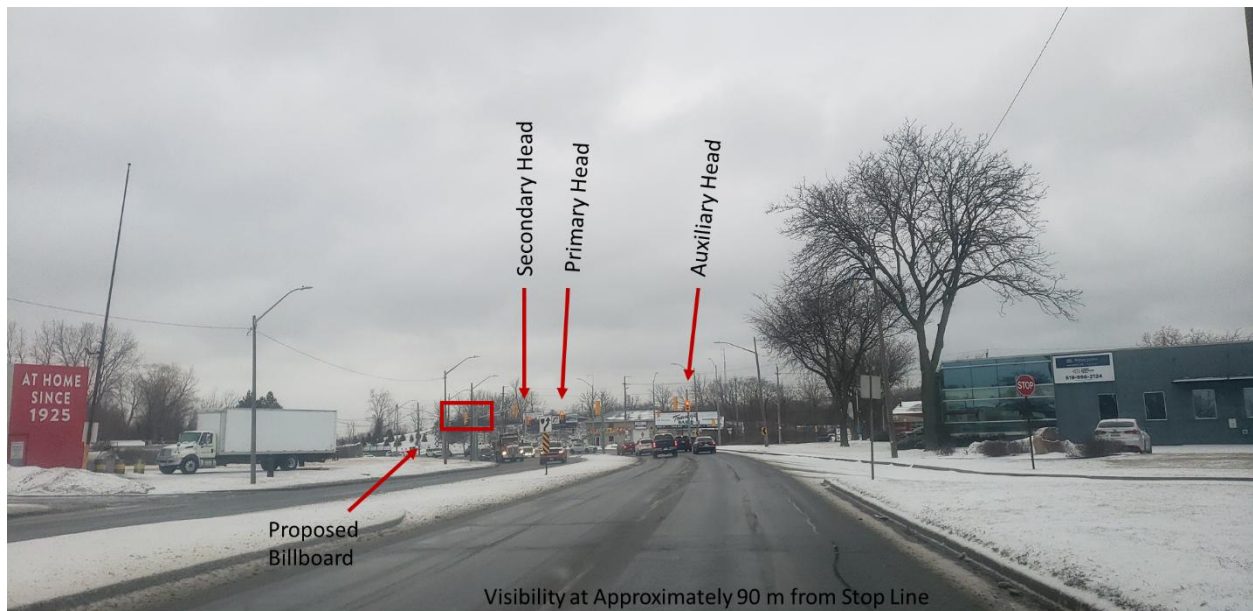


Figure 8: Visibility at 90 m from Stop Line

As shown in **Figure 8**, the billboard at this location is not expected to interfere with any of the signal heads. The billboard and the secondary signal head will be out of a driver's foveal vision. At the drivers' decision point, which is 85 m upstream of the stop line, all signal heads are expected to be clear from the billboard.

Visibility at Approximately 60m from Stop Line

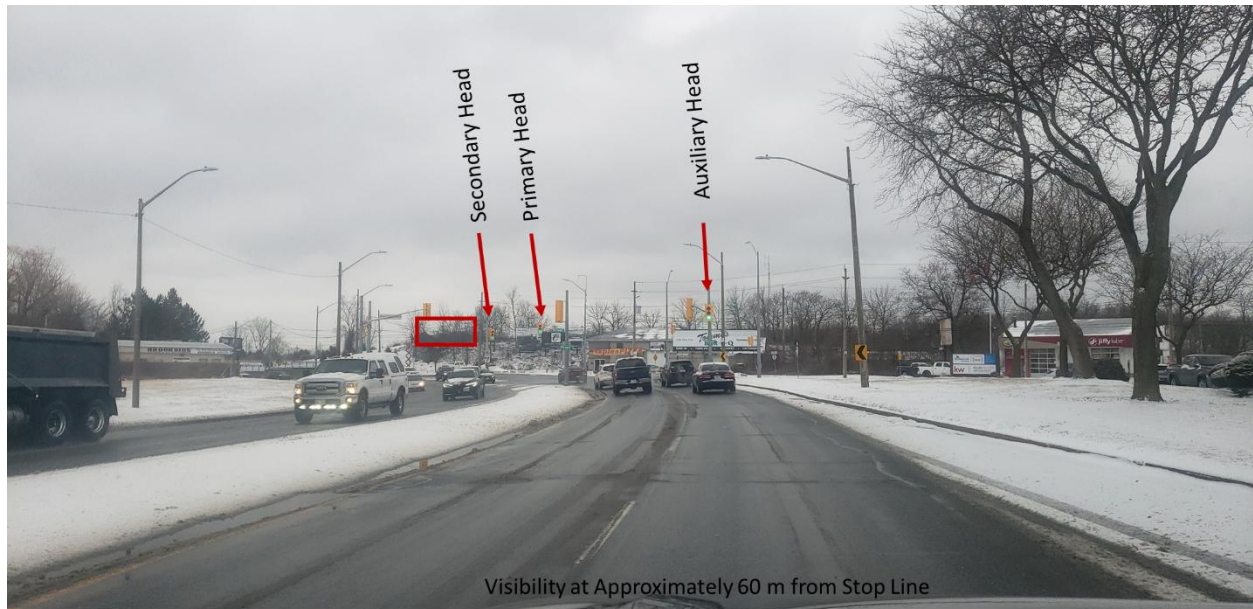


Figure 9: Visibility at 60 m from Stop Line

As shown in **Figure 9**, the billboard at this location is not expected to interfere with any of the signal heads.

Visibility at Approximately 30m from Stop Line



Figure 10: Visibility at 30 m from Stop Line

As shown in **Figure 10**, the billboard at this location is expected to be aligned only with the secondary signal head. The secondary signal head is not important at this location as both auxiliary and primary signal heads will dominate.

Visibility at Approximately 15m from Stop Line



Figure 11: Visibility at 15 m from Stop Line

As shown in **Figure 11**, the billboard at this location is expected to be aligned with the secondary signal head only. There will likely no interference of the primary and auxiliary signal heads. The secondary signal head is not important at this location as both auxiliary and primary signal heads will dominate.

Visibility at Stop Line



Figure 12: Visibility at Stop Line

As shown in **Figure 12**, at the stop line, the line of sight of the billboard and primary and secondary signal heads are not likely to overlap with each other. The billboard is not expected to align with these signal heads. Therefore, the impact expected to be minimal.

Based on the above analysis, we conclude the following:

- At the drivers' decision point, the proposed billboard location and the secondary signal head will be out of the drivers' foveal vision. All three signal heads are expected to be clear of the proposed billboard. It should be noted that the secondary signal head at this location is not relevant, as two signal heads will be clearly visible.
- At approximately 30 m, and 60 m distances from the stop line at least two signal heads (auxiliary and primary) are expected to remain clear of the proposed billboard location.
- At approximately 15 m distance from the stop line, auxiliary and primary signal heads are expected to remain clear of the proposed billboard location.
- At the stop line, the line of sight of the billboard and primary and secondary signal heads are not expected to overlap with each other.
- Based on the above discussion, the proposed billboard location is expected to always be clear of minimum two signal heads and the impact is expected to be minimal.

7.2.2. Sign Characteristics

The following sign characteristics are recommended so that the proposed electronic billboard is perceived by drivers as a static billboard, similar to the one already approved for this location.

- The drivers should not be exposed to more than two messages while driving. Likewise, pedestrians should not be exposed to more than two messages while walking in the crosswalk controlled by a signal.

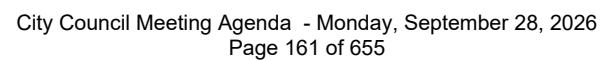
- The transition time between successive frames should be instantaneous and without any special effects so that drivers do not observe black screen between advertisements.
- There should be absolutely no Message Sequencing and Text Scrolling.
- The electronic billboard should be provided with ambient light sensor so that the brightness adjusts to 0.3 candelas per square metre above ambient levels.
- The location of the billboard must be selected to ensure that, at all times, at least two traffic signal heads remain clearly visible and are not visually framed against the billboard in the background. Advertisements should be designed to avoid the use of colours that conflict with traffic signal indications, ensuring that traffic signals remain clearly visible to drivers.
- The billboard should not contain flashing, blinking, video, scrolling, pulsating or intermittent lights. There should be no motion changes in luminance or any effects that create the illusion movement.
- Images/photographs or symbols used as part of advertisements should not depict or mimic traffic control devices. The use of abstract symbols should be minimized and where used, should be accompanied by a text component. The use of highly stylised symbols should be avoided to promote ease of driver comprehension.

7.2.3. Frame Duration

It is recommended that a minimum frame duration of 16 seconds be used so that pedestrians walking on the west crosswalk facing the billboard do not observe more than two messages. This 16 second frame duration will also ensure that the drivers approaching the billboard will not observe more than two frame changes during the green indication at the intersection. With this frame duration, the electronic billboard is likely to be perceived as the already approved billboard.



Appendix A – Recommended Electronic Billboard Location



SUBMITTED BY CIMA CANADA INC.

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cima.ca



Appendix C – Review of Traffic Study by Manager of Transportation Planning and CIMA+ response

Target Outdoor / Angello Lunnetta (Property Owner)

Traffic Study for Billboard Installation at 2595 DOUGALL Avenue in Windsor

Final Report

October 2025

Z0032748

SUBMITTED BY CIMA CANADA INC.

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Appendix A: Recommended Electronic Billboard Location

1. Introduction

CIMA+ was retained by Target Outdoor to prepare a traffic safety report for the location of a proposed advertising sign with “electronic” copy, hereinafter referred to as electronic billboard¹. The location is at the 2595 Dougall Avenue property in the City of Windsor (the City), Ontario. The size of the proposed sign is 10 ft x 35 ft. The City has granted permission to erect a 10 ft x 40 ft Billboard ground sign with “static” copy with illumination, hereinafter referred to as static billboard. The overall height of the permitted sign above ground level as per Sign Permit issued by the City is 9.0 m. The owner of the property, Angello Lunnetta, along with Target Outdoor is looking to convert the permitted static billboard to electronic billboard, for which a traffic safety report is required for submission to the City. The City is concerned for the proposed location of the electronic billboard with respect to a nearby traffic signal installed at the intersection of Ouellette Place and Dougall Avenue.

It is recognized that billboards of any type (static or electronic) provide a type of information at the roadside that is non-essential for the driving task representing a source of distraction to drivers, there may be a subsequent increase to risk of collisions. An ideal approach to permit a billboard on a location is to ensure that the risk would not exceed a given threshold (e.g., a risk that is already accepted at a location) or the increase remains as low as reasonably practical. Electronic billboards differ from static advertising signs in terms of their brightness and ability to display content dynamically. By controlling certain characteristics of electronic billboards, they can be made to emulate static advertising signs and therefore result in a similar distracting and road safety effect as static advertisements. These characteristics include brightness, frame duration, message sequencing, text scrolling, animation, transition time and effects, sign spacing and density, and proximity to certain traffic control devices such as traffic signals. The use of static advertising signs is generally accepted by jurisdictions subject to jurisdictional sign by-laws. The distracting effects of billboards can vary based on the surrounding environment. However, the safety implications of billboards are not quantitatively explored in the available literature. Therefore, the associated collision risks can be only qualitatively evaluated.

This report presents our unbiased opinion with respect to the expected safety implications of the proposed electronic billboard as compared to that of the approved static billboard with respect to its proximity to the traffic signal. The report also presents our recommendations on how the distracting effects of the proposed electronic billboard can be minimized. Our review assumes that the impact of all existing static billboards present on the property will remain unchanged regardless of the status of the new billboard (i.e., electronic, or static).

2. Study Area

The proposed location of the subject billboard is situated at the 2595 Dougall Avenue property in Windsor, Ontario. This property is located approximately 60 m south of the intersection of Dougall Avenue and Ouellette Place, which is a signalized intersection with a pedestrian crosswalk on the west approach. The intersection is located near the beginning of a horizontal curve in the southbound direction providing transition between tangent sections at Ouellette Place and Dougall Avenue. The subject property is located just before the end of the curve in the southbound direction. The north approach of the intersection for the most part is a tangent

¹ The terms electronic billboard and digital billboards are interchangeably used in this document

with a slight curvature near the southbound stop line of the intersection. The south approach is essentially at a curvature. The proposed electronic billboard location is at approximately 106 m south of the southbound stop line of the intersection. The Ouellette Place is posted at a speed of 60 km/h.

A map of the study area with the proposed location of the billboard is included in **Figure 1**.

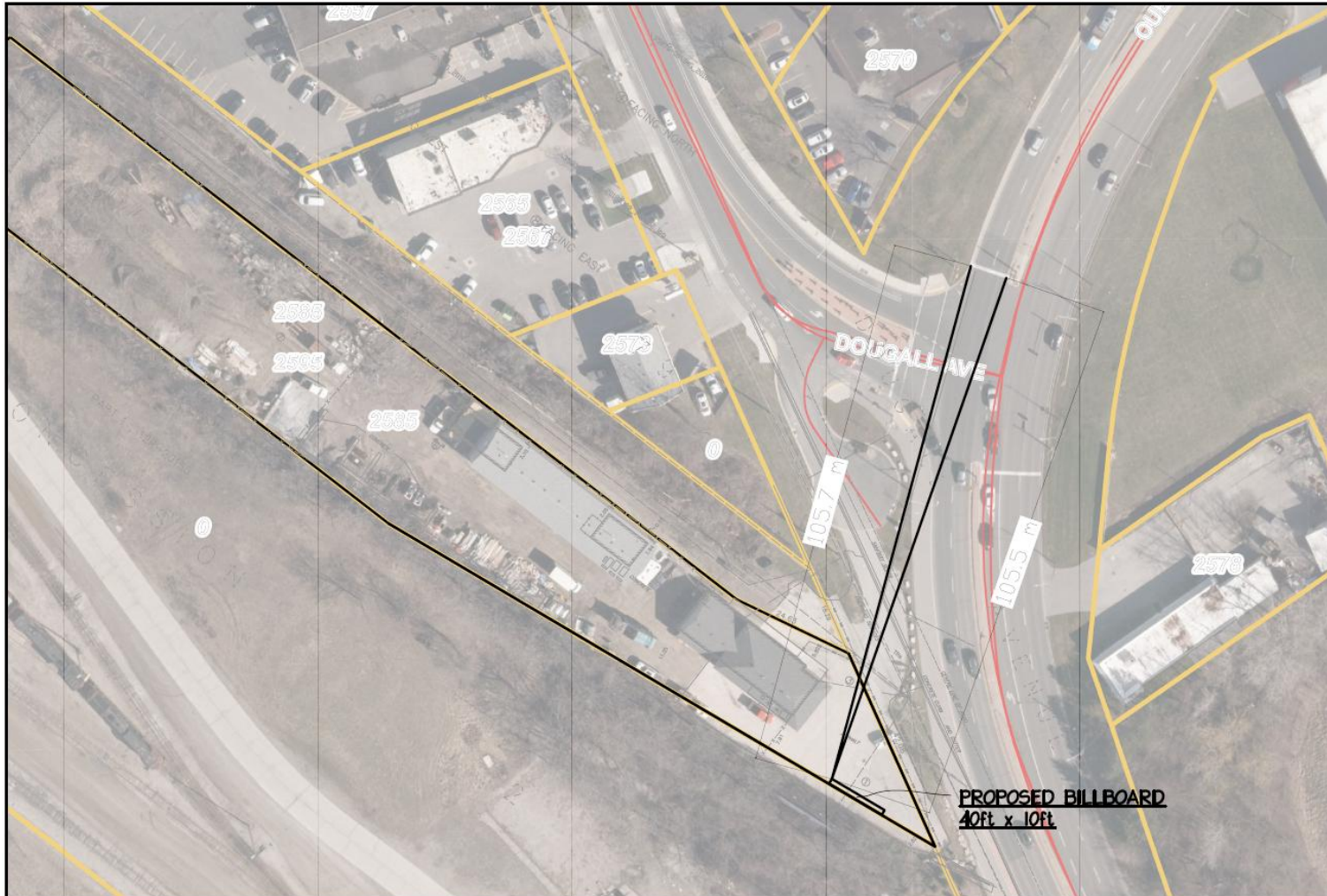


Figure 1: Map of the Study Area

3. Review of Background Information

3.1. Review of City of Windsor By-Law

Not meeting the by-law

The City of Windsor Sign By-law Table 6.3.1 (Sign By-Law 250-2004 amendment 93-2024) prescribes the distances before and after stop line for prohibiting a location for erecting electronic billboards in the vicinity of traffic signals. The distance requirements are based on the posted speed of the street towards which the billboard is facing. The subject electronic billboard will be facing the southbound stop line on Ouellette Place, which is posted at 60 km/h. Based on 60 km/h, the billboard cannot be erected 85 m before and 110 m after the stop line. As the proposed location is after the southbound stop line, the 110 m distance requirement applies. The proposed location is approximately 106 m after the stop line. Therefore, the location does not meet the strict requirements of the Sign Bylaw. However, the variance is very minimal.

The City of Windsor Subsection 6.3.17.ii (Sign By Law 250-2004 amendment 93-2024) prescribes that no part of any electronic changing copy sign, that is either a billboard ground or wall sign shall be erected within a minimum distance of 500 m of any other electronic changing copy sign or digital sign, and provided that the two signs cannot be seen simultaneously in the same direction of travel.

The proposed electronic sign at 2595 Dougall Avenue would be located approximately 300 metres from an existing double-sided sign installation at 130 Ouellette Place. The north-oriented sign face is a poster billboard sign, and the south-oriented sign face is an electronic changing copy sign, as indicted by Target Outdoor.

As the sign face oriented in the same direction of travel as the proposed electronic sign is not electronic changing copy or digital display, the installation of the proposed sign at 2595 Dougall Avenue would not conflict with Subsection 6.3.17.ii of the City of Windsor Sign By-law.

3.2. Review of Traffic Volumes

Data is outdate. Also it was during COVID period

CIMA+ reviewed the Turning Movement Count (TMC) dated November 25, 2020, obtained from the City (07:00-10:00, 11:00-14:00, 15:00-18:00). During this period, there were no COVID restrictions in place, so the counts can be considered as a true representation of a normal condition. The purpose of this review was to identify the number of vulnerable road users at the intersection. There were only 4 pedestrians during this period, 2 at the west approach, and 2 at the south approach.

3.3. Review of Signal Timing Information

CIMA+ reviewed the provided signal timing information at the intersection of Dougall Avenue and Ouellette Place. The purpose of this review was to understand the duration of various intervals to assess any interference with the dwell time (frame duration of the electronic billboard) of the proposed electronic billboard. Frame duration is the length of time that a single static message is displayed on an electronic board. The ability to display multiple messages make electronic billboards different than static billboards. More information is provided in a subsequent section. The time intervals for the traffic signal are included in **Table 1**.

Table 1: Traffic Signal Intervals

Please confirm the source of this data. It's outdated

Interval Type	Duration (Seconds)
Maximum Cycle Length	112
Walk Time	10
Pedestrian Clearance Time	16
Yellow Time	4
All Red	1
Maximum Green Time	30

4. Review of DPAD Guidelines

The publication by Transportation Association of Canada (TAC), Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines² (DPAD Guide) is a national document intended to assist jurisdictions in evaluating permit applications and assessing their potential road safety impact. The guidelines are based on comprehensive literature review, survey of Canadian jurisdictions, discussions with advertising and sign industry representatives, and the application of human factors and road safety engineering principles.

4.1. Billboard Restriction Area Around Traffic Signals

The DPAD Guide defines a restriction area for digital billboards around traffic signals as demonstrated in **Figure 2**.

² Transportation Association of Canada (TAC), Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines

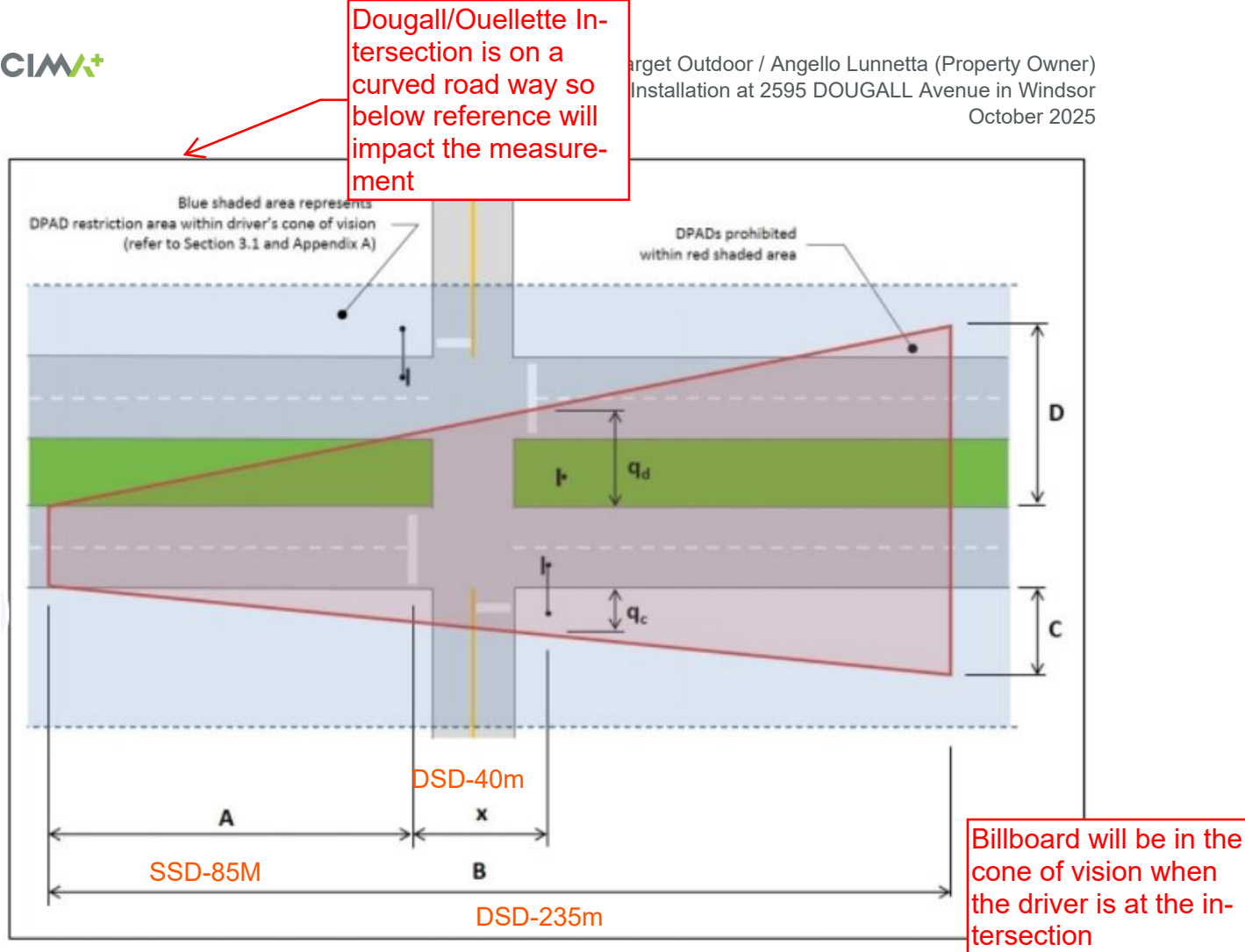


Figure 2: DPAD Restriction Areas for Driver's Cone of Vision and Around Traffic Signals

The DPAD restriction area defines a zone around traffic signals to minimize the potential for a DPAD frame change to interfere with drivers observing a traffic signal change. This is based on the rationale that the billboard should not be within the optimal cone of vision of the driver when the driver must decide to stop or not to stop at the intersection. This optimal cone of vision is also known as the foveal vision, where resolution is sharpest ($2^\circ - 4^\circ$) off the driver's line of sight down the road path).

The calculation of the restriction area begins at a distance "A" from the stop bar. This is the stopping sight distance (SSD) for vehicles approaching the intersection. The length of the restriction area is equivalent to the decision sight distance (DSD) and is shown as measurement "B". These guidelines define the DSD as a driver's sight distance to a billboard. A billboard should not be visible behind a traffic signal during the time that a driver must decide to stop at the intersection. Therefore, the restriction area longitudinal limit is measured from the start of the SSD and is equal to DSD. Based on the guidelines and a posted speed of 60 km/h, various variables for defining the restriction area are provided in **Table 2**.

Table 2: Variables for Defining the Restriction Area

Variable	Description
x	Distance between the stop bar and the nearest traffic control signal. This distance is approximately 30 m at intersection of Dougall Avenue and Ouellette Place in the southbound direction.
q_c	Lateral clearance from the traffic control device, measured from the curb line of the rightmost lane. 3.0 m is recommended by TAC.
q_d	Lateral clearance from the traffic control device, measured from the curb line of the leftmost lane to a distance at least 3.0 m to the left of the traffic signal.
A	Stopping sight distance (SSD), measured to the stop bar. The SSD at a posted speed of 60 km/h recommend by DPAD guide is 85 m.
B	Decision sight distance (DSD). The length of the restriction area is equivalent to the DSD. A digital billboard should not be visible behind a traffic signal during the time that driver must decide to stop at the intersection. Therefore, the restriction area longitudinal limit is measured from the start of the SSD and is equal to DSD. The DSD recommended by DPAD Guide for a speed of 60 km/h is 235 m.
C	Maximum lateral dimension of the restriction area in the direction of travel. It can be calculated geometrically or graphically.
D	Maximum lateral dimension of the restriction area in the opposite direction of travel. It can be calculated geometrically or graphically.



It's approximately 44m

4.2. Spacing Between Digital Billboards

The TAC DPAD Guide indicates that shorter longitudinal distance (or spacing) between digital billboards increases the distracting effects of billboards in terms of glance duration and frequency away from the road. The distracting effects of digital billboards can be mitigated or

decreased by controlling the ‘frame duration’³ that drivers see and the spacing of digital billboards to reduce the probability of a driver observing multiple billboards and number of frame changes in their field of view. The number of digital billboards within a driver’s field of view on his/her approach to the digital billboard represents the number of frame changes. These guidelines are designed to limit a driver exposure to only one frame change as they approach.

The DPAD Guide defines the driver’s field of view by a driver’s decision sight distance. This assumes that a driver attends to objects at decision sight distance and no further, even though those objects might be visible at a greater distance.

The DPAD Guide recommends a maximum of one digital billboard within a driver’s field of view (i.e. a driver’s decision sight distance) and indicates that the minimum spacing between digital billboards should be equal to the decision sight distance, which is based on the design speed of the road, and no less than 300 metres. The decision sight distance recommended by the DPAD Guide for a speed of 60 km/h is 235 m. Therefore, a minimum spacing of 300 m would apply for any digital billboards along Ouellette Place posted at a speed of 60 km/h. This minimum spacing of 300 m is satisfied for the proposed digital sign at the 2595 Dougall Avenue property.

5. Digital Billboard Recommended Characteristics

There are certain characteristics of digital billboards that make them different from static billboards. These characteristics include frame duration, transition time and effects, message sequencing and text scrolling, brightness, and animation. By controlling these characteristics, the digital billboards can be made to emulate static advertising signs and therefore result in a similar distracting and road safety effect as static advertisements. The industry practice is to use the following characteristics. TAC DPAD Guide also recommends most of these.

Frame Duration – Frame duration is the length of time that a single static message is displayed on a digital billboard. Generally, as the frame duration decreases, glance duration and frequency tend to increase in anticipation of the next message. The recommendation is to provide frame duration as a measure of travel speed and sight distance to the billboard. By limiting drivers’ exposure to **up to two messages**, the driver distraction can be minimized.

Transition Time and Effects – Transition time is the interval between successive frames. During this transition between frames, special visual effects are sometimes used such as flashing, spinning, fading, dissolving, or some form of animation. The recommendation is to **minimize the transition time between successive frames, preferably instantaneous and without any special effects so that drivers do not observe a black screen between advertisements.**

Message Sequencing and Text Scrolling – Message sequencing refers to the use of more than one frame presented on a single sign in succession to convey a single message. Text Scrolling involves with the text continuously scrolling across the display. The recommendation is to prohibit **Message Sequencing and Text Scrolling to minimize the distraction.**

Brightness – Brightness is the appearance of the sign to the driver. It is a function of sign luminance, distance to the sign, background against which the sign is viewed, level of adaptation of the eyes, and atmospheric conditions. It can be measured as luminance (candelas

³ Frame duration is the length of time that a single static message is displayed on a digital billboard.

per square metre. Luminance refers to light that is emitted from a surface while illuminance is the amount of light falling upon a surface. Most research recommends that brightness should vary with ambient light levels. TAC DPAD Guide recommends that the digital billboards should be able to adjust brightness automatically (equipped with ambient light sensors) to 0.3 candelas per square metre above ambient levels.

Animation – Animation refers to any motion in the advertisement, including video, special effects within a single frame, and transition, movement, and rotation between successive frames. Compared to static signs, digital billboards with these types of dynamic displays can increase glance frequency by 2 to 200 percent, can increase glance duration by 12 percent. Drivers operating in the vicinity of digital billboards tend to have less lateral lane control, harder braking, slower reaction time, and lower vehicle speed. The negative road safety effects of animation tend to decrease as sight distance to these signs increases. However, to emulate the digital billboards to static signs, the animation should be discouraged. In addition, digital billboards should not contain flashing, blinking, pulsating or intermittent lights.

Proximity to Traffic Control Devices – Digital billboards are usually illuminated using light-emitting diodes, which are increasingly being used for traffic signals. The digital billboards that are located directly behind traffic signals can make it difficult for drivers to identify traffic signals.

Contrast and Colour – Use of colour impacts the legibility of advertising content. Adequate contrast between the letters and their background increases the overall visibility and clarity of a message, while poor contrast makes it difficult to read under even the best lighting conditions. This in turn can increase driver distraction as it may require longer or multiple glances to fully comprehend a message. Therefore, colour choice and contrast should ensure good legibility for drivers. Advertisements should be designed to avoid the use of colours in combinations or shapes that could be interpreted as a traffic control device.

Symbol and Images – Images/photographs or symbols used as part of advertisements should not depict or mimic traffic control devices. The use of abstract symbols should be minimized and where used, should be accompanied by a text component. The use of highly stylised symbols should be avoided to promote ease of driver comprehension.

6. Field Investigation

Please specify the date

CIMA+ conducted a site visit to evaluate any conditions that may adversely impact the traffic safety if the approved static billboard be converted to an electronic billboard. The following section presents the findings of our field investigation.

6.1. Review of the Approximate Location of the Billboard

CIMA+ conducted a preliminary review of the location of the electronic billboard with respect to a driver's field of view as observed from the SSD (85 m) before the southbound stop line of the intersection where a driver must decide to proceed or stop at the stop line based on the traffic signal indication. If the indication is green or just turning to amber, the most likely decision will be to go. If the indication is already amber at that point, the most likely decision will be to stop.

Figure 3 shows the clear visibility of the intersection and traffic signals on the southbound approach from approximately 85 m – 100 m. The figure also points to the approximate location

of the billboard relative to this point on the road. Clearly it is far away from the traffic signal indications (out of foveal vision) and is not likely to dominate the traffic signal indications at the driver's decision point.

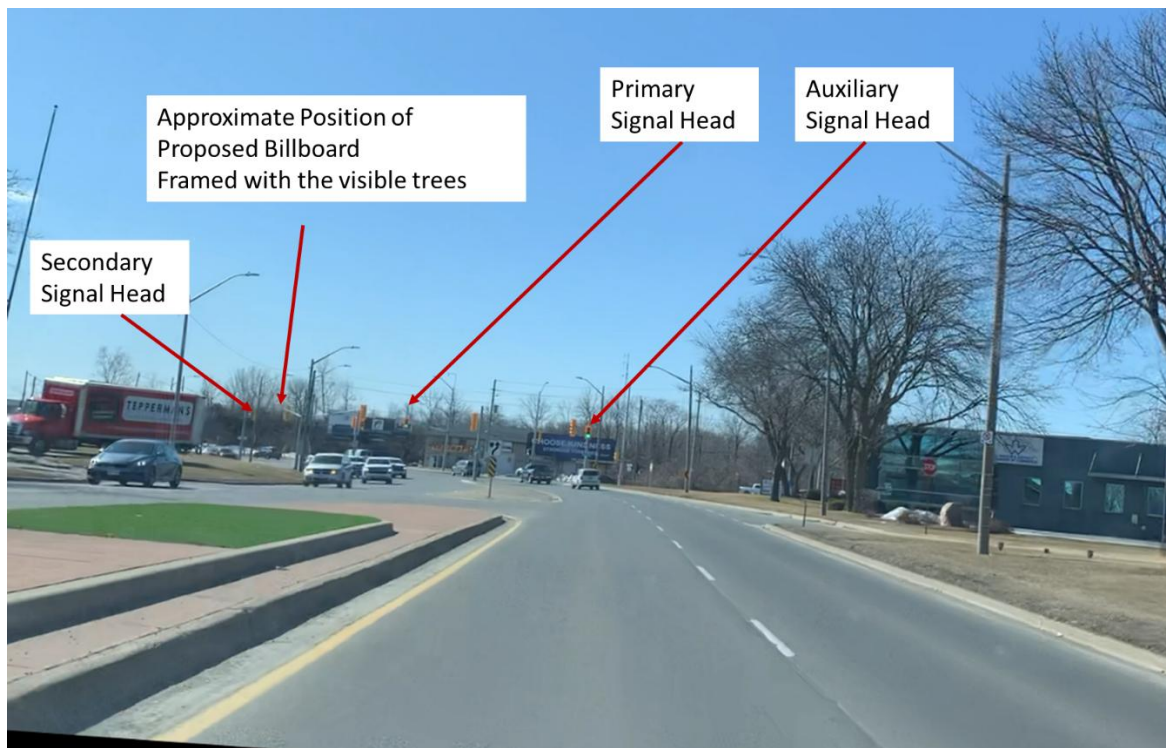


Figure 3: Visibility of Traffic Signal Heads Relative to Potential Billboard Location at Decision Point

6.2. Visibility of the Intersection

Visibility is one of the key factors influencing the level of safety of an intersection. Each quadrant of an intersection should contain a triangular area free of obstructions that might block an approaching driver's view of potentially conflicting vehicles. The recommended dimensions of the clear sight triangles vary with the type of traffic control used at an intersection. According to the Geometric Design Guide for Canadian Roads (the 'Geometric Design Guide'), the vehicle stopped at one approach should be visible to the driver of the vehicle stopped on each of the other approaches. In addition, turning vehicles should have sufficient sight distance to select gaps in oncoming traffic and complete the turning maneuver. Apart from these sight conditions, there are generally no other approach or departure sight triangles needed for signalized intersection.

Based on our field review, motorists were provided with clear and continuous visibility of conflicting streams and of the traffic control devices installed at the intersection. The presence of horizontal curve on the south approach obstructs the visibility of signal heads in the southbound direction. To mitigate that, an auxiliary signal was provided on the north approach. The provided auxiliary signal remains within the clear view of drivers and should be considered

Sign is between Primary and Secondary signal heads

as the dominant signal head. **Figure 4** shows the clear visibility of the intersection and traffic signals on the southbound approach from approximately 30 m of the intersection.

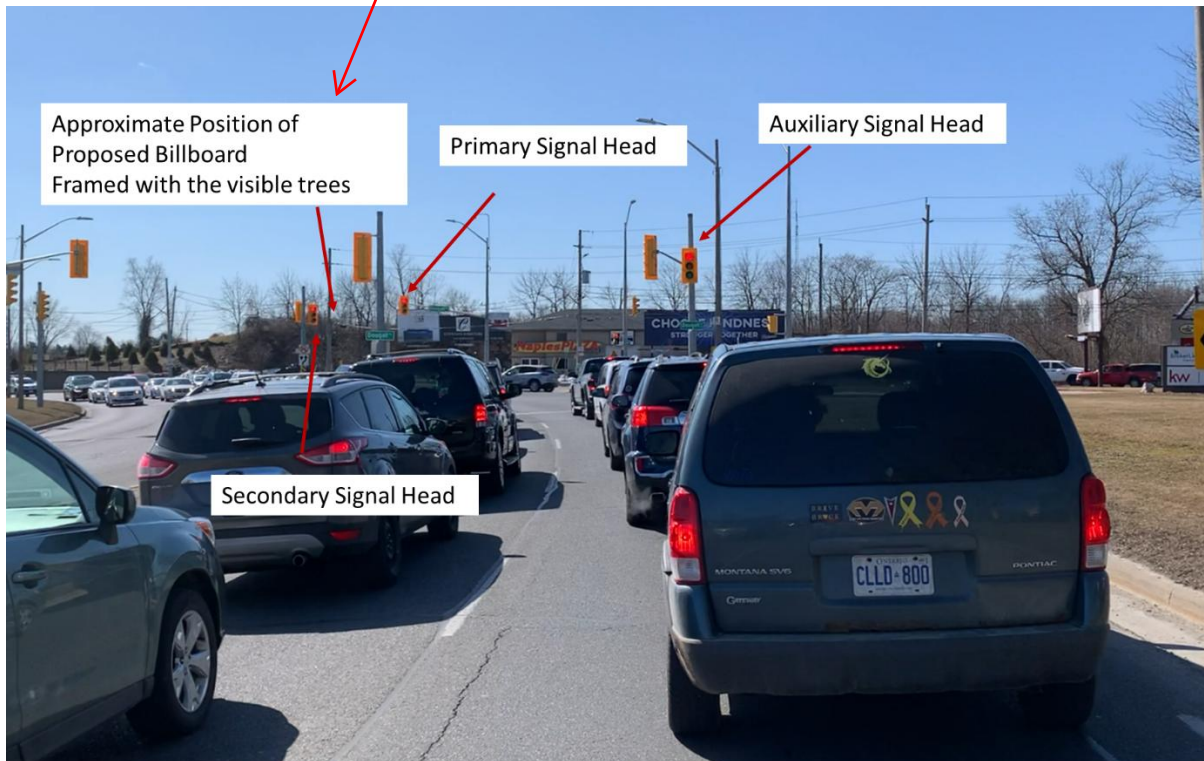


Figure 4: Traffic Signal Visibility at Approximately 30 m from Stop Line

The figure also points to the approximate location of the billboard relative to this point on the road. The billboard at this location is likely to interfere with the secondary signal head. However, the presence of auxiliary signal mitigates any impact. Moreover, the decision point for the drivers is at 85 m and the impact of viewing the billboard from 30 m would be minimal.

The auxiliary signal head also mitigates the impact of horizontal curve on the visibility of the secondary signal. The auxiliary signal head in combination with the primary signal head is likely to dominate the visibility of the billboard (static or digital) within the driver's foveal vision.

As the motorists drive toward the stop line from the 30 m point, the billboard would likely start coming within the foveal vision of drivers. **Figure 5** shows the visibility of the traffic signal heads for drivers waiting at the stop line relative to the approximate location of the billboard. As can be seen the billboard can interfere with traffic signals depending upon the position of the sign. This impact will be only for those drivers who have passed the point where the auxiliary signal head would be visible. However, as these drivers will be stopped, the impact of this interference will be minimal and not different than the approved static sign with illumination. Strategies are available to minimize the impact and are provided in **Section 5**.

Primary and Secondary signal head is in the cone of vision along with the billboard sign



Figure 5: Traffic Signal Visibility

6.3. Access Management

Another important factor influencing safety at an intersection is the presence of driveways within the functional area of the intersection. Intersections are relatively complex driving environments that require motorists to make several simultaneous decisions to determine a safe and prudent way to proceed. Driveways located near an intersection increase the number of conflict points in areas that require additional driver attention.

At the subject location, given the immediate surrounding land uses, there are no driveways on the southbound approach within the stopping sight distance (85.0 m). Therefore, on the approach where the drivers may be distracted by the subject sign, the risk of conflicts with inbound and outbound maneuvers at driveways is minimal.

6.4. Vulnerable Road Users

The field visit did not note presence of any vulnerable road users. No pedestrian or cycling activity was noted at the intersection. The TMC obtained from the City indicated only four (two at west approach and two at south approach) pedestrians during the nine-hour period. There is no crosswalk on the south approach. Therefore, the pedestrians at the south approach were crossing illegally. The City could consider installing signs to prevent pedestrians making these types of illegal movements.

At the time of the site visit, the only crosswalk marking (on the west approach) was in good condition. Pedestrian heads with pushbuttons were provided. The signal timing plan shows a walk time of 10 seconds and a pedestrian clearance time of 16 seconds, which is consistent with the Ontario Traffic Manual (OTM) Book 12 guidance. Conventional bicycle lanes were present on the west approach for both directions.

Dwell time won't function in conjunction with traffic signal timings. When the signal is green and the Billboard changes display, that will still draw drivers attention away from the roadway

There are no conflict points between vehicles and pedestrians on the north- or south- approach. There are no crosswalks on the north- or south- approach. Pedestrians and southbound right turning vehicles on the west approach, where there is a crosswalk. However, as noted above a well delineated crosswalk markings exist, and the pedestrian movement is appropriately regulated with pedestrian signals. The proposed electronic billboard will be facing the southbound walking pedestrians. The distracting effect of the electronic billboard to these pedestrians or vehicles, if any, may not be different from a static billboard. To be on the safer side, the dwell time of the billboard can be restricted to minimum 16 seconds, so that the message on the billboard does not change more than once when a pedestrian is walking within the crosswalk. This will help minimizing any distraction to pedestrians.



Figure 6: Auxiliary Signal Installed in Southbound Direction

For drivers making right turns, the auxiliary signal provided on the right side as shown in Figure 6 is expected to dominate their attention minimizing any distracting effects of the billboard. Like for pedestrians, a longer dwell time will further help in minimizing any additional distracting effect, if an electronic billboard is used instead of a static billboard.

6.5. Horizontal Curvature

The north approach of the intersection essentially consists of a tangent section with a curve beginning near the stop line in the southbound direction. The curve obstructs the visibility of the

secondary signal head for the southbound drivers. This was effectively mitigated by providing an auxiliary signal head on the right side of the north approach as shown in **Figure 6** above.

Horizontal curves are visually demanding. On a tangent section, drivers can maintain appropriate lane position and heading angle by looking straight ahead. On a curve, the curve and lane are visually separated, and drivers must look in the direction of the curve. It is recognized that any type of billboard (static or electronic) in the vicinity of a curve, which provides non-essential information for the driving task, will impose additional workload on drivers.

Intersection location and sign placement do matter

The City has permitted the installation of a static billboard at this location. It is very common for jurisdictions to accept the road safety impacts of static billboards. However, the road safety impacts of electronic billboards are not known. It is a common practice to regulate the electronic billboards so that they are perceived by drivers as static billboards. This can be achieved by regulating sign characteristics, such as frame duration, transition time and effects, message sequencing, and brightness as indicated in **Section 5**. By doing that the road safety impacts of electronic billboards can be approximated to the impacts of static signs. This implies that road safety impact of the proposed electronic billboard, if any, can be made similar to the permitted static billboard by adjusting different characteristics. The recommendations are provided in **Section 7.2.2**.

The most critical factor that makes an electronic billboard different than a static billboard in terms of safety impacts of billboards is the number of frames changes a driver can observe while approaching a billboard. By reducing the frame duration, the number of frames observed increases. Following the best practices, the number of frames observed should not exceed 2. The TAC DPAD Guide suggests that electronic billboards are similar to static signs. Under this assumption, the decision point to make stop or go decision is approximately 106 m from the billboard. The distance from the billboard to the decision point would be approximately 191 m from the billboard. The billboard is not expected to have distracting effects on the drivers' cone of vision as stated in the TAC DPAD Guide. To make the electronic billboard act as a static billboard, the billboard should act as the signal (i.e., those who do not encounter a red signal indication during their travel from the decision point onwards towards the billboard).

Frame durations are not synchronized with the traffic signal or pedestrian head signal timings. From a safety perspective, this presents a significant concern. As drivers approach the intersection, any change in the digital display regardless of whether the duration is 12 seconds or 16 seconds can draw their attention away from the roadway at a critical moment.

The City is committed to advancing its Vision Zero objectives, which prioritize the elimination of traffic-related fatalities and serious injuries. Allowing additional sources of distraction near a high-risk intersection is inconsistent with our goals.

Considering an operating speed of 60 km/h and when the traffic signal indication is green, a driver can pass this 191 m in approximately 12 seconds. Which means a billboard with a frame duration of 12 seconds will change frame only once. With a frame duration of 16 seconds based on pedestrian clearance time, the probability of frame change during 191 m of travel will be very low and the impact of the billboard will be like a static billboard.

7. Findings and Recommendations

Based on the review of background information, review of DPAD Guidelines, and field investigation, we are of the opinion that the road safety impact of the proposed electronic billboard would not exceed the road safety impact of the permitted static billboard with

illumination by adopting certain sign characteristics and appropriate placement of the sign. Our specific findings and recommendations are provided below.

7.1. Findings

7.1.1. Compliance with the City of Windsor By-law

The City of Windsor Sign By-law with respect to electronic billboard aspects as compared to the recommendations of the DPAD Guide the DPAD Guide are based on the application of human factors and road safety engineering principles.

Not meeting our by-law

In terms of the distance requirements, the proposed location of the billboard is 106 m after the stop line of a nearby intersection against the requirements of 110 m based on the Sign by-law. However, this variance is very minimal.

In terms of spacing between digital billboards, the proposed location is at approximately 300 m from an existing double-sided sign installation at 130 Ouellete Place. The sign face which is oriented in the same direction of travel as the proposed electronic sign is not an electronic changing copy or digital display. Therefore, the installation of the proposed sign at 2595 Dougall Avenue would not conflict with Subsection 6.3.17.ii of the City of Windsor Sign By-law.

7.1.2. Static Billboard Vs. Electronic Billboard

All types of billboards (static or electronic) provide a type of information that can be a distraction to the driving task representing a source of distraction to road users and there may be a subsequent increase in risk of collisions. It is very common for jurisdictions to accept the road safety impacts of static billboards. The City has already approved a static billboard for this location. It is a common practice to regulate the electronic billboards so that they are perceived by drivers as static billboards.

Not in agreement with the statement. Static Billboards are different that Electronic billboard

The most critical factor that makes an electronic billboard different from static billboards in terms of their safety implications, is the number of frames changing. Reducing the number of frames changes a driver observes, the number of frames billboards can be decreased to those of static billboards.

The proposed sign location has the potential to interfere with driver visibility, particularly for motorists approaching or passing through the intersection

7.1.3. Impact on Approaching Vehicle from the SSD from Stop Line and on Stop Line

The proposed billboard location is in proximity of the intersection where adequate traffic control devices with proper visibility are provided. The proposed location of the billboard is such that it is not likely to interfere with drivers' visibility as observed from the SSD where a driver must decide to proceed or stop at the stop line based on the traffic signal indication.

The proposed billboard location may interfere with the visibility of traffic signal heads for drivers stopped at the stop line. This interference, if any, will be like the already approved static billboard with illumination and can be mitigated simply by adjusting the position or height of the sign ensuring that it is not directly behind the signal head. The brightness of the electronic billboard can be controlled not to produce distracting effect compared to a static billboard with

illumination. Appropriate colour choice and contrast of the advertisements can also ensure good visibility of the traffic signal. Moreover, if one of the traffic signal heads is clearly visible at the stop line, it will mitigate the impact of any interference of the billboard because of its visibility behind the traffic signal head.

7.1.4. Impact of Horizontal Curve

The south approach of the intersection consists of a horizontal curve. The visibility of the secondary signal head for the southbound drivers is effectively mitigated by providing an auxiliary signal head.

This horizontal curve can be a source of high workload, and the proposed billboard will impose additional workload on drivers. The additional impact of the billboard, instead of already approved static billboard, if any, can be reduced by selecting specific sign characteristics, such as frame duration, transition, and message sequencing, and brightness as indicated in **Section 5**.

7.1.5. Impact on Pedestrians

The proposed billboard location is expected to have minimal impact on pedestrians present at the intersection. There are no conflict points between vehicles and pedestrians in the southbound direction as there is no crosswalk on the north and south approaches. The proposed billboard will be facing the southbound walking pedestrians. The distracting effect of the electronic billboard to these pedestrians or vehicles, if any, may not be different from a static billboard. As noted above, by limiting the number of frames changes a pedestrian observes the distracting effects of electronic billboards can be decreased to those of static billboards.

When the southbound signal turns green and vehicles begin moving, a simultaneous change in the digital billboard display can distract drivers. At the same time, westbound right-turning traffic, northbound left-turning vehicles completing a protected phase, and drivers attempting to follow the tail-end of the left-turn arrow all contribute to multiple conflict points. A display change during these overlapping maneuvers can reduce driver attention and impair decision-making, increasing the risk of unsafe movements within the intersection.

7.2. Recommendations

CIMA+ recommendations to ensure billboard are minimized and do not

7.2.1. Recommended Location

The distance requirements of electronic billboards should follow sound engineering practices. TAC DPAD Guide provides the guidelines for establishing restriction areas around traffic signals based on human factor and road safety principles considering driver's cone of vision and level of distraction from the drivers' point of view when approaching the digital boards. The precise location of the proposed electronic billboard should meet the guidelines provided in **Section 0** and should be outside of the restriction area or foveal vision estimated at SSD (85 m from the stop line). A graphical representation of the restriction area with a recommended location of the billboard is provided in **Appendix A**. Target Outdoor identified the precise location (outside of the billboard restriction area) with precise height and width to the scale with the help of a scissor lift as shown in **Figure 7..**

Unlike static signs, which remain constant, electronic billboards can change their display at any moment. As noted earlier, pedestrian signal head timings do not operate in coordination with billboard display changes. This means the display may change while a pedestrian is actively crossing the intersection. Such mid-crossing visual changes can draw a pedestrian's attention away from their surroundings, increasing distraction and potentially compromising their



Figure 7: Precise Location of the Billboard

The location was further analyzed to determine the interference of the billboard with the traffic signals at the intersection. The location was reviewed at different distances, and the findings are provided below.

Visibility at Approximately 90m from Stop Line

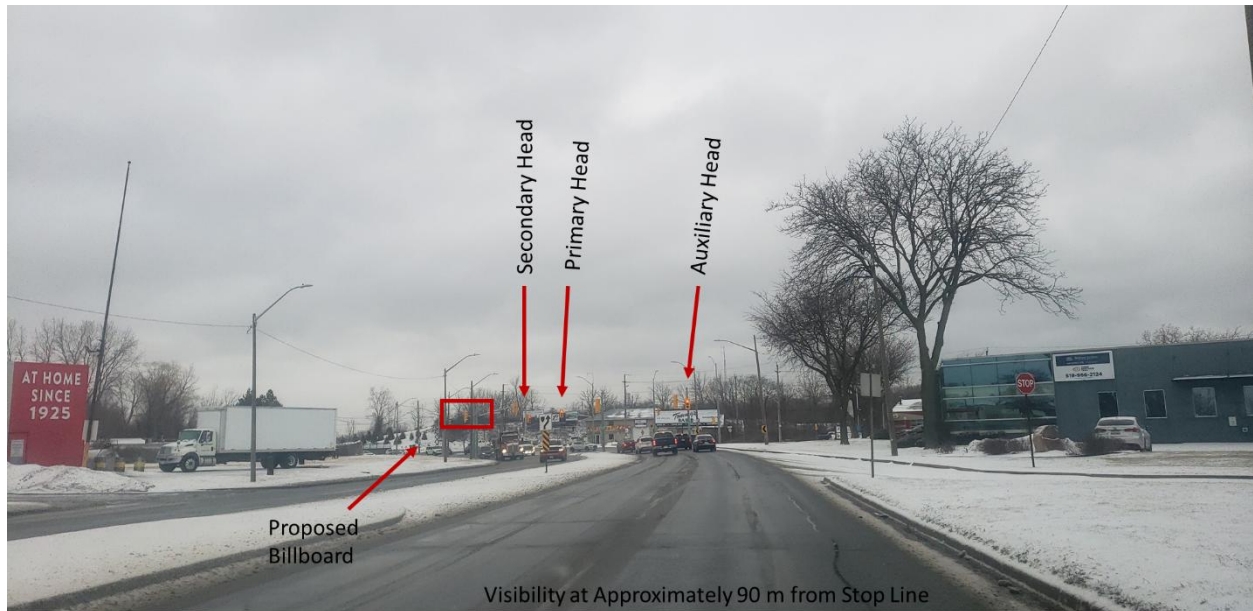


Figure 8: Visibility at 90 m from Stop Line

As shown in **Figure 8**, the billboard at this location is not expected to interfere with any of the signal heads. The billboard and the secondary signal head will be out of a driver's foveal vision. At the drivers' decision point, which is 85 m upstream of the stop line, all signal heads are expected to be clear from the billboard.

Visibility at Approximately 60m from Stop Line

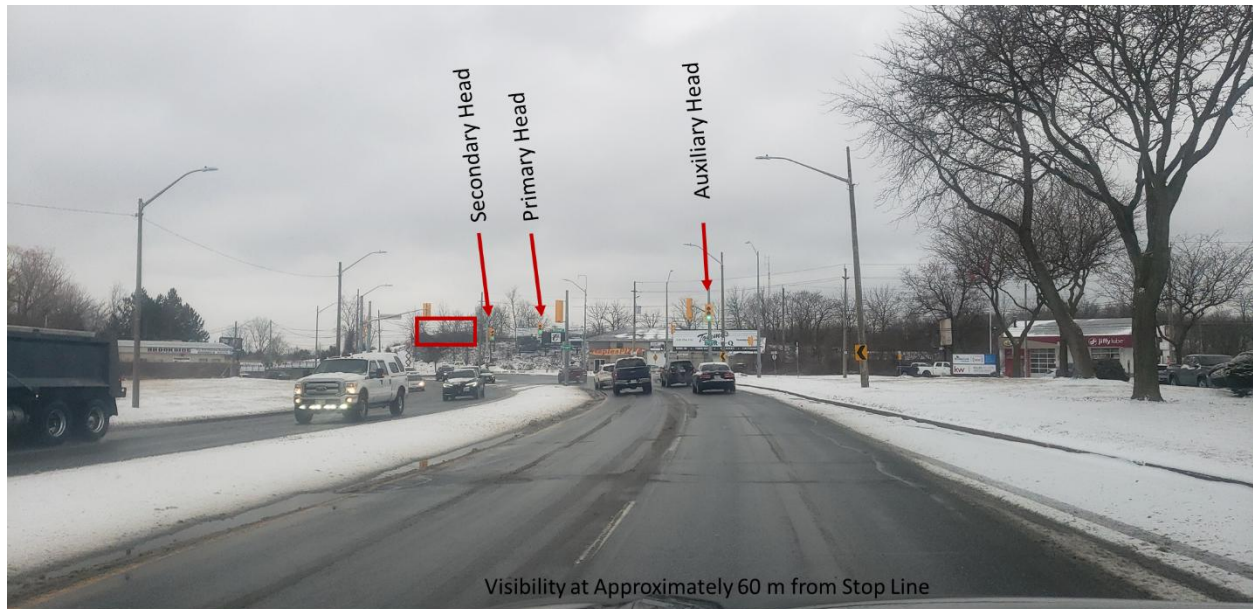


Figure 9: Visibility at 60 m from Stop Line

As shown in **Figure 9**, the billboard at this location is not expected to interfere with any of the signal heads.

Visibility at Approximately 30m from Stop Line



Figure 10: Visibility at 30 m from Stop Line

As shown in **Figure 10**, the billboard at this location is expected to be aligned only with the secondary signal head. The secondary signal head is not important at this location as both auxiliary and primary signal heads will dominate.

Visibility at Approximately 15m from Stop Line



Figure 11: Visibility at 15 m from Stop Line

As shown in **Figure 11**, the billboard at this location is expected to be aligned with the secondary signal head only. There will likely no interference of the primary and auxiliary signal heads. The secondary signal head is not important at this location as both auxiliary and primary signal heads will dominate.

Visibility at Stop Line



Figure 12: Visibility at Stop Line

As shown in **Figure 12**, at the stop line, the line of sight of the billboard and primary and secondary signal heads are not likely to overlap with each other. The billboard is not expected to align with these signal heads. Therefore, the impact expected to be minimal.

Based on the above analysis, we conclude the following:

- At the drivers' decision point, the proposed billboard location and the secondary signal head will be out of the drivers' foveal vision. All three signal heads are expected to be clear of the proposed billboard. It should be noted that the secondary signal head at this location is not relevant, as two signal heads will be clearly visible.
- At approximately 30 m, and 60 m distances from the stop line at least two signal heads (auxiliary and primary) are expected to remain clear of the proposed billboard location.
- At approximately 15 m distance from the stop line, auxiliary and primary signal heads are expected to remain clear of the proposed billboard location.
- At the stop line, the line of sight of the billboard and primary and secondary signal heads are not expected to overlap with each other.
- Based on the above discussion, the proposed billboard location is expected to always be clear of minimum two signal heads and the impact is expected to be minimal.

7.2.2. Sign Characteristics

The following sign characteristics are recommended so that the proposed electronic billboard is perceived by drivers as a static billboard, similar to the one already approved for this location.

- The drivers should not be exposed to more than two messages while driving. Likewise, pedestrians should not be exposed to more than two messages while walking in the crosswalk controlled by a signal.

- The transition time between successive frames should be instantaneous and without any special effects so that drivers do not observe black screen between advertisements.
- There should be absolutely no Message Sequencing and Text Scrolling.
- The electronic billboard should be provided with ambient light sensor so that the brightness adjusts to 0.3 candelas per square metre above ambient levels.
- The location of the billboard must be selected to ensure that, at all times, at least two traffic signal heads remain clearly visible and are not visually framed against the billboard in the background. Advertisements should be designed to avoid the use of colours that conflict with traffic signal indications, ensuring that traffic signals remain clearly visible to drivers.
- The billboard should not contain flashing, blinking, video, scrolling, pulsating or intermittent lights. There should be no motion changes in luminance or any effects that create the illusion movement.
- Images/photographs or symbols used as part of advertisements should not depict or mimic traffic control devices. The use of abstract symbols should be minimized and where used, should be accompanied by a text component. The use of highly stylised symbols should be avoided to promote ease of driver comprehension.

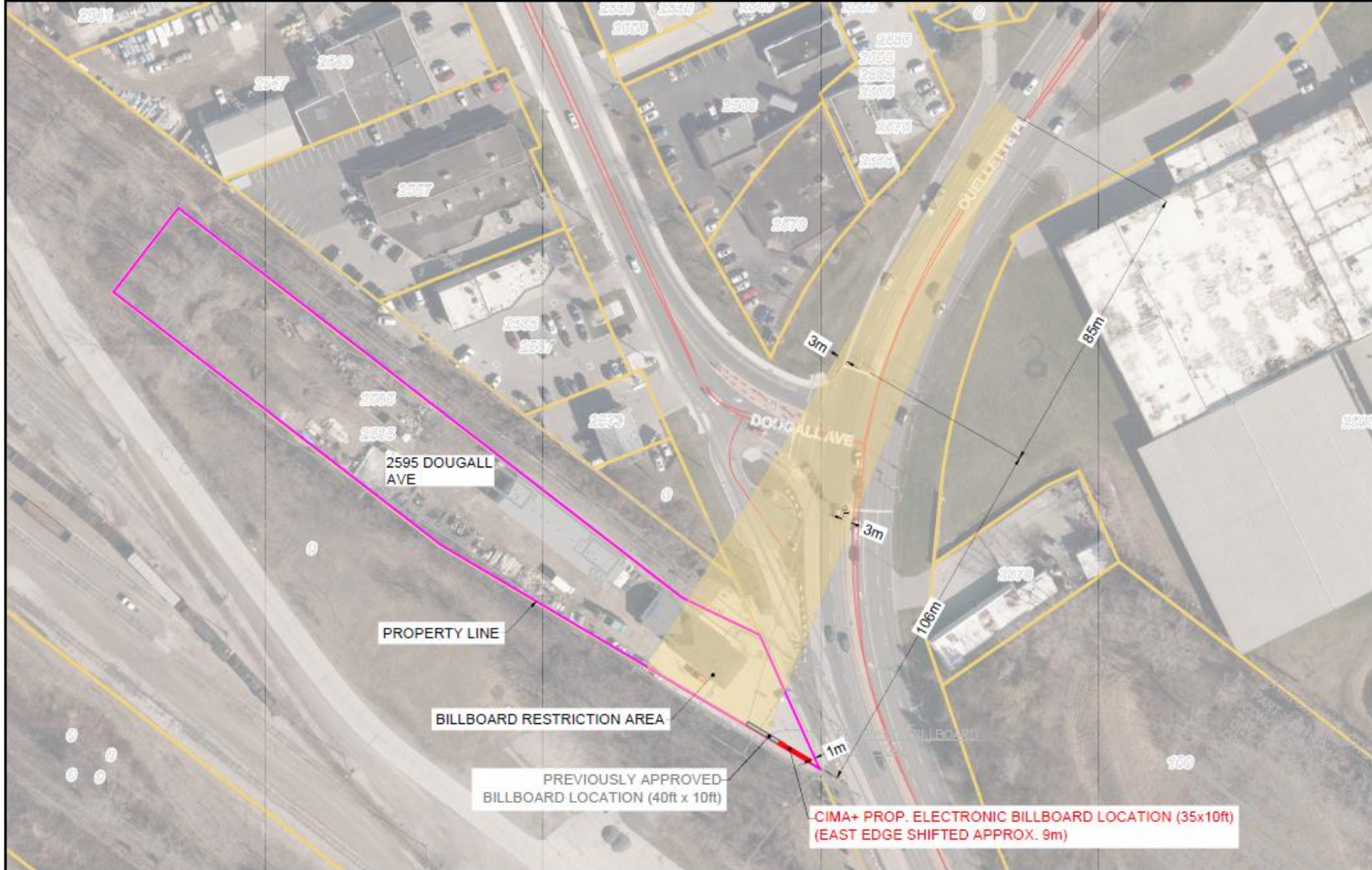
7.2.3. Frame Duration

It is recommended that a minimum frame duration of 16 seconds be used so that pedestrians walking on the west crosswalk facing the billboard do not observe more than two messages.

This 16 second frame duration will also ensure that the drivers approaching the billboard will not observe more than two frame changes during the green indication at the intersection. With this frame duration, the electronic billboard is likely to be perceived as the already approved billboard.



Appendix A – Recommended Electronic Billboard Location



SUBMITTED BY CIMA CANADA INC.

400–3027 Harvester Road

Burlington, ON, L7N 3G7

T: 289 288-0287 F: 289 288-0285

cima.ca



RESPONSE FROM CIMA+

Target Outdoor

Traffic Study for Billboard Installation at 2595 Dougall Avenue in Windsor – October 2025

Comment ID	Page	Comment	CIMA+ Response
1.	1	Not meeting the by-law	Already addressed in the report
2.	2	Data is outdated. Also, it was during COVID period	We can repurchase new data and update, if needed. However, we did not observe any material changes in traffic operations that would affect the findings or conclusions of this report.
3.	3	Please confirm the source of this data. It's outdated	Data was purchased from the city in 2021. We can repurchase and update, if needed. The recommended 16-second frame duration is based on pedestrian clearance time, with the intent that pedestrians using the west crosswalk, and facing the billboard, are not exposed to more than two message changes during a single crossing. Even if there are changes to signal timing, the pedestrian clearance time is not expected to increase, as it is primarily governed by crossing distance and assumed walking speed. Should the pedestrian clearance time increase, we would be open to revisiting and adjusting the recommended frame duration accordingly.
4.	3	Dougall/Ouellette Intersection is on a curved roadway so below reference will impact the measurement	The purpose of these measurements is to define the restriction area along the driver's line of sight, extending from the Stopping Sight Distance (SSD) to the Decision Sight Distance (DSD). This delineation is used to confirm that the billboard is located outside the restriction area. The required SSD of 85 m is not influenced by the presence of the horizontal curve and therefore remains unchanged. At this location, SSD represents the point at which a driver must perceive a condition and decide whether to stop or proceed. The DSD is applied to define the downstream extent of the restriction area, reflecting the distance required for drivers to detect, recognize, and respond to more complex information. As such, the restriction limits are established along the line of sight, and the horizontal curvature does not affect these measurements. The implications of the horizontal curve are addressed separately in Section 6.5.
5.	3	Billboard will be in the cone of vision when the driver is at the intersection	The proposed digital billboard will be located within the driver's cone of vision at the stop line, consistent with the previously approved static billboard. To accommodate the digital display, it is recommended that the billboard not be positioned directly behind a traffic signal head when viewed from the stop bar, in order to avoid potential visual interference. In addition, the billboard's operating characteristics, particularly brightness and colour, should be appropriately controlled to minimize any potential interference with the visibility and recognition of traffic signal indications.
6.	4	It's approximately 44 m	This change is not expected to have any impact, as the restriction area was graphically delineated in CAD using the actual positions of the traffic signal heads.
7.	6	Please specify the date of site visit	The site visits were conducted on the following dates: March 5, 2021 July 25, 2025
8.	8	Sign is between Primary and Secondary signal heads	This is correct. But there is also an additional signal head (auxiliary signal head) available on the right side.
9.	8	Primary and Secondary signal head is in the cone of vision along with the billboard sign	Same as ID 5.
10.	9	Traffic traveling northbound and making left turns/attempting to make left turns or traffic travelling westbound and making right turn	There is no expected impact of the proposed billboard on northbound or westbound drivers, as the billboard will not be visible for these movements.

Comment ID	Page	Comment	CIMA+ Response
		should also be considered a contributing distraction factor. Given the geographic location of the intersection on a curved roadway, it is important to minimize potential distractions as much as possible to support safe driver decision-making. In addition, this intersection is ranked 27th among the top 50 high-collision intersections, which further reinforces the need to reduce visual and operational distractions in this area.	• The horizontal curve is acknowledged as a relevant factor. To address this, it is recommended that the billboard’s operating characteristics be appropriately controlled so that the overall risk level remains comparable to that of the previously approved static billboard. • With respect to the high-collision intersection, it is similarly recommended that the billboard characteristics be controlled to maintain a risk level as close as reasonably possible to that of a static display. It is noted that the authors are not aware of any established or widely accepted methodology to directly quantify or compare the safety risks between static and digital billboards.
11.	10	Dwell time won't function in conjunction with traffic signal timings. When the signal is green and the Billboard changes display, that will still draw drivers’ attention away from the roadway	• We acknowledge that some level of risk will remain, as billboards inherently attract driver attention, even in the absence of traffic signals. Regardless of whether the billboard is static or digital, both convey non-essential information to drivers. Accordingly, the objective is to minimize this risk to the greatest extent practicable.
12.	10	If they are approaching the stop bar or at the intersection, then Primary and Secondary heads will be in their cone of vision.	• The primary and secondary signal heads are likely to fall within the driver’s cone of vision; however, the most dominant indication immediately prior to the right turn is expected to be the auxiliary signal head. The presence of this auxiliary signal head is anticipated to assist in mitigating any potential impact of the proposed billboard.
13.	11	Intersection location and sign placement do matter	• We agree with the city that the intersection context is an important consideration. Our position is that, if a static billboard is considered acceptable at this location, a digital billboard may also be acceptable, provided that appropriate controls are implemented. At present, there is no established or widely accepted methodology to quantitatively compare the relative safety risks of static versus digital billboards. While digital displays may be perceived to introduce additional risk, this can be mitigated by applying stringent controls on sign characteristics (e.g., brightness, transition, and content), with the objective of maintaining a risk level comparable to that of a static billboard.
14.	11	Frame durations are not synchronized with the traffic signal or pedestrian head signal timings. From a safety perspective, this presents a significant concern. As drivers approach the intersection, any change in the digital display regardless of whether the duration is 12 seconds or 16 seconds can draw their attention away from the roadway at a critical moment. The City is committed to advancing its Vision Zero objectives, which prioritize the elimination of traffic-related fatalities and serious injuries. Allowing additional sources of distraction near a high-risk intersection is inconsistent with our goals.	• We acknowledge the City’s concern regarding potential driver distraction associated with changes in the digital display, particularly in proximity to the intersection. It is recognized that any billboard, whether static or digital, introduces a degree of non-essential visual stimulus, and therefore some level of residual risk is inherent. Notably, a static billboard has already been approved at this location, indicating that a baseline level of risk has been deemed acceptable within the context of the site. • While digital displays may introduce additional considerations due to periodic content changes, these effects can be mitigated through appropriate operational controls (e.g., minimum dwell times, instantaneous transitions, and restrictions on animation), with the objective of maintaining a level of driver distraction comparable to that of a static display. In this context, the characterization of the risk as “significant” would benefit from further clarification or supporting criteria. • With respect to synchronization, further input from the proponent (Target Outdoor) may be required to confirm whether coordination with traffic signal or pedestrian signal timing is feasible and whether such measures would provide a meaningful safety benefit.
15.	12	Not meeting our by-law	• Agreed, and already addressed in the report
16.	12	Not in agreement with the statement. Static Billboards are different that Electronic billboard	• It is acknowledged that static and electronic billboards are inherently different. However, electronic billboards can be regulated to operate in a manner that closely emulates static displays (e.g., through fixed dwell times, instantaneous transitions, and restrictions on animation), such that their potential for driver distraction is comparable to that of static signage. • At present, there is no established or widely accepted methodology to quantitatively assess or compare the relative distraction effects of static versus digital billboards. As such, current practice relies on controlling operational characteristics to manage potential impacts and maintain consistency with the performance of static displays.

RESPONSE FROM CIMA+

Comment ID	Page	Comment	CIMA+ Response
17.	12	The proposed sign location has the potential to interfere with driver visibility, particularly for motorists approaching or passing through the intersection	The proposed sign location is consistent with that of the previously approved static billboard and, as such, does not introduce any new or additional visibility constraints. Any potential impact on driver visibility at this location has already been considered within the context of the approved static display.
18.	13	When the southbound signal turns green and vehicles begin moving, a simultaneous change in the digital billboard display can distract drivers. At the same time, westbound right-turning traffic, northbound left-turning vehicles completing a protected phase, and drivers attempting to follow the tail-end of the left-turn arrow all contribute to multiple conflict points. A display change during these overlapping maneuvers can reduce driver attention and impair decision-making, increasing the risk of unsafe movements within the intersection.	- The concern regarding potential distraction during complex traffic movements is acknowledged. To mitigate this, a longer minimum frame duration of 16 seconds is proposed. This approach is intended to limit the frequency of display changes, such that drivers are not exposed to more than two messages while approaching and traversing the intersection, thereby reducing potential distraction during critical manoeuvres. - This approach is consistent with guidance from the TAC DPAD Guide, which indicates that minimum frame durations should be set so that drivers are not exposed to more than two messages per display during a typical viewing period. By limiting message changes, the likelihood of a display transition coinciding with critical driving tasks is reduced.
19.	13	Unlike static signs, which remain constant, electronic billboards can change their display at any moment. As noted earlier, pedestrian signal head timings do not operate in coordination with billboard display changes. This means the display may change while a pedestrian is actively crossing the intersection. Such mid-crossing visual changes can draw a pedestrian’s attention away from their surroundings, increasing distraction and potentially compromising their safety.	Same as ID 18
20.	19	Sign is between Primary and Secondary signal heads	Same as ID 8

Appendix D – Approved 2020 Permit for a Poster Billboard at 2595 Dougall Ave



THE CORPORATION OF THE CITY OF WINDSOR
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

John Revell, MCIP, RPP
Chief Building Official

DATE (MM-DD-YYYY):	[06-19-2020]		
ADDRESS: P# _(PERMIT NUMBER)	[2595 Dougall Avenue]	P#20-[253937]	
REVIEWED BY:	If you have any questions regarding the review of these drawings please contact:		
ZONING REVIEW:	Enrique Silveyra, CSR	519-255-6267 ext 6892	esilveyra@citywindsor.ca
PERMIT REVIEW:	Walid Hawilo, Plan Review	519-255-6267 ext 6805	whawilo@citywindsor.ca
TABLE OF CONTENTS:	1	Cover Page	
	2	Responsibility of the Owner	
	3	Ontario Building Code Information	
	4	Commitment to General Review by Architect and Engineers [(Form A.3)]	
	5-19	Reviewed Permit Drawings	
INSTRUCTIONS:	It is the responsibility of the Applicant to print a full size set of the entire, reviewed permit package to keep on site and be available for inspection purposes at any time.		

SIGN PERMITS

RESPONSIBILITY OF THE OWNER

1. It is the responsibility of the owner to conform to the requirements of:
 - a. The 2012 Ontario Building Code, and
 - b. The City of Windsor Sign By-law 250-2004 (as amended)
2. Contact Ontario One Call to locate underground infrastructure before work starts.
www.on1call.com or 1-800-400-2255
3. New signs and/or extensions to existing signs must maintain a required setback from overhead and underground power lines and pad mount transformers. Setbacks and minimum clearances are identified in safety regulations such as the Ontario Electrical Safety Code, the Ontario Building Code, and Hydro One Distribution Standards. www.hydroone.com or 1-888-664-9376
4. Issued permit drawings shall be kept at the job site and the building permit notice shall be posted in a conspicuous location on the property.
5. A sign permit will expire if construction of the sign is not commenced within a six-month period from the date of issuance. If the permit is issued and then expires, no refund will be granted.
6. **CERTIFICATE OF CONFORMANCE**
 - ☒ A Certificate of Conformance letter shall be submitted by a Professional Engineer prior to occupancy of the building.

1. The standards referenced in Division B, Part 1 of the Ontario Building Code, must be complied with and include the following:
 - a. Wood – CAN/CSA-086-09
 - b. Plain, Reinforced Masonry – CSA-S304.1-04
 - c. Plain, Reinforced and Pre-stressed Concrete – CAN/CSA-A23.1-09
 - d. Structural Steel – CAN/CSA-S16-09
 - e. Parking Structures – CSA S413-07
2. A building shall not be located beneath existing above ground electrical conductors.

Where a building is to be constructed in proximity to existing above ground electrical conductors, the horizontal clearance from the maximum conductor swing to the building shall comply with Subsection 3.1.19., Division B, Part 3 of the Ontario Building Code.
3. Where a portion of a Part 3 Building is more than 8 m above ground level, anchor system complying with CSA Standard Z91 shall be provided for suspended maintenance and window cleaning operations, if they are intended to be carried out on the building exterior.
4. Openable windows in residential suites shall be provided with protection to minimize the hazard to children on accordance with Article 3.3.4.8., Division B, Part 3 of the Ontario Building Code.
5. Buildings more than 6 storeys in building height shall be provided with emergency access from exit stairs to floor areas in conformance with Article 3.4.6.18., Division B, Part 3 of the Ontario Building Code at:
 - a. any floor area designated as an area of refuge,
 - b. floor areas located at intervals of 5 storeys or less, and
 - c. at least one of the three highest storeys.
6. Where the emergency lighting is required by the Ontario Building Code, it shall be provided to average levels of not less than 10 lx at floor level.
7. Exit sign location, lettering, colouring, background, circuitry, etc., shall comply with the requirements of the Ontario Building Code.
8. Smoke alarms conforming to CAN/ULC-S531 shall be:
 - a. installed in each dwelling unit and in each sleeping room not within a dwelling unit, and
 - b. located as required by Article 3.2.4.22., Division B, Part 3 and Article 9.10.19.3., Division B, Part 9 of the Ontario Building Code.
9. Openings in fire separations required to have a fire resistance rating shall be protected with labeled closures in such locations and shall conform to the separations except under the specific conditions set out in the Ontario Building Code.
10. Combustible piping shall not penetrate and fire separations required to have a fire resistance rating or be used in any system, that penetrate such separations except under the specific conditions set out in the Ontario Building Code.
11. Combustible piping shall not be used in building required to be of non-combustible construction, except as provided in the requirements of Article 3.1.5.16. and Subsection 3.1.9., Division B, Part 3 of the Ontario Building Code.
12. Interior finish materials must satisfy the flame spread and smoke developed rating requirements of the Ontario Building Code for the location in which they are installed. The owner or authorized agent must furnish proof upon request that the interior finish material meet these requirements.
13. Foamed plastic insulation shall be installed and protected in accordance with:
 - a. Article 3.1.4.2. in buildings of combustible construction
 - b. Article 3.1.5.12. in buildings required to be of non-combustible construction.
14. As regulated by Section 3.8., Division B, Part 3 of the Ontario Building Code, all buildings and their facilities must be designed so that they can be approached, entered, and used by persons with physical or sensory disabilities. This includes the following:

building access	elevators	listening devices	washroom facilities
parking access	pull stations & other controls	seating	showers
ramps/stairs	telephone counters	drinking fountains	
15. Buildings shall be designed and constructed to be energy efficient in conformance with Article 12.2.1., Division B, Part 12 of the Ontario Building Code.

COMMITMENT TO GENERAL REVIEW BY ARCHITECT AND ENGINEER

PART A - TO BE COMPLETED BY OWNER

Project Description:

04/27/2020 Permit Application No.

ADVERTISING DISPLAY STRUCTURE

Address of Project:

Municipality:

2595 DOUGALL AVE WINDSOR WINDSOR

WHEREAS the building code requires that the project described above be designed and reviewed during construction or demolition by an architect, a professional engineer or both that are licensed to practice in Ontario, and

WHEREAS Ontario law prohibits the construction or demolition of a building if a permit has not been issued to authorize it, and

WHEREAS architects and engineers are prohibited by law from undertaking general review of construction if a permit has not been issued,

NOW THEREFORE the Owner, who intends to construct or demolish or have the building constructed or demolished, hereby confirms that:

1. The undersigned architect and/or professional engineers have been retained to provide general review of the construction or demolition of the building to determine whether the work is in general conformity with the plans and other documents that form the basis for the issuance of a permit, in accordance with the performance standards of the Ontario Association of Architects (OAA) and/or Professional Engineers Ontario (PEO);
2. All general review reports by the architect and/or professional engineers will be forwarded to the Chief Building Official;
3. Should any retained architect or professional engineer cease to provide general review for any reason during construction or demolition, the Chief Building Official will be notified in writing immediately, and another architect or engineer will be appointed so that general review continues without interruption; and
4. Construction or demolition will only be undertaken if an architect and/or professional engineers are retained to undertake general review, and a permit authorizing the proposed construction or demolition has been issued.

The undersigned hereby certifies that he/she has read and agrees to the above

Owner's Name:

Date:

1339536 Ontario Ltd.

Owner's Address:

Telephone:

(519) 796-0555

Signature of Owner:
(or authorized agent)

Print Name:

Fax:

Angelo Lunetta

(519) 966-9134

Coordinator of the work of all consultants:

Telephone:

Address:

Fax:

PART B - TO BE COMPLETED BY CONSULTANTS

The undersigned architect and/or professional engineers hereby certify that they have been retained to provide general review of the parts of construction or demolition of the building indicated, to determine whether the work is in general conformity with the plans and other documents that form the basis for the issuance of a permit, in accordance with the performance standards of the OAA and/or PEO.

ARCHITECTURAL

STRUCTURAL

MECHANICAL

ELECTRICAL

SITE SERVICES

OTHER:

Consultant Name:

Signature:

Print Name:

Date:

S.P. Hart & Associates Ltd

2595 Dougall Ave

SEAN HART, P.ENG Feb 27/2020

Telephone:

Address:

C: 416-209-8098 / #412-120 Carlton St. Toronto, ON, M5A 4K2

ARCHITECTURAL

STRUCTURAL

MECHANICAL

ELECTRICAL

SITE SERVICES

OTHER:

Consultant Name:

Signature:

Print Name:

Date:

Telephone:

Address:

ARCHITECTURAL

STRUCTURAL

MECHANICAL

ELECTRICAL

SITE SERVICES

OTHER:

Consultant Name:

Signature:

Print Name:

Date:

Telephone:

Address:

ARCHITECTURAL

STRUCTURAL

MECHANICAL

ELECTRICAL

SITE SERVICES

OTHER:

Consultant Name:

Signature:

Print Name:

Date:

Telephone:

Address:

06/19/2020

06/19/2020

WALID HAWILO, B.E.Sc.
June 12, 2020 wilo@citywindsor.ca

Our Ref No. 20751.2

GRACIOUS Outdoor Media Inc.
1066 Glengrove Avenue
Toronto, ON M6B 2K2
Tel: 416-707-7684; 416-708-6037

Email: roydzekol@gmail.com

Attention: Mr. Roy Dzeko
Dear Roy:

**Re: Design Calculations 10'x40'-PP-FF-SS-9M
2595 Dougall Avenue, Windsor, ON**

As per your request, enclosed are the Design Calculations for a 10'x40' single sided cantilevered poster panel structure 9M high.

The design calculations attached were requested by the Windsor Building Department in order to review our design. The attached calculations are part of a Building Permit Application and are for information and coordination purposes only and as such are not intended to be a warranty nor guarantee on the final as-built structure.

The structural calculations are limited by the design assumptions and extent of structural members considered. They are not meant to be exhaustive, but rather to give an overview of some of the design considerations for some of the main members.

The engineering stamp on the drawings and calculations indicate that the calculations are copyrighted. The Building Department may be infringing on our copyright if they make copies for distribution, particularly if the copies are used on any other project than this site. Breach of copyright by an Engineer may be considered Professional Misconduct per PEO Guidelines.

Copying, dissemination and distribution of the stamped, signed documents by another Engineer, particularly for another project, may constitute Professional Misconduct under the provisions of the Engineers Act.

Fines for breaching PEO Guidelines and misuse of stamped documents by Professional Engineers and the general public are between \$10,000 and \$25,000.

1.0 Loads

1.1 Wind Loads

As part of our design calculations, we determined the wind loads on the advertising display in accordance with the Ontario Building Code for flat plates as follows:

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BUILDING DEPARTMENT

WALID HAWILO, B.E.Sc.

1.1.1a) LED Advertising Display - Wind Loads Perpendicular to Sign Face

$F_{nl} = C_{fl} \cdot q \cdot C_g \cdot C_e \cdot H \cdot L$ where

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ENGINEERING DEPARTMENT

C_{fl} is a factor depending on the ratio of length to height of the advertising display.
 C_e is an exposure factor based on the overall height of the structure
 q is the local one in 50 year wind load
 C_g is a gust factor (we have used 2.5 as an additional safety factor over 2.0)
 $H \cdot L$ is the height times the length of the advertising display
(see attached calculations) **OK.**

To determine the wind forces on the column (24 inches-0.61m) diameter F_{n2} , the shape factor C_{f2} is determined in accordance with NBC Commentary based on the ratio of the height to the diameter (see attached calculations) **OK.**

Once each of the wind loads on the projected area of the advertising display and column are known, the moments can be determined based on the distance between the centroid of the area (i.e. advertising display panel and column) and the resisting element, whether it is the column, anchor bolts, base plate or footing.

1.2 Dead Loads

Because the advertising display is one sided, the offset of the dead load of the panel poster in the same x - direction will generate a further dead load moment in the direction of the major wind loads (see attached calculations) **OK.**

2.0 Resistance

The weight of all the structural steel and LED panels act as a compressive load for bearing on the soil.

2.1 Soil Resistance

The dead loads to be calculated acting on the soil under the footing are a) panel poster; b) structural steel; c) torque tube; d) column; e) connections; f) reinforcing concrete caisson **OK**

The caisson will resist the overturning moments by soil resistance on each side approximately - 2/3 of the top portion and 1/3 of the bottom portion in the opposite direction creating a moment - resistance horizontal couple in the soil.

The toe of the caisson on one side achieves greatest soil pressure and it is therefore important to determine the actual bearing pressure does not exceed the allowable bearing capacity of the existing soil (see attached calculations) **OK.**

2.2 Caisson and Reinforcing Steel

The factored moment at footing level is known. With $f'_c = 30$ MPa, and a known depth and size of reinforcing steel as shown on the drawings, it can be confirmed whether the reinforcing steel is adequate (see attached calculations) **OK.**

June 12, 2020

06/19/2020

06/19/2020

page 3

WALID HAWILO, B.E.Sc. whilo@citywindsor.ca

There are (4) 2" (50mm) diameter anchor rods on each side of the base plate in the main (x) direction. The allowable resistance of A325 anchor rods is due to numerous factors:

Per Table 12.5 (b) Factored resistance for single A325 anchor rods subject to tensile loads (F_c') = 30 MPa and checking for

- N_{st} - tension strength of anchor (KN)
- N_{cbr} - tension breakout (KN)
- N_{cpr} - pullout (KN)
- N_{sbr} - sideface blowout (KN).

As can be seen from the calculations (*see attached calculations*) **OK**
The existing anchor bolts, soil resistance, and caisson are adequate.

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2.4 Base Plate

The bending and shear stresses induced into the 36" diameter circular x base plate 2" (50mm) thick can be calculated by statics (*see attached calculations*) **OK**

2.5 Column

The column is 24" (0.61M) diameter x 3/4" (19mm) thick. it acts as a beam - column mostly resisting horizontal windloads as the self weight of the structure and poster panel is light compared to the horizontal windloads.

Both x and y directions must be checked for horizontal wind and offset dead loads (single sided panel).

We have calculated the resisting moment (M_R) of the column in accordance with equations for laterally unsupported members given in CAN/CSA-S16.1 (*see attached calculations*) **OK**

2.6 Torque Tube

The 24" (0.61M) diameter cantilevered torque tube is basically braced along its length, so a simpler calculation for its capacity than the column is used (*see attached calculations*) **OK**

2.7 Column Cap Plate and Bolts

The cap plate 2"x36"x36" with (22) 1 1/2" diameter A325 bolts is adequate (*see attached calculations*) **OK**

2.8 Verticals

The W6x15 verticals used to support the poster panel are reflected on each side for greater stability. The verticals are connected to the torque tube with a W12 x 45 saddle connection. There is a short cantilever at the top of about 3'-9" (1.14M) (*see attached calculations*) **OK**

2595 Dougall Avenue, Windsor, ON

June 12, 2020

06/19/2020

06/19/2020 page 4

1. Drawing S1 - Table A - Depth of caisson changed from 21'- 0" to 25'-6";
2. Drawing S1 - Table A - Vertical reinforcing steel changed from 16-30M to 16-35M;
3. Drawing S1 - Table A - Number of ties changed from 22-15M to 22-15M plus 3x3=9-15M;
4. Drawing S1 - Structural Note #20 - "Verify caisson design with a Soil's Engineers test" - this is partly due to the depth of the caisson;
5. Drawings S2, S4, S7 and S10 - the horizontal locations of vertical members have been changed by 6 inches to allow for a smaller overhang at the end;
6. Drawing S8 - Detail 2 - Plate 1 - Column base plate - additional note on the 2" diameter A325 anchor rods "with bottom washer and nuts" for clarity;
7. Drawing S9 - Detail 1 - the torque tube is shown raised 3 inches (75mm) to allow for adjustment for nuts and bolts on the cap plate.

A circular professional engineer seal for the Province of Ontario. The outer ring contains the text "LICENSED PROFESSIONAL ENGINEER" at the top and "PROVINCE OF ONTARIO" at the bottom. In the center, the name "S. P. HART" is printed. Above the name, the license number "2020-06-6" is handwritten in blue ink. Below the name, the word "STRUCT" is handwritten in blue ink. The seal also features two stylized semi-circular shapes, one above and one below the central text.

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- OBC - Ontario Building Code 2012
ASCE/SEI 7-10 - Minimum Design Loads for Buildings and Other Structures
Cl. 29.4.1
CAN/CSA S16-14 - Limit States Design of Steel Members
CAN/CSA A23.3-14 - Design of Concrete Structures
Cl. 10.9

- B) Written dimensions on these drawings shall have precedence over scale dimensions.
C) Contractors shall verify and be responsible for all dimensions and conditions, the Consultant must be notified in writing of any variations from the dimensions and conditions shown on the drawings.
D) Contractor shall promptly notify the Consultant in writing of the existence of any observed variations between the Documents and any applicable codes or ordinances of regulatory agencies.
E) Consultant will not be held responsible for any omissions to, errors pertaining to, or deviations from this set of drawings during the construction process.
F) Specific notes and specific details shall take precedence over general notes and typical details.
G) The contractor shall arrange for all necessary permits and arrange inspections as required by governing laws.
H) The contractor shall contact the consultant a minimum of 24 hours prior to any necessary inspections and components requiring inspection shall not be covered unless approved by the consultant. Required Inspections shall be as follows:
i. start of excavation and foundation work.
ii. progress inspection of foundation work.
iii. progress inspection of steel structure.
iv. final inspection of structure for letter of conformance.

2. METALS:

- A) CSA S16-14 is the basis of the design of all structural steel.
B) All structural steel $F_y=350\text{MPa}$
C) All miscellaneous steel plates shall conform to the requirements of ASTM A36.
D) All bolted connections to be ASTM A325 bolts.
E) All welding to conform to CSA W59 and shall develop the full strength of members where connection forces not shown.
F) Erector to provide all necessary temporary bracing as required for alignment, wind load, and erection stresses.
G) Structural steel components that are damaged during erection must be reported immediately and replaced.
H) Steel connections to be designed by steel fabricator.

3. CONCRETE:

- A) Concrete ultimate compressive strength at 28 days shall be as follows:
Pier Foundation 25MPa
B) Concrete cover to steel reinforcement shall be as follows:
Cast Against Earth 3"
C) Excavation shall be carried down to natural undisturbed soil capable of sustaining a minimum allowable pressure of 3000 psf [144 kPa].
D) Excavation shall be carried down to a minimum of 8'-6" below existing grade.
E) Concrete exposed to frost action during construction shall be protected by 4'-0" of earth or its equivalent.
F) Reinforcing steel shall be new billet steel grade 60 in accordance with latest CSA Standard G30.12.
G) Lap reinforcing bars a minimum of 36 bar diameters or minimum of 12", whichever is greater, governs and/or as stipulated in CSA A23.3 unless otherwise noted.
H) Concrete shall be placed on soil free from standing water.

The approved sign shall be fully situated on private property

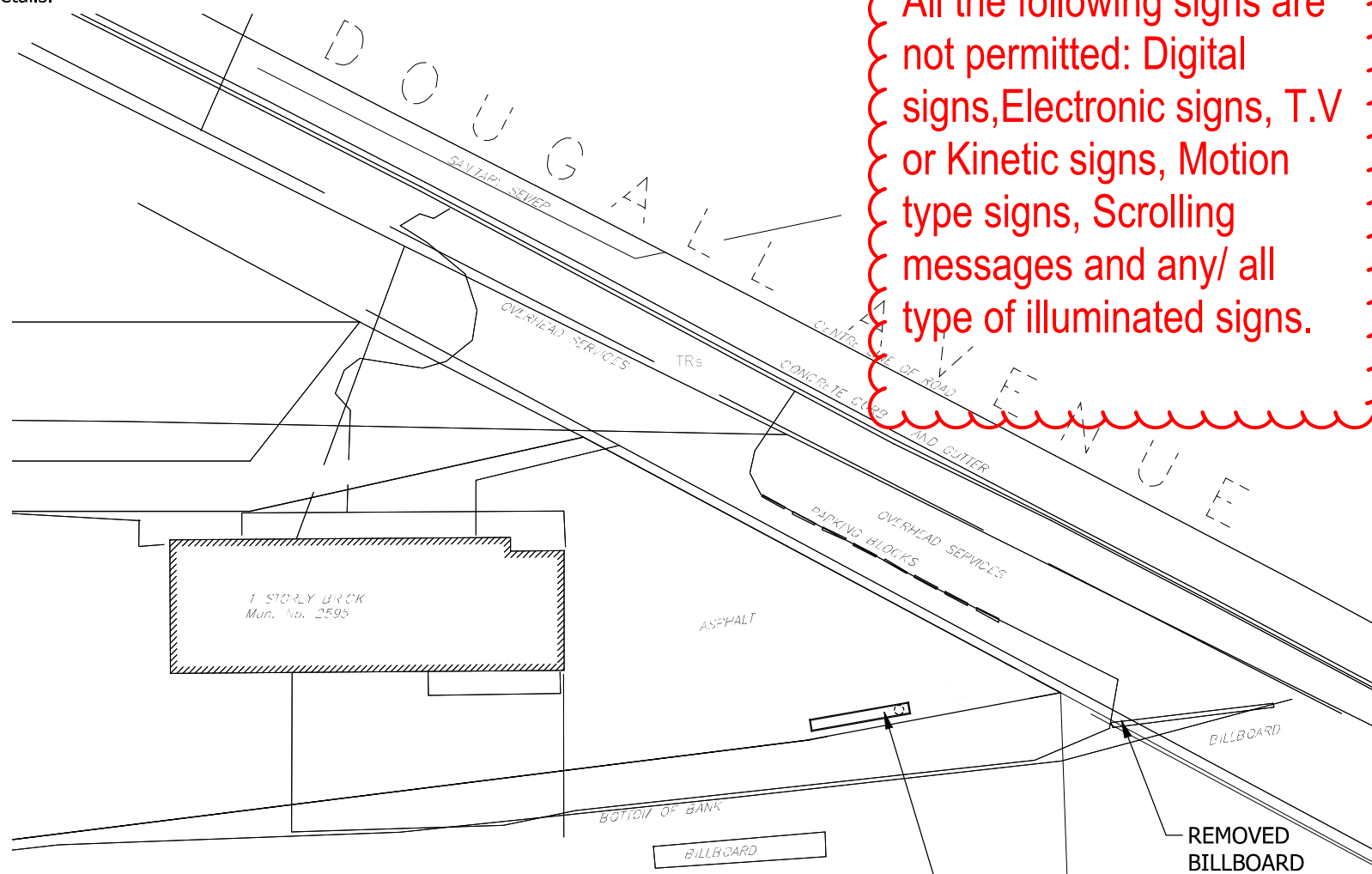
THESE PLANS WERE REVIEWED BY WALID HAWILO, B.E.Sc.
IF YOU HAVE ANY QUESTIONS REGARDING THE REVIEW OF
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04/27/2020

WALID HAWILO, B.E.Sc. whawilo@citywindsor.ca

the soil conditions shall be verified for adequacy to support the sign prior to the construction of the caisson.

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BILLBOARD PROPOSED LOCATION
SCALE 1"=1'-0"

PROPOSED BILLBOARD BY
'GRACIOUS OUTDOOR MEDIA'
SEE DWGS. 'S1' TO 'S10'
PROJECT 20751; DATED FEB. 2020

THE CITY OF WINDSOR
ONTARIO, CANADA

06/19/2020
ENGINEERING CONSULTANTS INC.

2080 NORTH TALBOT RD.
WINDSOR, ONTARIO
N9A 6J3

OFFICE: (519) 737-9162
FAX: (519) 737-9163

LICENSED PROFESSIONAL ENGINEER
23850239112
J.A. SCHEPERS
40941015
March 12, 2020
PROVINCE OF ONTARIO

20/03/12	PRE-ENG SIGN	2
19/12/20	GENERAL UPDATE	1
19/12/16	PERMIT	0
19/09/17	CLIENT REVIEW	A

REVISION RECORD

CLIENT:	NORTH CONSTRUCTION	2595 DOUGALL AVE. WINDSOR
PROJECT:	BILLBOARD RELOCATION	2595 DOUGALL AVE. WINDSOR

DATE: 2019/07/30

SCALE: AS SHOWN

DRN. BY: JB

CHK'D. BY: JAS

PROJECT No.: E19253

TITLE: GENERAL NOTES AND PLAN

DWG. No.: 1.0

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APR 24/ 20
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GENERAL NOTES:
06/19/2020
1. ALL STRUCTURAL STEEL ROLLED SECTIONS AND PLATES SHALL BE M300W STEEL AND COMPLY WITH THE REQUIREMENTS OF CSA SPECIFICATIONS CAN3-G40.21
WALID HAWILO, B.E.Sc.
w.hawilo@cityofwindsor.ca

14. ALL STRUCTURAL BOLTS, NUTS AND WASHERS USED IN CONNECTIONS SHALL BE HIGH STRENGTH TO ASTM STANDARDS AND SHALL BE PRE-TENSIONED IN ACCORDANCE WITH TABLE 7 OF CSA SPECIFICATION S16 AS FOLLOWS:

BOLT DIAMETER	MINIMUM BOLT TENSION KN & (KIPS)		HOLE SIZE
	A325	A490	
1/2"	53 (11.93)	67 (15.07)	5/8"
5/8"	85 (19.13)	107 (24.07)	3/4"
3/4"	125 (28.13)	157 (35.32)	7/8"
7/8"	174 (39.15)	218 (49.05)	1"
1"	227 (51.08)	285 (64.12)	1 1/8"
1 1/8"	249 (56.02)	356 (80.10)	1 1/4"
1 1/4"	316 (71.10)	454 (102.15)	1 3/8"
1 3/8"	378 (85.05)	538 (121.05)	1 1/2"
1 1/2"	458 (103.05)	658 (148.05)	1 5/8"

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15. ALL BOLTS ARE TO BE INSTALLED BY "DIRECT TENSION INDICATOR" METHOD, IN ACCORDANCE WITH CAN/CSA S16.1.
16. USE GLID GUARD EPOXY SELF-PRIMING MASTIC No.5256/5257 (OR APPROVED EQUAL) TO 12" ABOVE AND BELOW TOP OF GRADE ON STRUCTURAL STEEL.
17. USE No.11 PRODUCT REDUCED WITH 50% SOLVENT No.5568 ON TOP OF CONCRETE CAISSONS.
18. PROVIDE MINIMUM 2% SLOPE AWAY FROM BASE PLATE/CAISSON JUNCTURE.
19. ALL CONCRETE IS TO BE EXPOSURE CLASS S-1 AND IS TO HAVE A COMPRESSIVE STRENGTH OF 35 MPa AT 56 DAYS. USE 4% TO 7% AIR ENTRAINMENT. MAXIMUM AGGREGATE SIZE IS TO BE 3/4" (19mm). CURE CONCRETE FOR 7 DAYS AT MIN. 10° C. WATER CEMENT RATIO = 0.40 ETC.
20. FOOTINGS ARE DESIGNED FOR A FIRM, NON-CAVING CLAY OR SANDY CLAY. VERIFY CAISSON DESIGN WITH A SOILS ENGINEER'S TEST.
21. TOP 6" OVER FOOTING IS TO BE COMPRISED OF FREE DRAINING GRANULAR FILL. (IF TOP OF FOOTING IS TO BE COVERED)
22. ALL CONTACT SURFACES OF BOLTED PARTS ARE TO HAVE MILL SCALE THOROUGHLY CLEANED OR ELSE BLAST CLEAN WITH A CLASS "A" COATING APPLIED AS PER CAN/CSA -.S16.1.
23. A BUILDING PERMIT IS TO BE OBTAINED PRIOR TO COMMENCING ANY CONSTRUCTION.
24. THE CONTRACTOR IS TO PROTECT ADJACENT PROPERTIES AND VERIFY ALL UTILITY LOCATIONS PRIOR TO INSTALLING FOUNDATIONS.
25. THE CONTRACTOR IS 100% RESPONSIBLE FOR MAINTAINING SAFETY ON SITE DURING CONSTRUCTION PER MINISTRY OF LABOUR AND CBS STANDARDS.
26. MUNICIPAL BY-LAW COMPLIANCE IS BY OTHERS THAN S.P.HART & ASSOCIATES LTD. AND SEAN HART, P. ENG.
27. CONFIRM LED MANUFACTURER WITH ENGINEER AND OBTAIN WRITTEN PERMISSION TO PROCEED WITH MANUFACTURING OF STRUCTURAL STEEL PRIOR TO COMMENCING WITH FABRICATION.

TABLE A



OVERALL HEIGHT	DEPTH OF CAISSON	REINFORCING STEEL		COLUMN SIZE	GUSSET PLATES
		VERT. RE-BARS	NO. OF TIES		
9.0M	25'-6"	16-35M	22-15M + 3x3=9-15M	RHS 24" DIAM. x 3/4" COLUMN	(16) 1/2"x6"x20"

GENERAL NOTES

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06/19/2020

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ALL DIMENSIONS AND SITE CONDITIONS TO BE CHECKED AND VERIFIED ON SITE BY THE CONTRACTOR BEFORE COMMENCING ANY WORK. INFORM ENGINEER OF ANY DISCREPANCIES IN WRITING AND OBTAIN WRITTEN APPROVAL FROM THE ENGINEER BEFORE PROCEEDING.

ALL CONSTRUCTION TO BE CARRIED OUT IN ACCORDANCE WITH ALL LOCAL CODES AND AUTHORITIES HAVING JURISDICTION.

DRAWING MUST HAVE LOCATION AND ENG. NO. FILLED IN TO BE VALID.

EXAMINER TO NOTIFY
ENGINEER OF ADDRESS:
SEAN HART, P.ENG.
C:416-209-8098
E:S.P.HART@HPMG.CA

2	JUNE/20		RE-ISSUED FOR BLDG. PERMIT
1	FEB./20		ISSUED FOR BLDG. PERMIT
No.	DATE	BY	DESCRIPTION

STAMP: MUST BE DIGITALLY SIGNED AND 3RD PARTY VERIFIABLE TO BE VALID

PROFESSIONAL ENGINEER

S. P. HART

2020-06-11

Province of Ontario

GRACIOUS OUTDOOR MEDIA
1066 GLENGROVE AVENUE
Toronto, Ontario M6B 2K2

S.P.HART & ASSOCIATES LTD.
120 Carlton St. Suite 412
Toronto, Ontario M5A 4K2
C: (416) 209-8098
E: S.P.HART@HPMG.CA

PROJECT:

10'-0"x40'-0" ADVERTISING PANEL STRUCTURE
- CANT - SINGLE SIDED

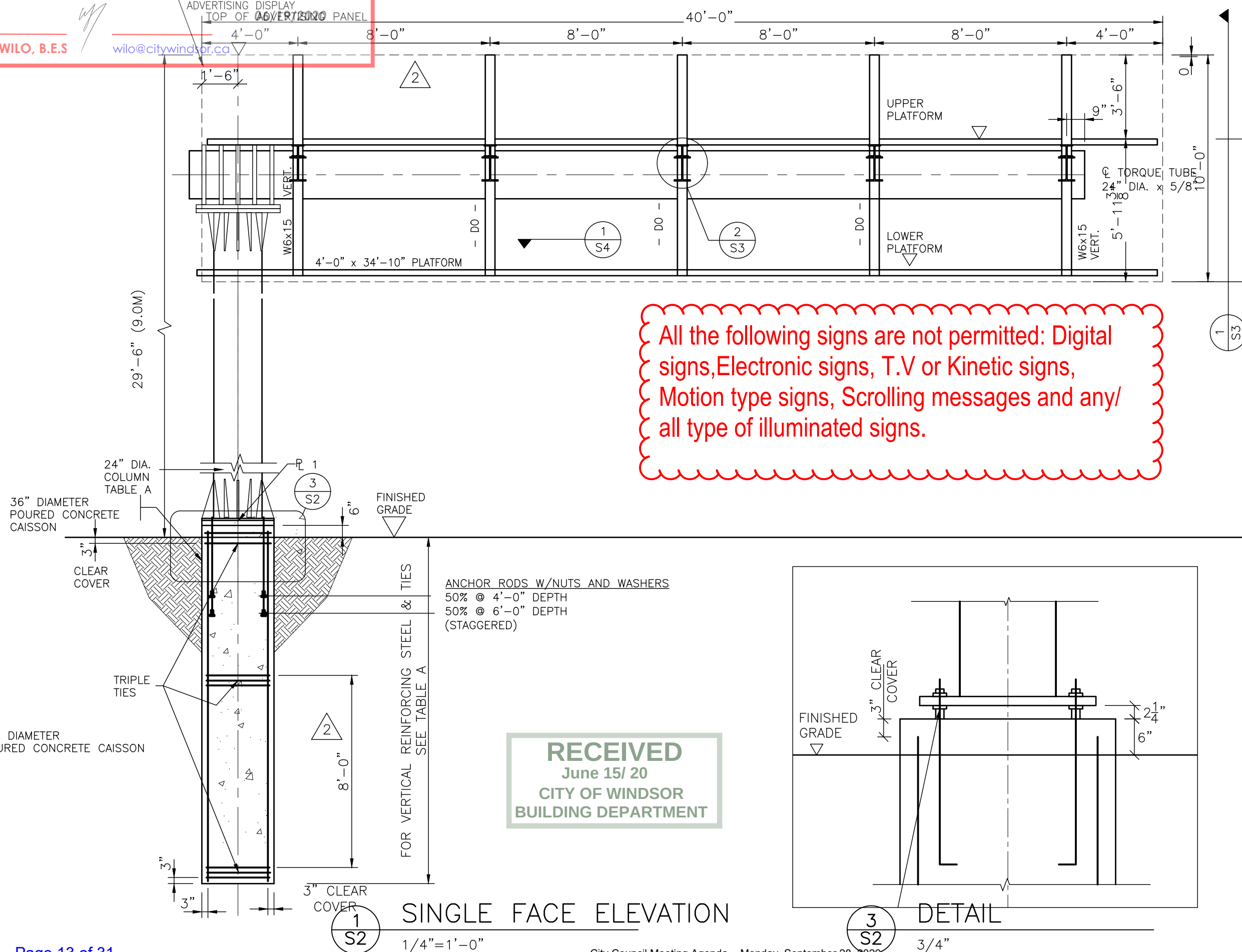
LOCATION:
2595 DOUGALL AVE,
WINDSOR, ONTARIO

DRAWING TITLE

10x40-PP-FF-SS-9M

NOTES AND SCHEDULES

DRAWN BY	FJV	DWG. No. S1
DATE	FEB 2020	
ENG. No. REQUIRED	20751	
SCALE:	AS NOTED	



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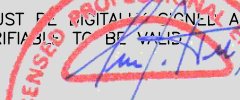
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**EXAMINER TO NOTIFY
ENGINEER OF ADDRESS:
SEAN HART, P.ENG.
C:416-209-8098
E:S.P.HART@HPMG.CA**

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A circular red ink stamp for a Professional Engineer in the Province of Ontario. The outer ring contains the text "PROFESSIONAL ENGINEER" at the top and "PROVINCE OF ONTARIO" at the bottom. Inside the ring, the name "S. P. HART" is stamped in the center, with "2020-06-11" below it and "STRUCT." below that. A blue ink signature is written across the stamp, and a blue "X" is drawn over the top right portion of the stamp.

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1066 GLENGROVE AVENUE
Toronto, Ontario M6B 2K2

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120 Carlton St. Suite 412
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PROJECT:	10'-0"x40'-0" ADVERTISING PANEL STRUCTURE - CANT - SINGLE SIDED
LOCATION:	2595 DOUGALL AVE, WINDSOR, ONTARIO
DRAWING TITLE	10x40-PP-FF-SS-9M ELEVATION

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DATE	FEB 2020	
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WALID HAWILO, B.E.S
wilo@citywindsor.ca

06/19/2020

SEE DETAIL 6/S4

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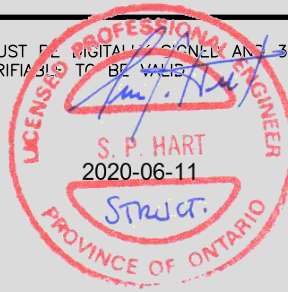
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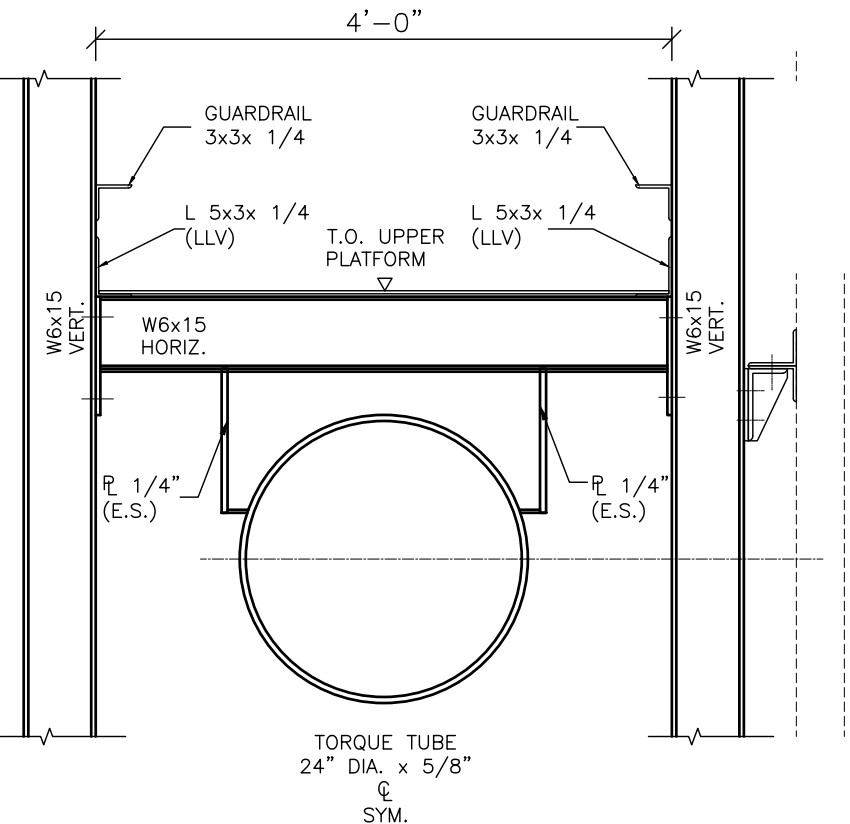
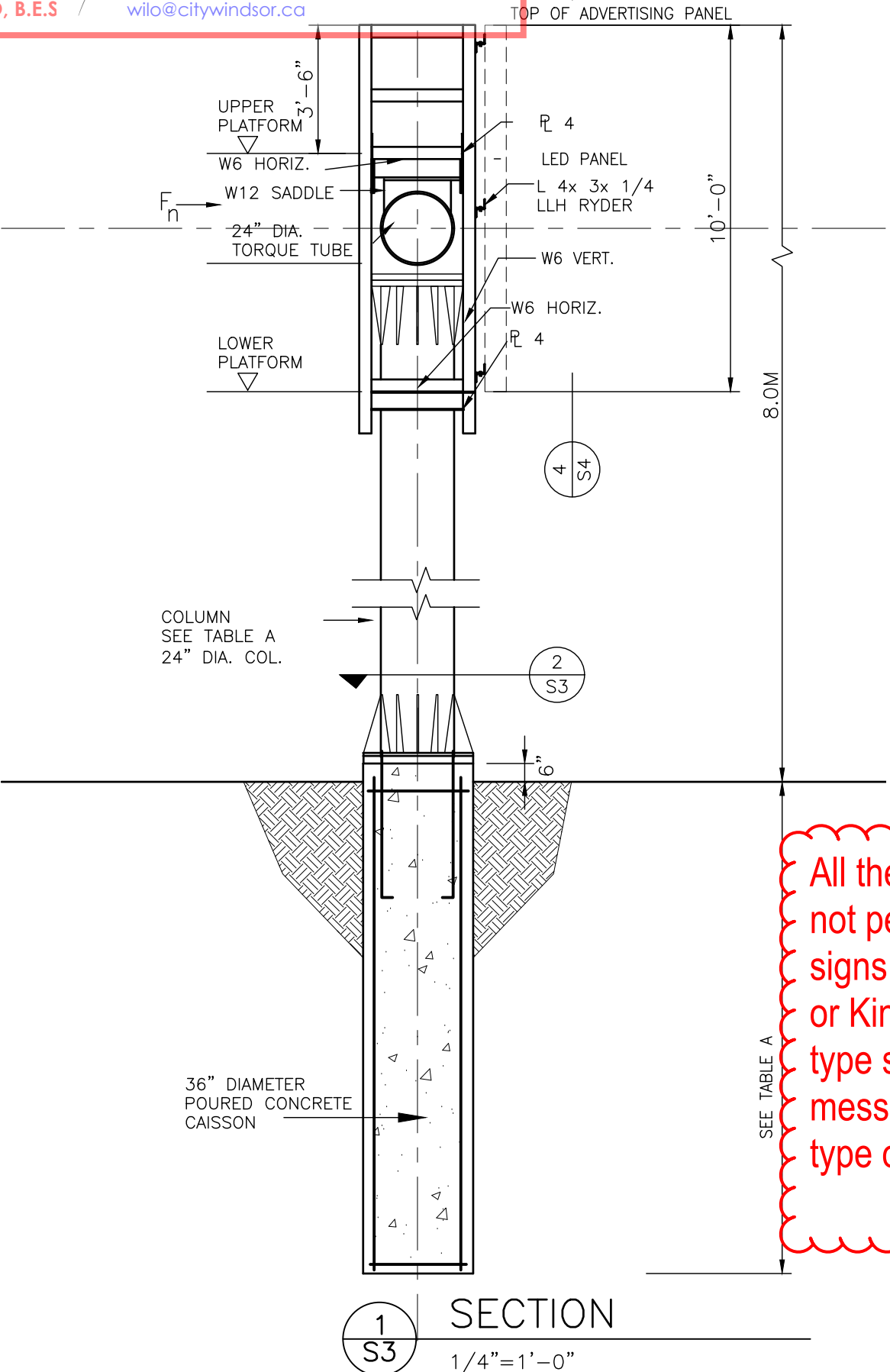
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PROJECT:
10'-0"x40'-0" ADVERTISING PANEL STRUCTURE
- CANT - SINGLE SIDED

LOCATION:
2595 DOUGALL AVE.,
WINDSOR, ONTARIO

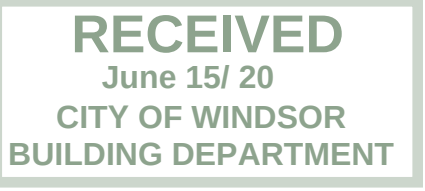
DRAWING TITLE
10x40-PP-FF-SS-9M
ELEVATION

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DATE	FEB 2020		
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SCALE:	AS NOTED		



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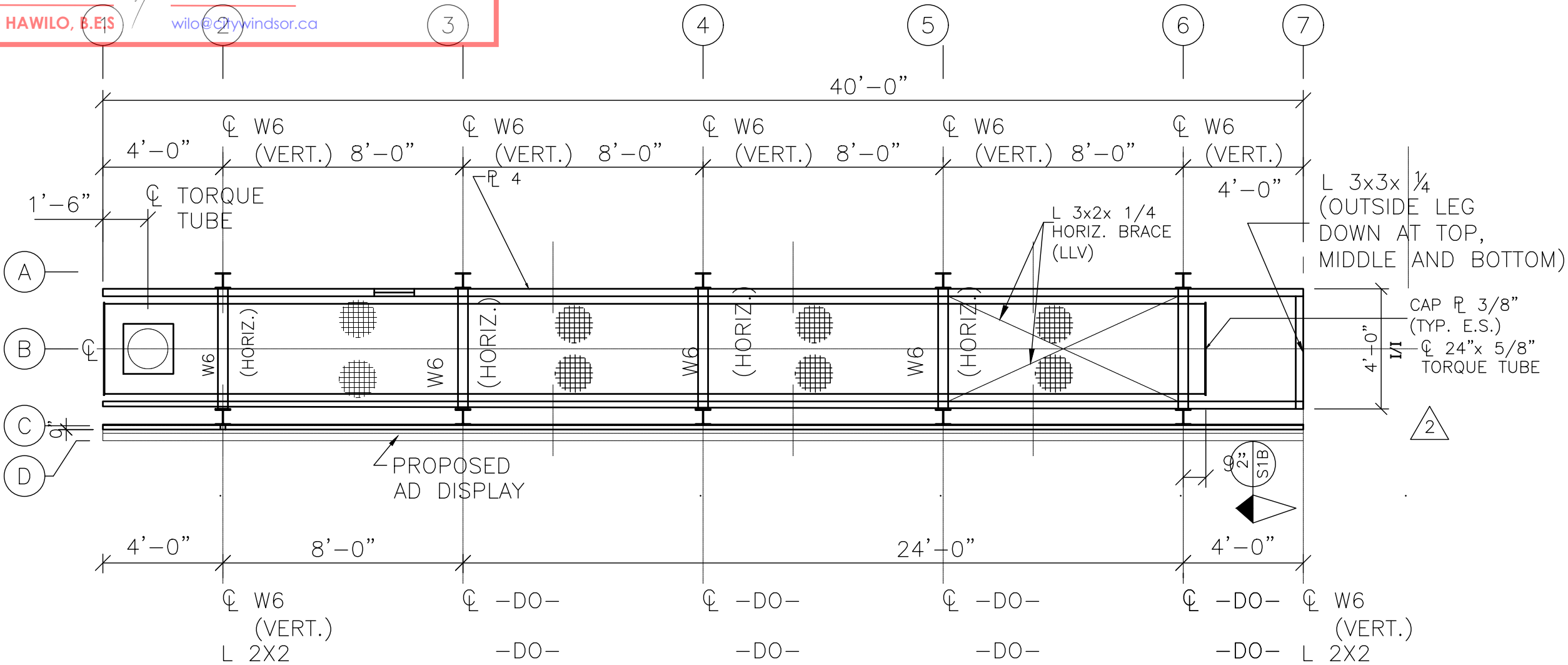
UPPER
PLATFORM
W6x15
W12x45
P/L 1/4"x8x12
18751\S4 SECTION DETAIL.jpg



THESE PLANS WERE REVIEWED BY WALID HAWILO, B.E.Sc.
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1 PLAN-UPPER PLATFORM
S4 1/4"=1'-0"

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E:S.P.HART@HPMG.CA

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PROFESSIONAL ENGINEER
S. P. HART
2020-06-11
PROVINCE OF ONTARIO

GRACIOUS OUTDOOR MEDIA
1066 GLENGROVE AVENUE
Toronto, Ontario M6B 2K2

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PROJECT:
10'-0"x40'-0" ADVERTISING PANEL STRUCTURE
- CANT - SINGLE SIDED

LOCATION:
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WINDSOR, ONTARIO

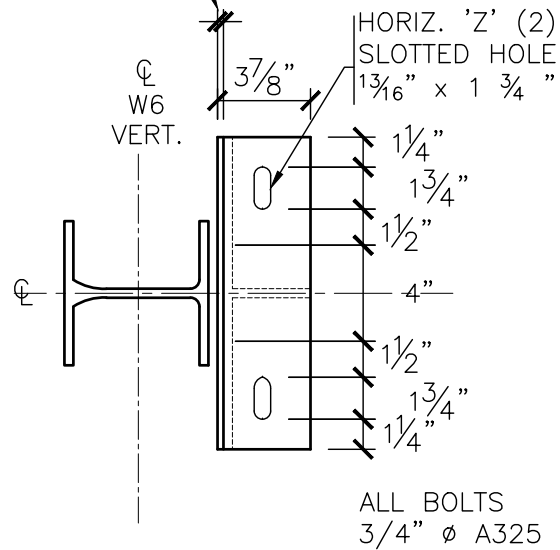
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ELEVATION

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DATE	FEB 2020	S4 OF 10
ENG. No. REQUIRED	20751	
SCALE:	AS NOTED	

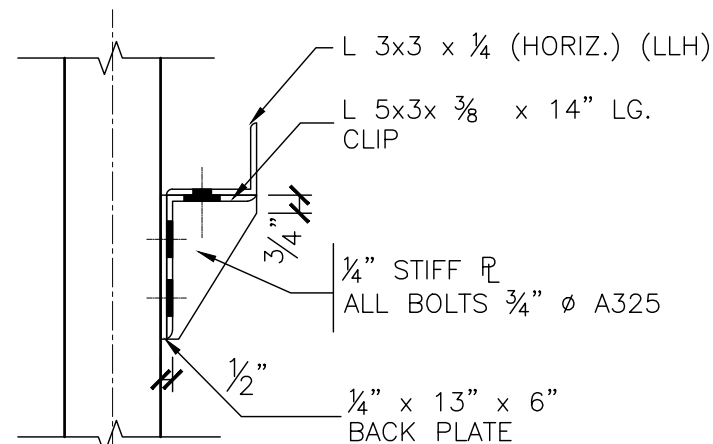
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W.Hawilo@citywindsor.ca

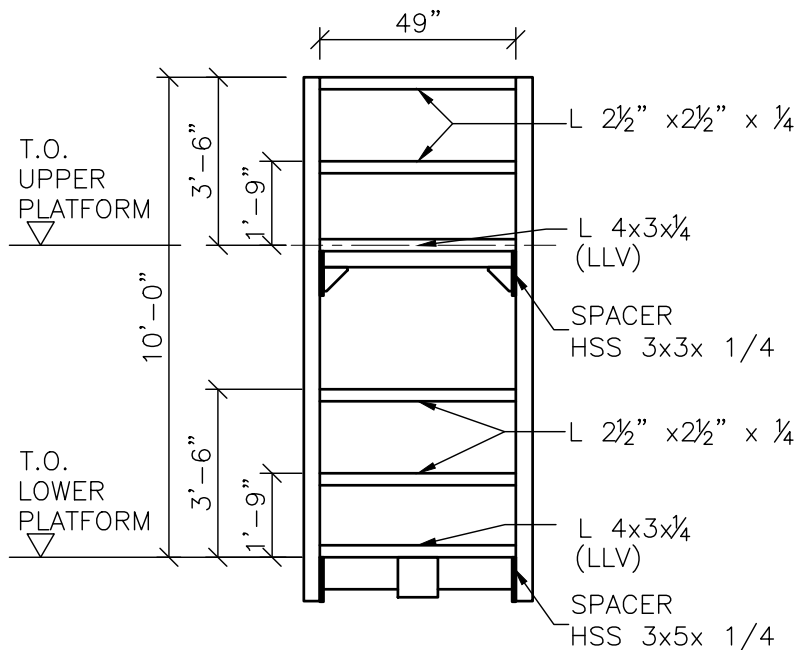
06/19/2020



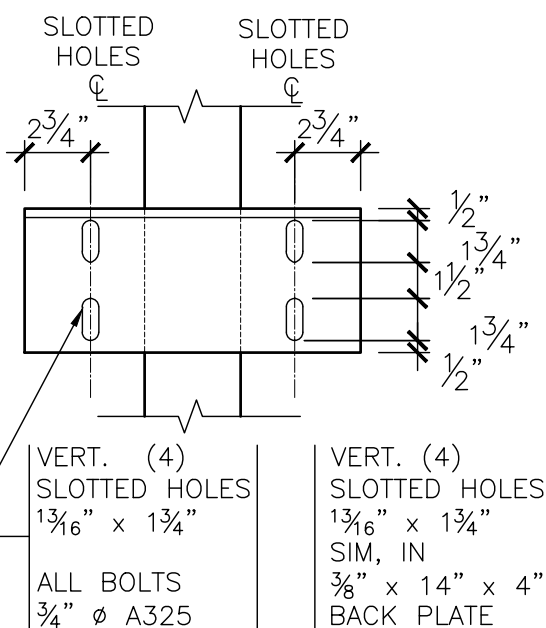
A-PLAN BRACKET



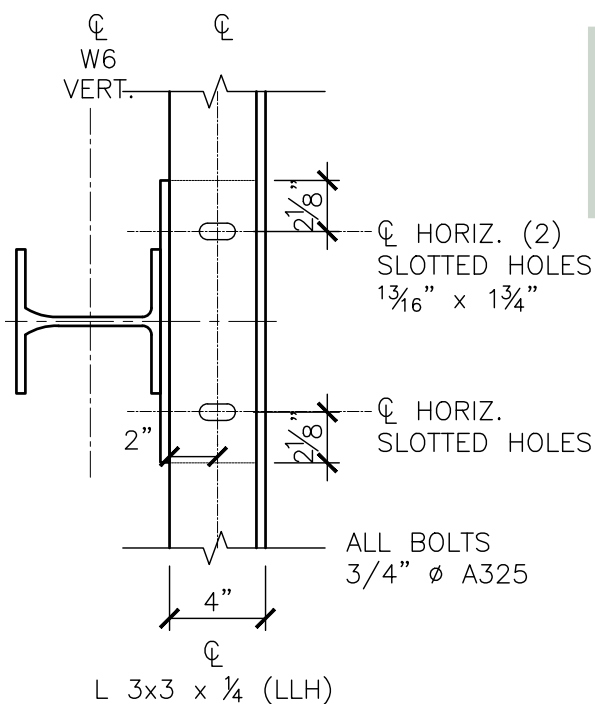
B-SECTION BRACKET



DETAIL-END RAILING



B-ELEVATION BRACKET



A-PLAN BRACKET/(HORIZ.)

CONTRACTOR TO VERIFY ALL
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ENGINEER OF ADDRESS:

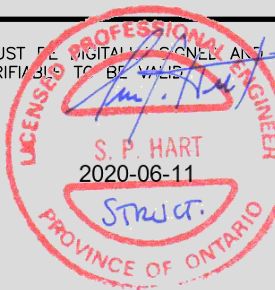
SEAN HART, P.ENG.

C:416-209-8098

E:S.P.HART@HPMG.CA

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Toronto, Ontario M6B 2K2

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120 Carlton St. Suite 412
Toronto, Ontario M5A 4K2
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PROJECT:
10'-0"x40'-0" ADVERTISING PANEL STRUCTURE
- CANT - SINGLE SIDED

LOCATION:
2595 DOUGALL AVE,
WINDSOR, ONTARIO

DRAWING TITLE
10x40-PP-FF-SS-9M
DETAILS

DRAWN BY	FJV	DWG. No.	S5
DATE	FEB 2020		
ENG. No. REQUIRED	20751	DF	10
SCALE:	AS NOTED		

[illegible]

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1
S6

DETAIL
1/4"

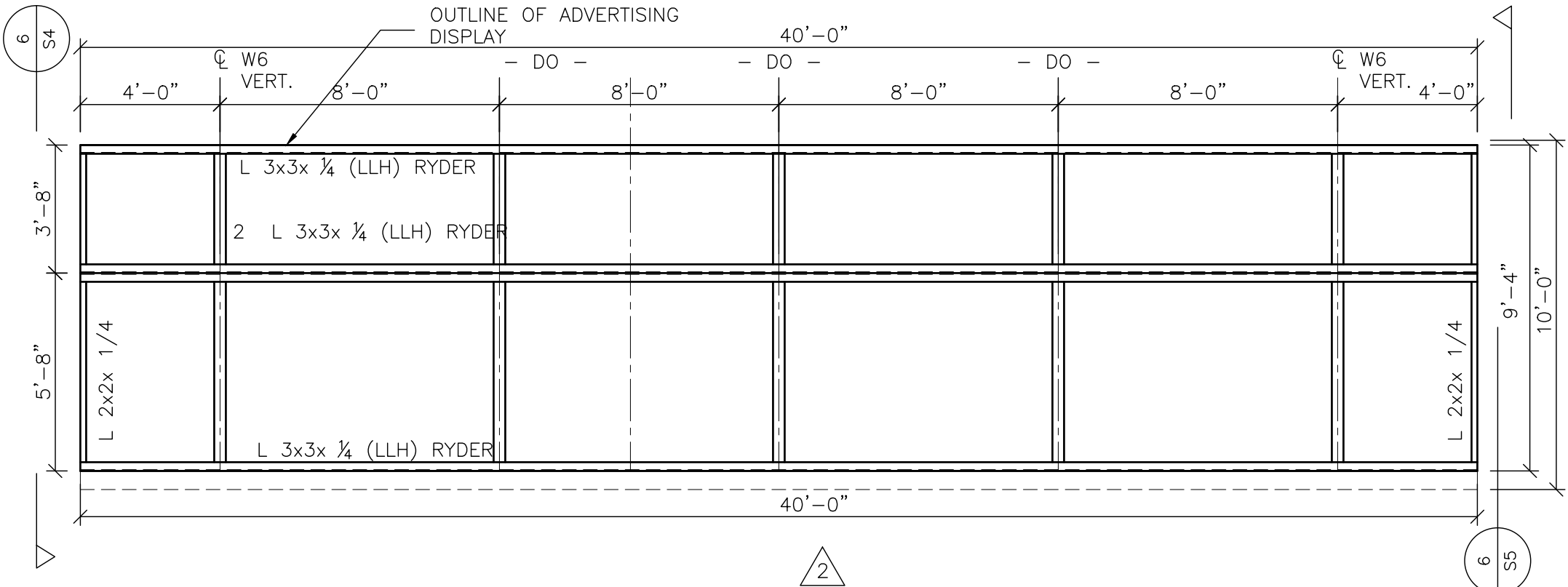
* VERIFY WITH LED MANUFACTURER
BEFORE FABRICATION

DRAWN BY	FJV	DWG. No. S6 OF 10
DATE	FEB 2020	
ENG. No. REQUIRED	20751	
SCALE:	AS NOTED	

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wilo@citywindsor.ca

06/19/2020

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RECEIVED
June 15/ 20
CITY OF WINDSOR
BUILDING DEPARTMENT

1
S7
DETAIL
1 1/2"

2595 Dougall Ave, P#20-253937, R#3739-080-010-00700-0000

GENERAL NOTES
ALL DRAWINGS AND STRUCTURAL INFORMATION ARE THE PROPERTY OF THE ENGINEER.
DO NOT SCALE DRAWINGS.
ALL DIMENSIONS AND SITE CONDITIONS TO BE CHECKED AND VERIFIED ON SITE BY THE CONTRACTOR BEFORE COMMENCING ANY WORK. INFORM ENGINEER OF ANY DISCREPANCIES IN WRITING AND OBTAIN WRITTEN APPROVAL FROM THE ENGINEER BEFORE PROCEEDING.
ALL CONSTRUCTION TO BE CARRIED OUT IN ACCORDANCE WITH ALL LOCAL CODES AND AUTHORITIES HAVING JURISDICTION.
DRAWING MUST HAVE LOCATION AND ENG. NO. FILLED IN TO BE VALID.
EXAMINER TO NOTIFY
ENGINEER OF ADDRESS:
SEAN HART, P.ENG.
C:416-209-8098
E:S.P.HART@HPMG.CA

2	JUNE/20		RE-ISSUED FOR BLDG. PERMIT
1	FEB./20		ISSUED FOR BLDG. PERMIT
No.	DATE	BY	DESCRIPTION

STAMP: MUST BE DIGITALLY SIGNED AND 3RD PARTY VERIFIABLE TO BE VALID
S.P. HART
2020-06-11
PROVINCE OF ONTARIO

GRACIOUS OUTDOOR MEDIA
1066 GLENGROVE AVENUE
Toronto, Ontario M6B 2K2

S.P.HART & ASSOCIATES LTD.
120 Carlton St. Suite 412
Toronto, Ontario M5A 4K2
C: (416) 209-8098
E: S.P.HART@HPMG.CA

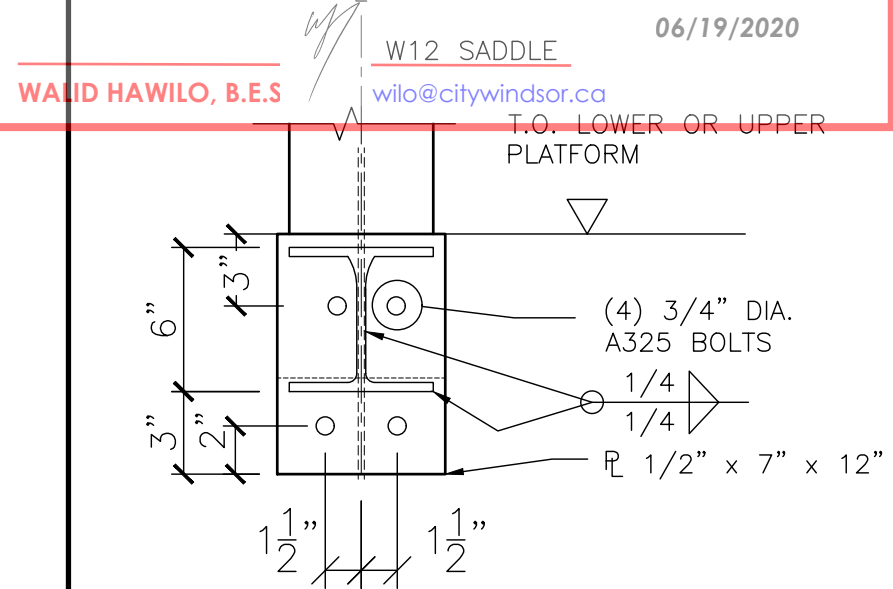
PROJECT:
10'-0"x40'-0" ADVERTISING PANEL STRUCTURE
- CANT - SINGLE SIDED

LOCATION:
2595 DOUGALL AVE.,
WINDSOR, ONTARIO

DRAWING TITLE
10x40-PP-FF-SS-9M
DETAILS

DRAWN BY	FJV	DWG. No.	S7
DATE	FEB 2020		
ENG. No.	20751	OF	
SCALE:	AS NOTED	10	

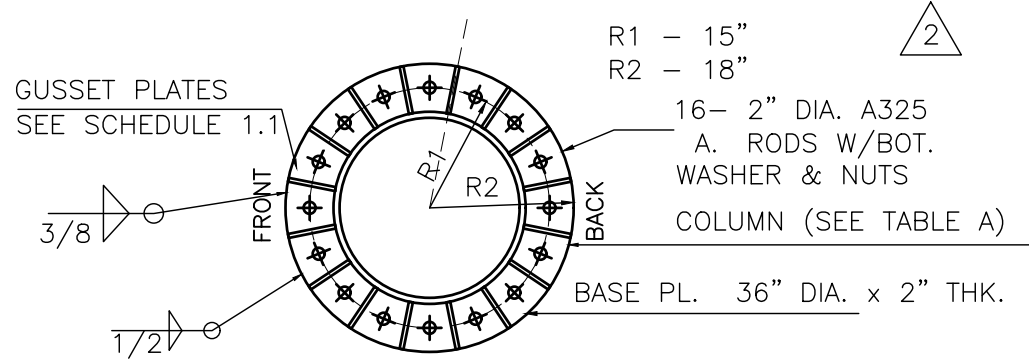
THESE PLANS WERE REVIEWED BY WALID HAWILO, B.E.Sc.
IF YOU HAVE ANY QUESTIONS REGARDING THE REVIEW OF
THESE DRAWINGS PLEASE CALL 255-6267 EXT 6805



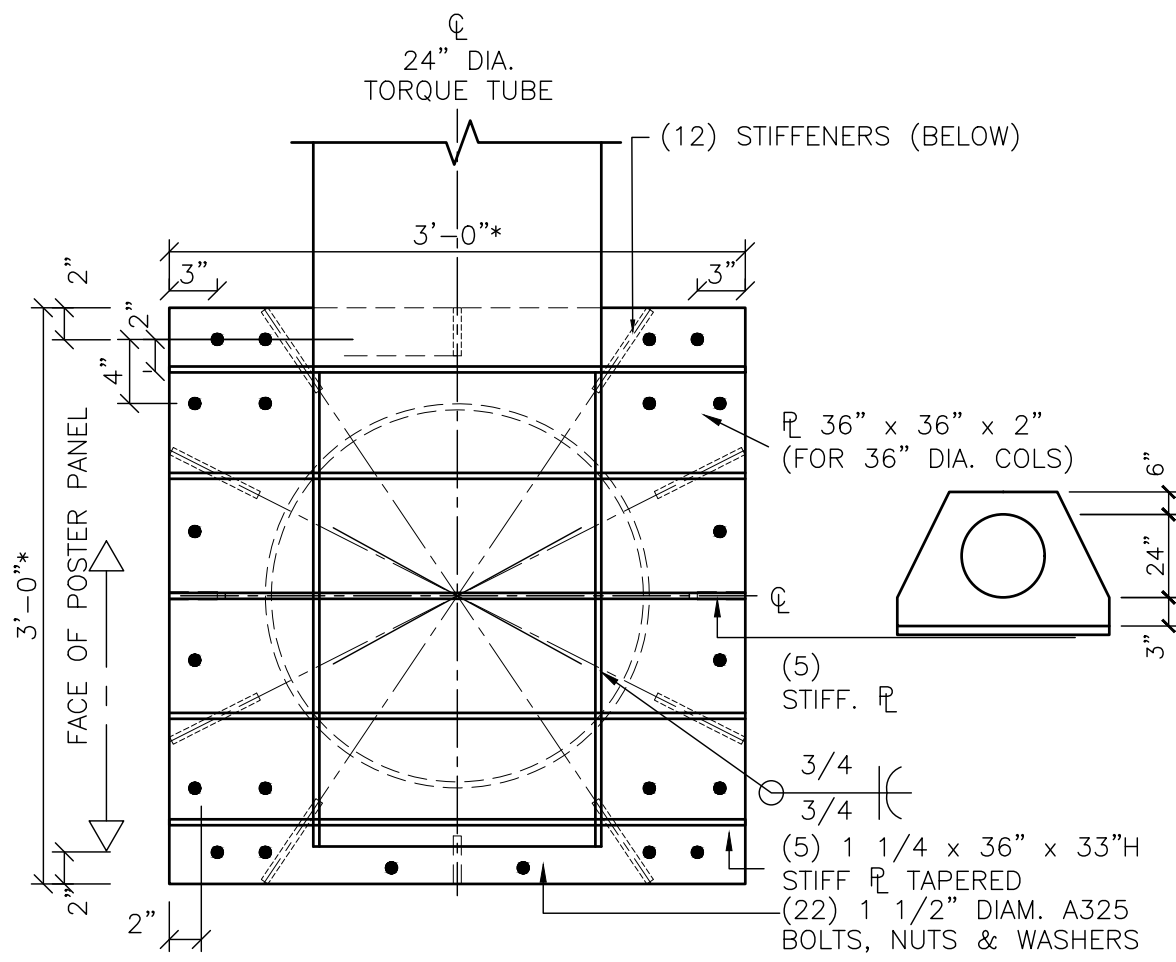
4 S8 DETAIL PL4 - W6 VERT. CONNECTION
1 1/2"=1'-0"

All the following signs are not permitted: Digital signs, Electronic signs, T.V or Kinetic signs, Motion type signs, Scrolling messages and any/ all type of illuminated signs.

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June 15/ 20
CITY OF WINDSOR
BUILDING DEPARTMENT



2 S8 PLATE 1 - COL. BASE PL.
1 1/2"=1'-0"



1 S8 PLATE 3 -TORQUE TUBE/ COLUMN CAP CONNECTION
1"=1'-0"

THE CITY OF
WINDSOR
ONTARIO, CANADA

06/19/2020

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PROFESSIONAL ENGINEER

S. P. HART

2020-06-11

Struct.

PROVINCE OF ONTARIO

GRACIOUS OUTDOOR MEDIA
1066 GLENGROVE AVENUE
Toronto, Ontario M6B 2K2

S.P.HART & ASSOCIATES LTD.
120 Carlton St. Suite 412
Toronto, Ontario M5A 4K2
C: (416) 209-8098
E: S.P.HART@HPMG.CA

PROJECT:
10'-0"x40'-0" ADVERTISING PANEL STRUCTURE
- CANT - SINGLE SIDED

LOCATION:
2595 DOUGALL AVE,
WINDSOR, ONTARIO

DRAWING TITLE
10x40-PP-FF-SS-9M
SECTION & DETAILS

DRAWN BY	FJV	DWG. No.	S8 DF 10
DATE	FEB 2020		
ENG. No.	20751		
SCALE:	AS NOTED		

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S. P. HART
2020-06-11
STRUCT.
PROVINCE OF ONTARIO

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Toronto, Ontario M6B 2K2

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Toronto, Ontario M5A 4K2
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- CANT - SINGLE SIDED

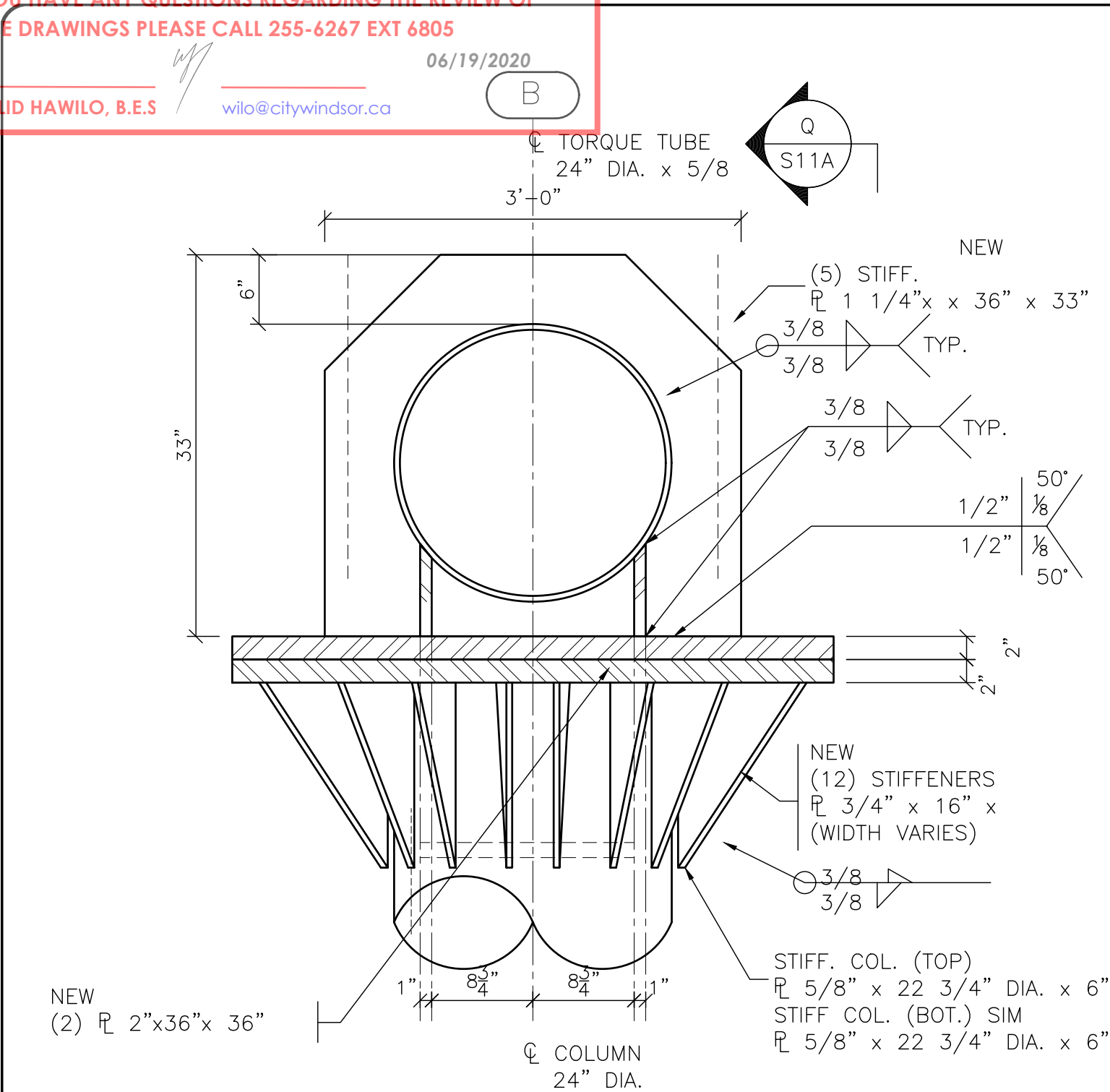
LOCATION:
2595 DOUGALL AVE,
WINDSOR, ONTARIO

DRAWING TITLE
10x40-PP-FF-SS-9M
DETAILS

DRAWN BY	FJV	DWG. No.	S9 OF 10
DATE	FEB 2020		
ENG. No. REQUIRED	20751		
SCALE:	AS NOTED		

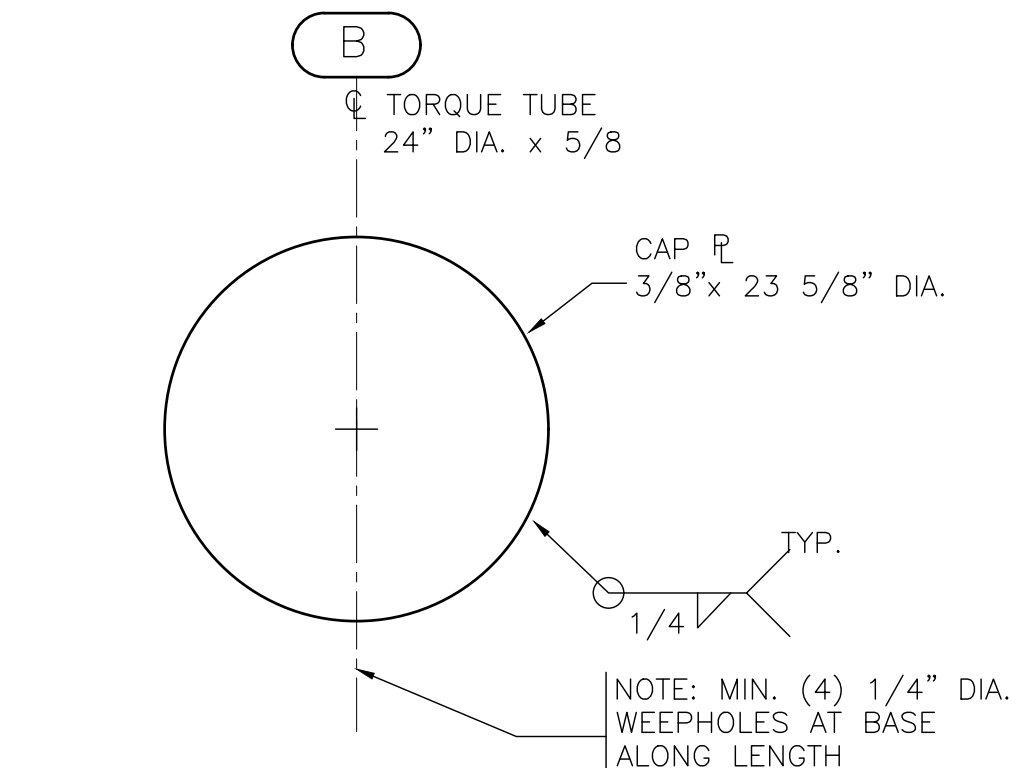
All the following signs are not permitted:
Digital signs, Electronic signs, T.V or
Kinetic signs, Motion type signs, Scrolling
messages and any/ all type of illuminated
signs.

ALLOW FOR APPROX.
 $\frac{3}{4}$ " DEFLECTION IN
TORQUE TUBE DUE TO
SELF-WEIGHT.



1
S9
DETAIL
1"

RECEIVED
June 15/ 20
CITY OF WINDSOR
BUILDING DEPARTMENT

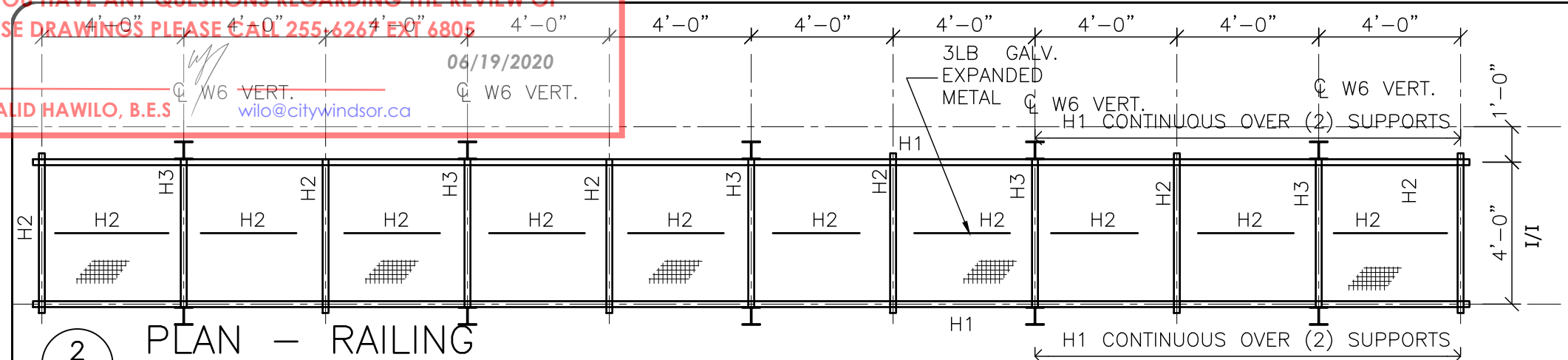


2
S9
SECTION
1"

THESE PLANS WERE REVIEWED BY WALID HAWILO, B.E.Sc.
IF YOU HAVE ANY QUESTIONS REGARDING THE REVIEW OF
THESE DRAWINGS PLEASE CALL 255-6267 EXT 6805

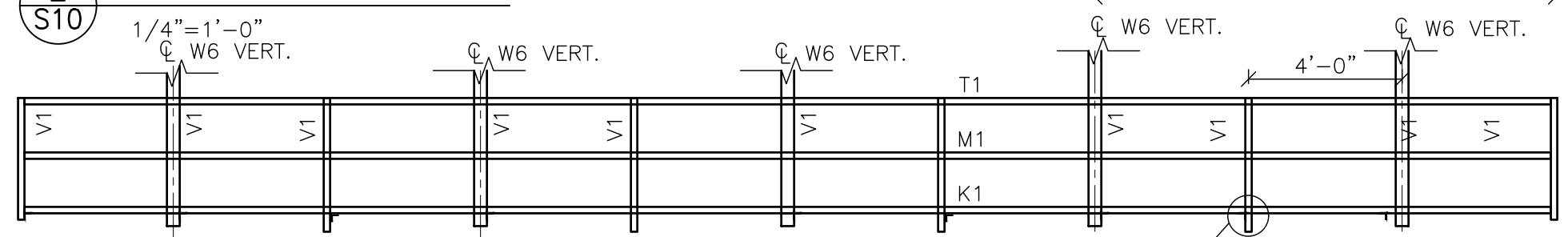
06/19/2020

WALID HAWILO, B.E.Sc.
wilo@citywindsor.ca

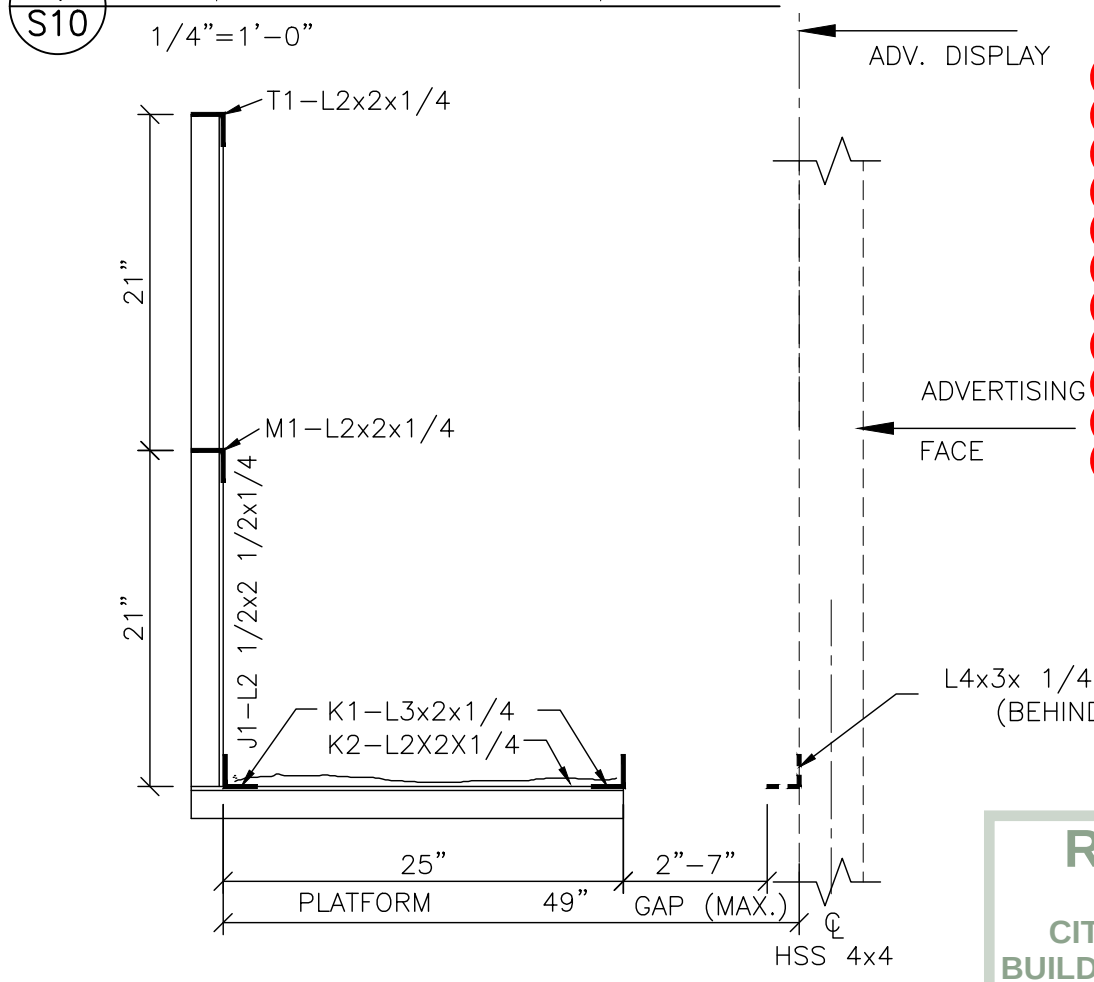


NOTE:
ALL CONNECTIONS ARE
TO BE FULLY WELDED
1/4" FILLET ALL AROUND.

2
S10
PLAN — RAILING

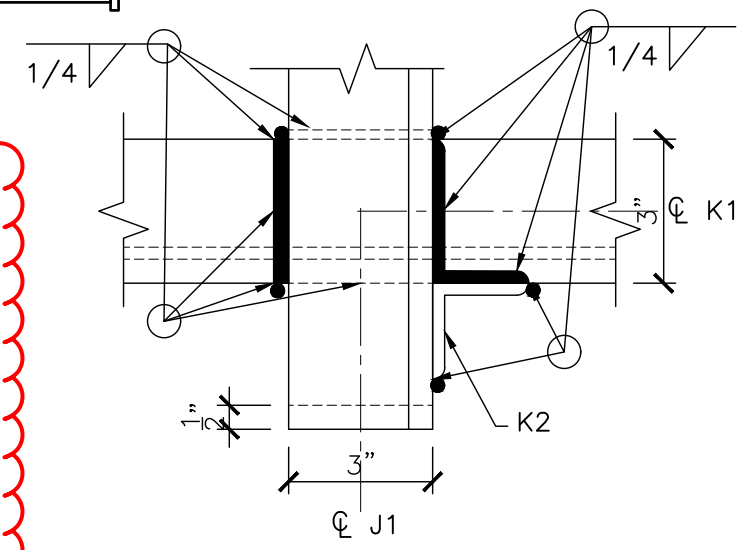


1
S10
ELEVATION — RAILING



4
S10
SECTION — RAILING

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3
S10
DETAIL AT CONNECTION

MK.	SIZE		MATERIAL	COMMENTS
	(IMPERIAL)	METRIC		
H1	L 5x3x 1/4 (LEG-UP)	L 102x76x 6.4 (LLV)	M300W STRUCT. STEEL	BOTTOM RAIL
H2	L 3x3x 1/4 (LEG-DN)	L 76x76x 6.4	M300W STRUCT. STEEL	BOTTOM X-PIECE
H3	W6x15	W150x30	M300W STRUCT. STEEL	SUPPORT BRACKETS
M1	L2x2x 1/4	L51x51x 6.4	M300W STR. STL.	MIDDLE RAIL
T1	L2x2x 1/4	L51x51x 6.4	M300W STR. STL.	TOP RAIL
V1	L 2 1/2x2 1/2 x 1/4	L64x64x 6.4	M300W STR. STL.	STANCHION

RECEIVED
June 15/ 20
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10'-0"x40'-0" ADVERTISING PANEL STRUCTURE
- CANT - SINGLE SIDED

LOCATION:
2595 DOUGALL AVE,
WINDSOR, ONTARIO

DRAWING TITLE
10x40-PP-FF-SS-9M
PLAN, ELEVATION AND LEGEND

DRAWN BY	FJV	DWG. No.	S10
DATE	FEB 2020	OF	10
ENG. No. REQUIRED	20751		
SCALE:	AS NOTED		

May 21, 2026

Windsor City Council (c/o City Clerk)
350 City Hall Square East
Windsor, ON
N9A 6S1

Sent via email

ATTN: The City Clerk

Dear Mayor Dilkens and Members of Windsor City Council,

Re: Council Meeting of May 25, 2026 – Referral Request
Item 8.14 SGN-001/25 Application for Sign By-law Amendment
North Construction
2595 Dougall Avenue
Windsor, ON
Our File: STA/WIN/21-01

Zelinka Priamo Ltd. represents North Construction (the Owner and Applicant) in relation to the Sign By-law Amendment application SGN 001/25 (the 'application') on the property municipally known as 2595 Dougall Avenue (the 'subject lands').

Further to our previous letter submitted to the Development and Heritage Standing Committee ('DHSC') and City Council on May 12th, 2026, we are writing to provide supplementary information regarding the application on the subject lands, and **request referral of the application back to Development and Heritage Standing Committee (the 'DHSC') to be considered at a later date; and direct staff to include all comments received for the application as part of the DHSC information package, and the public record.** At Council's discretion, our client is flexible with respect to the timing for having the application referred back to DHSC.

On May 4th, 2026, the application was presented to the DHSC, and the Staff recommendation was adopted, which was to deny the application. On May 12th, 2026, we wrote to respectfully express our disappointment with how the application was processed and presented. It is our view that the DHSC was not provided with the full landscape of factual information in advance of the May 4th meeting that would be expected of a transparent and fair process.

In particular, the Recommendation Report and Administration's presentation did not include the comments that were provided by various departments and agencies in the application circulation process and provided to us by Staff through correspondence dated January 21st, 2026. A copy of Staff's correspondence is attached for your reference.

Upon review of the May 25th, 2026, Council Meeting Agenda, it is apparent that the circulation comments **remain excluded from the Staff Recommendation report for reasons that are unclear.**

We remain highly concerned that the facts of the application are not being transparently presented to the decision authority, City Council. In particular, the Windsor Police

comments (below) were not accurately characterized, and downplayed by Administration Staff at the May 4th, 2026 DHSC meeting:

V. Windsor Police

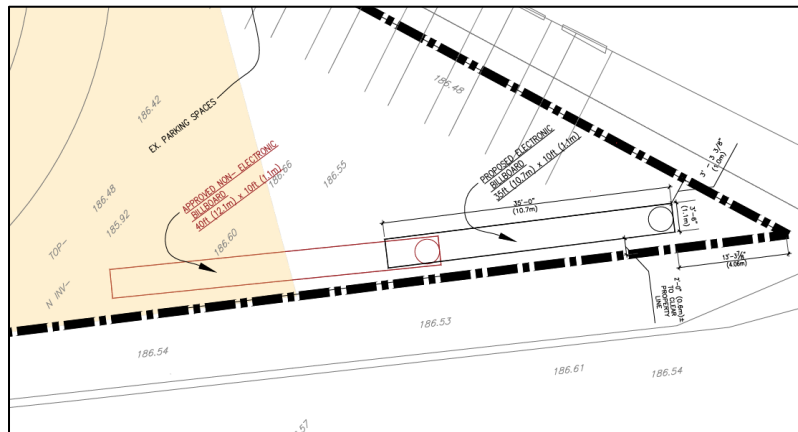
The Windsor Police Service has no objections with the proposed amendment to the Sign By-law for this location. From a public safety perspective, the variances being sought are relatively minor, in that they do not deviate significantly from the requirements stipulated in the by-law. While the change from a static style sign to an "electronic changing copy" type of sign introduces the potential to increased distraction for nearby drivers, the distance the sign will be placed from the intersection, along with its visual orientation, is sufficient to minimize this risk. In reviewing the traffic study supporting the application, I feel it objectively clarifies key facts that support approval of the application, including rationale that underscores the outcome will not create public safety concerns/problems.

Further, multiple references have been made to a 'List of Windsor's 50 Most Dangerous Intersections', in which it was stated that the intersection of Ouellette Place and Dougall Avenue ranks 27th. However, no details regarding this list, its methodology or its sources have been made available to the Applicant. In any case, we suggest that the proposed variance to allow the sign to be located 106 metres from the intersection (as opposed to the 110-metre restriction area) is minor. If the sign were 3.6% (4 metres) further from the intersection, there would be no required variance in relation to the sign's proximity to the intersection.

Our concerns with the processing of the application go beyond these examples, and in our view, did not represent a fair or transparent process, despite our best efforts to work collaboratively with Staff. While we fully respect and recognize the DHSC's decision, we find it necessary to express our disappointment in the way that information was selectively presented, and/or fully obscured from the DHSC when contradictory to Staff's recommendation. Respectfully, we are led to believe that the withholding of comments favourable to the applicant suggest that Staff may not be confident in its opinion relating to this application.

Fundamentally, we maintain our view that the proposed sign does not pose an increased safety risk, relative to the existing approved sign on the subject lands (Figure 1), which is supported by technical analysis by a professional traffic engineer.

Figure 1: Excerpt of Site Plan showing footprint of approved non-digital sign relative to proposed digital static copy sign.



In summary:

- The proposed static digital sign is designed to be similar to the approved non-digital static sign, changing only once per 2 to 3 minutes. For the vast majority of observers, a change in message change will not be observed. For a minority of passers-by, at most one change in message would be observed under typical conditions. This contrasts to other existing digital signs in the area and in the City which change message as many as 10 times in 1 minute.
- The proposed digital sign is smaller in face area than the approved non-digital sign.
- The proposed digital sign would be only 4 metres within the 110-metre intersection restriction zone.
- The proposed digital sign would be erected *instead* of the approved non-digital sign, thus not increasing the net number of signs in this area.
- The setback reductions are administrative refinements for which concern has not been raised, including by the neighbouring property owner (Canadian Pacific Railway) who has in fact confirmed no objections to the proposal.
- The Applicant remains open and willing to comply with any proposed restrictions on brightness, hours of operation, and/or other conditions.

Under the circumstances, we respectfully request that the application be referred back to DHSC to allow more fulsome consideration of all information, thus making the process more transparent and reliable.

On behalf of our client, we thank you for allowing us the opportunity to convey our concerns, and we would be more than happy and willing to address any comments or questions you have regarding this matter.

Yours very truly,

ZELINKA PRIAMO LTD.



Harry Froussios, BA, MCIP, RPP
Principal Planner



Connor Wright, MCIP, RPP
Intermediate Planner

cc. North Construction
Target Outdoor

Attachments:

1. Letter to DHSC, by Zelinka Priamo Ltd., dated May 12, 2026.



Attachment 1

Zelinka Priamo Ltd.

LAND USE PLANNERS

Sent via email

May 12, 2026

Development and Heritage Standing Committee (c/o City Clerk)
350 City Hall Square East
Windsor, ON
N9A 6S1

ATTN: The City Clerk

Dear Development and Heritage Standing Committee,

**Re: Development & Heritage Standing Committee May 4, 2026
Item 11.3 SGN-001/25 Application for Sign By-law Amendment
North Construction
2595 Dougall Avenue
Windsor, ON**

Our File: STA/WIN/21-01

Zelinka Priamo Ltd. represents North Construction (the Owner and Applicant) in relation to the Sign By-law Amendment application SGN 001/25 (the 'application') on the property municipally known as 2595 Dougall Avenue (the 'subject lands').

On May 4, 2026, the application was presented to the Development and Heritage Standing Committee (the 'DHSC'), and the Staff recommendation was adopted, which was to deny the application.

We are writing to respectfully express our disappointment with how the application was processed. It is our view that the DHSC was not provided with the full landscape of factual information that would be reasonably expected of a transparent and fair process.

In particular, the Recommendation Report and Administration's presentation did not include the comments that were provided by various departments and agencies in the application circulation process, and provided to us by Staff through correspondence dated January 21, 2026. A copy of Staff's correspondence is attached for your reference.

The Staff report states that these departments and agencies were "circulated for consultation and comments" but did not provide detail as to the contents of these comments, nor was a copy of all comments provided as part of the Staff report. It was evident that the inclusion of the Windsor Police comments in the Applicant presentation was the first time that these comments had been made available for the DHSC's review.

When Administration was questioned about the Windsor Police department's comments on May 4th, Staff concurred that the Windsor Police Department had no concerns with the Application; however, the comments were downplayed by the City Planner and it was speculated that the Police's review was improper, and/or was not adequately considering the facts of the application.

We wholly disagree with the City Planner's interpretation, and fundamentally object to the premise of Administration making assertions about the nature of the Police's comments, while not disclosing the comments directly to the DHSC.

It is not appropriate to speculate or infer the meaning of these comments, particularly when the author of the comments was not present at the meeting to provide insight. Rather, we provide the Windsor Police comment in this letter verbatim for the benefit of the DHSC's review:

V. Windsor Police

The Windsor Police Service has no objections with the proposed amendment to the Sign By-law for this location. From a public safety perspective, the variances being sought are relatively minor, in that they do not deviate significantly from the requirements stipulated in the by-law. While the change from a static style sign to an "electronic changing copy" type of sign introduces the potential to increased distraction for nearby drivers, the distance the sign will be placed from the intersection, along with its visual orientation, is sufficient to minimize this risk. In reviewing the traffic study supporting the application, I feel it objectively clarifies key facts that support approval of the application, including rationale that underscores the outcome will not create public safety concerns/problems.

In our opinion, the Police Service comments are very clear in their understanding of the Application and assessment of any potential risks to public safety. Furthermore, as was stated on May 4th, the Police Service comments should be given utmost consideration in this instance for matters that relate to public safety and driver distraction.

Our concerns with the processing of the application go beyond this example, and in our view, did not represent a fair or transparent process. While we fully respect and recognize the DHSC's decision, we find it necessary to express our disappointment in the way that information was selectively presented, and/or fully obscured from the DHSC when contradictory to Staff's recommendation. Our client has spent considerable time and resources to bring forward an Application that has been carefully considered from a technical perspective, and has continually made efforts to address Staff's concerns relating to driver distraction. The deliberate withholding of comments that do not support Staff's position, respectfully, is an indication that Staff is not confident in its opinion on the Application.

Under the circumstances, we believe that the Application should have been referred back to Staff, simply for the purpose of allowing more fulsome consideration of all information, thus making the process more transparent and reliable. We acknowledge that the DHSC recommendation will be considered by Council, tentatively on May 25th, and we plan on requesting a delegation to speak to this matter further.

On behalf of our client, we thank you for allowing us the opportunity to convey our concerns, and we would be more than happy and willing to address any comments or questions you have regarding this matter.

Yours very truly,

ZELINKA PRIAMO LTD.



Harry Froussios, BA, MCIP, RPP
Principal Planner



Connor Wright, MCIP, RPP
Intermediate Planner

cc. North Construction
Target Outdoor

Attachments:

1. Letter to Applicant, dated January 21, 2026, including comments from various departments and agencies.



January 21, 2026

Zelinka Priamo Ltd. (c/o Connor Wright)
20 Maud Street, Suite 305
Toronto, Ontario
M5V 2M5

RE: PLANNING CONSULTATION FOR SIGN BY-LAW AMENDMENT (SGN)

APPLICANT: NORTH CONSTRUCTION (C/O ANGELO LUNETTA)
FILE NO: SGN-001-2025
LOCATION: 2595 DOUGALL AVENUE, WINDSOR, ON
ROLL NO: 080-010-00700

PROPOSED AMENDMENT: The applicant proposes to amend the Sign By-law No. 250-2004, Section 6.3, to permit an Electronic Changing Copy Billboard Ground Sign at 2595 Dougall Avenue.

SIGN BY-LAW NO. 250-2004, SECTION 6.3: The proposal fails to comply with multiple mandatory provisions, including:

- **Section 6.3.7** – The proposed sign face area of approximately 32.5 m² exceeds the maximum permitted 22.0 m² per sign face.
- **Section 6.3.14(b)** – The proposed side lot line setback of approximately 0.6 m does not meet the minimum required 3.0 m.
- **Section 6.3.17(i)** – Electronic Changing Copy Billboards are prohibited within a 200 m radius of any Poster Billboard; multiple existing billboard ground signs are located within this distance.
- **Table 6.3.1** – Electronic Changing Copy Billboards are prohibited within 110 m of a stop line on roadways with a posted speed limit of 60 km/h. The proposed billboard is approximately 106 m from the stop line and does not meet this requirement.

The prior approval of a static billboard at this location does not establish support for an electronic changing copy billboard, which is subject to more restrictive regulations. Reducing the size or adjusting the location of a non-compliant sign does not bring the proposal into compliance where multiple prohibitions continue to apply.

Given the extent of non-compliance, the requested amendments are **not viable**.

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

Phone: 519-255-6543
Fax: 519-255-6544
planningdept@citywindsor.ca

PLANNING CONSULTATION LETTER, JANUARY 21, 2026 - PAGE 1

A. NOTES TO APPLICANT

I. **Transportation Development**

Transportation does not support the application for this billboard. It does not conform with the prohibitions laid out in table 6.3.1. Particularly when considering the geometry of the road places this billboard directly behind the sightline of on coming motorists.

II. **Canadian Pacific Railway**

CPKC has no objections to the proposed By-Law Amendment allowing for a digital signboard install on adjacent private property. Should the scope of work change to include excavation or aerial intrusion over or on to the CPKC right-of-way, then please contact me directly for further guidance.

III. **Heritage & Archaeology**

Built Heritage:

No concerns or objections.

Archaeology:

The subject property is located within the Archaeological Potential Zone (APZ) (as per the Windsor Archaeological Management Plan, 2024; OPA 181; and 2024 archaeological potential model OP Volume I Schedule C-1). However, the sign by-law variances proposed do not constitute as applicable law under the Ontario Heritage Act for the requirement of an archaeological assessment, therefore, a Stage 1 archaeological assessment is not required. Nevertheless, the Applicant should be notified of the following archaeological precaution while undertaking ground disturbing works.

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 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 & Development Services 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 Public and Business Service Delivery and Procurement

Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures:

Ian Hember, 1-437-244-9840, ian.hember@ontario.ca

IV. **Landscape Architect**

There are no comments from the Landscape Architecture review.

V. **Windsor Police**

The Windsor Police Service has no objections with the proposed amendment to the Sign By-law for this location. From a public safety perspective, the variances being sought are relatively minor, in that they do not deviate significantly from the requirements stipulated in the by-law. While the change from a static style sign to an "electronic changing copy" type of sign introduces the potential to increased distraction for nearby drivers, the distance the sign will be placed from the intersection, along with its visual orientation, is sufficient to minimize this risk. In reviewing the traffic study supporting the application, I feel it objectively clarifies key facts that support approval of the application, including rationale that underscores the outcome will not create public safety concerns/problems.

VI. **ENWIN Utilities Ltd. – Hydro Engineering**

No Objection provided adequate clearances are achieved and maintained.

ENWIN has existing overhead pole lines along the east limits with 27,600 volt primary and 347/600 volt secondary and 120/240 volt secondary hydro distribution.

ENWIN has existing overhead pole lines along the south limits with 347/600 volt secondary hydro distribution.

ENWIN has existing overhead pole lines along the west limits with 347/600 volt secondary hydro distribution.

The developer will be responsible to cover all costs associated with any relocation or removal of ENWIN poles, conductors, and down guys.

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.

VII. **ENWIN Utilities Ltd. – Water Engineering**

ENWIN Water has no objections.

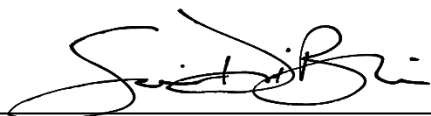
B. CONCLUSION:

Administration reserves the right to request additional information in the future. Additional information may be requested by the Development & Heritage Standing Committee (DHSC) or City Council prior to a final decision being rendered.

This letter will expire on **January 21, 2027**.

If you have any questions regarding the content of this letter or the planning process in general, please contact the Planner by email at sdibiasi@citywindsor.ca.

Sincerely,



Sophia Di Blasi, M.Arch
Planner III – Senior Urban Designer (A)

SD/jc

From: Horrobin, Barry <bhorrobin@windsorpolice.ca>

Sent: Thursday, May 21, 2026 3:36 PM

To: Robertson, Neil <nrobertson@citywindsor.ca>; Di Blasi, Sophia <sdibiasi@citywindsor.ca>

Cc: Campigotto, Jason (He/Him) <jcampigotto@citywindsor.ca>

Subject: RE: May 25 Council: Item 8.14

In light of recent information brought forward by the Transportation Planning and Planning Departments that recommends a denial of the subject application, the Windsor Police Service (WPS) concurs with the recommendation to deny the application for the proposed amendment to the Sign By-law at this location. Our non-objection to the application previously focused on the individual impacts of each variance being sought, rather than looking at all the variances cumulatively and importantly, did not have the benefit of seeing the description of concerns brought forward by Transportation Planning after our comments had already been submitted. Specifically, we would cite the following to offer some applicable clarification:

- There was a reference made that the applicants cited WPS “support” for their application when they addressed the standing committee to seek support/approval of their application. I would like to clarify that my remarks did not cite “support” for their application but rather a “no objection” position. There is a difference and I wanted to make this clear. I did indicate acknowledgment of the traffic study provided that supported the applicant’s position in relation to public safety, but this was before being provided with the valid points raised by the Transportation Planning Department which counter some of those findings.
- In specifically reviewing the detailed points of concern brought forward by the Transportation Planning Department after my comments were first submitted, I would comment as follows:
 - *“The location of the sign along a curved roadway segment and between two signalized intersections”* – WPS concurs with this being a concern as the curved roadway configuration could certainly contribute to driver distraction (a known safety risk).
 - *“The visually complex environment with multiple competing stimuli”* – WPS concurs with this being a concern.
 - *“The introduction of electronic changing copy, which increases the potential for driver distraction”* – WPS agrees with this statement. Furthermore, in this particular instance, while other electronic changing copy signs have been permitted in other locations, this location possesses situationally unique differences that increase risk, as cited by the Transportation Planning Department in their review and assessment.
 - *“The inability to coordinate sign transitions with traffic signal timing”* – WPS concurs with this being a concern.
 - *“The intersection’s ranking in the top 50 high-collision locations in the City (27th out of 295 intersections)”* – WPS concurs with this being a concern.

In light of this additional, pertinent information provided after we had already submitted our remarks for this application, the WPS concurs with the position being taken by both the Transportation Planning and Planning Departments for this application.

Respectfully,

Barry Horrobin

Director of Planning & Physical Resources

Windsor Police Service

bhorrobin@windsorpolice.ca

O: (519) 255-6700, ext. 7051

C: (519) 982-3180



WINDSOR POLICE SERVICE
HONOUR IN SERVICE

**Subject: Additional Information Memo for Report No. S 32/2026;
Amendment to Sign By-law 250-2024 2595 Dougall Ave, SGN-001/25
(Proposed Electronic Changing Copy Billboard Ground Sign) - Ward 10**

Reference:

Date to Council: September 28, 2026
Author: Sophia Di Blasi, M.Arch
Planner III – Urban Design
(519) 255-6543 ext.6820
Planning & Building Services
Report Date: 9/1/2026
Clerk's File #: AB2026

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request by Zelinka Priamo Ltd. on behalf of the applicant (North Construction). to withdraw Report No. S 32/2026, File No. SGN-001/25 **BE RECEIVED**,
- II. THAT council **APPROVE** the withdrawal request; and,
- III. THAT Administration **BE DIRECTED** to close the file(s) pertaining to the subject application.

Additional Information:

The subject application for a Sign By-law Amendment at 2595 Dougall Avenue and Report No. S 32/2026 were previously considered by the Development & Heritage Standing Committee on May 4, 2026 , and City Council on May 25 and June 29, 2026. Council deferred consideration at the request of the applicant, no final decision has been made.

The applicant subsequently requested that the application and report be withdrawn. As a result, no further consideration of this matter is required. The detailed procedural history is provided below.

The Planning Department prepared Report No. S 32/2026 dated May 4, 2026, in response to the Sign By-law Amendment application submitted by Zelinka Priamo Ltd. on behalf of the applicant (North Construction). Report No. S 32/2026 is herein attached as Appendix B to this Memo.

On May 4, 2026, the Development & Heritage Standing Committee (DHSC) considered Report No. S 32/2026 and supported Administration's recommendation to deny the application.

At its meeting held May 25, 2026, City Council considered the report of the DHSC. At the request of Zelinka Priamo Ltd., acting on behalf of the applicant, Council referred the matter to a future meeting to allow all comments received regarding the application to be included as part of the information package and public record. Correspondence dated May 12, 2026, from Zelinka Priamo Ltd., on behalf of the applicant (North Construction), outlining the request for referral is attached as Appendix C to this Memo.

Below is the Committee members' motion in response to the request for referral.

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

Decision Number: CR227/2026 DHSC 819

That the report of the Development & Heritage Standing Committee of its meeting held May 4, 2026 entitled "Amendment to Sign By-law 250-2024 2595 Dougall Ave, SGN001/25 (Proposed Electronic Changing Copy Billboard Ground Sign) - Ward 10" BE REFERRED to a future Council meeting to allow all comments received regarding the application to be included as part of the information package and public record.

Carried.

*Report Number: SCM 147/2026 & S 32/2026
Clerk's File: AB2026*

The matter returned to City Council on June 29, 2026. Prior to Council's consideration, Ian Manser (legal representative for the applicant) requested that the matter be deferred to allow for further review of the application with its new legal counsel. Correspondence dated June 26, 2026, from Ian Manser outlining the request for deferral is attached as Appendix D to this Memo.

Below is the Committee members' motion in response to the request for deferral.

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

Decision Number: CR269/2026 DHSC 819

That the report of the Development and Heritage Standing Committee (DHSC) of its meeting held on May 4, 2026 entitled "Amendment to Sign By-law 250-2024 2595 Dougall Ave, SGN-001/25 (Proposed Electronic Changing Copy Billboard Ground Sign) - Ward 10" BE DEFERRED at least two months to a future meeting of Council to allow the applicant to undertake a further review of the application with their new legal counsel, as outlined in the correspondence dated June 26, 2026.

Carried.

Report Number: SCM 147/2026 S 32/2026

Clerk's File: AB2026

Zelinka Priamo Ltd. on behalf of the applicant (North Construction) is now requesting to formally withdraw the Sign By-law Amendment application **SGN-001/25** and Report No. S 32/2026. As a result, no further consideration of the application is required.

Attached as Appendix A is the correspondence received from Zelinka Priamo Ltd., on behalf of North Construction, requesting the withdrawal of the application and Report No. S 32/2026.

Approvals:

Name	Title
Sophia Di Blasi	Planner III – Urban Design
Jason Campigotto	Deputy City Planner – Growth
John Revell	Chief Building Official
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Jelena Payne for Ray Mensour	Chief Administrative Officer

Appendices:

- 1 Appendix A - Request for Withdrawal
- 2 Appendix B - Report S 32-2026
- 3 Appendix C - Correspondence
- 4 Appendix D - Correspondence dated June 26, 2026



FW: Item 8.11 - June 29, 2026 City Council meeting (Amendment to Sign By-law - 2595 Dougall Ave)

From Haddadin, Nabeela <>

Date Fri 8/28/2026 12:28 PM

To Di Blasi, Sophia <>

Hi Sophia,

Could you please follow up with harry?

If you cannot do that, please direct me to the right person so I can forward this to them.

Thank you

Nabila

From: Harry Froussios - Zelinka Priamo Ltd. <>

Sent: Friday, August 28, 2026 12:07 PM

To: Haddadin, Nabeela <>; clerk@citywindsor.ca

Cc: Info <; roydzeko <>; Ian Manser

<>; Connor Wright - Zelinka Priamo Ltd. <>

Subject: RE: Item 8.11 - June 29, 2026 City Council meeting (Amendment to Sign By-law - 2595 Dougall Ave)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Further to below, we have not received a reply regarding this matter. Please confirm receipt of below and that Application SGN-001/25 has been closed as soon as conveniently possible.

If you have any questions, please call.

Thanks,

Harry Froussios
Zelinka Priamo Ltd.

Summer Hours Alert (Effective July 3rd): Please note that our offices will close at 1:00pm on Fridays. Regular hours will resume following Labour Day.

Please note: I am currently working both in the office and remotely. It is best to reach me via cell phone, or by email.

From: Harry Froussios - Zelinka Priamo Ltd.

Sent: Tuesday, August 25, 2026 4:34 PM

To: 'nhaddadin@citywindsor.ca' <; 'clerk@citywindsor.ca' <clerk@citywindsor.ca> **Cc:** Info <; roydzeko <; 'Ian Manser' <; Connor Wright - Zelinka Priamo Ltd. <>
Subject: FW: Item 8.11 - June 29, 2026 City Council meeting (Amendment to Sign By-law - 2595 Dougall Ave)
Importance: High

Good afternoon,

Further to below and attached, on behalf of our client, North Construction, we formally request withdrawal and cancelation of Application SGN-001/25 (Proposed Electronic Changing Copy Billboard Sign) prior to any further action or consideration by the City of Windsor.

We trust that the above is sufficient for your needs, and request confirmation of receipt of this e-mail and that the above-noted application has been withdrawn.

If you have any questions, or require additional information, please do not hesitate to contact me.

Regards,

Harry Froussios, BA, MCIP, RPP
Principal Planner

ZELINKA PRIAMO LTD.

A Professional Planning Practice
318 Wellington Road
London, ON N6C 4P4

www.zpplan.com



Summer Hours Alert (Effective July 3rd): Please note that our offices will close at 1:00pm on Fridays. Regular hours will resume following Labour Day.

Please note: I am currently working both in the office and remotely. It is best to reach me via cell phone, or by email.

From: Haddadin, Nabeela <>
Sent: Friday, July 10, 2026 1:14 PM
Subject: Item 8.11 - June 29, 2026 City Council meeting

Good afternoon,

Attached please find the **June 29, 2026** City Council meeting decision letter.

Thank you,

N

Nabeela Haddadin | Council Resolutions Coordinator



Council Services Department

350 City Hall Square | 5th floor Suite 530 | Windsor, ON | N9A 6S1

www.citywindsor.ca

Subject: Amendment to Sign By-law 250-2024 2595 Dougall Ave, SGN-001/25 (Proposed Electronic Changing Copy Billboard Ground Sign) - Ward 10

Reference:

Date to Council: May 4, 2026
Author: Sophia Di Blasi, M.Arch
Planner III – Senior Urban Designer
(519) 255-6543 ext 6820
Planning & Building Services
Report Date: 4/8/2026
Clerk's File #: AB2026

To: Mayor and Members of City Council

Recommendation:

- I. THAT the application for a Site-Specific Amendment to By-law 250-2004 (the "Sign By-law"), being a by-law respecting signs and other advertising devices in the City of Windsor, as amended, to allow for the installation of an Electronic Changing Copy Ground Sign at 2595 Dougall Avenue, **BE DENIED**;
- II. THAT the Chief Building Official **SHALL** review the status of any sign permit previously issued for the subject property municipally known as 2595 Dougall Avenue after a period of six (6) months, and that, in the event construction of any sign has not seriously commenced, the permit(s) **MAY BE** revoked in accordance with the applicable provisions of the *Building Code Act* and relevant municipal by-laws; and
- III. THAT Administration **BE DIRECTED** to notify the property owner of the requirement to address the existing illegal fascia wall sign located on the principal building at 2595 Dougall Avenue through the appropriate building permit and sign approval process.

Executive Summary:

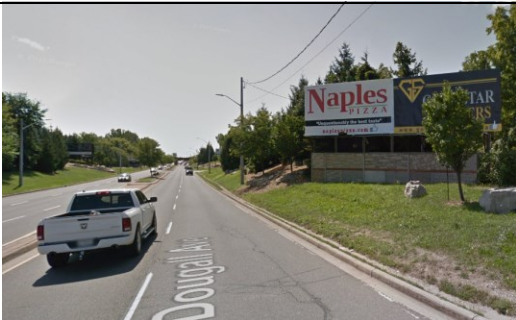
N/A

Background:

The subject property, municipally known as 2595 Dougall Avenue, is located along a major arterial road characterized by a signalized intersection along a curved roadway. The site is adjacent to a railway corridor and is situated within an area containing a concentration of commercial development and existing billboard signage.

The history of signage on the property dates to 1980, when a first-party advertising sign (not a billboard) was originally erected. In 2013, the sign was converted to a billboard without the required permits. As a result, the Building Department issued an Order to Comply and determined that the sign had been both illegally converted to a billboard and located entirely within the public right-of-way. To address this, an encroachment agreement was required. On September 26, 2014, City Council approved an encroachment agreement permitting the billboard within the Dougall Avenue public right-of-way.

In 2019, the segment of Dougall Avenue between Ouellette Place and Grand Marais Road West underwent significant right-of-way improvements. The works included the construction of a multi-use trail along the west side of Dougall Avenue, roadway reconfiguration, and intersection improvements intended to enhance safety and operational performance. To facilitate these improvements, the City terminated the encroachment agreement, and the existing billboard was removed.

	
Figure 1: Traveling South-East along Dougall Ave, 2017	Figure 2: Traveling South-East along Dougall Ave, 2025

Following the completion of the infrastructure works, the property owner applied for a new sign permit in 2020 under Clause 3.7 of Sign By-law 250-2004, which permits the relocation or replacement of signs due to municipal infrastructure projects. This provision forms the basis for permitting a poster billboard on the subject property. A Sign Permit for a single-sided Poster Billboard Ground Sign, with a sign face area of approximately 37.2 m², was subsequently issued on June 19, 2020.

The sign permit remains valid, as no record has been identified indicating that it has expired or been revoked. As such, the applicant may proceed with the previously approved permit to reconstruct the poster billboard, subject to the applicable permitting process and any standard conditions.

The current application seeks a site-specific amendment to permit the conversion of the previously approved poster billboard to an Electronic Changing Copy Billboard Ground Sign. While a poster billboard may be reconstructed in accordance with its permit status, the proposed Electronic Changing Copy Billboard represents a new sign type subject to the current provisions of Sign By-law No. 250-2004. Electronic changing copy billboards are regulated more restrictively than poster billboard signage due to their operational characteristics, visual prominence, and potential impacts on traffic safety.

Discussion:

In February 2025, Zelinka Priamo, contacted the City of Windsor's Building & Planning Departments with a proposal to modify the permit application for a Poster Billboard sign to an Electronic Changing Copy Billboard Ground Sign.

Applicable Sign By-law Framework

Electronic Changing Copy Billboard Ground Signs are subject to specific location, separation, size, and safety-related regulations under Section 6.3 of Sign By-law No. 250-2004, as amended by By-law 93-2024. These provisions include mandatory minimum standards and explicit prohibitions intended to manage cumulative impacts and reduce driver distraction in sensitive roadway environments.

In addition to the location and dimensional requirements set out in Section 6.3, the proposed Electronic Changing Copy Billboard has been reviewed against the traffic safety provisions of Section 10.3 of the sign by-law which establishes that no sign, sign structure, or component part shall distract pedestrians or motorists or reduce the effectiveness of traffic control signs, signals, or devices. The by-law further prohibits signs that, by virtue of their size, shape, location, content, colouring, or manner of illumination, may be confused with or detract from traffic control devices.

The requested site-specific amendment seeks relief from several of these provisions. Administration has reviewed the application against the Sign By-law and finds that the proposal fails to comply with multiple mandatory requirements.

Roadway Context and Visual Environment

The subject site is located within a corridor that has undergone recent and significant transportation infrastructure improvements intended to address longstanding operational and safety concerns. The right-of-way improvements along Dougall Avenue between Ouellette Place and Grand Marais Road West were implemented to address constrained roadway conditions, complex traffic movements, and a history of collision activity in the area.

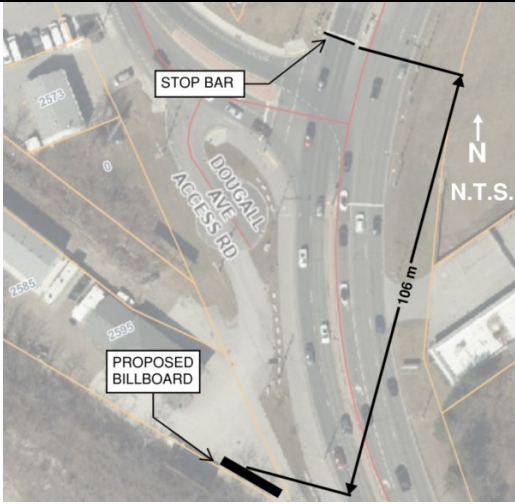
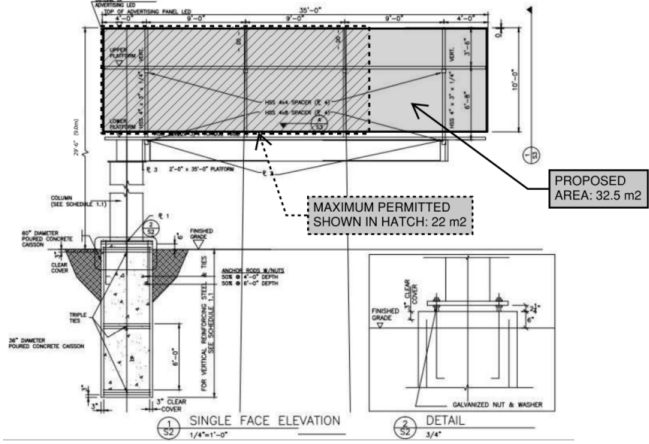
While these improvements have enhanced corridor function, the roadway remains a complex environment characterized by a curved alignment, multiple signalized intersections, adjacent rail infrastructure, and high traffic volumes. The concentration of existing billboard signage and commercial advertising elements further contributes to a visually demanding setting for motorists.

In this context, the introduction of an Electronic Changing Copy Billboard presents an increased potential for driver distraction during critical decision-making moments, particularly when compared to a poster billboard sign. The operational characteristics of electronic changing copy signage, including illumination and message transitions, distinguish it from poster signage and warrant heightened scrutiny under the current Sign By-law framework.

Regulatory Non-Compliance and Prohibitions

The proposed Electronic Changing Copy Billboard Ground Sign does not comply with the following provisions of the Sign By-law:

6.3 Regulations for BILLBOARD GROUND AND WALL SIGNS

Subsection	Requested Amendment
Table 6.3.1 - Prohibited location for erecting ELECTRONIC CHANGING COPY BILLBOARDS Posted Speed Limit (km/hour): 60 Distance after Stop Line (m): 110	 Figure 3: The proposed billboard is approximately 106 m from the stop line and does not meet this requirement.
6.3.7 – Maximum Total Sign Face Area: 22.0 m² per SIGN FACE	 Figure 4: Increase the SIGN FACE to 32.5 m².

Section 6.3.14(b)(ii) – Sign Restrictions:

b) No part of any BILLBOARD GROUND SIGN shall:

ii. Be ERECTED within 3.0 m of a SIDE LOT LINE;

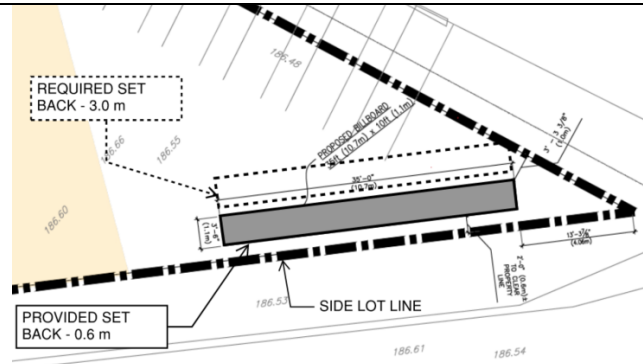


Figure 5: Proposed decrease of the SIDE LOT LINE to 0.6 m.

Section 6.3.17(i) – Prohibitions for ELECTRONIC CHANGE COPY BILLBOARDS:

No part of any ELECTRONIC CHANGING COPY SIGN, that is either a BILLBOARD GROUND or WALL SIGN, shall:

i. Be ERECTED within a 200.0 m radius of any POSTER BILLBOARD SIGN that is a GROUND SIGN or WALL SIGN;

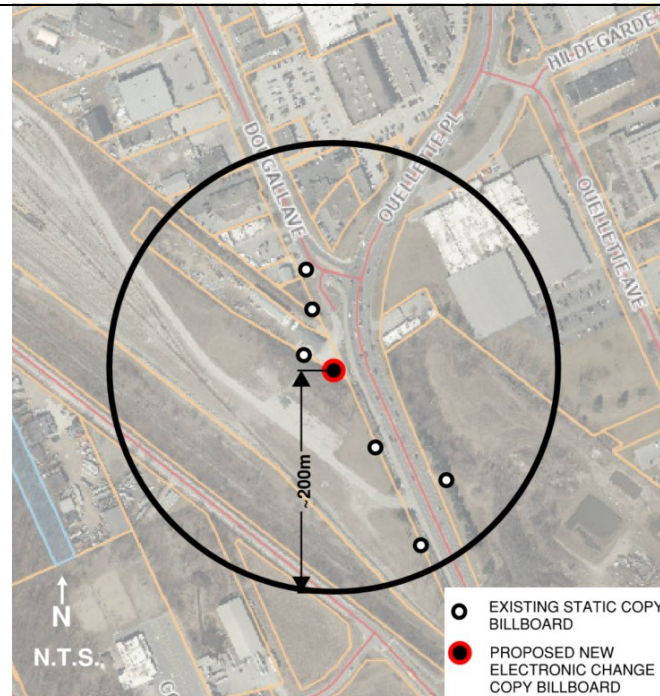


Figure 6: Six (6) existing billboard ground signs are located within the 200.0 m radius of the proposed Electronic Change Copy Ground Billboard.

The infrastructure improvements within the right-of-way introduced signalization at the Ouellette Place and Dougall Avenue intersection. Line of sight to the proposed electronic change copy billboard sign falls immediately between the signal heads, adding an element of distraction at a critical time for south-bound Ouellette Place vehicle motorists, as they approach the intersection on a curved roadway. Reducing the size of the sign or adjusting its location does not resolve the fundamental conflicts created by proximity to traffic control signals and surrounding billboard signage.

Review of Existing On-Site Signage

In addition to the proposed billboard signage, Administration reviewed the existing

signage on the subject property as part of a comprehensive site review. This review identified a fascia wall sign located on the principal building at 2595 Dougall Avenue for which no active sign permit could be confirmed.

This signage matter is separate from the requested site-specific amendment and does not form part of the rationale for the recommended refusal. Administration will address the fascia sign through the appropriate permitting and compliance processes.

Transportation Safety and Location Context

Transportation Planning has reviewed the proposal and does not support the application. The proposed sign location is directly between two traffic signals along a curved segment of Dougall Avenue (see Figure 7), an area characterized by complex traffic movements, turning vehicles, and multiple visual stimuli.



Figure 7: Precise Location of the Billboard, Prepared by CIMA INC., Traffic Study for Billboard Installation at 2595 Dougall Ave in Windsor

The roadway geometry places the proposed sign within the sightline of approaching motorists and within the cone of vision during critical decision-making moments, including intersection approach, turning movements, and pedestrian crossings. The intersection has been designed with additional signal infrastructure due to its complexity, further reflecting the existing sensitivity of this visual environment.

Transportation Planning has identified the following concerns:

- The proposed sign does not meet the minimum 110-metre separation from the stop line, a fixed regulatory requirement.
- The location lies within a complex visual environment where driver attention is already heavily taxed. In addition, this intersection is ranked 27th among the top 50 high collision intersections in the City.
- Electronic changing copy signage introduces periodic visual change and increases the potential for distraction during intersection navigation.
- The analysis provided focuses on limited scenarios and does not adequately account for continuous traffic flow, turning movements, or roadway curvature.
- Signal timing in this corridor is dynamic and cannot be coordinated with the

proposed sign's frame duration; as such, advertisement changes cannot be synchronized with traffic signal phases, increasing the likelihood of visual distraction during critical decision-making moments.

The City remains firmly committed to advancing its Vision Zero objectives, adopted in 2020, which prioritize the elimination of traffic-related fatalities and serious injuries. Introducing additional sources of distraction at an identified high-risk intersection is not aligned with these objectives.

Furthermore, as noted in CIMA's response index, there is no established or widely accepted methodology to quantitatively assess or compare the relative safety impacts of poster versus digital billboards, limiting the ability to conclusively evaluate potential risk in this context.

Based on these factors, Transportation Planning has advised that the proposed electronic changing copy billboard poses an unacceptable safety risk in this location and is not supported.

Distinction between Poster and Electronic Signage

The Sign By-law explicitly distinguishes between poster billboards and electronic changing copy billboards, recognizing their different operational characteristics, visual impacts, and potential influence on driver behaviour. Electronic changing copy billboards are subject to more restrictive standards precisely because they introduce luminance, motion, and periodic visual change.

The prior approval of a poster billboard under an earlier regulatory framework does not establish support for an electronic changing copy billboard under the current by-law.

Risk Analysis:

Approval of a site-specific amendment to permit an Electronic Changing Copy Billboard at this location would introduce both public safety and policy risks.

From a transportation and safety perspective, approval would introduce additional visual stimuli within a complex roadway environment characterized by curved geometry, multiple signalized intersections, and high driver decision-making demands. Given the subject site's location between two signalized intersections along a curved roadway segment, the operational characteristics of an Electronic Changing Copy Billboard, including illumination and message transitions, introduce an elevated risk of driver distraction and visual interference during critical decision-making moments. The operational characteristics of Electronic Changing Copy Billboards increase the potential for driver distraction at a location already requiring heightened driver attention. This presents an increased exposure to safety risk, including the potential for collisions, particularly during critical intersection movements. In this context, the proposed sign does not satisfy the intent of Section 10.3 of the Sign By-law, which prioritizes maintaining clear sightlines, minimizing distraction, and preserving the effectiveness of traffic control devices within complex roadway environments.

From a policy and administrative perspective, approval would establish a challenging precedent for the City in administering and enforcing the provisions of Sign By-law No.

250-2004. Administration has received several applications for Electronic Changing Copy Billboard signage, many of which involve similar non-compliances and require variances or site-specific amendments. Council's decision on the subject application may influence the review and outcome of these and future applications, potentially undermining the intent and effectiveness of the regulatory framework adopted through By-law 93-2024.

Climate Change Risks

Climate Change Mitigation:

Light pollution is a contributing factor to climate change and light levels for LED display signs are regulated by the Sign Bylaw. Automatic brightness controls even out the illumination levels related to the ambient light surrounding the signage. Currently, the Sign By-law does regulate the brightness of illuminated signs in Section 3.3 Illumination Regulations, however Illuminated Electronic Change Copy Billboard Signs create light pollution as they cannot be full cut-off as per CR228/200 Lighting Intensity Standards Study.

Climate Change Adaptation:

LED technology has proven more energy efficient than traditional poster billboard lighting. With climate change and increasing strain on natural resources, limiting carbon footprints is essential. Electronic Change Copy Billboard Signs help to reduce the amount of poster waste entering our landfills and recycling plants but however have other risks from climate perspectives.

Financial Matters:

There are no direct matters of financial consequence to the Corporation of the City of Windsor arising from the recommendations of this application for an amendment.

Consultations:

Several municipal departments and external agencies were circulated for consultation and comments, including Transportation Planning, Traffic Operations, Engineering, Planning and Building Services, Windsor Police Services, CPKC Rail, ENWIN Utilities, and the Legal Department, to address the variances, restrictions and prohibitions, related to this proposal.

Administration met with the applicant, property owner and agent, on multiple occasions to review the application and discuss identified concerns. Primary issues associated with the proposal relate to transportation safety. In response, the City's Manager of Transportation Planning & Design completed a detailed technical review and mark-up of the applicant's Traffic Study. The resulting review and comment matrix has been provided in Appendix C for Council's consideration.

Conclusion:

The proposed Electronic Changing Copy Billboard Ground Sign at 2595 Dougall Avenue does not comply with multiple provisions and prohibitions of Sign By-law No. 250-2004. The proposal introduces increased safety risks due to its location within a complex roadway environment and fails to meet minimum separation distances

established to mitigate driver distraction.

The previously approved poster billboard does not establish support for an electronic changing copy billboard, and approval of the requested amendment would create an undesirable precedent that undermines the intent of the City's Sign By-law framework.

Planning Act Matters:

N/A

Approvals:

Name	Title
Sophia Di Blasi	Planner III – Senior Urban Designer
Jason Campigotto	Deputy City Planner – Growth (A)
John Revell	Chief Building Official
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email
North Construction (c/o Angelo Lunetta)		
Zelinka Priamo (c/o Connor Wright)		

Appendices:

- 1 Appendix A – Application
- 2 Appendix B – Traffic Study Prepared by CIMA+
- 3 Appendix C – Review of Traffic Study by Manager of Transportation Planning & Design and Response Comment Matrix by CIMA+
- 4 Appendix D – Approved 2020 Permit for a Poster Billboard at 2595 Dougall Ave

Sent via email

May 12, 2026

Development and Heritage Standing Committee (c/o City Clerk)
350 City Hall Square East
Windsor, ON
N9A 6S1

ATTN: The City Clerk

Dear Development and Heritage Standing Committee,

Re: Re: Development & Heritage Standing Committee May 4, 2026
Item 11.3 SGN-001/25 Application for Sign By-law Amendment
North Construction
2595 Dougall Avenue
Windsor, ON
Our File: STA/WIN/21-01

Zelinka Priamo Ltd. represents North Construction (the Owner and Applicant) in relation to the Sign By-law Amendment application SGN 001/25 (the 'application') on the property municipally known as 2595 Dougall Avenue (the 'subject lands').

On May 4, 2026, the application was presented to the Development and Heritage Standing Committee (the 'DHSC'), and the Staff recommendation was adopted, which was to deny the application.

We are writing to respectfully express our disappointment with how the application was processed. It is our view that the DHSC was not provided with the full landscape of factual information that would be reasonably expected of a transparent and fair process.

In particular, the Recommendation Report and Administration's presentation did not include the comments that were provided by various departments and agencies in the application circulation process, and provided to us by Staff through correspondence dated January 21, 2026. A copy of Staff's correspondence is attached for your reference.

The Staff report states that these departments and agencies were "circulated for consultation and comments" but did not provide detail as to the contents of these comments, nor was a copy of all comments provided as part of the Staff report. It was evident that the inclusion of the Windsor Police comments in the Applicant presentation was the first time that these comments had been made available for the DHSC's review.

When Administration was questioned about the Windsor Police department's comments on May 4th, Staff concurred that the Windsor Police Department had no concerns with the Application; however, the comments were downplayed by the City Planner and it was speculated that the Police's review was improper, and/or was not adequately considering the facts of the application.

We wholly disagree with the City Planner's interpretation, and fundamentally object to the premise of Administration making assertions about the nature of the Police's comments, while not disclosing the comments directly to the DHSC.

It is not appropriate to speculate or infer the meaning of these comments, particularly when the author of the comments was not present at the meeting to provide insight. Rather, we provide the Windsor Police comment in this letter verbatim for the benefit of the DHSC's review:

V. Windsor Police

The Windsor Police Service has no objections with the proposed amendment to the Sign By-law for this location. From a public safety perspective, the variances being sought are relatively minor, in that they do not deviate significantly from the requirements stipulated in the by-law. While the change from a static style sign to an "electronic changing copy" type of sign introduces the potential to increased distraction for nearby drivers, the distance the sign will be placed from the intersection, along with its visual orientation, is sufficient to minimize this risk. In reviewing the traffic study supporting the application, I feel it objectively clarifies key facts that support approval of the application, including rationale that underscores the outcome will not create public safety concerns/problems.

In our opinion, the Police Service comments are very clear in their understanding of the Application and assessment of any potential risks to public safety. Furthermore, as was stated on May 4th, the Police Service comments should be given utmost consideration in this instance for matters that relate to public safety and driver distraction.

Our concerns with the processing of the application go beyond this example, and in our view, did not represent a fair or transparent process. While we fully respect and recognize the DHSC's decision, we find it necessary to express our disappointment in the way that information was selectively presented, and/or fully obscured from the DHSC when contradictory to Staff's recommendation. Our client has spent considerable time and resources to bring forward an Application that has been carefully considered from a technical perspective, and has continually made efforts to address Staff's concerns relating to driver distraction. The deliberate withholding of comments that do not support Staff's position, respectfully, is an indication that Staff is not confident in its opinion on the Application.

Under the circumstances, we believe that the Application should have been referred back to Staff, simply for the purpose of allowing more fulsome consideration of all information, thus making the process more transparent and reliable. We acknowledge that the DHSC recommendation will be considered by Council, tentatively on May 25th, and we plan on requesting a delegation to speak to this matter further.

On behalf of our client, we thank you for allowing us the opportunity to convey our concerns, and we would be more than happy and willing to address any comments or questions you have regarding this matter.

Yours very truly,

ZELINKA PRIAMO LTD.



Harry Froussios, BA, MCIP, RPP
Principal Planner



Connor Wright, MCIP, RPP
Intermediate Planner

cc. North Construction
Target Outdoor

Attachments:

1. Letter to Applicant, dated January 21, 2026, including comments from various departments and agencies.



January 21, 2026

Zelinka Priamo Ltd. (c/o Connor Wright)
20 Maud Street, Suite 305
Toronto, Ontario
M5V 2M5

RE: PLANNING CONSULTATION FOR SIGN BY-LAW AMENDMENT (SGN)

APPLICANT: NORTH CONSTRUCTION (C/O ANGELO LUNETTA)
FILE NO: SGN-001-2025
LOCATION: 2595 DOUGALL AVENUE, WINDSOR, ON
ROLL NO: 080-010-00700

PROPOSED AMENDMENT: The applicant proposes to amend the Sign By-law No. 250-2004, Section 6.3, to permit an Electronic Changing Copy Billboard Ground Sign at 2595 Dougall Avenue.

SIGN BY-LAW NO. 250-2004, SECTION 6.3: The proposal fails to comply with multiple mandatory provisions, including:

- **Section 6.3.7** – The proposed sign face area of approximately 32.5 m² exceeds the maximum permitted 22.0 m² per sign face.
- **Section 6.3.14(b)** – The proposed side lot line setback of approximately 0.6 m does not meet the minimum required 3.0 m.
- **Section 6.3.17(i)** – Electronic Changing Copy Billboards are prohibited within a 200 m radius of any Poster Billboard; multiple existing billboard ground signs are located within this distance.
- **Table 6.3.1** – Electronic Changing Copy Billboards are prohibited within 110 m of a stop line on roadways with a posted speed limit of 60 km/h. The proposed billboard is approximately 106 m from the stop line and does not meet this requirement.

The prior approval of a static billboard at this location does not establish support for an electronic changing copy billboard, which is subject to more restrictive regulations. Reducing the size or adjusting the location of a non-compliant sign does not bring the proposal into compliance where multiple prohibitions continue to apply.

Given the extent of non-compliance, the requested amendments are **not viable**.

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

Phone: 519-255-6543
Fax: 519-255-6544
planningdept@citywindsor.ca

A. NOTES TO APPLICANT

I. **Transportation Development**

Transportation does not support the application for this billboard. It does not conform with the prohibitions laid out in table 6.3.1. Particularly when considering the geometry of the road places this billboard directly behind the sightline of on coming motorists.

II. **Canadian Pacific Railway**

CPKC has no objections to the proposed By-Law Amendment allowing for a digital signboard install on adjacent private property. Should the scope of work change to include excavation or aerial intrusion over or on to the CPKC right-of-way, then please contact me directly for further guidance.

III. **Heritage & Archaeology**

Built Heritage:

No concerns or objections.

Archaeology:

The subject property is located within the Archaeological Potential Zone (APZ) (as per the Windsor Archaeological Management Plan, 2024; OPA 181; and 2024 archaeological potential model OP Volume I Schedule C-1). However, the sign by-law variances proposed do not constitute as applicable law under the Ontario Heritage Act for the requirement of an archaeological assessment, therefore, a Stage 1 archaeological assessment is not required. Nevertheless, the Applicant should be notified of the following archaeological precaution while undertaking ground disturbing works.

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 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 & Development Services 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 Public and Business Service Delivery and Procurement

Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures:

Ian Hember, 1-437-244-9840, ian.hember@ontario.ca

IV. **Landscape Architect**

There are no comments from the Landscape Architecture review.

V. **Windsor Police**

The Windsor Police Service has no objections with the proposed amendment to the Sign By-law for this location. From a public safety perspective, the variances being sought are relatively minor, in that they do not deviate significantly from the requirements stipulated in the by-law. While the change from a static style sign to an "electronic changing copy" type of sign introduces the potential to increased distraction for nearby drivers, the distance the sign will be placed from the intersection, along with its visual orientation, is sufficient to minimize this risk. In reviewing the traffic study supporting the application, I feel it objectively clarifies key facts that support approval of the application, including rationale that underscores the outcome will not create public safety concerns/problems.

VI. **ENWIN Utilities Ltd. – Hydro Engineering**

No Objection provided adequate clearances are achieved and maintained.

ENWIN has existing overhead pole lines along the east limits with 27,600 volt primary and 347/600 volt secondary and 120/240 volt secondary hydro distribution.

ENWIN has existing overhead pole lines along the south limits with 347/600 volt secondary hydro distribution.

ENWIN has existing overhead pole lines along the west limits with 347/600 volt secondary hydro distribution.

The developer will be responsible to cover all costs associated with any relocation or removal of ENWIN poles, conductors, and down guys.

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.

VII. **ENWIN Utilities Ltd. – Water Engineering**

ENWIN Water has no objections.

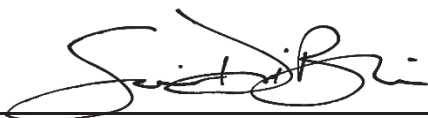
B. CONCLUSION:

Administration reserves the right to request additional information in the future. Additional information may be requested by the Development & Heritage Standing Committee (DHSC) or City Council prior to a final decision being rendered.

This letter will expire on **January 21, 2027**.

If you have any questions regarding the content of this letter or the planning process in general, please contact the Planner by email at sdibiasi@citywindsor.ca.

Sincerely,



Sophia Di Blasi, M.Arch
Planner III – Senior Urban Designer (A)

SD/jc

MOUSSEAU DELUCA
MCPHERSON PRINCE LLP
BARRISTERS & SOLICITORS

LEON Z. MCPHERSON, Q.C. (1934-1989)
WALTER H. PRINCE, LL.D., Q.C. (1955-2005)
THOMAS R. PORTER, B.A., LL.B.
ILIAS KIRITSIS, LL.B., J.D.
JENNIFER SIMPSON ROOKE, B.A.(HON.), LL.B.
JOHN P. CORRENT, B.A., LL.B.
JOSEPH R. DE LUCA, B.A.(HON), LL.B.
IAN MANSER, B.A. (HON.), J.D.

MAX N. MOUSSEAU, Q.C. (1949-1988)
ARMANDO F. DELUCA, O.ONT., Q.C. (1965-2011)
RICHARD LEE POLLOCK, B.P.A., LL.B.
JEFFREY W. NANSON, B.SC.(HON.), LL.B.
ZUZANA (SUE) SZASZ, B.A.(HON.), J.D.
JOHN MACRI, B.A., LL.B.
MITCHELL R. J. WITTEVEEN, B.A. (HON.), M.A., J.D.

June 26, 2026

Office of the City Clerk
The Corporation of the City of Windsor
350 City Hall Square West, Room 530
Windsor, Ontario N9A 6S1

ATTN: City of Windsor Council

Dear Sir/Madam:

Re: City of Windsor Council Meeting June 29, 2026
Item 8.11 – SGN-001/25 Application for Sign By-law Amendment (the
“Application”)
North Construction (the “Applicant”)
2595 Dougall Avenue
Windsor, ON

Our File: JC-26-082

We write you to request a two-month deferral of the above-referenced agenda item to be heard at the City of Windsor Council (“**Council**”) meeting to be held Monday, June 29, 2026 at 10:00 AM, for the reasons that follow:

1. Our office has recently been retained by the Applicant to review and advance their Application, with the undersigned as primary counsel on the matter. Due to prior court commitments, I am unable to attend the Council meeting on June 29, 2026. Additionally, having only recently been retained, we require time to complete a fulsome review of the Application and provide appropriate legal advice to the Applicant.
2. Further, following the denial of the Application at the Development & Heritage Standing Committee (“**Committee**”) meeting held Monday May 5, 2026 at 4:30 PM, the Applicant has raised a number of procedural fairness issues, the substance and validity of which we must review prior to advancing any such arguments before Council.
3. Last, notwithstanding and without prejudice to the Applicant’s position, the Applicant is considering revising the Application to address the concerns raised by administration and Committee. These revisions will take some time, and additional consultation with administration may be required.

For the reasons above, and to allow the Applicant to advance their strongest Application, we respectfully request that this matter be deferred to the next Council meeting following two months from June 29, 2026. The Applicant has invested significant time and financial resources into this

SUITE 200, 525 WINDSOR AVENUE • WINDSOR, ONTARIO N9A 1J4 • TELEPHONE (519) 258-1236 • FAX (519) 977-1173
BELLE RIVER OFFICE • BOX 279, UNIT 4, 473 NOTRE DAME STREET • BELLE RIVER, ONTARIO N0R 1A0 • TELEPHONE (519) 728-2912
lawyers@mousseaulaw.com • www.mousseaulaw.com

matter, and is committed to advancing a viable Application.

I trust the foregoing is satisfactory and should you have any questions or wish to discuss this matter further, please do not hesitate to contact me at your convenience. Please advise the undersigned if you are able to facilitate this request.

Yours truly,



IAN MANSER



Committee Matters: SCM 293/2026

Subject: Zoning By-law Amendment Application for 466 California Avenue, Z-014/26 [ZNG-7375], Ward 2

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

Decision Number: **DHSC 864**

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

36. EAST SIDE OF CALIFORNIA AVENUE BETWEEN FANCHETTE STREET AND WYANDOTTE STREET WEST

For the lands comprising Lots 58 & 59, Block A, Plan 50 (PIN 01232-0280 LT), for a *Double Duplex Dwelling* the following additional provisions shall apply:

- a) *Lot Width: minimum 15.0 m*
- b) *Lot Area: minimum 510.0 m²*
- c) *Lot Coverage: maximum 49.0%*
- d) *Building Height: Main Building: maximum 9.5 m*
- e) Notwithstanding Section 24.26.5, a *parking space* is permitted in a *required front yard*.

[ZDM 3; ZNG/7375]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 58 & 59, Block A, Plan 50 (PIN 01232-0280 LT), situated at the east side of California Avenue between Fanchette Street and Wyandotte Street West from RD2.1 to RD2.2x(36).

Carried.

Report Number: S 89/2026
Clerk's File: Z/15202

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.1 from the Development & Heritage Standing Committee held on September 1, 2026.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20260902/-1/11659>

Subject: Zoning By-law Amendment Application for 466 California Avenue, Z-014/26 [ZNG-7375], Ward 2

Reference:

Date to Council: September 1, 2026
Author: Brian Nagata, MCIP, RPP
Planner III - Development (A)
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: 7/23/2026
Clerk's File #: Z/15202

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:

36. EAST SIDE OF CALIFORNIA AVENUE BETWEEN FANCHETTE STREET AND WYANDOTTE STREET WEST

For the lands comprising Lots 58 & 59, Block A, Plan 50 (PIN 01232-0280 LT), for a *Double Duplex Dwelling* the following additional provisions shall apply:

- a) *Lot Width: minimum 15.0 m*
- b) *Lot Area: minimum 510.0 m²*
- c) *Lot Coverage: maximum 49.0%*
- d) *Building Height: Main Building: maximum 9.5 m*
- e) Notwithstanding Section 24.26.5, a *parking space* is permitted in a *required front yard*.

[ZDM 3; ZNG/7375]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 58 & 59, Block A, Plan 50 (PIN 01232-0280 LT), situated at the east side of California Avenue between Fanchette Street and Wyandotte Street West from RD2.1 to RD2.2x(36).

Executive Summary:

N/A

Background:**Application Information:**

Location: 466 California Avenue

Legal: (Lots 58 & 59, Block A, Plan 50; PIN 01232-0280 LT)

Roll No. 050-110-09100

Ward: 2 **Planning District:** River West **Zoning District Map:** 3

Applicant: Borys Sozanski

Owner: Same as Applicant

Agent: **Oakview Land Use Planning (Robert Brown)**

Proposal: Construct a two-storey double duplex dwelling while retaining the existing driveways from California Avenue and the rear alley.

Requested Amendment: Change existing Residential District 2.1 (RD2.1) zoning to Residential District 2.2 (RD2.2) with a zoning exception.

Submissions: All documents are available [online](#) on the City's website.

Attached to this Report: Conceptual Plans (Appendix A)

Not attached to this Report: Planning Justification Report and Zoning By-law Amendment Application

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District 2.1 (RD2.1)	Single Dwelling Unit	Agricultural
Lot Width	Lot Depth	Lot Area	Lot Shape
15.2 m	33.7 m	513.3 m ²	Rectangular
<i>All measurements are based on Registered Plan 50</i>			

Neighbourhood:

The subject property sits on the eastern side of the River West neighbourhood. The River West neighbourhood constitutes the area north of Tecumseh Road West, east of Huron Church Road, south of the Detroit River and west of the Canadian Pacific Railway corridor.

Surrounding Land Uses				
Land Use	North	East	South	West
Commercial			x	
Community Centre/Library		x		x
Institutional			x	
Mixed Use Corridor			x	
Parks	x			
Residential - Low Profile	x	x	x	
School - Elementary			x	
School - Secondary			x	
School - Post Secondary			x	x

Municipal Infrastructure			
Land Use	California Avenue	Alley	Walking Distance
Curbs & Gutters	Y		
Lanes	2		
Sidewalks	Y		
Streetlights	Y		
Bike Route	Y		Y
Transit Route	N		Y
Multi-Use Trail	N		N
On-Street Parking (Residential Permit)	Y		
Sanitary Sewer	Y	N	
Storm Sewer	Y	N	
Watermain	Y	N	
Hydro	N	Y	

Consultations:

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. Appendix F includes a record of comments received.

There are no objections to the proposed amendment.

On February 12, 2026, the Applicant hosted an in-person public open house at the Windsor International Aquatic & Training Centre and notified owners of properties within 200 metres of the subject property. Three residents attended. The Applicant did not receive any comments by phone, letter, or email.

Section 3 of the PJR summarizes the comments and questions, along with their corresponding responses.

Comments received were taken into consideration when preparing this report.

The City published a statutory notice in the Windsor Star, and mailed a courtesy notice to property owners and residents within 200 metres of the subject property.

Anticipated Change Based on Recommendations:

Issue	Existing Conditions / Permissions	Proposed / Recommended	Change	Study / Report Submitted
Land Use	Single Unit Dwelling	Double Duplex Dwelling	Net increase of three dwelling units	YES (Planning Justification Report)
Transportation	Single Unit Dwelling	Double Duplex Dwelling	No significant change in vehicle trips	NO (Transportation Impact Statement not required)
Required Parking	Minimum of four spaces required for a Double Duplex Dwelling	Existing two-car driveway from California Avenue and four-car driveway from the rear alley are being maintained	No change	NO (Parking Study not required)
Stormwater	Natural site drainage	A stormwater drainage system must be installed in accordance with the requirements of the building permit to construct the double duplex dwelling	Restricted to the pre-development release rate	NO (Functional Service Report not required)





PART OF ZONING DISTRICT MAP 3

N.T.S.

REZONING

Applicant: Borys Sozanski

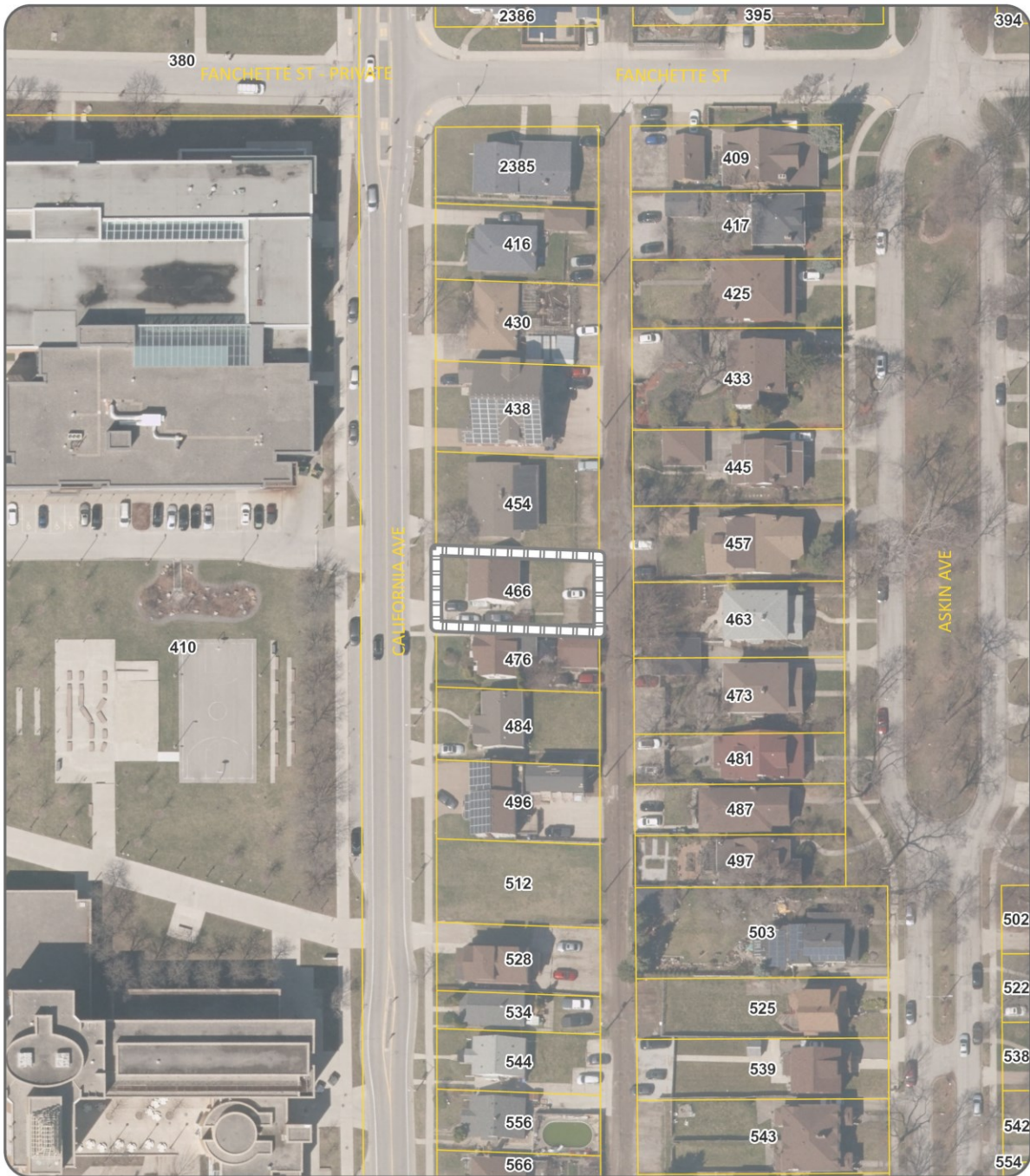


SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2026
FILE NO. : Z-014-26, ZNG-7375



NEIGHBOURHOOD MAP - Z-014/26 [ZNG-7375]



SUBJECT LANDS

Discussion:

Planning Justification Report (Robert Brown, MCIP, RPP, Oakview Land Use Planning, March 23, 2026)

The Planning & Development Services Department generally concurs with the planning analysis, summary, and conclusions contained within the Planning Justification Report (PJR).

The PJR concludes that the subject lands are located within an area undergoing significant transition due to its proximity to the University. The neighbourhood has experienced residential dwelling conversions, the development of larger purpose-built student housing projects, and the removal of existing dwellings to facilitate land assembly and accommodate future redevelopment opportunities. These changes have contributed to an increased supply of housing near the campus, supporting a more compact urban form while providing students with convenient access to active transportation options and public transit.

In this context, the proposed Zoning By-law Amendment represents good land use planning by facilitating appropriate residential intensification in an area where continued growth and redevelopment are anticipated. The proposal is consistent with the evolving character of the neighbourhood and aligns with the City of Windsor's broader planning objectives for lands surrounding the University. As such, Administration supports the requested amendment.

Provincial Planning Statement 2024 (PPS):

The defined role of the Provincial Planning Statement, 2024 (the "PPS") is to provide *"policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS 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."*

Appendix C lists policies of the PPS that are considered relevant in discussing provincial interests related to this amendment.

The Planning Department found this amendment to be consistent with the above policies.

Official Plan (OP):

The subject parcel is designated Residential on Schedule D: Land Use of the OP. Section 2 of the PJR provides a review and analysis of the applicable OP policies, including locational criteria, servicing, parking, and compatibility. It concludes that the proposed development conforms to the OP.

The Planning & Development Services Department concurs with the analysis in the PJR and that the recommended amendment to Zoning By-law 8600 conforms to the overall policy direction of the OP.

City of Windsor Intensification Guidelines:

The subject property is situated within a Stable Neighbourhood designated for Low Profile development, which includes single-detached, semi-detached, duplex, townhome, and multiple dwelling forms generally not exceeding three storeys in height.

Section 2.3 of the City of Windsor Intensification Guidelines encourages modest infill development that is compatible with the established neighbourhood pattern while recognizing that new development need not replicate existing architectural styles, designs, or materials. The intent is to ensure that infill development integrates with the existing context, coexists harmoniously with surrounding land uses, and does not result in undue adverse impacts on neighbouring properties.

The guidelines further emphasize that new development should be sensitively integrated into the neighbourhood through compatible building design, scale, massing, materials, and architectural features, while minimizing impacts related to shadowing, privacy, and access to sunlight.

The Planning & Development Services Department has evaluated the proposed development against the applicable Intensification Guidelines and is satisfied that it is compatible with the surrounding neighbourhood context. The proposal is consistent with the established and evolving character of the area, will not result in undue adverse impacts on adjacent properties, and conforms to the intent of the City of Windsor Intensification Guidelines.

Zoning By-Law

The subject property is within an RD2.1 zone of Zoning By-law 8600, which does not permit a double duplex dwelling use.

The Applicant is requesting an amendment to change the existing zoning to RD2.2 with a zoning exception to facilitate the proposed development. The RD2.2 zone permits a broader range of low-density residential uses, including a double duplex dwelling, a multiple dwelling containing a maximum of four dwelling units, and a townhome dwelling, in addition to the duplex dwelling, semi-detached dwelling, and single-unit dwelling uses permitted in the RD2.1 zone. The proposed zoning is appropriate for the subject property, represents a logical extension of the permitted residential uses in the area, and is compatible with both the existing and permitted land uses in the surrounding area.

Proposed Zoning Exception 36 establishes the following site-specific provisions for a double duplex dwelling use:

Clause a) reduces the minimum lot width requirement from 18.0 metres to 15.0 metres. The requested reduction in minimum lot width is appropriate and desirable as it reflects the established development pattern within the surrounding block. The 15 residential properties on the block have lot widths ranging from approximately 7.6 metres to 19.8 metres, with an average width of 14.6 metres. As the proposed lot width is generally consistent with and slightly exceeds the average lot width in the immediate area, the

relief will maintain compatibility with the character of the neighbourhood and will not result in a lot that is out of scale with surrounding properties.

Clause b) reduces the minimum lot area requirement from 540.0 m² to 510.0 m². The requested reduction in minimum lot area from 540.0 m² to 510.0 m² is appropriate and desirable given the existing lot fabric in the area. The 15 residential properties within the block have lot areas ranging from approximately 250.1 m² to 648.5 m², with an average lot area of 480.9 m². The proposed lot area exceeds the average lot area of existing properties and remains sufficient to accommodate residential development while maintaining appropriate setbacks, landscaping, and amenity space. The relief recognizes the prevailing lot configuration in the area and is not expected to create any adverse land use planning impacts.

Clause c) increases the maximum lot coverage from 45.0% to 49.0% to permit an additional 18.2 m² of lot coverage, comprising 7.0 m² of additional building area (representing a 0.6-metre increase in building length to account for the smaller lot size) and two porches measuring 5.6 m² each at the front and rear entrances, which provide architectural detail and serve as visual focal points for the dwelling. No relief is requested from the minimum front yard depth, rear yard depth, or side yard width requirements.

Clause d) proposes an increase in the maximum permitted main building height from 9.0 metres to 9.5 metres. The surrounding block contains a mix of one-, two-, and three-storey dwellings, reflecting a varied built form that has evolved over time. The neighbourhood developed incrementally between 1925 and 2012, resulting in a diverse range of building heights and architectural styles.

Clause e) removes the prohibition on locating a parking space within a required front yard to recognize the existing two-car driveway with access from California Avenue.

No other zoning deficiencies have been identified or supported.

Appendix E includes relevant excerpts from Zoning By-law 8600.

Appendix G includes a Draft Amending By-law. 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 to 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:

Residential intensification minimizes the community's greenhouse gas emissions. Development within existing communities and neighbourhoods, while using existing infrastructure such as sewers, sidewalks, and public transit, helps mitigate development impacts.

Situating development in areas with access to active transportation and transit increases the likelihood that residents will use various non-vehicular means of utilitarian transportation, thereby collectively reducing greenhouse gas emissions within the City of Windsor.

Climate Change Adaptation:

Climate change may affect the new building, particularly through increased extreme precipitation and more days with temperatures above 30 °C. Although this report does not address these issues in detail, any new construction must comply with the current provisions of the Building Code, which the building permit process will enforce. The project must also incorporate best practices for stormwater management.

Financial Matters:

N/A

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 Planning & Development Services Department evaluated the recommended zoning amendment to ensure it is consistent with the PPS and conforms to the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent with the PPS, conforms to 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:

Brian Nagata, MCIP, RPP
Planner III - Development (A)

I concur with the above comments and opinion of the Registered Professional Planner.

Laura Diotte, MCIP, RPP
Deputy City Planner - Development (A)

I am not a Registered Professional Planner and have reviewed as a Corporate Team Leader

JP

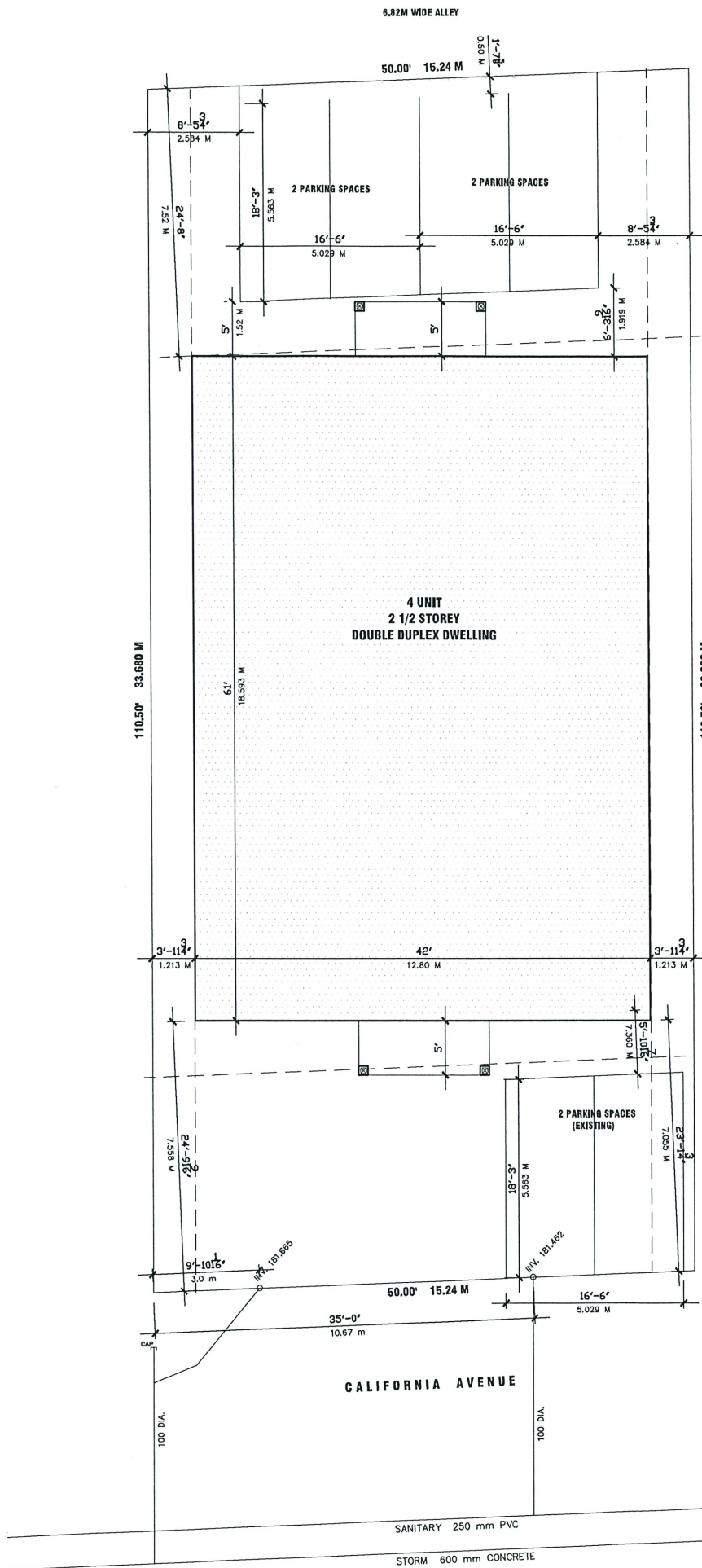
RM

Approvals:

Name	Title
Brian Nagata	Planner III - Development (A)
Laura Diotte	Deputy City Planner – Development (A)
Kate Tracey	Deputy City Solicitor
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Jelena Payne for Ray Mensour	Chief Administrative Officer

Appendices:

- 1 Appendix A - Conceptual Plan
- 2 Appendix B - Site Photos
- 3 Appendix C - Excerpts from PPS 2024
- 4 Appendix D - Excerpts from Official Plan
- 5 Appendix E - Excerpts Zoning By-law 8600
- 6 Appendix F - Consultations
- 7 Appendix G - Draft Amending By-law



SITE AREA	6620.74 SF	612.894 SM
BUILDING AREA	2562.0 SF	238.018 SM
COVERED PORCH	120.0 SF	11.148 SM
TOTAL AREA	2682.0 SF	249.166 SM
LOT COVERAGE	48.580 %	

GROSS BUILDING AREA:		
THREE FLOORS	7686.0 SF	714.053 SM

PROPOSED SITE PLAN

466 CALIFORNIA AVENUE

City Council Meeting Agenda - Monday, September 28, 2026
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MAY 9, 2026
DECEMBER 28, 2025

APPENDIX “B”
Site Photos
(Google Street View - June 2025)



Figure 1 - Looking east towards the subject property from California Avenue



*Figure 2 - Looking northeast towards the subject property (pink house) from California Avenue
(University of Windsor - Toldo Building on left)*



*Figure 3 - Looking southeast towards the subject property (pink house) from California Avenue
(University of Windsor - Toldo Building on right)*

APPENDIX “C”

Excerpts from Provincial Planning Statement 2024 (PPS)

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

6. Planning authorities should support the achievement of complete communities by:
 - a. accommodating an appropriate range and mix of land uses, housing options, ... to meet long-term needs;

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. permitting and facilitating:
 1. all types of residential intensification, including the ... development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
 - b. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
 - c. requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.
2. 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; and
 - d. are transit-supportive, as appropriate.

3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:
 - a. support the achievement of compact, transit-supportive, and complete communities;

Chapter 3: Infrastructure and Facilities

3.6 Sewage, Water and Stormwater

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.

APPENDIX “D”

Excerpts from the Official Plan

6. Land Use

6.1 Goals

In keeping with the Strategic Directions, Council’s land use goals are to achieve:

<i>NEIGHBOURHOODS</i>	6.1.1	Safe, caring and diverse neighbourhoods.
<i>RESIDENTIAL</i>	6.1.3	Housing suited to the needs of Windsor’s residents.
<i>RESIDENTIAL INTENSIFICATION</i>	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. (added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

6.2 General Policies

<i>TYPES OF DEVELOPMENT PROFILE</i>	6.2.1.2	For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan: (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;
<i>TYPES OF DEVELOPMENT PATTERN</i>	6.2.1.3	For the purpose of this Plan, Development Pattern refers to an area bounded by the nearest Collector and/or Arterial roads and/or other major linear physical features. Accordingly, two categories of Development Pattern are provided for: (a) a Neighbourhood which exhibits a characteristic lotting and/or development profile; and (b) an Undeveloped Area which does not have characteristic lotting or development profile.

6.3 Residential

The lands designated as “Residential” on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided.

The following objectives and policies establish the framework for development decisions in Residential areas.

6.3.1 Objectives

<i>RANGE OF FORMS & TENURES</i>	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
<i>NEIGHBOURHOODS</i>	6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.

6.3.2 Policies

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

<i>TYPES OF LOW PROFILE HOUSING</i>	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.
<i>LOCATIONAL CRITERIA</i>	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
 - (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;
- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and

11 Tools

This chapter was amended as part of Official Plan Amendments #84 as part of a 5-year review of the Official Plan. Official Plan Amendment #84 was approved by the Ministry of Municipal Affairs and Housing on 07/09/2012.

11.6 Zoning

A municipality can regulate the use and development of lands, buildings and other structures under the zoning provisions of the *Planning Act*.

11.6.1 Objectives

COMPATIBLE USES 11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies

AMENDMENTS
MUST CONFORM 11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

*REVIEW
PROCEDURE*

- 11.6.3.2 All applications for Zoning By-law amendments shall be processed in accordance with the provisions of the *Planning Act*, and regulations pursuant thereto, and the procedural requirements of this Plan. In general, after an applicant's pre-application consultation meeting with municipal staff and submission of an application that is determined to be complete, all applications shall: **Added by OPA 65 – 10/22/2007– By-law 192-2007**
- (a) Be circulated to appropriate agencies and those agencies be provided with sufficient time to respond; **Added by OPA 65 – 10/22/2007– By-law 192-2007**
 - (b) Be advertised and be presented to the public and the views of the public ascertained at a public meeting to be held in accordance with the Planning Act; and **Added by OPA 65 – 10/22/2007– By-law 192-2007**
 - (c) Be given due and thorough consideration by Council. **Added by OPA 65 – 10/22/2007– By-law 192-2007**

*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: 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.

APPENDIX “E”**Excerpts from Zoning By-law 8600****City of Windsor Zoning By-law 8600****SECTION 11 – RESIDENTIAL DISTRICTS 2. (RD2.)****11.1 RESIDENTIAL DISTRICT 2.1 (RD2.1)****11.1.1 PERMITTED USES***One Duplex Dwelling**One Semi-Detached Dwelling**One Single Unit Dwelling*

Any use accessory to the preceding uses

11.1.5 PROVISIONS

	Duplex Dwelling	Semi- Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	12.0 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
.10 Gross Floor Area – main building – maximum	400 m ²	400 m ²	400 m ²

11.2 RESIDENTIAL DISTRICT 2.2 (RD2.2)

11.2.1 PERMITTED USES

One *Double Duplex Dwelling*

One *Duplex Dwelling*

One *Multiple Dwelling* containing a maximum of four *dwelling units*

One *Semi-Detached Dwelling*

One *Single Unit Dwelling*

Townhome Dwelling

Any use accessory to the preceding uses

11.2.5 PROVISIONS

.4 Double Duplex Dwelling or Multiple Dwelling

.1	Lot Width – minimum	18.0 m
.2	Lot Area – minimum	540.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	9.0 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

SECTION 24 – PARKING, LOADING AND STACKING PROVISIONS

24.26 LOCATION OF PARKING, VISITOR PARKING OR ACCESSIBLE PARKING SPACES

- .5 A parking space, visitor parking space or accessible parking space is prohibited in a required front yard or required landscaped open space yard, except on a lot occupied by a single unit dwelling, semi-detached dwelling, duplex dwelling or a townhome dwelling unit, a parking space, visitor parking space or accessible parking space is permitted in a required front yard.

APPENDIX “F”

Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

We have reviewed the subject Rezoning application and have the following comments:

Sewers - The site may be serviced by a 250mm sanitary sewer and a 600mm storm sewer located within the California 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.

Right-of-Way

California Avenue is classified as a Local Road according to the Official Plan requiring a right-of-way width of 20.1m; the current right-of-way is 20.1m, therefore, no conveyance is required at this time.

In summary, we have no objection to the proposed development.

[Jaegar King - Engineer II]

ENGINEERING - R.O.W.

Required Drawing Revisions:

1. 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.
 - a. Modify drawings to include all sewer connections and water services.
 - b. Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
2. Alley Contribution - Proposal includes access off existing alley.
 - a. Owner is made aware that alley contribution will apply

Right-of-Way Permit Requirements:

Alley Contribution - The Owner further agrees, prior to the issuance of a construction permit, to pay to the Corporation and deposit in the General Fund, the Owner's

contribution intended for the upkeep of alleys within the City of Windsor. The amount of the contribution will be based on the User Fee Schedule at the time of payment.

CCTV Sewer Inspection - The Owner further agrees to provide at its entire expense, and to the satisfaction of the City Engineer, a video inspection of any existing connections proposed for reuse to ensure the suitability of the connection for use in accordance with City of Windsor Standard Specifications S-32 CCTV Sewer Inspection.

Sewer Connections - The site is serviced by a 250mm sanitary sewer and a 600mm sewer located within the California Avenue Street right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

[Mark Schaffhauser - Technologist III]

ENVIRONMENTAL POLICY

Comments to Stage 1 Planning Consultation Application

Natural Areas has no comments or concerns.

[Karen Alexander - City Naturalist & Supervisor, Natural Areas]

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

Comments to Stage 1 Planning Consultation Application

No Objection to rezoning; however, please note the following:

ENWIN Utilities Ltd has existing 40ft poles with a 16,000-volt primary and a 120/240-volt secondary hydro distribution along the alley East of the development property. One pole appears to conflict with the two proposed parking spaces in the Southeast portion of the property. If any relocation of the existing plant is required for the development, the associated costs will be borne by the customer.

ENWIN has an existing overhead 120/240-volt secondary conductor from the alley to the neighbouring address at 476 California Avenue, South of the development property. ENWIN also has an existing overhead 120/240 volt secondary service to the building at 466 California Avenue. For disconnection and removal of existing services for planned demolition, please get in touch with our Technical Services for arrangements.

Before 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 the permanent required clearances for New Building Construction.

[Zachary Mancini - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. - WATER ENGINEERING

Comments to Stage 1 Planning Consultation Application

ENWIN Water has no objections. The existing water service is to be upgraded to suit the proposed development.

[Bruce Ogg - Water Project Review Officer]

PARKS DESIGN & DEVELOPMENT

Comments to Stage 1 Planning Consultation Application

There is one city-owned tree in front of this lot on the Street right-of-way.

This tree requires a Tree Protection Zone (TPZ) fenced at a minimum distance of 2 metres in all directions from the trunk. Install TPZ fencing before any on-site construction or ground disturbance. Forestry can provide complete details on the required protection area and the appropriate TPZ fencing specifications. The fencing must remain intact throughout the construction phase.

Absolutely NO construction-related activity can occur within the bounds of the TPZ fenced area.

If the fence is not installed or maintained during construction, a Tree Removal & Replacement fee will be applied based on a Diameter-for-Diameter replacement ratio. Initial estimated cost for Removal & Replacement could be \$3,000.00 or more.

Forestry requests the opportunity to review landscaping plans to provide comments and suggestions regarding new tree species selection and stock types that would enhance

preservation of existing trees and 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]

PLANNING DEPARTMENT - HERITAGE

Comments to Stage 1 Planning Consultation Application

There is no apparent built heritage concern with this property, and it is not located within an Archaeological Potential Zone (APZ) (as per the recently adopted Windsor Archaeological Management Plan, 2024; OPA 181; and updated 2024 archaeological potential model OP Volume I Schedule C-1). 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. 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. 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 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 will provide notification and satisfactory confirmation 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

[Tracy Tang - Heritage Planner]

TRANSPORTATION PLANNING

Comments to Stage 1 Planning Consultation Application

All parking must comply with ZBL 8600, or a Parking Study is required.

[Elara Mehrilou - Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

DREW DILKENS, MAYOR

CLERK

First Reading , 2026
Second Reading , 2026
Third Reading , 2026

SCHEDULE 2

1. By-law _____ has the following purpose and effect:

To amend the zoning of the lands located on the east side of California Avenue between Fanchette Street and Wyandotte Street West, described as Lots 58 & 59, Block A, Plan 50, PIN 01232-0280 LT, to permit the construction of a two-storey double duplex dwelling while retaining the existing driveways from California Avenue and the rear alley.

To facilitate the proposed development, the implementing Zoning By-law amendment would rezone the subject property to Residential District 2.2 (RD2.2) with a site-specific zoning exception. The requested exception would provide relief from the following zoning provisions applicable to a double duplex dwelling:

- Minimum lot width;
- Minimum lot area;
- Maximum lot coverage;
- Maximum permitted main building height; and
- The prohibition on locating a parking space within a required front yard.

2. Key map showing the location of the lands to which the By-law _____ applies.



PART OF ZONING DISTRICT MAP 3

N.T.S.

SCHEDULE 2

Applicant: Borys Sozanski .



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2026
FILE NO. : Z-014-26, ZNG-7375



Committee Matters: SCM 294/2026

Subject: Amendment to Subdivision Agreement CE811195 regarding the properties known as 3586, 3592, 3597, 3598 SUTTON AVENUE; File No. SDN-002/26 [SDN/7381]; Ward 9

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

Decision Number: **DHSC 865**

- I. THAT the application of J Rauti Development Inc. for amendments to the existing Subdivision Agreement (CE811195) for the lands described as Part of Block A, Registered Plan 1259, also designated as Lots 1 to 18 (incl.) and Blocks 19 to 22 (incl.) on Plan 12M-635, **BE APPROVED**, subject to the following:
 1. Corner Cut-Off - Prior to the issuance of a construction permit, the owner(s) shall agree to gratuitously convey a 4.6m x 4.6m (15' x 15'), corner cut-off at the intersection of Maguire Street and Sutton Avenue.
 2. Land Conveyance - Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation land sufficient to create a 54.42m² sightline dedication right-of-way at the northeast corner of 3586 Sutton Avenue. This conveyance shall be approximately 31.56m along the Maguire Street frontage of the subject lands, taken after the corner cut-off.
 3. Execution of an Amending Subdivision Agreement: Prior to the issuance of a construction permit, the owner (s) shall agree to enter into an amending Subdivision Agreement with the Corporation of the City of Windsor for the subject lands registered as Plan 12M-635;
- II. THAT existing Subdivision Agreement **BE AMENDED** as specified in paragraphs A, B, C, D, and E below:
 - A. That Section B-1 (f) – Drawings / Maps - of the Basic Provisions be amended to include, below the word “Planner”, the following:

“Sutton Avenue Sightline Sketch and/or Reference Plan
Hereinafter referred to as Schedule “A” page 2, attached hereto and/or on deposit with the City Planner”
 - B. That Section S-2 – Land Conveyance for Rights-of-Way - be amended in paragraph (4) to remove the requirement for a 0.3-metre reserve (Block 21, Plan 12M-645) at the north limit of Street “A”.

- C. That Section S-2 – Land Conveyance for Rights-of-Way - be further amended to include paragraph “(7) a 54.42 m² sightline dedication for right-of-way at the northeast corner of Street “A” (Sutton Avenue) and MaGuire Street.”
- D. That Section S-3 – Land Conveyance for Corner Cut-Offs - be amended to include, after “with MaGuire Street,” the following - “and a corner cut-off on the east side of Street “A” at the intersection of Maguire and Street “A” (Sutton Avenue),”
- E. That Section S-8(2) – Temporary Cul-de-Sacs – be deleted in its entirety, and S-8(1) be amended to include “A” between “Streets” and “B”.
- III. THAT the owner **SHALL**, prior to a construction permit, submit for approval of the City Planner/Executive Director of Planning & Building a reference plan, which shall include an illustration of the modifications to the Maguire and Sutton rights-of-way as approved by Council;
- IV. THAT the City Engineer **BE DIRECTED** to amend the Parking By-law to include prohibition of on-street parking on the south side of Maguire Street, east of Sutton Avenue;
- V. THAT the amended subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the issuance of a construction permit; and,
- VI. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content
- Carried.
- Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: S 94/2026
Clerk's File: Z/15203

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 September 1, 2026.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20260902/-1/11659>

Subject: Amendment to Subdivision Agreement CE811195 regarding the properties known as 3586, 3592, 3597, 3598 SUTTON AVENUE; File No. SDN-002/26 [SDN/7381]- Ward 9

Reference:

Date to Council: September 1, 2026
Author: Justina Nwaesei, MCIP, RPP
Planner III - Development
519-255-6543, ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: August 6, 2026
Clerk's File #: Z/15203

To: Mayor and Members of City Council

Recommendation:

I THAT the application of J Rauti Development Inc. for amendments to the existing Subdivision Agreement (CE811195) for the lands described as Part of Block A, Registered Plan 1259, also designated as Lots 1 to 18 (incl.) and Blocks 19 to 22 (incl.) on Plan 12M-635, **BE APPROVED**, subject to the following:

1. Corner Cut-Off - Prior to the issuance of a construction permit, the owner(s) shall agree to gratuitously convey a 4.6m x 4.6m (15' x 15'), corner cut-off at the intersection of Maguire Street and Sutton Avenue.
2. Land Conveyance - Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation land sufficient to create a 54.42m² sightline dedication right-of-way at the northeast corner of 3586 Sutton Avenue. This conveyance shall be approximately 31.56m along the Maguire Street frontage of the subject lands, taken after the corner cut-off.
3. Execution of an Amending Subdivision Agreement: Prior to the issuance of a construction permit, the owner (s) shall agree to enter into an amending Subdivision Agreement with the Corporation of the City of Windsor for the subject lands registered as Plan 12M-635;

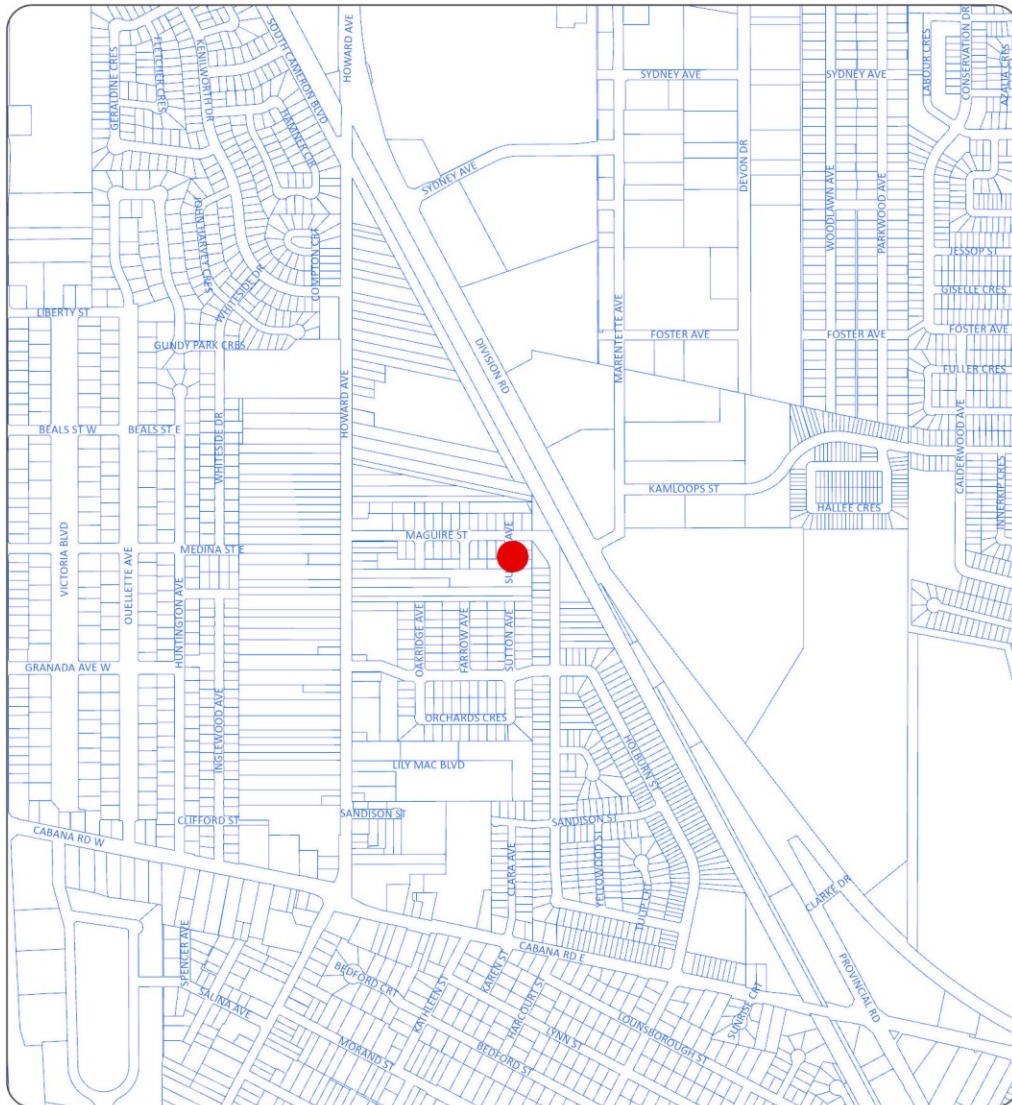
- II THAT existing Subdivision Agreement **BE AMENDED** as specified in paragraphs A, B, C, D, and E below:
- A. That Section B-1 (f) – Drawings / Maps - of the Basic Provisions be amended to include, below the word “Planner”, the following:
“Sutton Avenue Sightline Sketch and/or Reference Plan
Hereinafter referred to as Schedule “A” page 2, attached hereto and/or on deposit with the City Planner”
 - B. That Section S-2 – Land Conveyance for Rights-of-Way - be amended in paragraph (4) to remove the requirement for a 0.3-metre reserve (Block 21, Plan 12M-645) at the north limit of Street “A”.
 - C. That Section S-2 – Land Conveyance for Rights-of-Way - be further amended to include paragraph “(7) a 54.42 m² sightline dedication for right-of-way at the northeast corner of Street “A” (Sutton Avenue) and MaGuire Street.”
 - D. That Section S-3 – Land Conveyance for Corner Cut-Offs - be amended to include, after “with MaGuire Street,” the following - “and a corner cut-off on the east side of Street “A” at the intersection of Maguire and Street “A” (Sutton Avenue),”...
 - E. That Section S-8(2) – Temporary Cul-de-Sacs – be deleted in its entirety, and S-8(1) be amended to include “A” between “Streets” and “B”.
- III That the owner **SHALL**, prior to a construction permit, submit for approval of the City Planner/Executive Director of Planning & Building a reference plan, which shall include an illustration of the modifications to the Maguire and Sutton rights-of-way as approved by Council;
- IV THAT the City Engineer **BE DIRECTED** to amend the Parking By-law to include prohibition of on-street parking on the south side of Maguire Street, east of Sutton Avenue;
- V THAT the amended subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the issuance of a construction permit; and,
- VI THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content

Executive Summary:

N/A

Background:

1. KEY MAP:



SDN-002/26 (KEY MAP)



ADDRESS: 3586, 3592, 3597, 3598 SUTTON AVENUE

ROLL NUMBERS: 070-090-03868, 070-090-03869, 070-090-03870, 070-090-03871

APPLICANT: J RAUTI DEVELOPMENT INC.

 SDN 002/26 (SDN-7381) - SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

2. APPLICATION INFORMATION

LOCATION: 3586, 3592, 3597, 3598 SUTTON AVENUE (south side of MaGuire Street, east of Howard Avenue)

APPLICANT / REGISTERED OWNER: J RAUTI DEVELOPMENT INC. (c/o John Rauti)

AGENT: DILLON CONSULTING LIMITED, c/o RUKMA RAMDENEE

PROPOSAL AND BACKGROUND INFORMATION:

Background: The parcels impacted by the subject amendment are designated as Lots 11, 12, 13 and 14 on a registered plan of subdivision, Plan 12M-635 hereto attached as Appendix C. Plan 12M-635 resulted from council's approval of the draft plan of subdivision Map Number SDN-004/14-1. The Lots under Plan 12M-635 were previously owned by 1906239 Ontario Ltd. at the time of approval of SDN-004/14-1. A registered Subdivision Agreement (CE811195), hereto attached as Appendix D, applies to the lands within Plan 12M-635. The said agreement contains the following special provision S-8 (2) that impacts the use of the 4 lots noted above:

S-8. Temporary Cul-de-Sacs – The Owner further agrees to construct to the Corporation's Standards the following streets to a point determined by the City, terminating in a temporary cul-de-sac:

- 1) Streets "B" and "C"
- 2) Street "A", when access is available from the south

Proposal: The Applicant is proposing an amendment to the existing Subdivision Agreement (CE811195) to modify the configuration of Street "A" (Sutton Avenue) within the registered Plan of Subdivision (Plan 12M-635). The proposed amendment is intended to establish a connection between Sutton Avenue (Street "A") and Maguire Street to the north, while relocating the approved cul-de-sac from the intersection of Street "A" and MaGuire St. to the current southerly limit of Street "A".

The proposed amendment to the subdivision agreement (CE811195) would allow direct vehicular access from Street "A" (named Sutton Street) to Maguire Street, contrary to the provision in S-8 (2) above. The intent of this amendment is to facilitate the development of the four (4) existing residential lots (lots 11-14 on Plan 12M-635) municipally known as 3586, 3592, 3597, 3598 Sutton Avenue.

SUBMISSIONS BY APPLICANT:

- Plan of Subdivision Application Form
- Ownership document (not on the website; available upon request)
- Motorist Sightline Assessment Memo, dated April 1, 2026, prepared by Mike Walters, Transportation Engineer, Dillon Consulting Limited
- Planning Justification Memo, dated May 6, 2026, by Melanie Muir, Dillon Consulting Limited
- Street Sightline Sketch, dated March 31, 2026, by Dillon Consulting Limited.

Copy this [LINK](#) to access the above materials located on the City's website.

3. SITE INFORMATION

Official Plan (OP) Designation: **Residential**, Schedule D: Land Use, OP Vol. 1.

Zoning of the Subject Land: **Residential District 1.2** (RD1.2) by By-law 8600.

Current Use: Vacant

Previous Use(s): Unknown

ZDM8

4. NEIGHBOURHOOD CHARACTERISTICS

The subject neighbourhood is an established residential neighbourhood characterized by low profile residential developments predominantly single detached dwellings.

NEIGHBOURHOOD

MAP



SDN-002/26 (LOCATION MAP)

0 10 20 40 Meters



ADDRESS: 3586, 3592, 3597, 3598 SUTTON AVENUE

ROLL NUMBERS: 070-090-03868, 070-090-03869, 070-090-03870, 070-090-03871

APPLICANT: J RAUTI DEVELOPMENT INC.



SDN 002/26 (SDN-7381) - SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

Discussion:

The requested amendment to the existing Subdivision Agreement does not alter the number of residential lots/blocks within the subject subdivision registered as Plan 12M-635. The requested amendment is to remove an existing barrier to housing within the existing subdivision agreement registered on title of the subject lands. The said barrier is found in Special Provision S-8(2) of the Agreement (CE811195). Vehicular access to, and egress from, Maguire Street for Lots 11, 12, 13, and 14 on Plan 12M-635 is blocked by a land reserve. Vehicular access and egress from and to the subject lots must be southerly towards Holburn Street.

In discussing the subject amendment, the focus is on public safety and provision of more housing. Although the lotting plan is approved under Plan 12M-635, and the zoning is in place, the four subject lots have no vehicular access/egress to/from Maguire Street. Development of the four lots is hindered by special provision S-8(2) in the existing subdivision agreement; thereby, impacting supply of housing in the area. S-8(2) protects public safety in a manner that adversely impacts supply of housing. Planning Justification was requested by the Planning Department, and was submitted by the applicant, for the proposed amendment to the existing subdivision agreement CE811195. The discussion below examines the justification provided by the applicant's planning consultant, and staff's rationale for putting forward recommendations 1 & 2 to amend the existing subdivision agreement by deleting special provision S-8(2) and revising other provisions in the existing agreement.

PLANNING ANALYSIS:

1. PLANNING ACT

The Planning Act requires the council, board, and minister, in carrying out their responsibilities under the Act, to have regard to

- the orderly development of safe and healthy communities - section 2(h);
- adequate provision of a full range of housing, including affordable housing - section 2(j); and
- the protection of public health and safety, among other matters - section 2(o).

2. PROVINCIAL PLANNING STATEMENT (PPS) 2024

The PPS is a policy statement issued under the authority of section 3 of the Planning Act and came into effect on October 20, 2024. In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

The PPS provides policy direction on matters of provincial interest related to land use planning and development.

The recommended amendment will facilitate the development of four undeveloped lots, which will increase the supply of housing options in the subject neighbourhood. Therefore, the recommended amendment is consistent with the vision of the PPS 2024 regarding housing (2.1 and 2.2 of the PPS).

Protection of public health and safety is a matter discussed in Chapter 5 of the PPS. There is no known Natural or Human-Made hazard on the subject lands. Therefore, from a PPS perspective there is no Public health and Safety concern.

3. OFFICIAL PLAN (OP):

The subject site is designated **Residential** on Schedule D: Land Use, City of Windsor Official Plan Vol. 1. The matter under discussion has nothing to do with the use of the land for residential purpose; therefore, no further discussion is required.

4. SIGHTLINE ASSESSMENT MEMO:

The applicant submitted a Sightline Assessment Memo dated April 1, 2026, containing the following statements:

“The first lot on the east side of Sutton Avenue south of Maguire Street will be the constraint in any sightline assessment at this location. The building/home on that lot will need to be limited so that the 65-metre sight distance is achieved. This includes any vegetation or vertical elements that may be placed to the north of the home (which would limit visibility to westbound motorists on Maguire Street entering the horizontal curve). It would also include prohibiting on-street parking on the south side of Maguire Street, east of Sutton Avenue.

Stopping sight distance was also reviewed, as a means of confirming that vehicles travelling along Maguire Street will have sufficient time to be able to see a motorist leaving Sutton Avenue. According to GDGCR Table 9.9.4, a design speed of 30 km/h corresponds to a stopping sight distance of 35 metres. The distance between Sutton Avenue and the westbound lane on Maguire Street at the horizontal curve exceeds 35 metres. This indicates that the existing road geometry on Maguire Street (at the horizontal curve) provides adequate sight distance for westbound motorists to recognize and react to vehicles leaving Sutton Avenue.

This assessment assumes that the entire Maguire Street right-of-way will be available for sightlines. The area within the right-of-way on the inside of the curve should be kept free of obstructions that might limit sightlines, including on-street parking.”

5. PLANNING JUSTIFICATION MEMO:

The applicant’s consultant submitted a Planning Justification Memo (PJM), dated May 6, 2026. The PJM and other required support materials received for the subject application can be accessed on the city’s website through this [LINK](#). In section 4.1 of the PJM, there is an analysis of the key policy considerations of the PPS 2024 relating to the proposed amendment to the Subdivision Agreement. The PJM concludes that

- a) “The relocation of the cul-de-sac from the north end to the south end of Street “A”, together with the provision of an east-side 4.6 m x 4.6 m corner cut-off and a 54.42 m² sightline conveyance, enhances the functionality of the local road network by improving access, removing an inefficient dead-end condition, and facilitating safe and direct access for the four (4) existing residential lots.

- b) The supporting Motorist Sightline Memo confirms that the proposed intersection can operate safely, with appropriate measures secured through corner cut-offs, sightline conveyances, and parking restrictions to maintain unobstructed visibility. These design elements ensure that long-term public safety is preserved and that the intersection functions effectively within the existing road network.
- c) The proposed development is consistent with the 2024 Provincial Planning Statement, as it promotes a safe, efficient, and connected transportation system while supporting the development of complete communities.”

6. ZONING

The subject land is zoned Residential District 1.2 (RD1.2) by City of Windsor Zoning By-law 8600. A copy of By-law 8600 can be found on the city's website by using this [LINK](#).

As noted already in this report, the use of the land for residential purpose is not a concern. Also, the RD1.2 permits single unit dwellings; therefore, Lots 11, 12, 13 and 14 on Plan 12M-635 can be developed accordingly.

Risk Analysis:

N/A.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

1. DEPARTMENT AND AGENCIES

Attached as **Appendix B**, to this report, are comments from the municipal departments and external agencies. There are no objections; however, there are conditions and/or recommendations for the approval of the subject application. This planning report takes into consideration those conditions and recommendations found in Appendix B hereto attached, and the recommendations within the required studies and reports submitted by the applicant.

Conclusion and Planner's Opinion:

The Planning Department is satisfied with the analysis and conclusions contained in the applicant's Planning Justification Memo and Sightline Assessment Memo.

The recommended Amendment to the existing Subdivision Agreement CE811195 is consistent with the policies of the Provincial Planning Statement 2024 and maintains conformity with the City of Windsor Official Plan.

This planning report includes a recommendation for approval of the applicant's request to amend the existing Subdivision Agreement (CE811195) to create northerly access and egress from/to Maguire Street. This report further recommends that Council direct the City Engineer to amend the parking by-law to include prohibition of on-street parking on the south side of Maguire Street, east of Sutton Avenue.

The recommended amendment to the existing subdivision Agreement is specified in Recommendations 1, 2 & 3 of this report. This amendment constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Laura Diotte, MCIP, RPP
Deputy City Planner - Development (A)

Jason Campigotto
Deputy City Planner - Growth

I am not a registered Planner and have reviewed as a Corporate Team Leader
JP RM

Approvals:

Name	Title
Justina Nwaesei	Planner III - Development
Laura Diotte	Deputy City Planner – Development (A)
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner/Executive Director Planning and Development
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Jelena Payne for Ray Mensour	Chief Administrative Officer

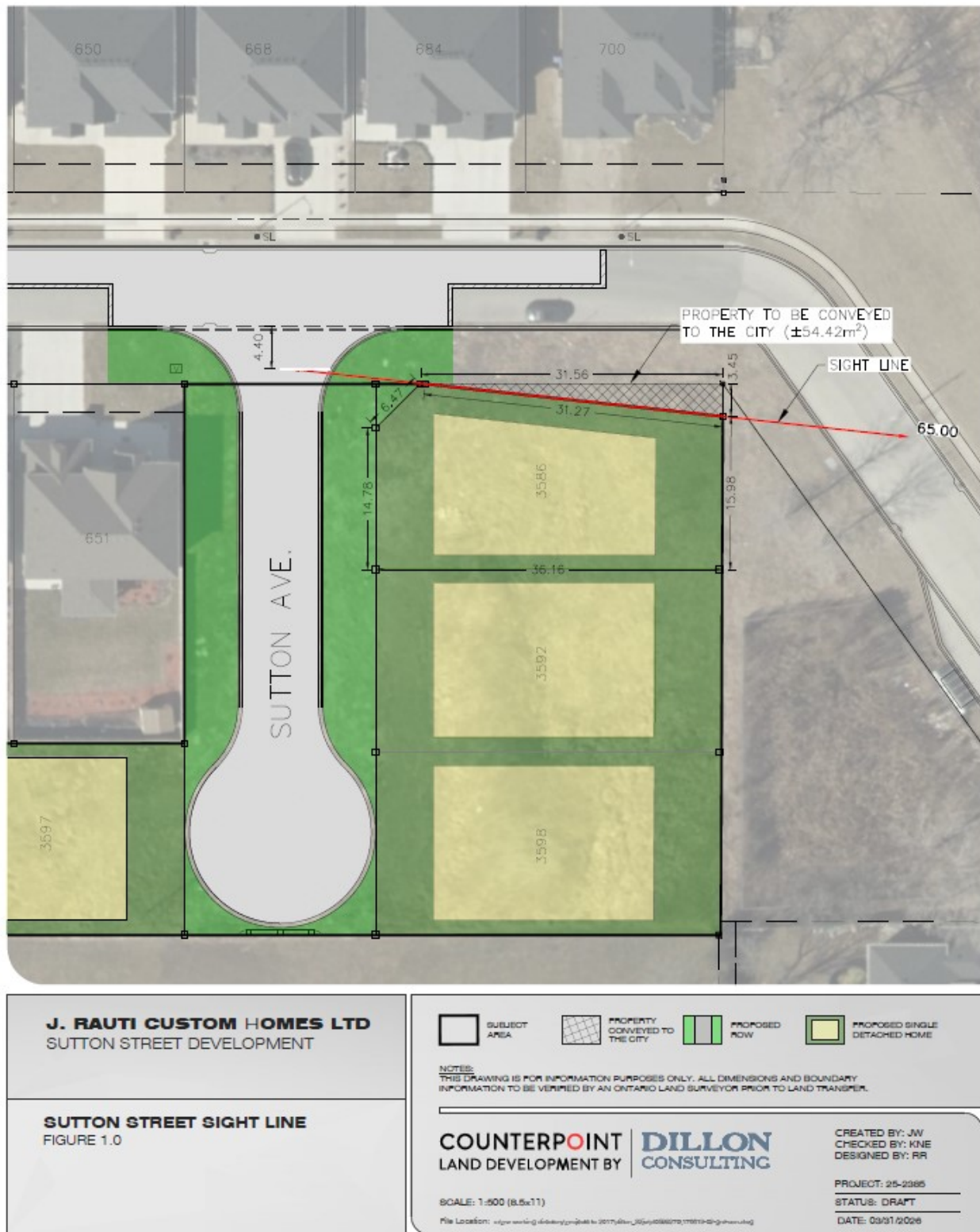
Notifications:

Name

Appendices:

- 1 Appendix A - Sutton Avenue Sightline Sketch
- 2 Appendix B - Consultation (Comments from Municipal Departments and External Agencies)
- 3 Appendix C - Plan 12M-635
- 4 Appendix D - Existing Subdivision Agreement CE811195

SDN-002/26-1



APPENDIX B – CONSULTATION
(Comments from Municipal Departments and External Agencies)

WINDSOR POLICE – BARRY HORROBIN

The Windsor Police Service has no concerns or objections with this application to amend the initial plan of subdivision, in order to permit access to four (4) residential lots on Sutton Avenue from Maguire Street. It is our understanding an initial concern impacting safe driver sight lines has been adequately resolved via the conveyance of a small strip of land to the City, in order to maintain an appropriate sight line distance and the safety implications associated therein.

TRANSPORTATION PLANNING – AASHVI SARVAIYA

- Transportation has reviewed the sightline assessment prepared by Dillon Consulting Limited for 3586, 3592, 3597, and 3598 Sutton Avenue and concurs with the conclusion set out in the report, specifically the recommendation to convey the corner cut-off and a 54.42 m² land conveyance to improve sightlines on the curve at Maguire Street. However, Transportation notes that no parking restrictions can be implemented except on the south side of Maguire Street, east of Sutton Avenue, within the mailbox area.
- Transportation has no further comments.

Should you have any further questions or concerns, please contact Aashvi Sarvaiya, of this department at tda@citywindsor.ca.

WINDSOR FIRE – CHRIS KREIBICH

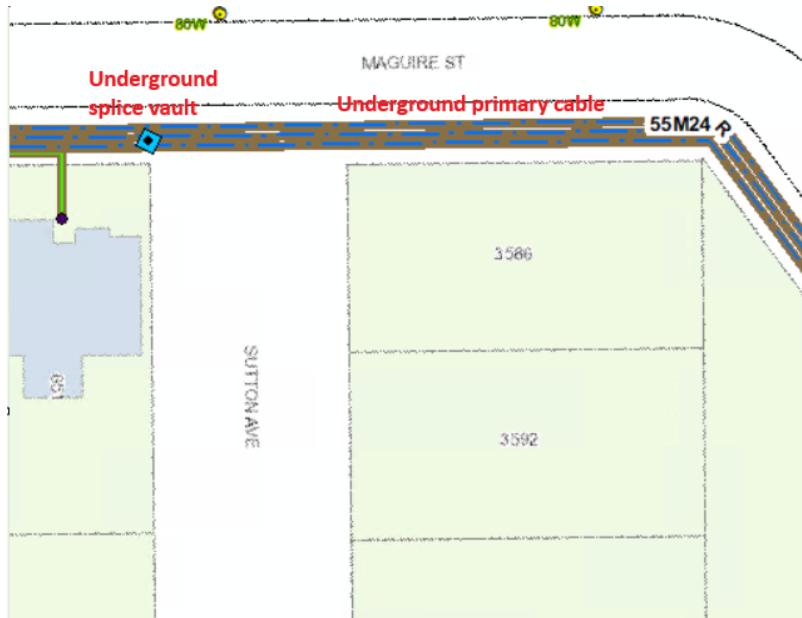
No issues or concerns with these amendments from Fire.

ENWIN

Hydro Engineering: Steve Zambito

No Objection, provided adequate clearances are achieved and maintained.

ENWIN has existing underground along the north limits with 27,600 volt primary hydro distribution.



The developer will be responsible to cover all costs associated with any relocation or removal of ENWIN conductors and vaults.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

Water Engineering: Bruce Ogg

ENWIN Water has no objections.

DEPTY CHIEF BUILDING OFFICIAL – BRANDON CALLEJA

No Building concerns.

DEVELOPMENT ENGINEERING – PATRICK WINTERS

We have reviewed the subject Amendment to Agreement application and have no additional concerns, subject to Transportation's review and decision regarding the sightline assessment. However, the following items, highlighted in red, will need to be amended within the Special Provisions of Registered Agreement CE811195:

S-2. Land Conveyance for Rights-of-Way – The Owner further agrees, *prior to the issuance of a construction permit*, to gratuitously convey to the Corporation, in fee simple and without encumbrance, the following rights-of-way, in accordance with the approved Plan of Subdivision and to the satisfaction of the City Engineer:

- (1) a 20.0 metre wide right-of-way for Street "A"
- (2) a 20.0 metre wide right-of-way for Street "B"
- (3) a 20.0 metre wide right-of-way for Street "C"
- (4) a 0.3 metre reserve at the north and south limits of Street "A"
- (5) a 0.3 metre reserve at the south limit of Street "B"
- (6) a 0.3 metre reserve at the south limit of Street "C"
- (7) a 54.42m2 sightline dedication right-of-way at the northeast corner of Street "A" and Maguire Street.

S-3. Land Conveyance for Corner Cut-Offs – The Owner further agrees, *prior to the issuance of a construction permit*, to gratuitously convey to the Corporation, in fee simple and without encumbrance, corner cut-offs on both the east and west sides of Street "B" and "C" at the intersection with Maguire Street, in accordance with City of Windsor Standard Drawing AS-230, and to the satisfaction of the City Engineer.

and a corner cut-off on the east side of Street "A" at the intersection of Maguire Street,...

S-8. Temporary Cul-de-Sacs – The Owner further agrees to construct to the Corporation's Standards the following streets to a point determined by the City, terminating in a temporary cul-de-sac:

- 1) Streets "B" and "C" ← Add Street "A"
- ~~2) Street "A", when access is available from the south~~

Sutton Avenue is currently not constructed but will be classified as a Local/Residential Road according to the Official Plan requiring a right-of-way width of 20.1m; therefore, no conveyance is required at this time. Please note that underground servicing for the Sutton Avenue extension was approved and constructed under the previous phase of this development. These services are to be protected during the current phase of construction.

In summary we have no objection to the proposed development, subject to the following requirements:

Corner Cut-Off – The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6m x 4.6m (15' x 15'), corner cut-off at the intersection of Maguire Street and Sutton Avenue.

Land Conveyance - Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation, land sufficient to create a 54.42m² sightline dedication right-of-way at the northeast corner of 3586 Sutton Avenue. This conveyance shall be approximately 31.56 metres along the Maguire Street frontage of the subject lands, taken after the corner cut-off.

If you have any further questions or concerns, please contact Jaegar King, of this department at jking@citywindsor.ca

RIGHT-OF-WAY – MARK SCHAFFHAUSER

Required Drawing Revisions:

1. **Driveway Approaches** – Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.
 - Modify as per Standard Engineering Drawing [AS-221 or AS-222].
2. **Sewer Connections** – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.
 - Modify drawings to include all sewer connections and water services.
 - Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

Right-of-Way Permit Requirements

Corner Cut-Off – The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m (15' x 15') corner cut-off at the intersection of Sutton Avenue and Maguire Street in accordance with City of Windsor Standard Drawing AS-230.

Driveway Approaches – The owner(s) 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

Land Conveyance - Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation, land sufficient to create a 54.42m² sightline dedication right-of-way at the northeast corner of 3586 Sutton Avenue. This conveyance shall be approximately 31.56 metres along the Maguire Street frontage of the subject lands.

Servicing Charges – The applicant(s) shall note that they may be required to pay servicing charges for the existing sanitary or storm sewer and/or sewer connection(s) if not paid previously for this site. These charges will be assessed prior to the issuance of a construction permit.

Sewer Connections – The site is serviced by a 250mm sanitary sewer and a 375mm sewer located within the Sutton 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.

If you have any further questions or concerns, please contact Lea Marshall, of this department at lmarshall@citywindsor.ca

HERITAGE PLANNING – KRISTINA 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 & Development Services 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 & Development Services Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaaedegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Public and Business Service Delivery and Procurement

Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures:

Ian Hember, 1-437-244-9840, ian.hember@ontario.ca

[illegible]

LRO # 12 Notice

Received as CE811195 on 2018 01 04 at 10:06

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd Page 1 of 2

Properties

PIN 01561 - 5055 LT

Description PT BLK 'A' (CREATED BY JUDGE'S ORDER SE23561) PL 1259, DESIGNATED AS PT 3
PL 12R25586; CITY OF WINDSOR

Address WINDSOR

Consideration

Consideration \$ 2.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

Name THE CORPORATION OF THE CITY OF WINDSOR

Address for Service OFFICE OF THE CITY CLERK
350 City Hall Square West
Windsor, ON N9A 6S1

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation by Onorio Colucci, CAO, and Valerie Critchley, City Clerk, pursuant to CR367/2017.

Party To(s)

Capacity

Share

Name 1903269 ONTARIO LIMITED

Address for Service Attention: Gord Wonsch
2870 Normandy Street
Lasalle, ON N9H 2P3

I, Gordon A. Wonsch, President, have the authority to bind the corporation

This document is not authorized under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.

This notice is for an indeterminate period

Schedule: See Schedules

Signed By

Karly Lynn Morgan

400 City Hall Square East, Suite 201 acting for
Windsor Applicant(s)
N9A 7K6

Signed

2018 01 04

Tel 519-255-6548

Fax 519-255-6933

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

THE CORPORATION OF THE CITY OF WINDSOR

400 City Hall Square East, Suite 201
Windsor
N9A 7K6

2018 01 04

Tel 519-255-6548

Fax 519-255-6933

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd Page 2 of 2

Fees/Taxes/Payment

Statutory Registration Fee \$63.65

Total Paid \$63.65

File Number

Applicant Client File Number : ZON9190-KM, SDN-004/14 MAGUIRE, SUBDIVSN

Party To Client File Number : SDN-004/14, MAGUIRE SUBDIVISION

SUBDIVISION

Basic Provisions

B-1. The following are certain basic provisions of this Agreement, which are part of this Agreement, and which are correspondingly referred to in the General Provisions and Special Provisions of this Agreement:

Item	Provision
(a) Name & Address of Corporation:	THE CORPORATION OF THE CITY OF WINDSOR OFFICE OF THE CITY SOLICITOR – Legal Services Suite 201 400 City Hall Square East Windsor, ON N9A 7K6
(b) Name & Address of Owner:	1903269 ONTARIO LIMITED Attention: Gord Wonsch 2870 Normandy Street Lasalle, ON N9H 2P3
(c) Effective date:	June 19, 2017
(d) Type of Agreement:	Subdivision
(e) Description of Lands hereinafter referred to as the subject lands:	PT BLK 'A' (CREATED BY JUDGE'S ORDER SE23561) PL 1259, DESIGNATED AS PT 3 PL 12R25586; CITY OF WINDSOR PIN 01561 – 5055 (LT) Maguire Street, Windsor
(f) Drawings/Maps:	Map No. SDN-004/014-1 hereinafter referred to as Schedule "A" page 1, attached hereto and/or on deposit with the City Planner
(g) Authorization:	CR367/2017 adopted on June 19, 2017
(h) Legal Department File Number:	ZON/9190

B-2. This Agreement consists of these Basic Provisions, the attached General Provisions and Special Provisions, as well as any schedules or other attachments referred to herein or therein, and all such material forms part of this Agreement together with all things, terms and provisions so incorporated.

B-3. In the event of any inconsistency or conflict in this Agreement between the Basic Provisions, Special Provisions and General Provisions, then the terms, covenants and conditions of this Agreement shall prevail in the following order:

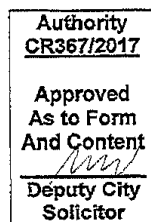
- (a) Basic Provisions
- (b) Special Provisions
- (c) Schedules
- (d) General Provisions

Amendments bearing later dates shall prevail within each of the above noted categories of this Agreement.

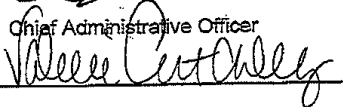
B-4. Any reference in this Agreement to all or any part of any manual, statute, regulation, By-law or Council Resolution shall, unless otherwise stated, be a reference to that manual, statute, regulation, By-law or Council Resolution or the relevant part thereof, as amended, substituted, replaced or re-enacted from time to time.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their corporate seals duly attested by the hands of their proper signing officers in that behalf respectively.

SIGNED, SEALED AND DELIVERED

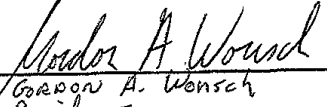


) THE CORPORATION OF THE CITY OF WINDSOR

) Signature: 
) Name: _____
) Title: Chief Administrative Officer
) Signature: 
) Name: _____
) Title: City Clerk

) We have the authority to bind the Corporation

) 1903269 ONTARIO LTD.

) Signature: 
) Name: Gordon A. Wunsch
) Office: President
) I have the authority to bind the Corporation

SUBDIVISION

Special Provisions

S-1. Pursuant to s.51 of the *Planning Act*, R.S.O. 1990 c.P.13, as amended, the Corporation has given approval to a draft plan of subdivision for the lands described in B-1(e) of this agreement, and shown on the map described in B-1(f), on condition that the Owner enter into this agreement.

S-2. **Land Conveyance for Rights-of-Way** – The Owner further agrees, *prior to the issuance of a construction permit*, to gratuitously convey to the Corporation, in fee simple and without encumbrance, the following rights-of-way, in accordance with the approved Plan of Subdivision and to the satisfaction of the City Engineer:

- (1) a 20.0 metre wide right-of-way for Street "A"
- (2) a 20.0 metre wide right-of-way for Street "B"
- (3) a 20.0 metre wide right-of-way for Street "C"
- (4) a 0.3 metre reserve at the north and south limits of Street "A"
- (5) a 0.3 metre reserve at the south limit of Street "B"
- (6) a 0.3 metre reserve at the south limit of Street "C"

S-3. **Land Conveyance for Corner Cut-Offs** – The Owner further agrees, *prior to the issuance of a construction permit*, to gratuitously convey to the Corporation, in fee simple and without encumbrance, corner cut-offs on both the east and west sides of Street "B" and "C" at the intersection with Maguire Street, in accordance with City of Windsor Standard Drawing AS-230, and to the satisfaction of the City Engineer.

S-4. **Storm Sewer Connections** – The Owner further agrees no individual storm sewer connections shall be permitted to the existing 1200mm HPDE Storm Sewer on Maguire Street.

S-5. **Sidewalks** – Notwithstanding paragraph G-2(25) of the General Provisions contained herein, the Owner further agrees to construct, at its entire expense and according to City of Windsor Standard Specifications and to the satisfaction of the City Engineer, sidewalks on the east side of Streets "A", "B" and "C".

S-6. Consulting Engineer – The Owner further agrees, *prior to the issuance of a construction permit*, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, to the satisfaction of the City Engineer.

- i) The study shall review the proposed impact and recommend solutions to addressing the problems and ultimate implementation of solutions should there be a negative impact to the system,
- ii) The study and proposed solutions shall be implemented to the satisfaction of the City Engineer.

S-7. Cash-in-Lieu of Parkland – The Owner further agrees that the provisions of G-5(5) PC are to be implemented by the Owner, *prior to the issuance of a construction permit*, paying to the Corporation cash-in-lieu of parkland as per By-law 12780.

S-8. Temporary Cul-de-Sacs – The Owner further agrees to construct to the Corporation's Standards the following streets to a point determined by the City, terminating in a temporary cul-de-sac:

- 1) Streets "B" and "C"
- 2) Street "A", when access is available from the south

S-9. Noise Study – The Owner further agrees, *prior to the issuance of a construction permit*, to complete a Noise Study and agrees to implement any mitigation measures recommended, to the satisfaction of the City Planner.

S-10. Environmental Impact Assessment – The Owner further agrees, *prior to the issuance of a construction permit*, to complete an Environmental Impact Assessment prior to the registration of the plan of subdivision and agrees to implement any mitigation measures recommended, to the satisfaction of the City Planner.

S-11. Deleted General Provisions – For the purposes of this Agreement, paragraph G-2(12) Benchmarks of the General Provisions contained herein, is waived in its entirety.

G-12. Amended General Provisions – For the purposes of this Agreement, paragraph (e) of section **G-1 CONSULTING ENGINEER** of the General Provisions contained herein, is waived in its entirety and replaced with the following:

“(e) to be responsible for the co-ordination of all survey and layout work required for construction of,”

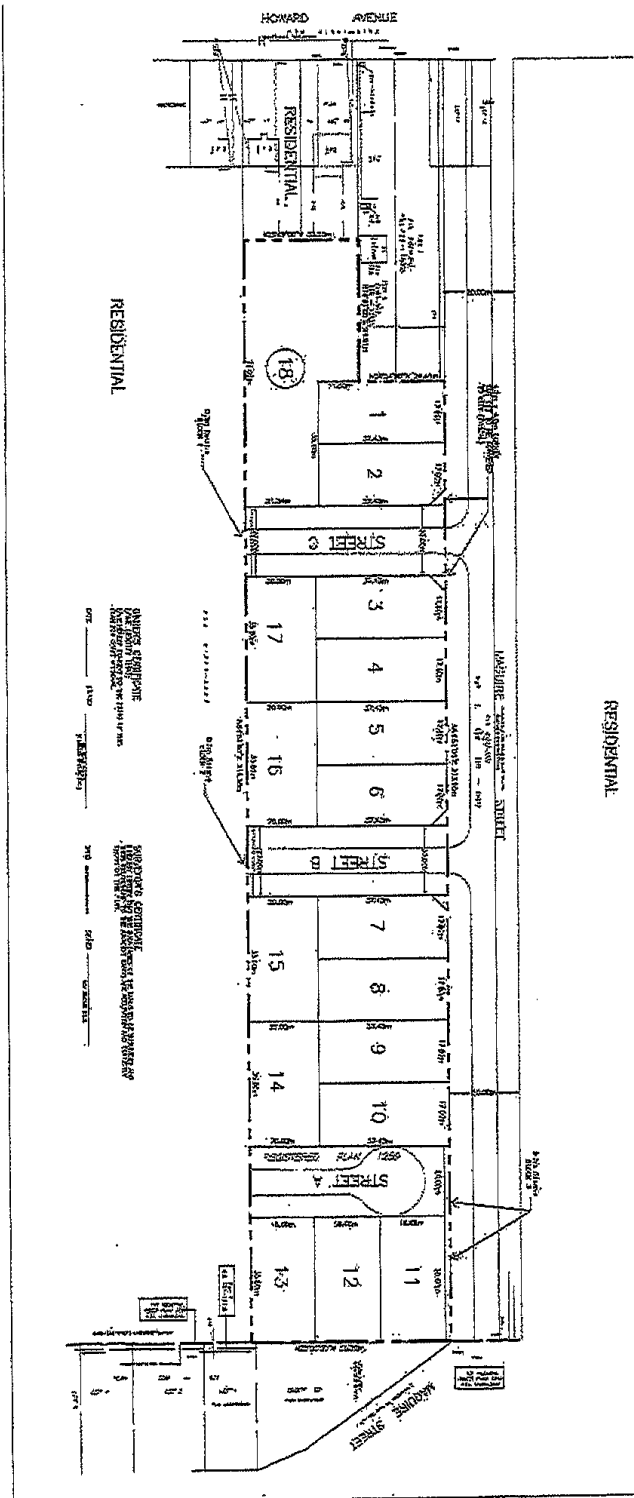
S-13. Construction Permit – The Owner further agrees that the Chief Building Official shall not be required to issue a construction permit for any lot or block in the subject lands until the following have been complied with:

(a) The Owner shall have constructed curbs and base asphalt on the final pavement structure fronting the said lots or blocks; and

(b) Paragraphs G-2(1), G-2(2), G-2(3), G-2(4), G-2(14), G-2(15), G-2(16), G-2(19), G-2(24), G-2(26), G-3(1), G-4(1), G-4(2), G-5(1), G-5(2), G-5(3), G-5(4), G-5(6), G-6, G-7, G-8(2), S-2, S-3, S-6, S-7, S-9 and S-10.

Schedule "A"

Draft Plan of Subdivision



SUBDIVISION

General Provisions

G-1. CONSULTING ENGINEER

The Owner shall employ, at its own expense, a Consulting Engineer registered by the Professional Engineers of Ontario:

- (a) to design and submit to the City Engineer engineering drawings of,
- (b) to prepare and administer any contract necessary for the construction of,
- (c) to obtain from municipal, provincial and federal authorities any approvals necessary for,
- (d) to submit to the City Engineer, prior to the commencement of construction, a report showing existing elevations and the proposed method of drainage of the lands served by,
- (e) to be responsible for all survey and layout work required for construction of,
- (f) to maintain for the client's purposes all records of construction of,
- (g) to submit to the City Engineer all required as-built details, elevations, and drawings in mylar copy and digital data in copy format, as well as details of private drain connections of,
- (h) to be responsible for the co-ordination of, and
- (i) to visit the site of the said works as requested by the City Engineer for any reason related to.

All services required under this Agreement.

G-2. SERVICES

G-2(1). The Owner shall supply, construct and install the following services at its own expense, unless otherwise provided herein, in accordance with the manner, location and design shown in the said engineering drawings and otherwise in accordance with the terms of this Agreement. No such work shall be carried out until the said engineering drawings have been approved by the City Engineer.

G-2(2). **Storm Sewers** - The Owner agrees to construct storm sewers with necessary appurtenances including catchbasins and service connections from the said storm sewers to the front property line of each building unit or block. All work to be to the satisfaction of the City Engineer.

G-2(3). **Sanitary Sewers** - The Owner further agrees to construct sanitary sewers with necessary appurtenances and service connections from the said sanitary sewers to the front property line of each building unit or block. All work to be to the satisfaction of the City Engineer.

G-2(4). **Storm Detention Scheme**

- (a) The Owner further agrees to retain a Consulting Engineer, *prior to the issuance of a construction permit*, for the design and preparation of drawings for an internal

storm water detention scheme to service the subject lands. The purpose of the said storm water detention scheme will be to ensure that storm water drainage being directed to the Corporation's storm sewer, combined sewer or ditch, as the case may be, from the subject lands in their improved state shall be restricted to no greater than the present flow from the subject lands.

G-2(4). (b) Upon approval of the drawings by the City Engineer, the Executive Director of Parks and the Chief Building Official, the Owner further agrees to construct at its entire expense the said storm detention scheme in accordance with the approved drawings, and to the satisfaction of the Chief Building Official.

G-2(5). Waste Disposal Sites - The Owner further agrees that any evidence of former waste disposal activity encountered during the construction on the subject lands shall be brought to the attention of the City Engineer. The Owner's Consulting Engineer shall make an assessment of any hazards the subject lands may present. The Owner further agrees to remove and/or eliminate such hazards, at his entire expense and to the satisfaction of the City Engineer. No work shall be carried out in the affected area until agreement has been reached between the Owner and the City Engineer.

G-2(6). Pavements - The Owner further agrees to construct pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities, according to City of Windsor standard specifications. Pavements are to be 8.6 metres (28 feet) in width, as shown in Standard City Drawing AS-214. The Owner further agrees that cul-de-sac pavements shall have a minimum radius of thirty-one (31) feet (9.5 metres) and that temporary cul-de-sacs and barricades shall be installed at temporary dead-ended streets. The Owner further agrees that one (1) full winter shall elapse following the laying of base asphalt prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.

G-2(7)(i). 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 and the Owner shall have the option of constructing the said driveway approaches as follows:

- (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;
- (c) to provide straight flare driveway approaches and to terminate the raised curbs at the property line and the raised curbs shall not extend into the driveway approaches, outside the subject lands;

All work to be to the satisfaction of the City Engineer.

G-2(7)(ii). Transformers near Driveways - The Owner further agrees that driveways and driveway approaches shall not be constructed closer than one (1) metre from the edge of an electricity transformer. Any owner of a lot whose driveway or driveway approach has been constructed closer than one (1) metre from the edge of a transformer, shall pay on demand to the utility for the cost of relocating the transformer to comply with this requirement.

G-2(8). Communication/ Telecommunication - The Owner further agrees to arrange with communication/ telecommunication providers for the installation of sufficient wire-line underground communication/ telecommunication infrastructure services to the subject lands in accordance with the terms, conditions, standards and specifications of the communication/ telecommunication providers, and to locate switching stations to the satisfaction of the City Engineer, and where such switching stations are located in a municipal park, also to the satisfaction of the Executive Director of Parks. In the event that such communication/ telecommunication infrastructure is not available, then the Owner shall pay all expenses for the connection to and/or extension of the existing communication/ telecommunication infrastructure, or for rearrangement or relocation of such communication/ telecommunication infrastructure, as required.

G-2(9). Street Lighting - The Owner further agrees to construct and install street lighting including all poles, wiring fixtures and conduits with design, location and specifications to the satisfaction of the City Engineer and EnWin Utilities Ltd.. Should decorative poles be requested, the Owner shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.

G-2(10)(i). Water Services - The Owner further agrees to construct and install water services in accordance with the design, location and specifications of The Windsor Utilities Commission.

G-2(10)(ii). Electrical Services - The Owner further agrees to construct and install electrical services in accordance with the design, location and specifications of the EnWin Utilities Ltd.

G-2(11). Canada Post Community Mailbox Program

G-2(11). (a) The Owner further agrees to consult with Canada Post to determine suitable permanent locations for the Community Mailboxes. The locations shall be identified on the appropriate servicing plans.

G-2(11). (b) The Owner further agrees to display a map in a place readily accessible to potential homeowners that indicates the location of all Community Mailboxes within the development, as approved by Canada Post.

G-2(11). (c) The Owner further agrees to include in all offers of purchase and sale a statement which advises the purchaser:

- i. that mail will be delivered via Community Mailbox;
- ii. the locations of all Community Mailboxes within the development;
- iii. of any established easements granted to Canada Post to permit access to the Community Mailbox.

G-2(11). (d) The Owner further agrees to provide a suitable and safe temporary site for a Community Mailbox until curbs, sidewalks and final grading are completed at the permanent Community Mailbox locations.

G-2(11). (e) The Owner further agrees to provide the following for each Community Mailbox site and to include these requirements on the appropriate servicing plans:

- i. any required walkway across the boulevard, per municipal standards;
- ii. any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications);
- iii. a Community Mailbox concrete base pad per Canada Post specifications.

G-2(12). Benchmarks - The Owner further agrees to install permanent Benchmarks in accordance with Standard City of Windsor Drawing AS-104, supplied by the City Engineer's Department. The benchmarks shall be located as specified by the City Engineer. The vertical elevation shall be established by an Ontario Land Surveyor to second order accuracy as defined by the current Ontario Specifications and Ontario Guidelines for Vertical Control Surveys.

G-2(13). Existing Watercourses and Natural Land Drainage - The Owner further agrees that no natural watercourses shall be blocked, abandoned or otherwise altered during the course of construction of this development unless approved by the City Engineer. No natural land drainage shall be cut off without adequate provision made for its interception to the satisfaction of the City Engineer.

G-2(14). E.R.C.A. Requirements - The Owner further agrees to follow all drainage and flood proofing recommendations of the Essex Region Conservation Authority (ERCA) may have with respect to the subject lands, based on final approval by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

G-2(15). Fire Hydrants and Turnarounds

- (a) The Owner further agrees to submit to the Fire Chief and the City Engineer for their approval, *prior to the issuance of any construction permits*, plans for fire hydrants and temporary turnarounds.
- (b) Once approved, the Owner further agrees to install said fire hydrants and temporary turnarounds to the satisfaction of the Fire Chief and the City Engineer.

G-2(16). Pavement Markings, Signage and Traffic Signals - The Owner further agrees to pay to the Corporation the Corporation's cost of installing public highway signage, striping, off-site road improvements, traffic signals and associated works as determined by the City Engineer. In addition for public highway signage the Owner further agrees, at its entire expense, to arrange for all necessary equipment and labour required for the installation of all traffic stanchions at the locations specified by the City Engineer.

G-2(17). Dirt and Debris - The Owner further agrees to keep the public highways adjacent to the subject lands free from dirt and debris caused by the construction on the subject lands. The Owner further agrees that, within twenty-four (24) hours of being notified by the Corporation, to clean-up the streets adjacent to the subject lands and unassumed streets within fifty (50) metres of the subject lands and/or take dust control measures at the Owner's entire expense, failing which, the Corporation may carry out or cause to have carried out the said work at the entire expense of the Owner.

G-2(18). Repair of Highway - The Owner further agrees that any curbs, gutters, pavements, sidewalks, or landscaped areas on the public highway which are damaged during construction on the subject lands shall be restored by the Owner at its expense, and to the satisfaction of the City Engineer. Any driveway approaches which become redundant following the development of the subject lands shall be closed and this area restored to the satisfaction of the City Engineer.

G-2(19). Street Opening Permits - The Owner further agrees to obtain street opening permits for sewer taps, drain taps, curb cuts and driveway approaches from the City Engineer prior to the commencement of any construction on the public highway.

G-2(20). Hydro Lines Warning - The Owner understands that an electrical distribution line operating at below fifty thousand (50,000) volts (electrical conductors, or energized conductors) might be located within the subject lands or abutting the subject lands. Section 186 of Construction Projects being Ontario Regulation 213/91, pursuant to the *Occupational Health and Safety Act*, R.S.O. 1990, c.0.1, requires that no object be brought closer than ten (10) feet (3 metres) to the energized conductor. The Owner further understands that it is the Owner's responsibility to be aware, and to make all personnel on the subject lands aware, that all equipment and personnel must come no closer than the distance specified in this Regulation. The Owner further understands that the Owner should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. The Owner further agrees to post warning signs on the wood poles supporting the electrical conductors stating "DANGER - Overhead Electrical Wires" in all locations where

personnel and construction vehicles might come in close proximity to the energized conductors.

G-2(21). Traffic Calming - The Owner further agrees to construct all required traffic calming devices, including traffic circles, roundabouts, median islands, chicanes, curb radius reductions, bump outs, lane narrowings and any other required traffic calming device, to the satisfaction of the Manager of Transportation Planning. The design of all traffic calming devices shall follow the Transportation Association of Canada's guide to neighbourhood traffic calming.

G-2(22). Control of Weeds - The Owner further agrees to control weeds on all of the subject lands to the satisfaction of the Chief Building Official.

G-2(23). Debris on Subject Lands

(a) The Owner further agrees:

- (i) to ensure that every lot or block within the subject lands and all unoccupied buildings thereon do not become unsightly by the accumulation of waste, garbage, debris or builder's waste, tree branches, topsoil, fill material or refuse of any kind so deposited forthwith upon being so directed by the chief Building Official.
- (ii) to restrain, by all reasonable means, all other persons from depositing waste, debris, topsoil, fill material or refuse on the subject lands; and
- (iii) to remove any such waste, garbage debris or builder's waste, tree branches, topsoil, fill material or refuse of any kind so deposited forthwith upon being so directed by the Chief Building Official.

G-2(23).(b) The Owner further agrees that it shall not dispose of or stockpile any waste or surplus fill material on the subject lands except in a manner and in a location approved by the Corporation.

G-2(23).(c) The Corporation may, if the Owner has not cleaned up any lot or block within the subject lands upon forty-eight (48) hours notice from the Corporation, enter on and clean up such lands, charging the cost thereof against the performance security required pursuant to **G-2(24)** herein.

G-2(24). Performance Security - Concurrently with the deposit of the Performance Security in **G-6** herein, the Owner shall deposit with the Corporation a Performance Security in the form of a certified cheque, cash or an Irrevocable Letter of Credit which is automatically extended, in the sum of \$15,000.00 to guarantee compliance with the provisions of **G-2(22)** and **G-2(23)** of this Agreement. This Performance Security shall not be released until the Owner has completed development of the subject lands.

G-2(25). SIDEWALKS

G-2(25).(a) The Owner further agrees to construct, at its entire expense, a concrete sidewalk

according to the City of Windsor Standard Specifications, along one side of all local/residential streets and both sides of all collector and arterial streets within the subject lands, in compliance with this agreement, and in a manner satisfactory to the City Engineer.

G-2(25). (b) The Owner further agrees to insert a **Sidewalk Warning Clause** into all Agreements of Purchase and Sale, Leases and Transfers for lots on the subject lands making persons aware that a sidewalk will be constructed on one (1) side of all local/residential streets and both sides of all collector and arterial streets, that the sidewalk will be located on the Corporation's lands adjacent to their property and that no structures or excavations are to take place beyond their property line without a written permit or permission of the Corporation.

G-2(25). (c) The Owner further agrees to erect signs/ maps showing the road pattern, the location of community facilities and sidewalks and timing of installation.

G-2(25). (d) The Owner further agrees to identify the specific sidewalk construction costs in the comprehensive Performance Security.

G-2(25). (e) The Owner further agrees to adhere to a specific sidewalk construction timetable and schedule, showing the specific location of the sidewalk(s) with the provision that sidewalks will be constructed no later than when eighty percent (80%) of the construction permits are issued for the subject lands OR within three (3) years of the installation of roads/ curbs; whichever comes first.

G-2(25). (f) The Owner further agrees to the retention of the Performance Securities to ensure the repair of sidewalks damaged during construction.

G-2(26). CCTV Sewer Inspection – The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32 [CCTV SEWER INSPECTION], 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 on three (3) separate occurrences, identified by the following milestones:

- 1) Prior to the issuance of construction permits;
- 2) Prior to the commencement of the maintenance period described in paragraph G-13; and
- 3) Prior to the assumption of works described by paragraph G-16.

Any deficiencies identified during the noted inspections are required to be remediated to the satisfaction of the City Engineer. Once Repairs are completed CCTV Video will need to be

resubmitted in order to clear such deficiencies.

G-3. LANDSCAPE AND PARK PROVISIONS

G-3(1). Trees - The Owner further agrees to pay to the Corporation, *prior to the issuance of any construction permits*, in connection with trees required for the subject lands, the amount set out in accordance with the Corporation's Manual of Landscaping Requirements available from the Corporation's Executive Director of Parks and the Department Fee Schedule approved by the Council of the Corporation from time to time.

G-3(2). Preservation of Existing Trees - The Owner further agrees to preserve those existing trees on the subject lands and/or adjacent public right-of-way and include preservation guidelines on the approved construction documents for the protection of the said trees during demolition and construction of the proposed development all to the satisfaction of the Executive Director of Parks :

G-3(3). Topsoil

G-3(3). (a) The Owner further agrees that all unpaved portions of street allowances shall be graded and further agrees to supply and replace any topsoil removed therefrom during construction operations to the satisfaction of the Executive Director of Parks.

G-3(3). (b) The Owner further agrees to retain the topsoil removed from the street right-of-way pavement areas for parks purposes and deliver same pursuant to Section 10.7 of the Corporation's Manual of Landscaping Requirements.

G-3(3). (c) The Owner further agrees to distribute the top soil removed from all unpaved portions of street allowances, over any lands to be conveyed to the Corporation for parkland pursuant to the provisions of this agreement, in accordance with the lot grading plan specified in **G-4(1)** herein.

G-4. BUILDING

G-4(1). Elevation, Grades and Drainage Plans - The Owner further agrees to adhere to the elevations, grades and drainage plans as approved by the City Engineer, the Executive Director of Parks and the Chief Building Official on a lot grading plan for the subject lands, including any lands to be conveyed to the Corporation for parkland. The Owner further agrees to provide each purchaser of a lot in the subject lands with an approved individual lot grading plan, which shall include details and notes on the provision of backwater valves. The approved individual lot grading plan shall be presented to the Chief Building Official, *prior to the issuance of a construction permit* for the said lot.

G-4(2). Lot Grading Plan - The Owner further agrees to submit to the satisfaction of the Chief Building Official, the City Engineer, the Executive Director of Parks and ERCA in regulated areas throughout, a lot grading plan covering the subject lands for their approval, *prior to the issuance of any construction permits* for the subject lands. The Owner further agrees to have the approved elevation as per the lot grading plan on each lot verified by a suitably qualified and experienced person (which includes an Ontario Land Surveyor, Architect, Engineer or Certified Engineering Technician and/or Technologist) at the following stages of construction:

- (a) Prior to the pouring of footings (top of forms elevation); and
- (b) Following completion of construction.

Where the finished grade of a lot deviates from the original lot grading plan presented to and accepted by the Chief Building Official, the City Engineer and ERCA in regulated areas throughout, the Owner shall either submit a new lot grading plan to the satisfaction of the Chief Building Official, the City Engineer and ERCA or regrade the lands to the elevations indicated on the original lot grading plan.

G-4(3). Internal Drainage - The Owner further agrees to provide internal drainage for each building lot located on the subject lands in the locations and according to the specifications approved by the Chief Building Official.

G-4(4). Placing of Fill - The Owner further agrees to obtain permits from ERCA in regulated areas throughout for any construction or placing of fill on the subject property, subject to final approval from the Chief Building Official and the City Engineer as necessary.

G-4(5). Construction of Model Homes

It is further agreed that once the municipal services referred to in this Agreement are under construction, the Owner may be allowed to construct model homes on up to ten percent (10%) of the Lots shown on the draft plan of subdivision or relotting plan as approved by the City Planner, to a maximum of twelve (12) model homes per phase of the development of the subject lands on the following terms and conditions, namely:

- (a) that model homes shall be constructed on lots within five hundred (500) feet (152.4m) of an active fire hydrant;
- (b) that a Class "B" road be constructed in order that fire trucks have access to each model home prior to the general public being permitted to tour the structures, all to the satisfaction of the Fire Chief;
- (c) that the Owner releases and forever discharges the Corporation from any and all manner of actions, causes of action, claims and demands for damages, loss or injury, costs (as between a solicitor and own client, including counsel fees) and

- charges whatsoever, occasioned to, or supplied by in respect of any matter or thing in consequence of or in connection with, or arising out of any fire in or about the said model homes, save and until the said Class "B" road referred to in subparagraph (b) hereof has been constructed;
- (d) that the Chief Building Official will not undertake a final inspection of the said model homes save and until the construction and acceptance on to maintenance by the City Engineer of all municipal services referred to in this Agreement;
 - (e) that draft plan approval has been received from the Corporation; and
 - (f) that this Agreement has been registered against the subject lands; and
 - (g) a sign permit application has been submitted to the Chief Building Official for a subdivision sign which includes sidewalk locations.

G-5. CONVEYANCES AND CONTRIBUTIONS

G-5(1). Development Charges - The Owner further agrees to pay, *prior to the issuance of a construction permit*, the appropriate Development Charges in accordance with the Corporation's Development Charges By-Law.

G-5(2)(a). Land Dedication for Public Highway Purposes - The Owner further agrees to dedicate to the Corporation on the registered subdivision plan, all public highways as shown on the approved draft plan of subdivision.

G-5(2)(b). The Owner shall arrange to have all public highways named and obtain street numbers for all lots, all to the satisfaction of the Corporation.

G-5(3). Easement - The Owner further agrees to gratuitously convey to the Corporation and/or utility companies such as, but not limited to, Bell Canada, Union Gas Limited, The Windsor Utilities Commission, EnWin Utilities Ltd., Cogeco Cable Canada GP Inc., Rogers Communications Partnership and Managed Network Systems Inc. *prior to the issuance of any construction permits*, any municipal and/or utility easements required by the Corporation and/or the said utility companies.

G-5(4). Reserves - The Owner further covenants and agrees that dead-ended highways shall terminate in a 0.3 metre reserve blocks. The Owner further agrees to gratuitously convey to the Corporation those 0.3 metre reserve blocks, in fee simple and without encumbrance and *prior to the issuance of any construction permits*, in order that the Corporation may hold the aforesaid reserve blocks, until required for future highway purposes or for the development of the adjacent lands.

G-5(5). Parkland Conveyance - The Owner further agrees to gratuitously convey to the

Corporation, in fee simple and without encumbrance, *prior to the issuance of any construction permit*, lands for park purposes as shown on the approved draft plan of subdivision or to the satisfaction of the City Planner and the Executive Director of Parks , pursuant to Section 51.1 of the Planning Act, R.S.O. 1990.

G-5(6). **Park Development** - The Owner further agrees to pay to the Corporation, *prior to the issuance of any construction permits*, parkland development fees in one (1) payment in accordance with the Corporation's Manual of Landscaping Requirements available from the Corporation's Executive Director of Parks and the Department Fee Schedule approved by the Council of the Corporation from time to time.

G-5(7). **Surveys and Land Descriptions** - All surveys, plans, or descriptions of land to be conveyed to the Corporation and/or utility companies shall be at the entire expense of the Owner.

G-5(8). **Phased Development** - The Corporation agrees that the Owner may phase the development of the subject lands by the registration of more than one plan of subdivision. Prior to undertaking such phasing of development the Owner shall submit plans showing the proposed phasing for the review and approval of the City Planner and City Engineer.

G-5(9). **Oversizing** - In the event the Owner is required to oversize any services to service other lands, the Owner agrees that any oversizing costs to be paid by the Corporation to the Owner shall be based on cost-sharing and tender process satisfactory to the City Engineer. Any cost-sharing agreed to will be subject to the approval by the Corporation's City Council. Benefitting landowners will be required to pay their share of servicing costs prior to the release of permits for benefitting lands.

G-6. **PERFORMANCE SECURITY**

G-6(1). The Owner shall deposit with the Corporation prior to the commencement of construction of any services required under this agreement a Performance Security in the form of a certified cheque, cash or an Irrevocable, Letter of Credit which is automatically extended, or other security in form satisfactory to the City Solicitor and in an amount equal to fifty percent (50%) of the total cost of construction or provision of all said services to be installed on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation. The said cost of construction of services shall be based upon the contract or contracts mentioned in paragraph G-10 herein, unless such construction shall be carried out by the Owner in which event the cost shall be estimated by the City Engineer. No Performance Security shall be released until the Owner has filed a Maintenance Security in accordance with paragraph G-14 herein, covering the services in respect of which such Performance Security was deposited.

G-6(2). The Owner further agrees that in the event the Owner fails to construct, or in the opinion of the City Engineer there are deficiencies in the services required under this Agreement, or the construction of the said services has been started and abandoned by the Owner, on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation, the Corporation may, at its sole option, by its agents, representatives, workmen, contractors or employees complete the said services or part of the said services, or take any actions as the Corporation in its sole discretion deems necessary under the circumstances for the protection of the services or the public or both. The costs of the aforementioned actions by the Corporation shall be recovered by the Corporation out of the Performance Security submitted pursuant to the requirements of this Agreement, and any additional costs incurred by the Corporation in excess of the said Performance Security, shall constitute a debt owing by the Owner to the Corporation and the Corporation may add such costs to the tax roll of the subject lands and collect them in the same manner as taxes.

G-7. **CONSTRUCTION LIEN ACT**

Inasmuch as the Owner is obliged at its entire expense and not at the expense of the Corporation, to make improvements to the highway, the Owner shall deposit with the Corporation, in order to satisfy the requirements of Section 17(4) of the Construction Lien Act, a security in form satisfactory to the City Solicitor and in an amount satisfactory to the City Engineer, for the estimated amount of the holdbacks (under part IV of the Construction Lien Act) that would have been required were the improvements made at the expense of the Corporation. Upon the forty-sixth (46th) day following the completion of the said work and provided that the Corporation has received no notice of claim or lien for the supply of services or materials for the improvement of the streets or highways, the Corporation shall redeliver the security or letter of credit hereinbefore mentioned to the Owner.

G-8. **INDEMNITY AND INSURANCE**

G-8(1). The Owner further agrees to indemnify and save the Corporation harmless from and against all loss or damage, expense, claims, suits and liability on account of any and all damage to or loss or destruction of any property (including without limitation, the work hereby covered and all property of the Owner and the Corporation), or injury to or death of any person (including without limitation, employees of the Owner and the Corporation) arising directly or indirectly out of or in connection with the negligent performance or unlawful or non-performance of any obligation of the Owner under this Agreement on land owned by the Corporation or on any

lands to be conveyed hereunder to the Corporation.

G-8(2). During the construction of the works on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation required herein, and during the maintenance period, the Owner further agrees to maintain:

G-8(2). 1. A policy of public liability and property damage insurance, in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)** per occurrence and containing endorsements showing the Corporation, and its officers, agents, employees, and assigns, as an additional insured and have a cross-liability clause, and to be in form satisfactory to the Manager Risk and Insurance, or designate.

G-8(2). 2. If deemed necessary by the Manager of Risk and Insurance, or designate, a policy to provide environmental pollution liability insurance, in the amount of **TWO MILLION DOLLARS (\$2,000,000.00)** exclusive of interest or costs, on a claims-made basis or such other limit as the Corporation may reasonably require and containing endorsements showing the Corporation, and its officers, agents, employees, and assigns, as an additional insured, to cover third party bodily injury and property damage claims arising out of sudden and accidental pollution, including but not limited to unexpected and unintentional spill, discharge, emission, dispersal, leakage, migration, release or escape of pollutants. The coverage is not to be subject to the one hundred and twenty (120) hour reporting period and is not to be limited to hostile fire only, and is to be in form satisfactory to the Risk and Insurance, or designate.

G-8(2). 3. A policy to provide proof of auto liability insurance, in the amount of **TWO MILLION DOLLARS (\$2,000,000.00)** per occurrence.

The said insurance policies shall not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Corporation. If the said insurance policies are cancelled or changed in any manner that would affect the Corporation as outlined in coverage specified in the policy for any reason, thirty (30) days prior written notice by registered mail must be given by the insurer to the Corporation. Before commencing any work on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation required herein, the Owner further agrees to provide the Manager of Risk and Insurance, or designate, with a certified copy of said such policies.

G-9. COMPLETION OF WORK

Rear-yard drainage and driveway approaches shall be installed contemporaneously with the construction of dwellings on each building lot, upon the direction of the Chief Building Official and the City Engineer, respectively. Except as aforesaid, all works required hereunder in each stage of construction approved by the City Engineer shall be completed within twenty-seven (27) months of the date of this Agreement, provided however, that the said completion date may be extended with the approval of the City Engineer. Each one (1) year extension granted by the City Engineer will be conditional upon the recalculation of all outstanding monies in this Agreement owed to the Corporation by the Owner and likewise owed to the Owner by the Corporation. Recalculation will constitute the addition of a simple interest charge based on the average annual rate of debentures issued by the Corporation in each one (1) year period prior to the termination date being so extended for a one (1) year period.

G-10. SPECIFICATIONS AND MATERIALS

G-10(1). All work relative to this Agreement on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation shall be carried out by a contractor competent in the type of construction involved. The latter shall be subject to the approval of the City Engineer. All work or detail required for the completion of construction under this Agreement and not shown in the engineering drawings, shall adhere to the latest Corporation's specifications and standards.

G-10(2). In the event that the Owner shall call for tenders for any of the work required herein, such tenders shall be called on the basis of the specifications prescribed under this Agreement and the Owner shall provide the City Engineer with a copy of the tender and an executed copy of the contract sent to each successful tenderer for any such work.

G-10(3). All material to be incorporated into the work required herein shall be tested from time to time, at the Owner's expense, as may be required by the City Engineer.

G-11. INSPECTION OF WORK

It is understood by the Owner that the work on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation carried out under this Agreement must be inspected and approved but not supervised by the Corporation's inspectors, but that no charge will be made by the Corporation for such inspections. The Owner shall give the City Engineer forty-eight (48) hours' notice of the commencement of such work; shall make every effort to

proceed expeditiously to the completion of all work undertaken without delay or interruptions; shall submit to the Corporation a work schedule to be followed in construction of the services required herein; shall co-operate fully with the inspectors aforesaid by making all parts of the work accessible to them and shall organize the work operation in such a manner as to permit inspections to be carried out in the most efficient manner during regular working hours as far as possible. The Corporation likewise upon receipt of reasonable notice shall co-operate with the Owner in arranging to have inspectors available to carry out, without delay, such inspections as may be necessary.

G-12. ACCEPTANCE OF WORK

G-12(1). The performance by the Owner of its obligations under this Agreement on land owned by the Corporation or on any lands to be conveyed hereunder to the Corporation to the satisfaction of the City Engineer shall be a condition precedent to the acceptance by the Corporation of the services and works required herein as substantially complete and the commencement of the maintenance period described in paragraph **G-13**.

G-12(2). Prior to the acceptance by the Corporation of the said services and works as substantially complete, the Owner shall furnish the Corporation with a statutory declaration to the effect that the Owner has paid all accounts that are payable in connection with the installation and maintenance of such works and that there are no outstanding claims relating thereto. The Owner shall also provide the Corporation with a certificate of Substantial Completion signed by the Owner's Consulting Engineer, and advertised as required by the Construction Lien Act and regulations thereto.

G-12(3). Upon substantial completion of the services to be constructed or installed in public lands and upon acceptance thereof by the City Engineer or by the appropriate representative of The Windsor Utilities Commission and EnWin Utilities Ltd., such services shall become the property of the Corporation or The Windsor Utilities Commission and the EnWin Utilities Ltd. as the case may be, and the Corporation shall thereupon permit such services to be incorporated with the appropriate existing municipal services at the expense of the Owner or its assignee. This paragraph shall not require the Corporation to maintain or in any way be responsible for driveway approaches, private sewer connections or any other private services which may be installed in public lands.

G-13. MAINTENANCE PERIOD

The Owner shall be responsible at its entire expense and to the satisfaction of the

City Engineer for all materials, equipment and work on land owned by the Corporation or on any lands to be conveyed to the Corporation from the time of installation thereof and continuing for a minimum period of one (1) year following substantial completion and acceptance thereof by the City Engineer.

G-14. MAINTENANCE SECURITY

The Owner shall deposit a Maintenance Security in the form of a certified cheque, cash or an Irrevocable Letter of Credit which is automatically extended, or other security in form satisfactory to the City Solicitor and in an amount equal to twenty-five percent (25%) of the total cost of the services or work required herein. The Maintenance Security shall be returned to the Owner after final inspection of the services or works is conducted and the City Engineer is satisfied that the works or services can be assumed by the Corporation in accordance with the provisions of paragraph G-16.

G-15. SNOW REMOVAL AND USE OF WORKS

G-15(1). The Owner agrees that pending the assumption of the said services or works by the Corporation, the services or works may be used by the Corporation or by any person authorized by the Corporation, at the Corporation's sole discretion, for the purpose of entering upon all streets with all necessary machinery and equipment to plough snow or salt roads or perform any other work which the Corporation deems necessary or expedient. Despite the use of the services or works for snow ploughing, salting or the performance of other work, this shall not constitute an acceptance or assumption of the services works by the Corporation, nor shall it be deemed an assumption by the Corporation of any liability in connection therewith.

G-15(2). The use of the services or works or the snow plowing or removal of snow or the performance of such other work as the Corporation considers necessary does not relieve or discharge the Owner of its obligations in respect of the construction and maintenance of the said services or works, or any other obligation of the Owner pursuant to the provisions of this agreement.

G-16. ASSUMPTION OF WORKS

G-16(1). Before the services or works intended to belong to the Corporation are assumed by the Corporation, the Owner shall have complied with all the terms and conditions of this agreement in respect of the services or works, corrected all deficiencies in the works identified under the maintenance period to the satisfaction of the City Engineer, and furnished the

Corporation with a statutory declaration to the effect that the Owner has paid all accounts that are payable in connection with the installation and maintenance of such services or works and that there are no outstanding claims relating thereto. In addition the Owner shall provide to the Corporation a certificate from the Owner's consulting engineer confirming that all the services or works have been installed and maintained as required by the Corporation.

G-16(2). Streets shall be assumed by the Corporation upon the passing of a by-law for the assumption of the streets and works therein. The date of the assumption of the streets shall be the date of the final passing of the by-law.

G-17. GENERAL

G-17(1). The Owner shall repair forthwith, at its own expense, any damage done by its servants, agents, contractors or sub-contractors to any land or property of the Corporation during the course of, or arising in any way out of the construction or installation of the work required under this Agreement.

G-17(2). This Agreement may be registered against the subject lands described herein.

G-17(3). This Agreement shall enure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

G-17(4). The City Engineer, the Executive Director of Parks, the Chief Building Official, the City Planner, the Fire Chief, the City Solicitor, the Executive Director - Public Works, Operations and the Manager of Risk and Insurance which may be set out in this Agreement, are those of the Corporation.



Committee Matters: SCM 295/2026

Subject: Part Closure of Roseland Crescent East and Roseland Crescent West located east of Dougall Avenue and south of Cabana Road East, Ward 9, SAS-4182

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

Decision Number: **DHSC 866**

- I. THAT the portion of the public highway known as Roseland Crescent East and Roseland Crescent West, as shown on Revised Drawing No. CC-1888 (attached hereto as Appendix "G"), and hereinafter referred to as "Roseland East and Roseland West", **BE ASSUMED** for subsequent closure.
- II. THAT Roseland East and Roseland West **BE CLOSED AND CONVEYED** in **as-is condition** to the Owner of the abutting property known municipally as 0 Roseland Crescent West, legally described as Lots 64 to 73, 76 to 85, and 209 to 212, Plan 1489, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - i. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, are being granted to:
 1. ENWIN Utilities Ltd. to accommodate existing overhead and underground infrastructure;
 2. Managed Network Systems Inc. (MNSi) to accommodate existing overhead infrastructure; and
 3. The Corporation of the City of Windsor to accommodate the existing underground 900 mm reinforced concrete sanitary sewer and 1975 mm corrugated steel storm sewer.
- III. THAT the Owner **SHALL**, at its own expense, prepare and deliver a Reference Plan to the satisfaction of the City Solicitor.
- IV. THAT Conveyance Cost **BE SET** in accordance with CR187/2026.
- V. THAT The City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1888.
- 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
Carried.

Report Number: S 78/2026 & AI 12/2026
Clerk's File: SAA2026

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 September 1, 2026.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20260902/-1/11659>

Subject: Part Closure of Roseland Crescent East and Roseland Crescent West located east of Dougall Avenue and south of Cabana Road East, Ward 9, SAS-4182

Reference:

Date to Council: August 4, 2026
Author: Brian Nagata, MCIP, RPP
Planner III - Development (A)
(519) 255-6543 ext. 6181

Planning & Development Services
Report Date: June 23, 2026
Clerk's File #: SAA2026

To: Mayor and Members of City Council

Recommendation:

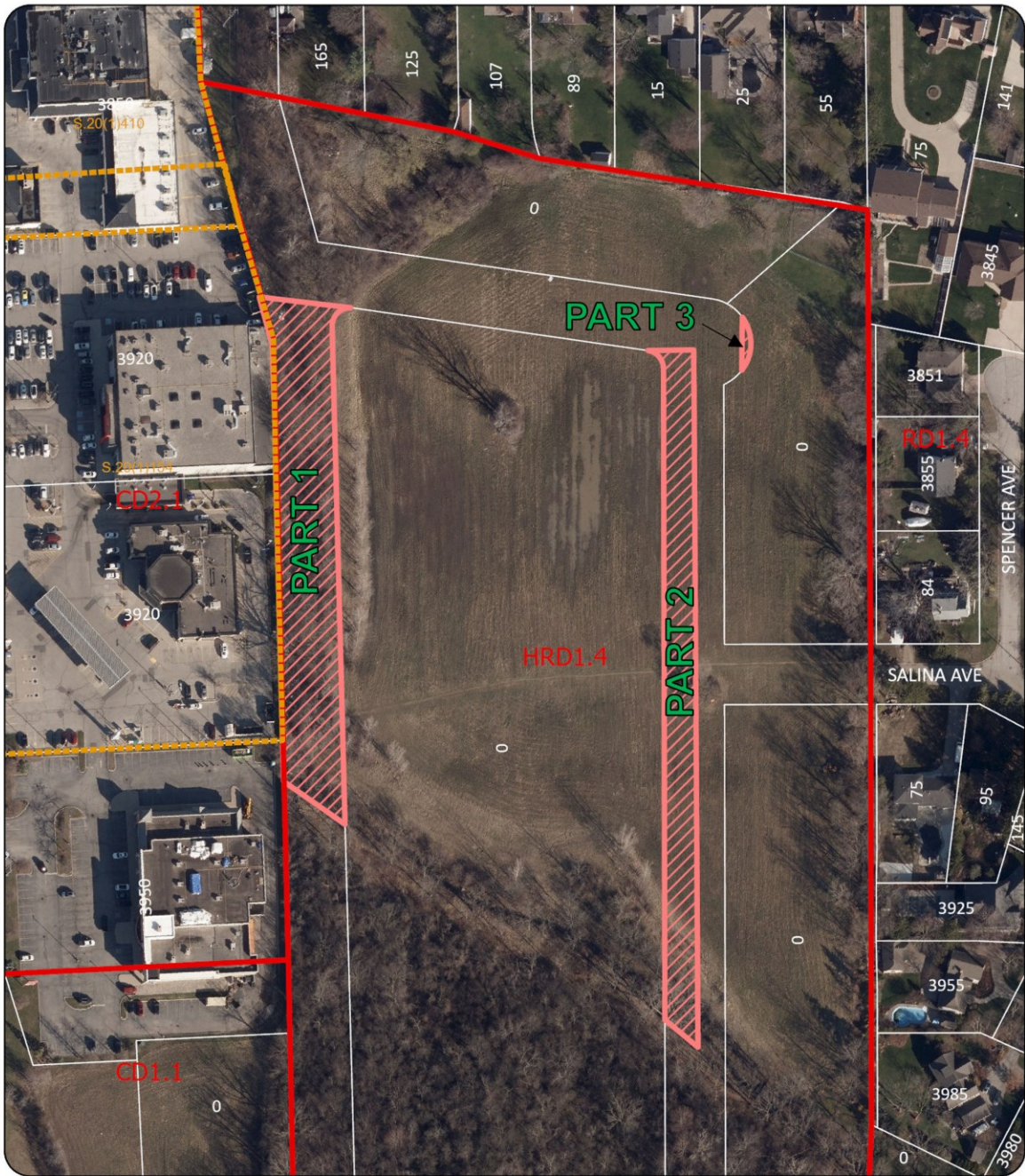
- I. THAT the portion of the public highway known as Roseland Crescent East, shown as Parts 2 and 3 on Drawing No. CC-1888 (attached hereto as Appendix "A"), and hereinafter referred to as "Roseland East", **BE ASSUMED** for subsequent closure.
- II. THAT the portion of the public highway known as Roseland Crescent West, shown as Part 1 on Drawing No. CC-1888, and hereinafter referred to as "Roseland West", **BE ASSUMED** for subsequent closure.
- III. THAT Part 2 of Roseland East **BE CLOSED AND CONVEYED** in **as-is condition** to the Owner of the abutting property known municipally as 0 Roseland Crescent West, legally described as Lots 64 to 73, 76 to 85, and 209 to 212, Plan 1489, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, are being granted to:
 - i. The Corporation of the City of Windsor to accommodate the existing underground 900 mm reinforced concrete sanitary sewer and 1975 mm corrugated steel storm sewer.
- IV. THAT Part 3 of Roseland East **BE CLOSED AND CONVEYED** in **as-is condition** to the Owner of the abutting property known municipally as 0 Roseland Crescent East, legally described as Lots 52 to 54, and Lots 201 & 202,

Plan 1489, and as necessary, in a manner deemed appropriate by the City Planner.

- V. THAT Roseland West **BE CLOSED AND CONVEYED** in **as-is condition** to the Owner of the abutting property known municipally as 0 Roseland Crescent West, legally described as Lots 64 to 73, 76 to 85, and 209 to 212, Plan 1489, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, are being granted to:
 - i. ENWIN Utilities Ltd. to accommodate existing overhead and underground infrastructure;
 - ii. Managed Network Systems Inc. (MNSi) to accommodate existing overhead infrastructure; and
 - iii. The Corporation of the City of Windsor to accommodate the existing underground 900 mm reinforced concrete sanitary sewer and 1975 mm corrugated steel storm sewer.
- VI. THAT the Owner **SHALL**, at its own expense, prepare and deliver a Reference Plan to the satisfaction of the City Solicitor.
- VII. THAT Conveyance Cost **BE SET** in accordance with CR187/2026.
- VIII. THAT The City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1888.
- IX. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- X. 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.
- XI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



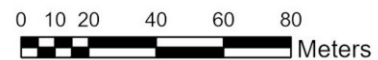
STREET & ALLEY CLOSING (SAS-4182) - Roseland Crescent East and Roseland Crescent West



PROPOSED CLOSURE

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: JUNE 2026



Background:

On May 30, 2014, South Windsor Development Company Limited, acting as the authorized agent (the Applicant) for South Windsor Properties Inc. Trustee (the Owner), submitted an application to close portions of two public highways abutting lands municipally known as:

- 0 Roseland Crescent South (legally described as Lots 21, 22, 86 to 88, and Part of Lot 20, Plan 1489);
- 0 Roseland Crescent East (legally described as Lots 52 to 63 and 201 to 208, Plan 1489); and
- 0 Roseland Crescent West (legally described as Lots 64 to 73, 76 to 85, and 209 to 212, Plan 1489)

(Collectively referred to as the "Subject Property").

The application seeks to close the following untraveled portions of road allowances:

1. Roseland Crescent East, identified as Parts 2 and 3 on Drawing No. CC-1888 (Appendix "A") (hereinafter referred to as "Roseland East"); and
2. Roseland Crescent West, identified as Part 1 on Drawing No. CC-1888 (hereinafter referred to as "Roseland West").

Roseland East and Roseland West are currently unmaintained road allowances comprised primarily of natural vegetation. Both road allowances were originally established through Registered Plan of Subdivision 1489, which was registered on October 21, 1947, and subsequently amended on November 25, 1959, through Registered Plan of Subdivision 1489a. Registered Plan 1489 comprises lands bounded by Cabana Road East (north), Registered of Subdivision Plan 1258 (east), Howard Avenue (south), and Dougall Avenue (west).

The proposed road closures are required to facilitate the Draft Plan of Subdivision application submitted by the applicant (File No. SDN-001/25), with the Draft Plan of Subdivision attached as Appendix "F". The application proposes amendments to the undeveloped portion of Registered Plan 1489, located north of the centreline of the Lennon Drain.

The proposed road closures will enable the reconfiguration of the approved lotting pattern and road network to support a broader range of residential housing types. Specifically, the revised subdivision design will accommodate semi-detached and townhouse dwellings in addition to the single-unit dwellings originally planned for the area. This increased housing diversity will contribute to a more varied housing supply while maintaining the orderly development of the subdivision.

Discussion:

The criteria for evaluating applications to close a street or alley are set out in the City's Street and Alley Closing Policy (the "Policy"), as amended from time to time by Council resolution.

The Policy establishes four classifications under which a street or alley may be categorized, along with corresponding direction regarding its suitability for closure. These classifications are summarized in Table 1 below, with the full Policy attached hereto as Appendix "D."

Table 1 - Classification & Suitability for Closing a Street or Alley

Classification	Suitability for Closing
Indispensable	Not suitable for closure
Has some usefulness	May be considered for closure only when requested by abutting property owners; the City does not initiate requests.
Dispensable with no current or anticipated purpose	Suitable for closure where possible
Located in Holding zones and other similar undeveloped areas	Not suitable for closure unless required for municipal purposes or supported by specific development proposals acceptable to the City.

The Planning & Development Services Department deems the Roseland East and Roseland West public highways "dispensable" and supports the requested closure.

The requested closure is necessary to facilitate the aforementioned Draft Plan of Subdivision.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to the City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate applicable to Roseland East and Roseland West, conveyed to abutting lands zoned HRD1.4, is as approved by Council at its In-Camera meeting on April 27, 2026, by CR187/2026.

At their own expense, the Owner has prepared a Draft Reference Plan illustrating the lands identified as Roseland East and Roseland West, attached hereto as Appendix "E". Administration recommends that the Owner, at its own expense, prepare and deliver a registered Reference Plan to the satisfaction of the City Solicitor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in the attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting Roseland East and Roseland West by first-class mail on August 14, 2014, with no objections or comments being received as of the date of writing this report.

Notice of the Development & Heritage Standing Committee meeting and Council meeting is published in the Windsor Star before each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners before the meetings.

The Planning & Development Services Department consulted the Financial Services Department on the financial matters associated with this report.

Conclusion:

The Planning & Development Services Department recommends the closure of Roseland East and Roseland West, subject to easements in favour of ENWIN Utilities Ltd., Managed Network Systems Inc. (MNSi), and The Corporation of the City of Windsor, as in Recommendations III and V of this report.

The closed Roseland East and Roseland West are to be conveyed in **as-is condition** to the Owner, as in Recommendations III, IV and V of the report.

Municipal Act Matters:

Brian Nagata, MCIP, RPP

Planner III - Development (A)

I concur with the above comments and opinion of the author.

Laura Diotte, MCIP, RPP

Manager - Planning (Development Applications)

Neil Robertson, MCIP, RPP

City Planner

JP

RM

Approvals:

Name	Title
Brian Nagata	Planner III - Development (A)
Laura Diotte	Manager – Planning, Development Applications
Denise Wright	Manager of Real Estate Services
Jamelah Hersh	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development

Lorie Gregg	On behalf of Commissioner, Finance & City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

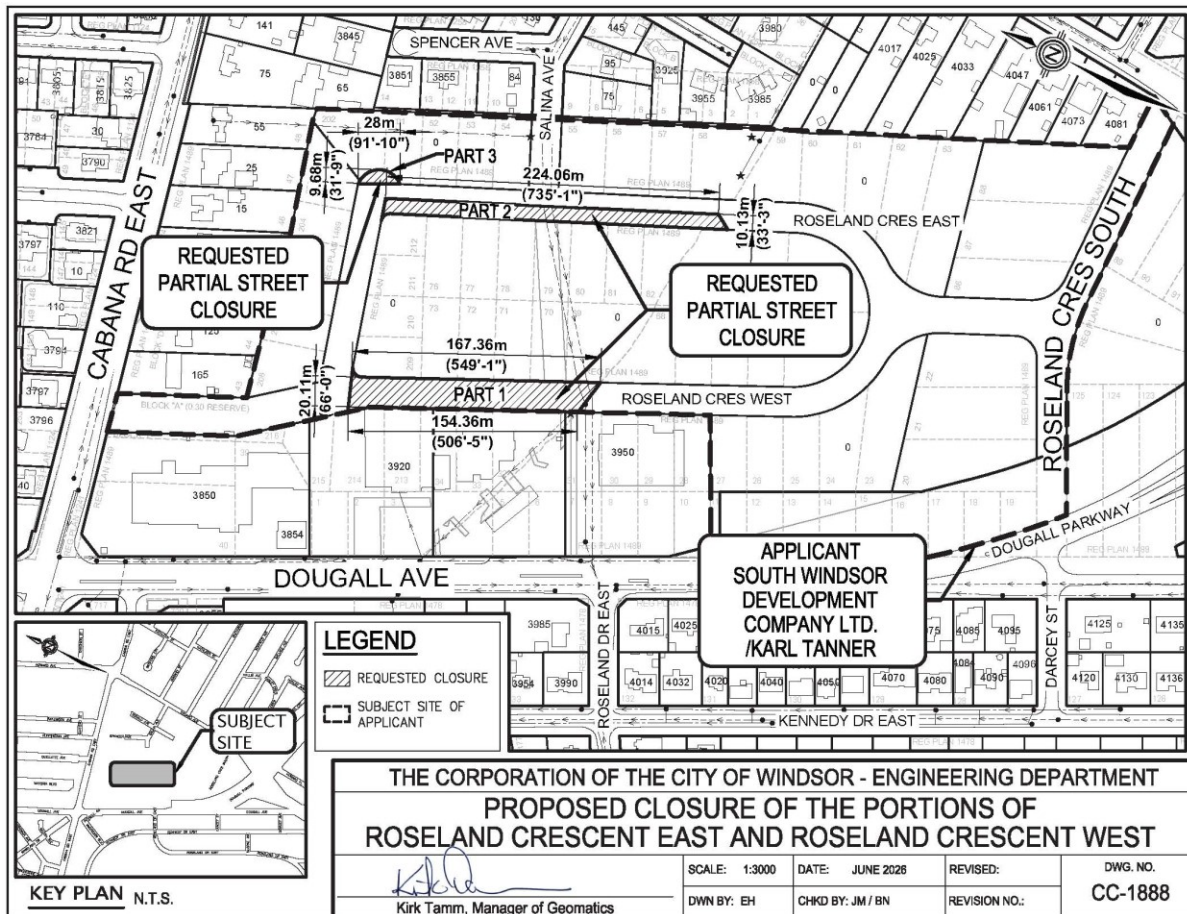
The Planning & Development Services Department provided the Clerk's Department with mailing labels for the Notice of Development & Heritage Standing Committee on July 2, 2026

Appendices:

- 1 Appendix A - Drawing No. CC-1888
- 2 Appendix B - Site Photos
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Classification of Alleys and Suitability for Closure
- 5 Appendix E - Draft Reference Plan
- 6 Appendix F - Draft Plan of Subdivision

APPENDIX "A"

Drawing No. CC-1888



APPENDIX "B"

Site Photos (Google Street View)



Figure 1 - Looking east towards Roseland Crescent West (behind commercial properties) from Dougall Avenue (June 2025)



Figure 2 - Looking east towards Roseland Crescent West from the commercial plaza parking area (November 2020)



Figure 3 - Looking west towards Roseland Crescent East from Salina Avenue terminus (November 2023)

APPENDIX "C"

Consultations with Municipal Departments and Utility Companies

BELL CANADA

Bell Canada has no easement requirements with respect to the proposed closure and sale of the subject property.

[Lisa Hall]

COGECO CONNEXION INC.

No issues from Cogeco

[Daniel Haggins - Supervisor Market Expansion]

ENBRIDGE GAS INC.

No comments provided

ENGINEERING (DEVELOPMENT)

The subject road closures are forested and composed of grass. The west area of the road closure has lengths of approximately 158.5m on the long end and 138.6m on the short end with an approximate width of 20.2m. The east area of the closure is made up of a small crescent/semi circle shape, and a long straight portion. The straight portion has a length of approximately 233.8m on its long end and 221.6m on the short end, with an approximate width of 10.0m. Finally, the Crescent portion has an approximate length of 20.0m and an approximate width 3.9m at its longest point. There are no encroachments into the roads, no curb cuts, and no driveway approaches. There is a storm sewer, sanitary sewer and a municipal drain running through the subject road as well as manholes for these sewers. An easement over the manholes covering the width of the subject road is required for access. There is no garage access from this road, and it is not travelled. This road appears to serve no useful purpose by CR146/2005; therefore, we have no objections to its closure.

[Adam Yacoub - Development Engineering Co-op Student]

ENGINEERING (RIGHT-OF-WAY)

This closure should require an easement to be in place, and it can be removed when the right of ways are dedicated within the plan of subdivision.

[Lea Marshall - Technologist III]

ENGINEERING (TRAFFIC OPERATIONS)

No concerns with the closure as proposed.

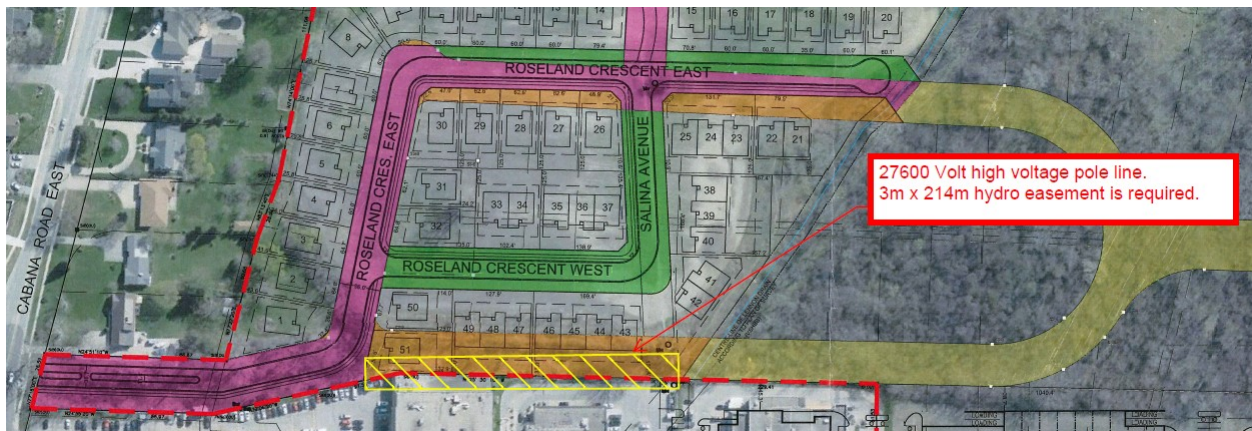
[Ajay Kumar - Traffic Technician]

ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES LTD. (HYDRO)

No objection, provided that an easement in favour of Enwin Utilities Ltd. is established along the entire west limit of the subject site. This easement is required to ensure continued access, operation, and protection of the existing 27,600-volt high-voltage pole line, including the neutral overhead conductor and associated down guy(s). Please refer to the attached Proposed Property Exchange Map for detailed requirements and clarification.



[Anwar Najor - Senior Hydro Engineering Technologist]

ENWIN UTILITIES LTD. (WATER)

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

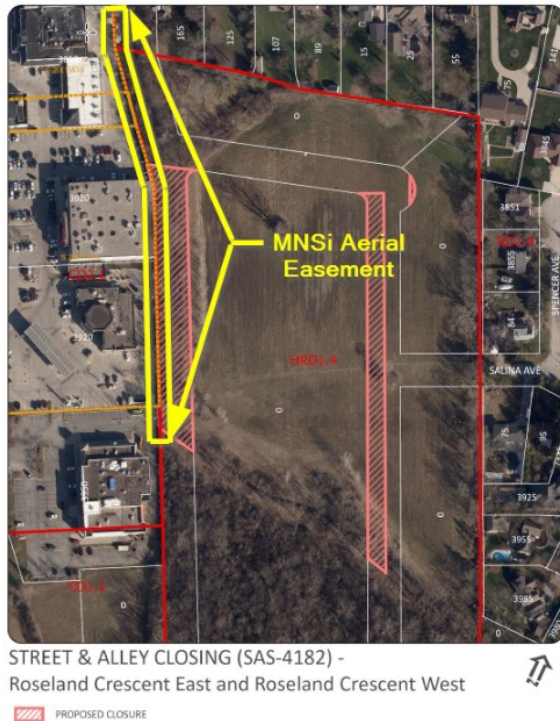
LEGAL & REAL ESTATE SERVICES

Conveyance price as approved by Council at its In-Camera meeting on April 27, 2026 by CR187/2026.

[Natalie D'Ambrosio - Coordinator of Real Estate Services]

MANAGED NETWORK SYSTEM INC. (MNSi)

MNSi would like an Aerial Easement on the pole line along the West edge of the Property for whichever section you can, if possible, please. (I realize it may only be in the shaded area)

**[Dave Hartleib - Outside Plant Manager]****PARKS**

I have no comments from Parks development lens to this application.

[Hoda Kameli - Landscape Architect]**ROGERS**

No comments provided

TELECON (TELUS)

TELUS has no infrastructure between Pavement Centreline & ROW line on the same side as the proposal.

Consent expires six(6) months from approval date. If the location of your proposed design changes, it will be necessary to re-apply.

[Isadora Aquino - TELUS Utility Mark-Ups]

TRANSPORTATION PLANNING

Transportation Planning has no objections to the proposed closure of Roseland Crescent East and Roseland Crescent West.

[Aashvi Sarvaiya - Transportation Planner I]

WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no objections with these proposed closures, as they are a required component of the overall site's redevelopment for a plan of subdivision.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”

Criteria for Evaluating Applications to Close a Street or Alley

Classifications:

Currently, streets and alleys fall into four classifications based on 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 that 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:

The 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. They 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 the request of abutting owners rather than by the 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.

Subject: Additional Information Memo to Council Report No. S 78/2026

Reference:

Date to Council: September 1, 2026
Author: Brian Nagata, MCIP, RPP
Planner III - Development (A)
(519) 255-6543 ext. 6181

Planning & Development Services
Report Date: July 24, 2026
Clerk's File #: SAA2026

To: Mayor and Members of City Council

Additional Information:

Addendum to Recommendation for Report S 78/2026:

- Recommendations I and II **BE DELETED** and **BE REPLACED** with the following Recommendation I:
 - I. THAT the portion of the public highway known as Roseland Crescent East and Roseland Crescent West, as shown on Revised Drawing No. CC-1888 (attached hereto as Appendix "G"), and hereinafter referred to as "Roseland East and Roseland West", **BE ASSUMED** for subsequent closure.
- Recommendations III, IV and V **BE DELETED** and **BE REPLACED** with the following Recommendation II:
 - II. THAT Roseland East and Roseland West **BE CLOSED AND CONVEYED** in **as-is condition** to the Owner of the abutting property known municipally as 0 Roseland Crescent West, legally described as Lots 64 to 73, 76 to 85, and 209 to 212, Plan 1489, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, are being granted to:
 - ENWIN Utilities Ltd. to accommodate existing overhead and underground infrastructure;
 - Managed Network Systems Inc. (MNSi) to accommodate existing overhead infrastructure; and

- The Corporation of the City of Windsor to accommodate the existing underground 900 mm reinforced concrete sanitary sewer and 1975 mm corrugated steel storm sewer.
- Recommendations VI, VII, VIII, IX, X and XI **BE RENUMBERED** to III, IV, V, VI, VII and VIII respectively.

Addendum to Appendices for Report S 78/2026:

- THAT Appendix A, Drawing No. CC-1888, **BE REPLACED** with Appendix G - Revised Drawing No. CC-1888 attached to this memo;
- THAT Appendix E, Draft Reference Plan, **BE REPLACED** with Appendix H - Revised Draft Reference Plan attached to this memo; and
- THAT Appendix I - Site Visit Photos, attached to this memo, **BE ADDED** to the report appendices.

Background:

On July 21, 2026, the Applicant submitted a revised Draft Reference Plan to Administration, attached as Appendix H. The Draft Reference Plan identifies all of Roseland Crescent East and Roseland Crescent West located north of the top-of-bank of the Lennon Drain as a single parcel (Part 1). For this report, these lands are hereinafter collectively referred to as "Roseland East and Roseland West."

The Applicant requested that consideration of the road closure application be deferred to the September 1, 2026 meeting of the Development & Heritage Standing Committee to provide Administration with sufficient time to review the revised plan and update the recommendation accordingly. The Applicant advised that expanding the scope of the proposed closure to include the entirety of the subject right-of-way north of the Lennon Drain would simplify subsequent land conveyance, PIN consolidation, Land Titles Absolute application, and registration processes. The Applicant further indicated that this approach would facilitate the establishment of future municipal rights-of-way through a Plan of Subdivision following registration.

At its meeting held on August 4, 2026, the Development & Heritage Standing Committee granted the Applicant's request to defer consideration of the application concerning the closure of portions of Roseland East and Roseland West.



STREET & ALLEY CLOSING (SAS/4182)

APPLICANT : SOUTH WINDSOR DEVELOPMENT COMPANY LTD.

 REQUEST FOR CLOSURE

PLANNING & DEVELOPMENT SERVICES

DATE: AUGUST, 2026

Figure 1 - Revised Closure of Roseland East and Roseland West

Discussion:

The expanded scope of the proposed closure will result in an additional 9,542.8 m² of municipal right-of-way being closed and conveyed to the Owner, increasing the total closure area to 14,468.0 m².

The Real Estate Services Department has confirmed that the conveyance cost recommended and approved by Council at its In-Camera meeting on April 27, 2026, through Council Resolution CR187/2026, remains appropriate and will continue to apply notwithstanding the increase in the closure area. This determination is based on the fact that approximately 10,638.9 m² of land will be dedicated back to the City for public highway purposes as a condition of the subdivision agreement, thereby offsetting a substantial portion of the lands proposed for closure and conveyance.

Roseland East and Roseland West contain several City-owned trees, as well as areas of significant habitat and vegetation. While the City has no regulatory authority to prevent the removal of trees, habitat, or vegetation located on private lands, the proposed closure would result in the conveyance of City-owned natural assets to the Owner.

Accordingly, the City Forester and City Naturalist have recommended that the Owner be required to provide:

1. Payment of the Tree Canopy Replacement Cost for all City-owned tree assets within Roseland East and Roseland West, as determined by the City Forester; and
2. Compensation for the loss of City-owned significant habitat and vegetation within Roseland East and Roseland West, as determined by the City Naturalist.

The Planning & Development Services Department is alternatively recommending that these requirements be incorporated as conditions of the subdivision agreement. This approach would allow the road closure to proceed while the City Forester and City Naturalist complete the necessary compensation calculations.

The Planning & Development Services Department has reviewed the Applicant's revised proposal and supports the requested road closure, subject to the inclusion of the foregoing conditions in the subdivision agreement. Accordingly, updated recommendations are provided in the "Addendum to Recommendation for Report S 78/2026" section of this memorandum.

The Planning & Development Services Department further recommends that Appendix A - Drawing No. CC-1888 and Appendix E - Draft Reference Plan attached to Report S 78/2026 be replaced with the updated documents identified in the Addendum to Appendices for Report S 78/2026 section of this memorandum. In addition, Appendix I - Site Visit Photos is recommended to be added as an appendix to the report to document Administration's site visit conducted on August 5, 2026.

Risk Analysis:

There is a potential risk that the Owner does not proceed with the subdivision development, or that it is delayed. This is partially mitigated by the "use it or lose it" expiry deadline established by the final subdivision approval.

Conclusion:

The Planning & Development Services Department has reviewed the Applicant's revised proposal and supports the expanded closure and conveyance of Roseland East and Roseland West, subject to the conditions outlined in this memorandum. These conditions include the granting of the required easements.

Accordingly, Administration recommends that Report S 78/2026 be amended to reflect the revised limits of the proposed road closure, the updated recommendations set out in this memorandum, and the replacement and addition of the applicable appendices. The revised proposal will facilitate future subdivision registration and the establishment of new public highways while ensuring that the City's infrastructure and financial considerations are appropriately addressed.

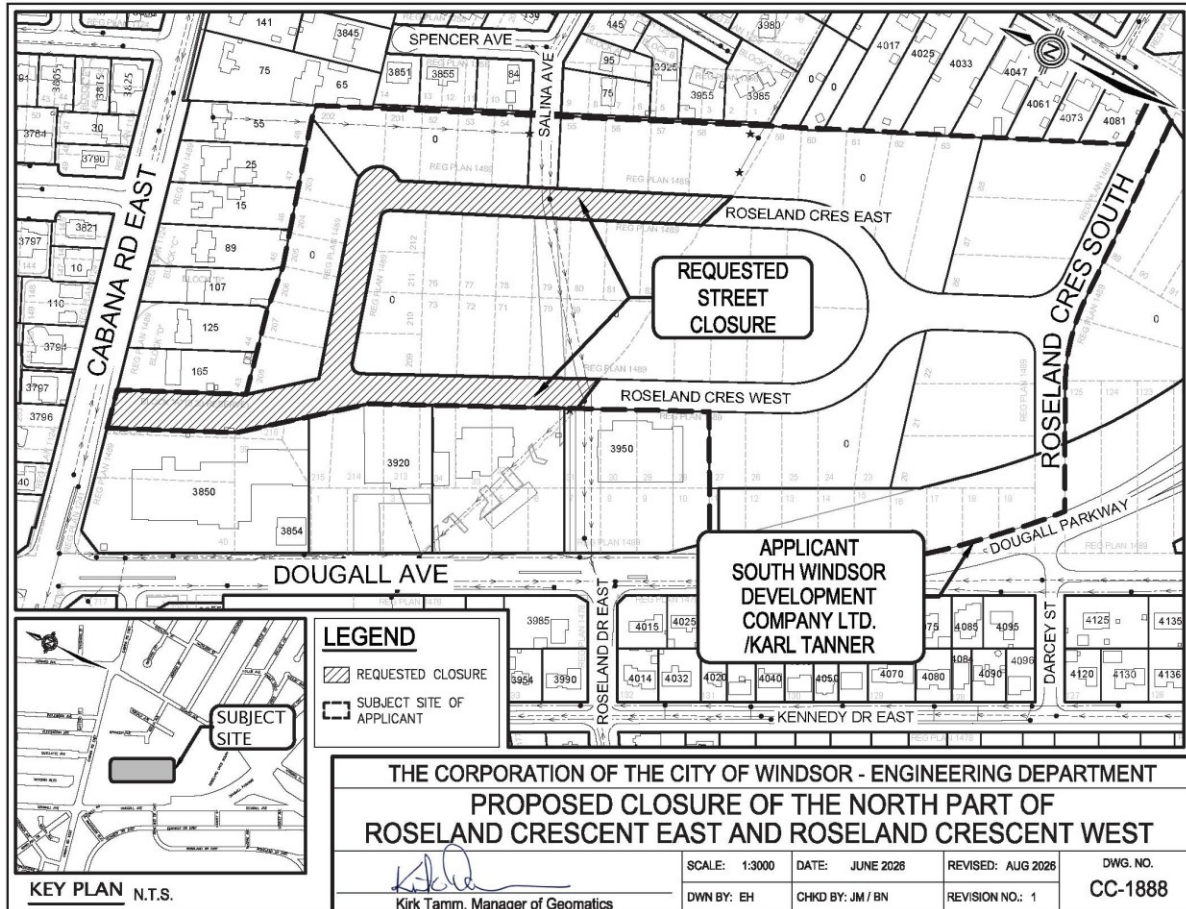
Approvals:

Name	Title
Brian Nagata	Planner III - Development (A)
Laura Diotte	Manager, Development Applications
Denise Wright	Manager of Real Estate Services
Jamelah Hersh	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne for Ray Mensour	Chief Administrative Officer

Appendices:

1. Appendix G - Revised Drawing No. CC-1888
2. Appendix H - Revised Draft Reference Plan
3. Appendix I - Site Visit Photos

APPENDIX "G" **Revised Drawing No. CC-1888**



SCHEDULE				
PART	LOT	REGISTERED PLAN	P.U.N.	AREA (sq.m.)
1	PART OF ROSELAND CRESCENT EAST & PART OF ROSELAND CRESCENT WEST	REGISTERED PLAN 1489 REGISTERED PLAN 1489 (AMENDED BY R21/2015)	PART OF O1290-0250	14,458
2	PART OF ALLEY	REGISTERED PLAN 1236	ALL OF O1290-0156	227.4
3			ALL OF O1290-0155	299.2

PLAN OF SURVEY
OF
PART OF ALLEY
REGISTERED PLAN 1258,
PART OF ROSELAND CRESCENT EAST,
PART OF ROSELAND CRESCENT WEST
REGISTERED PLAN 1489
PART OF ROSELAND CRESCENT EAST,
PART OF ROSELAND CRESCENT WEST
REGISTERED PLAN 1489 (AMENDED BY R21/2015)
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX
VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.
SCALE = 1:1000

THE INTENDED PLOT SIZE OF THIS PLAN IS 1016mm IN WIDTH BY 609mm IN HEIGHT
WHICH CORRESPONDS AT A SCALE OF 1:1000

LEFOND

8 DENOTES STANDARD IRON BAR
9 DENOTES SHORT STANDARD IRON BAR
0 DENOTES IRON BAR
1 DENOTES IRON ROD
2 DENOTES IRON PIPE
3 DENOTES COIL-CROSS
4 DENOTES STEEL PILE
5 DENOTES SURVEY MONUMENT FOUND
6 DENOTES SURVEY MONUMENT SET AND MARKED 1744
7 DENOTES WITNESS 8 DENOTES PERPENDICULAR
9 DENOTES PERPENDICULAR 0 DENOTES DEED
1 DENOTES OBSERVED REFERENCE POINT
2 DENOTES ESTIMATED INTERSECTION
3/4/5/6 DENOTES SET PROPORTIONALLY
7 DENOTES SET PROPORTIONALLY BY INTERSECTION (X) DENOTES ORIGIN UNKNOWN
8 DENOTES REGISTERED PLAIN 1489
9 DENOTES REGISTERED PLAIN 1258
(P) DENOTES PLAN 128-687
(P) DENOTES PLAN 128-10215 AMONGING REGISTERED PLAN 1489
(P) DENOTES PLAN 128-17548
(P) DENOTES PLAN 128-17548 (P) DENOTES PLAN 128-19592
(P) DENOTES PLAN 128-19592 (P) DENOTES PLAN 128-41640
(P) DENOTES PLAN 128-13846
(P) DENOTES PLAN 128-13846 (P) DENOTES REGISTERED PLAN 1258
(P) DENOTES PLAN 128-13846
(P) DENOTES VERMIGER STUBBSFIELD HARPLE BEZARE CROWN INC., O.L.S.
(P) DENOTES CITY OF INDIANAPOLIS, U.S.A.
(12) DENOTES CLARKES SURVEYS INC., O.L.S.
(12) DENOTES JOHN & BERNARD, O.L.S.

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE)		
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG 218/10		
POINT ID	NORTHING	EASTING
CRP-A	N4680299.48	E334848.32
CRP-B	N4680333.68	E335040.85
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS		

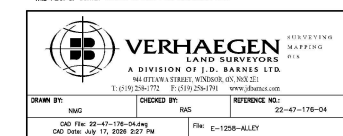
THE RESULTANT TIE BETWEEN ORP-A AND ORP-B IS N77°19'00"E 202.23.
FOR BEARING COMPARISON, A ROTATION OF 01°27'50" CLOCKWISE WAS APPLIED TO (P)
AND (P1) TO CONVERT TO GRID BEARINGS.
FOR BEARING COMPARISON, A ROTATION OF 01°21'20" CLOCKWISE WAS APPLIED TO
AND (P10) TO CONVERT TO GRID BEARINGS.

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 15th DAY OF JULY, 2026

DATE JULY 17, 2025 _____
 ROY A. SIMONE
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AGLS PLAN SUBMISSION FORM NUMBER V-133294



APPENDIX "I"

Site Visit Photos - August 5, 2026



Figure 1 - Looking east towards the pedestrian access to Roseland Crescent West from the northeast corner of the Shoppers Drug Mart property (3950 Dougall Avenue)



Figure 2 - Looking north towards Roseland Crescent East (north of the large tree in centre) from Roseland Crescent West, east of the pedestrian access



Figure 3 - Looking south towards Roseland Crescent West (right of large tree on right) from the subject property, east of the pedestrian access



Figure 4 - Looking north towards Roseland Crescent West (left of the large tree in centre) from the subject property, east of the pedestrian access



Figure 5 - Looking north towards Roseland Crescent West (left of the large tree on right) from the subject property, east of the pedestrian access



Figure 6 - Looking north towards Roseland Crescent West (left of the large tree on right) from the subject property, east of the pedestrian access



*Figure 7 - Looking northeast towards Roseland Crescent East (in front of the wooded area)
from the subject property, east of the pedestrian access*



*Figure 8 - Looking east towards Roseland Crescent East (in front of the wooded area)
from the berm bordering the north side of the Lennon Drain*



*Figure 9 - Looking northeast towards Roseland Crescent East (in front of the wooded area)
from the berm bordering the north side of the Lennon Drain*



*Figure 10 - Looking northeast towards Roseland Crescent East (in front of the wooded area)
from the berm bordering the north side of the Lennon Drain*



Committee Matters: SCM 296/2026

Subject: Closure of the east/west alley located east of Prado Place, south of Wyandotte Street East and west of Villaire Avenue, SAA-7255, Ward 6

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 867**

- I. THAT the 4.27 metre-wide east/west alley, located east of Prado Place, south of Wyandotte Street East and west of Villaire Avenue, and shown on Drawing No. CC-1866 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Alley **BE CLOSED AND CONVEYED** in **as is condition** to the owner of the abutting property known municipally as 821 Villaire Avenue and legally described as Lot 277, Plan 910, Sandwich East; Windsor and as necessary, in a manner deemed appropriate by the City Solicitor, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. ENWIN Utilities Ltd. to accommodate 120/240V secondary and 16kV primary pole distribution and 120/240V overhead transformer.
- III. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005 in the total amount of \$6,157.20, plus applicable HST, with proceeds being deposited to 160-6940-5010-02942-0229611 (Unclassified Revenue).
- IV. THAT the City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1866.
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to **EXECUTE** the necessary documents approved as to form and content satisfactory to the City Solicitor.

VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 95/2026

Clerk's File: SAA2026

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.2 from the Development & Heritage Standing Committee held on September 1, 2026.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20260902/-1/11659>

Subject: Closure of the east/west alley located east of Prado Place, south of Wyandotte Street East and west of Villaire Avenue, SAA-7255, Ward 6

Reference:

Date to Council: September 1, 2026
Author: Denise Wright, Manager Real Estate Services
(519) 255-6100 x 6403
dwright@gmail.com
Legal – Real Estate Services
Report Date: 8/14/2026
Clerk's File #: SAA2026

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 4.27 metre-wide east/west alley, located east of Prado Place, south of Wyandotte Street East and west of Villaire Avenue, and shown on Drawing No. CC-1866 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Alley **BE CLOSED AND CONVEYED** in **as is condition** to the owner of the abutting property known municipally as 821 Villaire Avenue and legally described as Lot 277, Plan 910, Sandwich East; Windsor and as necessary, in a manner deemed appropriate by the City Solicitor, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. ENWIN Utilities Ltd. to accommodate 120/240V secondary and 16kV primary pole distribution and 120/240V overhead transformer.
- III. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005 in the total amount of \$6,157.20, plus applicable HST, with proceeds being deposited to 160-6940-5010-02942-0229611 (Unclassified Revenue).
- IV. THAT the City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1866.

- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to **EXECUTE** the necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A



Background:

The applicant, William Strong, representative for Parsons Real Estate Holding Corporation, owner of the property known municipally as 821 Villaire Avenue (the “**Subject Property**”), applied to close the 4.27 metre-wide east/west alley, located east of Prado Place, south of Wyandotte Street East and west of Villaire Avenue (the “**Subject Alley**”), and shown on Drawing No. CC-1866 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”.

The applicant wishes to close the Subject Alley for the purpose of closing off access to the side and rear of the Subject Property.

The Subject Alley is maintained and composed primarily of cement, grass and natural vegetation. The Subject Alley contains a driveway approach at the north end of this alley that is being used to access parking on the Subject Property. There are hydro poles and guy wires in this alley, which will require an easement. The Subject Alley has been encroached on over the years by abutting properties with paving, fences and landscaping. There are no Encroachment Agreements on record for the use of the alley.

The Subject Alley was established by Registered Plan of Subdivision No. 910, registered on January 16, 1920.

Discussion:

The criteria for evaluating applications to close a street or alley is included as part of the City's *Street & Alley Closing Policy* (the "Policy") as amended from time to time.

The Policy provides four classifications that a street or alley will fall under and corresponding direction on its suitability for closure, summarized in Table 1 below, and attached hereto as Appendix "E".

Table 1 - Classification & Suitability for Closing a Street or Alley

Classification	Suitability for Closing
Indispensable	Not suitable for closure
Have some usefulness	May be considered for closure only when requested by abutting property owners; requests are not initiated by the City
Dispensable with no current or anticipated purpose	Suitable for closure where possible
Located in Holding zones and other similar undeveloped areas	Not suitable for closure unless required for municipal purposes or supported by specific development proposals acceptable to the city.

Administration deems the Subject Alley "dispensable" and supports the requested closure.

Should the recommendation be approved, the Subject Alley will be closed and conveyed in **as is condition** to the owner of the abutting property at 821 Villaire Avenue, which is contrary to the standard manner of conveyance of offering abutting properties first right to acquire their half of the closed street or alley, however, in this instance, the Subject Alley is fenced in and encroached upon by the applicant and transferring the entire alley will rectify existing encroachments.

Risk Analysis:

The recommended closure of the Subject Alley and conveyance to abutting owners will divest the City of associated liability risks and maintenance costs.

Climate Change Risks:**Climate Change Mitigation:**

Closure of the Subject Alley will have little impact on GHG emissions, with any positive outcome dependent on individual landowner choices. In some cases, owners may choose to naturalize the space while others may introduce hardscaping or accessory structures. The City can help support more favourable outcomes through programs that encourage tree planting and low-impact landscaping.

Climate Change Adaptation:

Closure of the Subject Alley may result in increased green space and/or on site drainage which can potentially strengthen overall resilience to extreme heat and rainfall.

Financial Matters:

In accordance with CR106/2003, as amended by CR427/2003 & CR182/2005, the conveyance price for the subject alley will be \$6,157.20, plus applicable HST. Should the recommendation be approved, proceeds will be deposited to 160-6940-5010-02942-0229611 (Unclassified Revenue).

There will be no survey cost associated with the proposed alley closure as the entire alley will be conveyed to the owner of 821 Villaire Avenue. There will also be no deed preparation costs as the owner of 821 Villaire Avenue will be required to retain his own lawyer to complete the transaction.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley by first-class mail on November 13, 2024, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Kristen Karam, Financial Planning Administrator, was consulted on the financial matters associated with this report.

Jamelah Hersh, Senior Legal Council, was consulted on the legal matters associated with this report.

Conclusion:

Administration recommends closure of the Subject Alley shown on attached Appendix "A", subject to easements in favour of ENWIN Utilities Ltd.

Should the recommendation be approved, the Subject Alley will be closed and conveyed in **as is condition** to the abutting property owner at 821 Villaire Avenue.

Planning Act Matters:

N/A

Approvals:

Name	Title
Denise Wright	Manager Real Estate Services
Wira Vendrasco	City Solicitor
David Soave	Manager, Strategic Operating Budget Development & Controls, Financial Planning
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne for Ray Mensour	Chief Administrative Officer

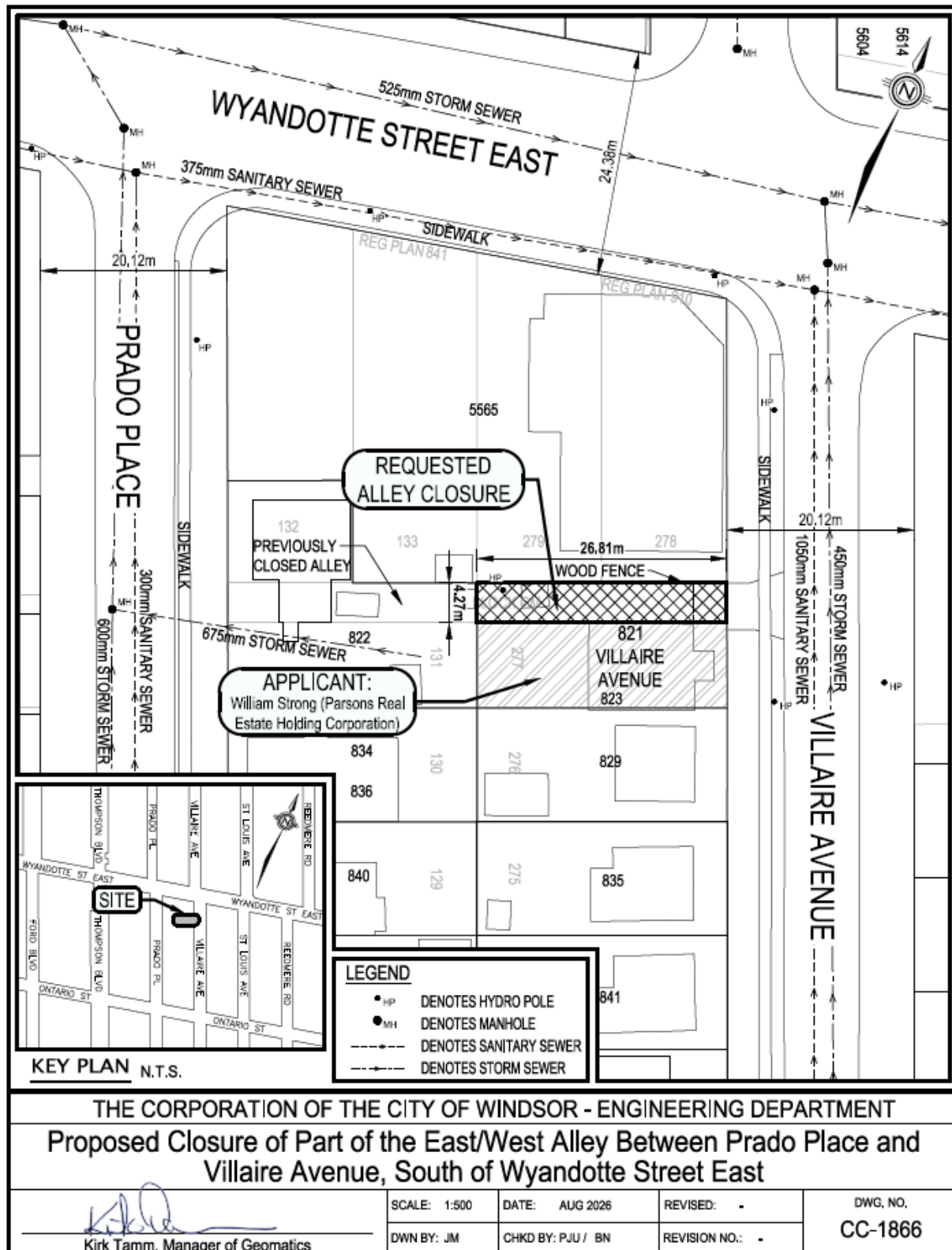
Notifications:

The Legal Department provided the Clerks Department with mailing labels for Notice of Development & Heritage Standing Committee on August 18, 2026.

Appendices:

- 1 Appendix "A" - Drawing No. CC-1866
- 2 Appendix "B" - EIS Drawing - Aerial Photos
- 3 Appendix "C" - Consultations with Municipal Departments and Utility Companies
- 4 Appendix "D" - Site Photos (August 11, 2026)
- 5 Appendix "E" - Criteria for Evaluating Applications to Close a Street or Alley

APPENDIX "A" **Drawing No. CC-1866**



APPENDIX "B"

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7255)

1:750

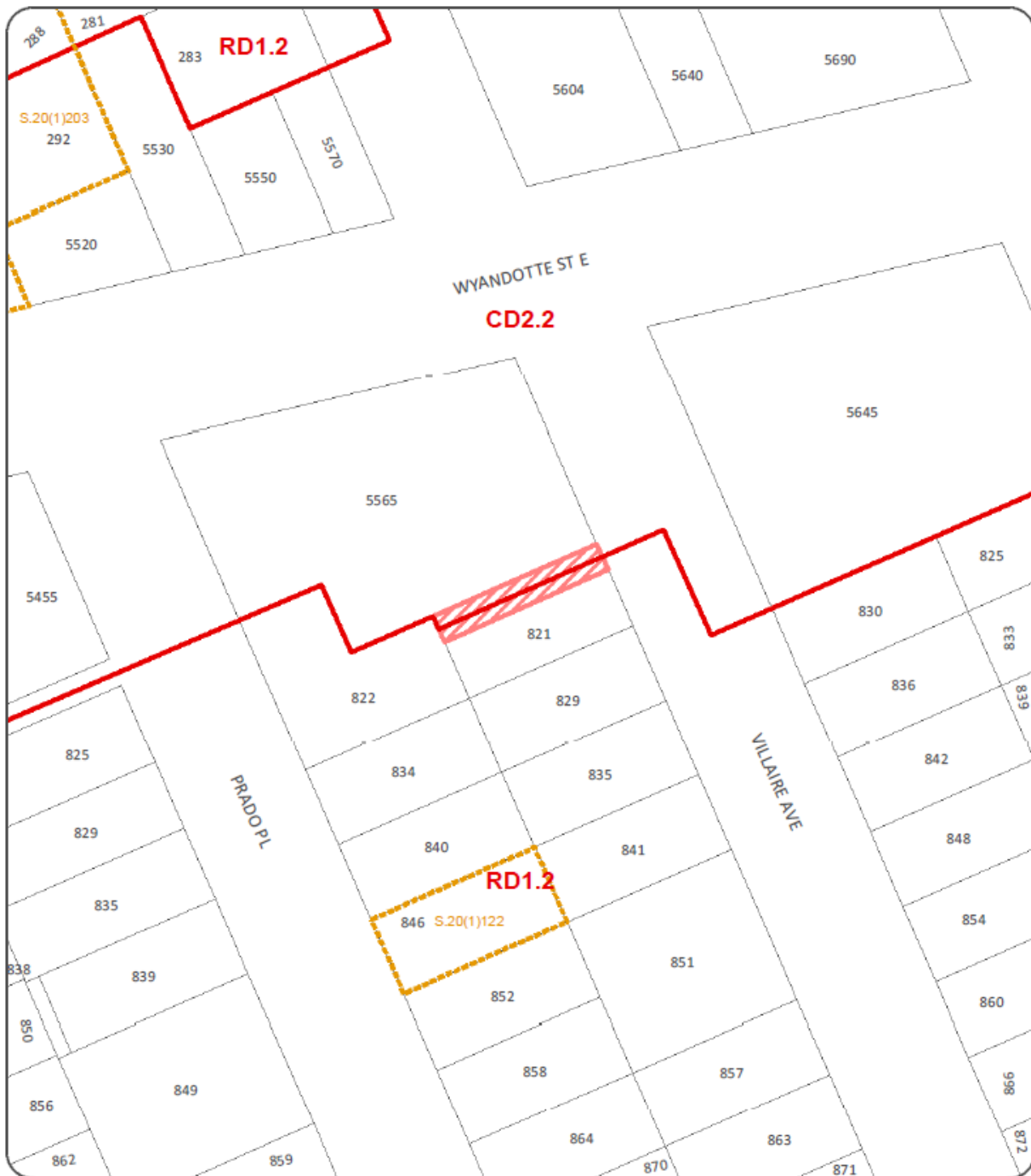
APPLICANT : WILLIAM STRONG (PARSONS REAL ESTATE HOLDING CORPORATION)

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: NOVEMBER, 2024





STREET & ALLEY CLOSING (SAA/7255)

1:750

APPLICANT : WILLIAM STRONG (PARSONS REAL ESTATE HOLDING CORPORATION)

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: NOVEMBER, 2024



APPENDIX "C"

Consultations with Municipal Departments and Utility Companies

BELL CANADA

No comments provided

COGECO CONNEXION INC.

No comments provided

ENBRIDGE GAS INC.

After reviewing the provided drawing and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly



[Sandro Aversa, C.E.T. - Drafter Estimator, Construction and Growth]**ENGINEERING (DEVELOPMENT & ROW)**

The alley to be closed is approximately 21.75 m long and 4.5 m wide and made of asphalt. There are no sewers running through this alley. There are hydro poles and guy wires in this alley, these will require an easement. There is a driveway approach at the north end of this alley that is being used to access parking on this property. This subject alley to have no usefulness by CR146/2005; therefore, we have 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 clearances are maintained from our distribution plant. However, an easement named to ENWIN Utilities Ltd., will be required for the East to the West limit of the property to accommodate for the existing overhead 120/240V secondary and 16kV primary pole distribution and 120/240V overhead transformer.

Please note the following distribution and services:

- Overhead 16kV primary distribution pole line and associated down guy wires/anchors at the West side of the alleyway.
- Existing 120/240V Overhead transformer at the West side of the alleyway.
- Overhead 120/240V secondary triplex distribution at the West side the alleyway.
- Overhead 600/347V Secondary quadruplex distribution at the East limit of the property.
- Secondary pole line with associated down guys wires and anchors.
- Existing 600/347V Overhead transformer in front of 5565 Wyandotte St E
- Overhead 600/347V Secondary quadruplex distribution at on Wyandotte St E.
- Overhead 27.6kV primary distribution pole line and associated down guy wires/anchors on Wyandotte St E.

Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

ENWINs easement guidelines:

Overhead

A 3m (10ft) Easement is required for a straight pole line 1.5m (5ft) (on each side). This takes into consideration a 0.3m (1ft) pole diameter, 0.46m (1.5ft) primary insulator, and 0.9m (3ft) clearance from any nearby structure.

Guy and Anchor

The easement for the guy and anchor is 3m (10ft) wide easement is required into private property. This easement should extend 1m (3.3ft) into the property.

Underground Cable

A 0.6m (2ft) easement on either side of a duct bank is required for underground installations.

[Tia McCloskey – Hydro Engineering Technologist]

ENWIN UTILITIES LTD. (WATER)

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL & REAL ESTATE SERVICES

Alley abutting property zoned CD2.2:

Conveyance price \$20/square foot without easements / \$10/square foot with easements HST (if applicable), deed and survey costs in addition to the conveyance price.

Alley abutting property zoned RD1.2:

Conveyance price \$1.00 plus deed and survey costs

[Stephanie Santos - Coordinator Real Estate Services]

MANAGED NETWORK SYSTEM INC. (MNSi)

No comments provided

PARKS

There is no concerns regarding this alley closure from Forestry, natural area , and park developments.

[Hoda Kameli - Landscape Architect]

[Karen Alexander - Naturalist & Outreach Coordinator]

[Yemi Adeyeye - City Forester / manager Forestry & Natural Areas]

PLANNING (DEVELOPMENT)

The requested closure is in an area zoned half Residential District 1.2 and half Commercial District 2.2. The requested closure has a land use designation that is part Residential and part Mixed Use Corridor per the Official Plan Schedule D – Land Use. The alley does not service any commercial properties. The alley does not serve as the only vehicular means of access to any properties. The requested closure will not land lock transferable lots/blocks on a Registered Plan of Subdivision, restrict property access, or restrict development. There are no development applications on properties adjacent to the alley. Alley closure is not a condition of SPC.

[Conner O'Rourke, Planner II, Development Review]

PLANNING (LANDSCAPE)

No comments or concerns regarding this application from Landscape architecture and Urban Design lens.

[Hoda Kameli - Landscape Architect]

ROGERS

No comments provided

TELUS

TELUS has no infrastructure between Pavement Centerline & ROW line on the same side as the proposal.

Consent expires six (6) months from approval date. If the location of your proposed design changes, it will be necessary to re-apply.

[Frederick Sua – Design Specialist II]

TRAFFIC OPERATIONS

No comments provided

TRANSPORTATION PLANNING

Transportation Planning has no concern.

[Ellie 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 objections with this requested closure. The closure will not impact our ability to deliver service to the abutting properties.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (August 11, 2026)



Figure 1 – View of East/West alley facing west Villaire Avenue



Figure 2 – View of Alley from curb cut at 821 Villaire Avenue



Figure 3 – View of wood fence encroaching on southerly edge of alley

APPENDIX “E”

Criteria for Evaluating Applications to Close a Street or Alley

Classifications:

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 297/2026

Subject: Closure of the north/south and east/west alleys located north of Vimy Avenue, east of Elsmere Avenue, south of Lens Avenue and west of Parent Avenue, SAA-7240, Ward 4

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

Decision Number: **DHSC 868**

- I. THAT the 5.18 metre-wide north/south alley and the 4.27 metre-wide east/west alley, located north of Vimy Avenue, east of Elsmere Avenue, south of Lens Avenue and west of Parent Avenue, and shown on Drawing No. CC-1887 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Alley **BE CLOSED AND CONVEYED** in **as is condition** in two equal halves to the abutting property owners and as necessary, in a manner deemed appropriate by the City Solicitor, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Bell Canada to accommodate existing aerial infrastructure;
 - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
 - iii. ENWIN Utilities Ltd. to accommodate the existing overhead 120/240V Secondary and 16kV primary pole distribution and 120/240V overhead transformer;
 - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.
- III. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:
 - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST, plus deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

- IV. THAT the City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1887.
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **EXECUTE** all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: S 96/2026
Clerk's File: SAA2026

Clerk's Note:

- 1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
- 2. Please refer to Item 11.3 from the Development & Heritage Standing Committee held on September 1, 2026.
- 3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20260902/-1/11659>

Subject: Closure of the north/south and east/west alleys located north of Vimy Avenue, east of Elsmere Avenue, south of Lens Avenue and west of Parent Avenue, SAA-7240, Ward 4

Reference:

Date to Council: September 1, 2026
Author: Denise Wright, Manager Real Estate Services
(519) 255-6100 x 6403
dwright@citywindsor.ca
Legal - Real Estate Services
Report Date: 8/14/2026
Clerk's File #: SAA2026

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 5.18 metre-wide north/south alley and the 4.27 metre-wide east/west alley, located north of Vimy Avenue, east of Elsmere Avenue, south of Lens Avenue and west of Parent Avenue, and shown on Drawing No. CC-1887 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Alley **BE CLOSED AND CONVEYED** in **as is condition** in two equal halves to the abutting property owners and as necessary, in a manner deemed appropriate by the City Solicitor, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Bell Canada to accommodate existing aerial infrastructure;
 - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
 - iii. ENWIN Utilities Ltd. to accommodate the existing overhead 120/240V Secondary and 16kV primary pole distribution and 120/240V overhead transformer;
 - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.

- III. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:
- a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST, plus deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT the City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1887.
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **EXECUTE** all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A



STREET & ALLEY CLOSING (SAA/7240)

1:1,250

APPLICANT : VALERIE & MARK CHEVALIER

REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2024



Background:

The applicants, Mark and Valerie Chevalier, owners of the property known municipally as 865 Lens Avenue, Windsor (the “**Subject Property**”), applied to close the 5.18 metre-wide north/south alley, located north of Vimy Avenue, east of Elsmere Avenue, south of Lens Avenue and west of Parent Avenue. Administration has determined that the adjoining 4.27 metre-wide east/west alley should be closed together with the requested north/south alley closure (collectively referred to as the “**Subject Alley**”), shown on Drawing No. CC-1887 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”.

The applicants wish to close the north/south portion of the Subject Alley due to ongoing concerns with theft and loitering.

The Subject Alley is maintained and composed primarily of grass and dirt and contains utility poles with guy wires and anchors supporting overhead hydro and utility lines at the east/west portion of the alley.

Many of the abutting property owners have gates from their rear yards to the Subject Alley, presumably for maintenance purposes.

The Subject Alley contains a concrete approach at the north end of the alley adjacent to the Subject Property, which may require reinstatement of the concrete barrier curb and boulevard restoration by the applicant, otherwise the driveway approach will be the responsibility of the City to remove in the future when funds exist.

The Subject Alley also contains a concrete approach at the south end, which appears to be used as a driveway approach by 872 Vimy Avenue. Subject to the alley closure, a permit will be required by the abutting property owner to complete and maintain the driveway to City standards.

There are no Encroachment Agreements on record for the use of the alley.

Engineering (Right-of-Way) in their comments included in the attached Appendix “C” note that the alley is travelled but provides no garage access. They further note that a resident on Parent Avenue uses the alley to access rear yard parking for a trailer. A site inspection of the property reveals a detached garage and lengthy driveway accessible from the front yard of the property, suitable for trailer storage. Engineering’s Best Practice Policy 2.3.2. states that a Municipal right-of-way alley composed of grass, is not permitted to provide access to properties.

The Subject Alley was established by Registered Plan of Subdivision No. 1229, registered on September 1, 1926 and Registered Plan of Subdivision No. 1239, registered on August 4, 1926.

Discussion:

The criteria for evaluating applications to close a street or alley is included as part of the City’s *Street & Alley Closing Policy* (the “Policy”) as amended from time to time.

The Policy provides four classifications that a street or alley will fall under and corresponding direction on its suitability for closure, summarized in Table 1 below, and attached hereto as Appendix “E”.

Table 1 - Classification & Suitability for Closing a Street or Alley

Classification	Suitability for Closing
Indispensable	Not suitable for closure
Have some usefulness	May be considered for closure only when requested by abutting property owners; requests are not initiated by the City
Dispensable with no current or anticipated purpose	Suitable for closure where possible
Located in Holding zones and other similar undeveloped areas	Not suitable for closure unless required for municipal purposes or supported by specific development proposals acceptable to the city.

Administration deems the Subject Alley “dispensable” and supports the requested alley closure.

Administration recommends closure of the Subject Alley, and that abutting property owners be given the chance to acquire the Subject Alley in the manner described in the Recommendation herein. Should the recommendation be approved, the Subject Alley will be closed and conveyed in **as is condition** in two equal halves to the abutting property owners, being the standard manner of conveyance.

Risk Analysis:

The recommended closure of the Subject Alley and conveyance to abutting owners will divest the City of associated liability risks and maintenance costs.

There is a moderate risk to the City however that following closure of the Subject Alley the City may remain the owner of certain remnant portions of the Subject Alley. Such remnant parcels may remain in the City’s ownership in instances where the abutting owner is not agreeable to acquiring their allocated portion. Such risk is mitigated by Real Estate Services continuing to offer such remnant parcels for sale to other abutting owners who have agreed to purchase their portion of the closed alley.

Climate Change Risks

Climate Change Mitigation:

Closure of the Subject Alley will have little impact on GHG emissions, with any positive outcome dependent on individual landowner choices. In some cases, owners may choose to naturalize the space while others may introduce hardscaping or accessory

structures. The City can help support more favourable outcomes through programs that encourage tree planting and low-impact landscaping.

Climate Change Adaptation:

Closure of the Subject Alley may result in increased green space and/or on site drainage which can potentially strengthen overall resilience to extreme heat and rainfall.

Financial Matters:

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus HST, deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Survey cost is estimated at \$42,500 plus applicable HST. The Legal Department will contract the survey when funds become available which are anticipated by early 2027 at the latest.

Should Council approve the recommendation, proceeds will be deposited to 001-6650-5144-02942-0125230.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found and attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley by first-class mail on October 18, 2024, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Kristen Karam, Financial Planning Administrator, was consulted on the financial matters associated with this report.

Jamelah Hersh, Senior Legal Counsel, was consulted on the legal matters associated with this report.

Conclusion:

Administration recommends closure of the Subject Alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, Cogeco Connexion Inc., ENWIN Utilities Ltd., and Managed Network System Inc. (MNSi).

Should the recommendation be approved, the Subject Alley will be closed and conveyed in **as is condition** in two equal halves, to the abutting property owners.

Planning Act Matters:

N/A

Approvals:

Name	Title
Denise Wright	Manager Real Estate Services
Wira Vendrasco	City Solicitor
David Soave	Manager, Strategic Operating Budget Development & Controls, Financial Planning
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne for Ray Mensour	Chief Administrative Officer

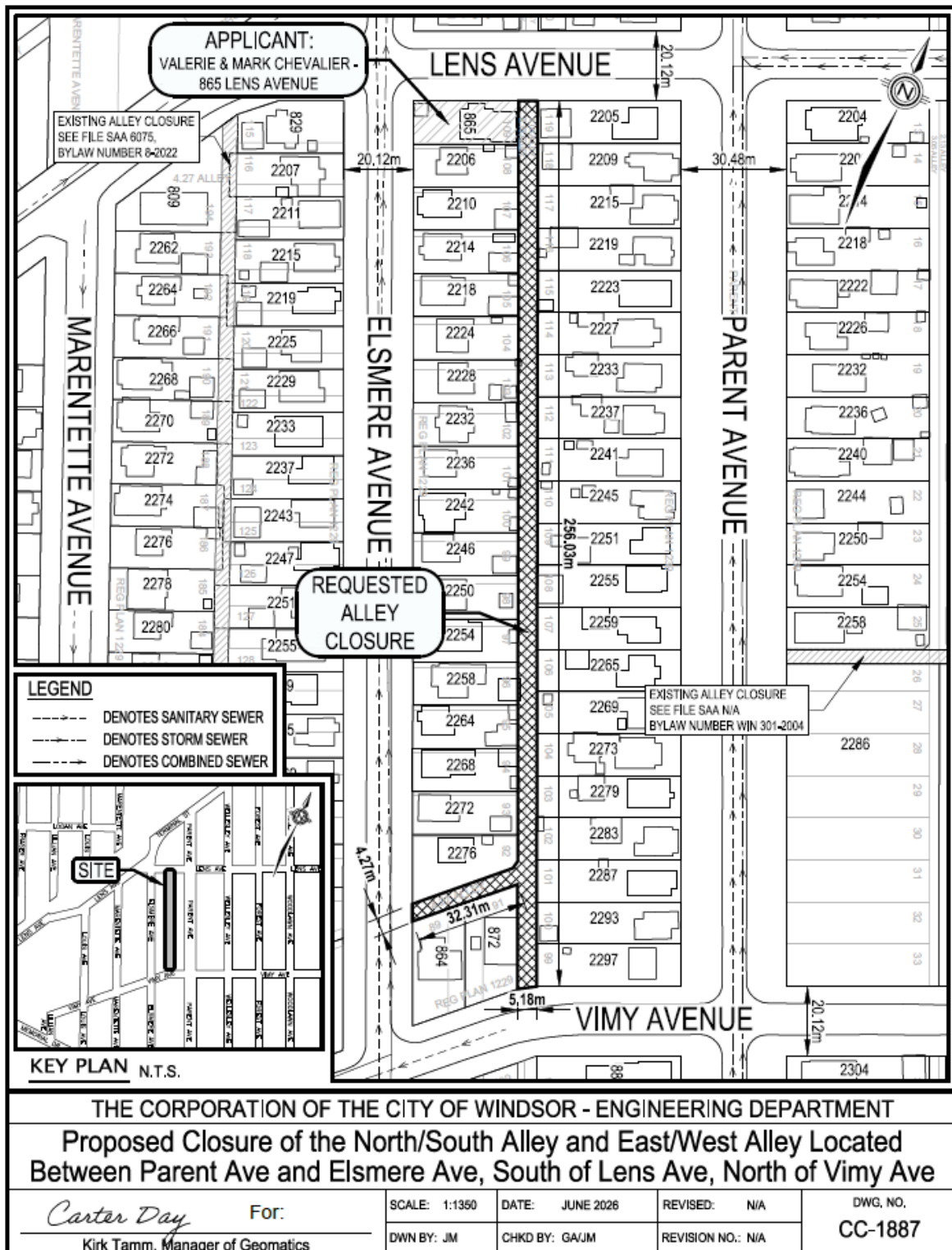
Notifications:

The Legal Department provided the Clerks Department with mailing labels for Notice of Development & Heritage Standing Committee on August 18, 2026.

Appendices:

- 1 Appendix "A" - Drawing No. CC-1861
- 2 Appendix "B" - EIS Drawing - Aerial Photos
- 3 Appendix "C" - Consultations with Municipal Departments and Utility Companies
- 4 Appendix "D" - Site Photos (June 8, 2026)
- 5 Appendix "E" - Criteria for Evaluating Applications to Close a Street or Alley

APPENDIX "A" **Drawing No. CC-1861**



APPENDIX "B"

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7255)

1:750

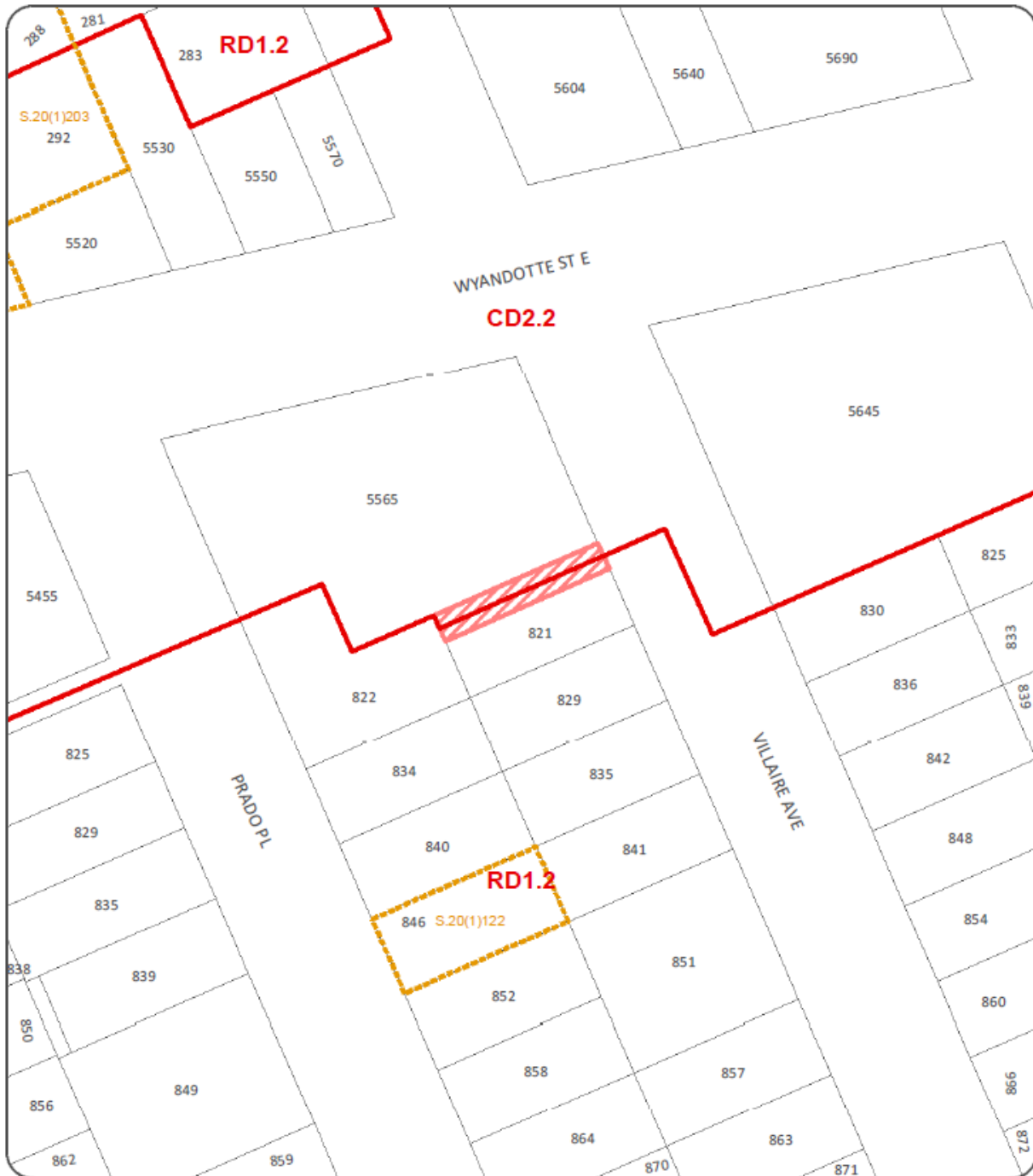
APPLICANT : WILLIAM STRONG (PARSONS REAL ESTATE HOLDING CORPORATION)

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: NOVEMBER, 2024





STREET & ALLEY CLOSING (SAA/7255)

1:750

APPLICANT : WILLIAM STRONG (PARSONS REAL ESTATE HOLDING CORPORATION)



REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: NOVEMBER, 2024



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA

Bell will require an easement to protect our aerial infrastructure throughout this entire lane. We are joint use with Enwin powerlines.

[Mohammad Bangee – Specialist, Network Provisioning]

COGECO CONNEXION INC.

Cogeco is attached to Bell/enwin poles and will need to be named on the easement.

[Daniel Haggins - Lead OSP Engineering Windsor and Essex]

ENBRIDGE GAS INC.

After reviewing the provided drawing, and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.



Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during any job if any pipe is found that is not on the locate sheet and conflicts with your work, please call our emergency number (1-877-969-0999), and one of

our Union Gas representatives will respond to determine if that plant is in fact live or dead

- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.

[Sandro Aversa C.E.T. - Drafter Estimator]

ENGINEERING (DEVELOPMENT & ROW)

The alley to be closed is approximately 255 m long and 7.75 m wide and composed of grass. There is also a secondary portion of this alley which branches off towards Elsmere Ave included in this closure. This branch is 32.3 m long and 4.3 m wide and also grassed.

There are no sewers running through this alley, and no manholes or catch basins.

There are hydro poles, guy wires, and overhead wires located within the alley; an easement will be required for utilities.

There is a concrete approach at the north end of the alley adjacent to 865 Lens Ave. Subject to the alley closure, reinstatement of the concrete barrier curb and boulevard restoration may be required of the resident. Otherwise, the driveway approach to the alley will be the responsibility of the city to remove in the future when funds exist.

There is a concrete approach at the south end of the alley which appears to be used as a driveway approach by 872 Vimy Ave. If the alley is closed a permit will be required by said property owner to complete and maintain the driveway to City Standard AS-221 or AS-222.

There is a parking encroachment in the subject alley due to a trailer parked behind 2254 Elsmere Ave.

The alley is travelled, and has no garage access, but it seems that the resident of 2259 Parent Ave uses the alley to access rear yard parking for a trailer.

This subject alley has no usefulness by CR146/2005; therefore, Engineering has no objections to the closure.

[Shannon Mills - Technologist III, Engineering]

ENGINEERING (OPERATIONS)

There are no maintenance concerns with this and the closure is supported.

[Roberta Harrison – Manager, Maintenance]

ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES LTD. (HYDRO)

No Objection provided clearances are maintained from our distribution infrastructure. However, an easement named to ENWIN Utilities Ltd., will be required at the North to South and the West off shot of the Alley limit (existing Alley way area) to accommodate for the existing overhead 120/240V Secondary and 16kV primary pole distribution and 120/240V overhead transformer.

Please note the following distribution and services:

- Overhead 16kV primary distribution pole line and associated down guys, going North to South along the alleyway between Vimy Ave and Lens Ave.

- Overhead 120/240V Secondary Triplex distribution and associated down guys, going North to South along the alleyway between Vimy Ave and Lens Ave.

- Overhead 120/240V Secondary Triplex distribution, servicing the above noted properties and multiple properties on Vimy Ave, Lens Ave, Elsmere Ave, and Parent Ave.

- Overhead 16kV primary distribution pole line and associated down guys, going East to West along the alleyway between Elsmere Ave and existing alleyway going North to South.

- Overhead 120/240V Secondary Triplex distribution and associated down guys, going East to West along the alleyway between Elsmere Ave and existing alleyway going North to South.

- Overhead 120/240V secondary transformer located in the alleyway going North to South.

Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

ENWINs easement guidelines:

Overhead

A 3m (10ft) Easement is required for a straight pole line 1.5m (5ft) (on each side). This takes into consideration a 0.3m (1ft) pole diameter, 0.46m (1.5ft) primary insulator, and 0.9m (3ft) clearance from any nearby structure.

Guy and Anchor

The easement for the guy and anchor is 3m (10ft) wide easement is required into private property. This easement should extend 1m (3.3ft) into the property.

Underground Cable

A 0.6m (2ft) easement on either side of a duct bank is required for underground installations.

[Tia McCloskey –Hydro Engineering Technologist]

ENWIN UTILITIES LTD. (WATER)

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL & REAL ESTATE SERVICES

For alley abutting lands zoned RD1.2, \$1.00 plus deed preparation, plus proportionate share of survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor

[Natalie D'Ambrosio - Coordinator Real Estate Services]

MANAGED NETWORK SYSTEM INC. (MNSi)

MNSi will require an aerial Easement through this entire closure please.

[Dave Hartleib - Outside Plant Manager]

PARKS

There are no concerns regarding this application from Parks Development including forestry and natural areas.

[Hoda Kameli - Landscape Designer, Parks Development]

PLANNING (DEVELOPMENT)

The requested closure is in an area zoned Residential District 1.2 (RD1.2) and has a Residential land use designation on Official Plan Schedule D – Land Use. The alley does not service any commercial properties. The alley provides the only vehicular means of access to 872 Vimy Avenue. This is a duplex that does not have a legal driveway or parking spaces. If this property owner purchases half of the closed alley, they would likely be able to apply for a driveway permit. Please consult with ROW to confirm. The requested closure will not land lock transferable lots/blocks on a Registered Plan of Subdivision, or restrict development. There are no development applications on properties adjacent to the alley. Alley closure is not a condition of SPC.

Please confirm with ROW if pedestrian access via gates off the alley is recognized as legal access.

[Averil Parent – Planner II – Development Review]

PLANNING (LANDSCAPE)

There are no concerns regarding this application from an Urban Design and Landscape Architecture perspective.

[Hoda Kameli – Landscape Designer, Park Development]

ROGERS

Rogers has no plant or easement requirements at that location.

[Ryan Figueiredo]

TELECON (TELUS)

TELUS has no infrastructure between Pavement Centerline & ROW line on the same side as the proposal.

Consent expires six (6) months from approval date. If the location of your proposed design changes, it will be necessary to re-apply.

[Frederic Sua -Design Specialist II – Access Engineering]

TRAFFIC OPERATIONS

No concerns with the closure as proposed.

[Ajay Kumar – Traffic Technician]

TRANSPORTATION PLANNING

Transportation Planning has no objections to the proposed alley closure.

[Aashvi Sarvaiya - Transportation Planner I]

WINDSOR FIRE

No issue with fire

[Mike Coste - Chief Fire Prevention Officer]

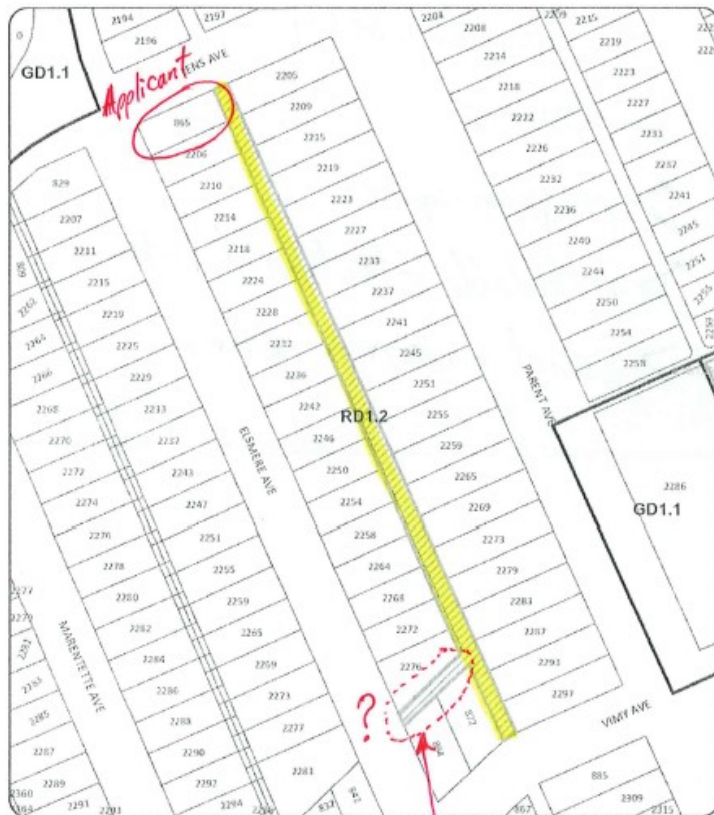
WINDSOR POLICE

The Windsor Police Service (WPS) has no concerns or objections with this requested alley closure. Based on a physical site inspection of the subject alley carried out on June 24th, 2026, the alley is a well maintained grassed over space that has practically all of the abutting properties having fence partitions. It is noted in the application the reason for the closure request is to help prevent acts of crime and disorder. Closure can certainly help with this and the WPS supports the closure for such reasons. It was also noted during the site inspection there is a small east/west connecting alley piece that runs from Elsmere Avenue into the southern end of the north/south alley slated for the closure (see attached sketch). This is a discreet space that should also, ideally speaking, be considered for closure to optimize the public safety benefits of the larger alley closure, as closure would help further remove opportunities to use the space to facilitate unlawful access and behaviour. Closure of the subject space(s) will also not inhibit our ability to provide emergency police response or other service delivery duties to any of the abutting property owners.



Legal & Real Estate Department

STREET & ALLEY CLOSURE LIAISON - FORM 46



STREET & ALLEY CLOSING (SAA/7240)

1:1,250

APPLICANT : VALERIE & MARK CHEVALIER

REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2024

Very discreet
and could also benefit
if closed

Legal Department – Real Estate Division
400 City Hall Square East, Suite 201
Windsor, ON N9A 7K6

Phone: 519-255-6548
Fax: 519-255-6933
streetsandalleys@citywindsor.ca

STREET & ALLEY CLOSING LIAISON - FORM 46 (DECEMBER 18, 2023) - PAGE 4 OF 3

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (June 8, 2026)



Figure 1 – south facing alley entrance from Lens Avenue (Applicant's property to the right)



Figure 2 – north facing alley entrance from Vimy Avenue



Figure 3 – south facing view of alley from northern alley entrance



Figure 4 - south facing view of alley



Figure 5 – Encroachments into alley (storage and loading)



Figure 6 – north facing view of alley



Figure 7 – west facing view of east/west alley portion from intersection with north/south alley



Figure 8 – east facing view of east/west alley portion from sidewalk on Elsmere Avenue

APPENDIX “E”

Criteria for Evaluating Applications to Close a Street or Alley

Classifications:

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.

Development & Heritage Standing Committee
Tuesday, September 1, 2026
Item No. 11.3 - Written Submission

Subject: FW: Closure of the north/south and east/west alleys located north of Vimy Avenue, east of Elsmere ave, south of lens Avenue and west of Parent Avenue, SAA-7240, Ward 4

Sent: September 1, 2026 12:03 PM

To: clerks <clerks@citywindsor.ca>

Subject: Closure of the north/south and east/west alleys located north of Vimy Avenue, east of Elsmere ave, south of lens Avenue and west of Parent Avenue, SAA-7240, Ward 4

Address- [REDACTED] Elsmere Avenue. Home owner Betty Ann Robitaille. Objection of alley closure. Use of the rear entrance regularly which we have owned our properties since 1973. I also maintain most of the alley for neighbours, also new fencing has been put up and installed in the past 5 years. We have had no issues with theft or any other problems, surrounding neighbours directly behind Parent Avenue had no issues with the use of the alley way. I use the alley for storage and loading of materials out of garage.

David Tompkins



Committee Matters: SCM 192/2026

Subject: Part Closure of north/south alley located between Highland Avenue and Howard Avenue, south of Shepherd Street East, SAA-7270 - Ward 3

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 830**

- I. THAT a 27.43 metre length of the 3.66 metre-wide north/south alley, located east of Highland Avenue, south of Shepherd Street East and west of Howard Avenue, and shown on Drawing No. CC-1868 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Alley **BE CLOSED AND CONVEYED** in as is condition in two equal halves along the centre to the abutting property owners as necessary, in a manner deemed appropriate by the City Solicitor, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
 - ii. ENWIN Utilities Ltd. to accommodate existing 120/240V secondary distributions pole and lines;
 - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.

- III. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:
- a. For alley conveyed to abutting lands zoned MD1.2, \$12.00 per square foot without easements plus HST, deed preparation fees and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$6.00 per square foot with easements plus HST, deed preparation fees and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT the City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1868.
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **EXECUTE** all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Carried.

Councillor Mark McKenzie voting nay.

Report Number: S 52/2026
Clerk's File: SAA2026

Clerk's Note:

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.5 from the Development & Heritage Standing Committee held on June 1, 2026.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20260602/-1/10634>

Subject: Part Closure of North/South Alley Located Between Highland Avenue and Howard Avenue, South of Shepherd Street East, SAA-7270 - Ward 3

Reference:

Date to Council: June 1, 2026
Author: Denise Wright, Manager Real Estate Services
(519) 255-6100 x 6403
dwright@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: 5/15/2026
Clerk's File #: SAA2026

To: Mayor and Members of City Council

Recommendation:

- I. THAT a 27.43 metre length of the 3.66 metre-wide north/south alley, located east of Highland Avenue, south of Shepherd Street East and west of Howard Avenue, and shown on Drawing No. CC-1868 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Alley **BE CLOSED AND CONVEYED** in as is condition in two equal halves along the centre to the abutting property owners as necessary, in a manner deemed appropriate by the City Solicitor, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
 - ii. ENWIN Utilities Ltd. to accommodate existing 120/240V secondary distributions pole and lines;
 - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.
- III. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:

- a. For alley conveyed to abutting lands zoned MD1.2, \$12.00 per square foot without easements plus HST, deed preparation fees and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$6.00 per square foot with easements plus HST, deed preparation fees and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT the City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1868.
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **EXECUTE** all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



STREET & ALLEY CLOSING (SAA/7270)

1:750

APPLICANT : 2832765 ONTARIO INC., c/o GIOVANNI (JOHN) MICELLI

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: JANUARY, 2025



Background:

The applicant, 2832765 Ontario Inc., owner of the properties known municipally as 1527-1529 Howard, 1531-1533 Howard and 1535 Howard (the “**Subject Properties**”), applied to close a 27.3 metre length of the north/south alley, located east of Highland Avenue, south of Shepherd Street East and west of Howard Avenue, (the “**Subject Alley**”), and shown on Drawing No. CC-1868 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”.

The applicant wishes to close the Subject Alley for the purpose of building accessory dwelling units behind each of the Subject Properties.

The Subject Alley is unmaintained and composed primarily of gravel. The Subject Alley contains utility lines/utility poles with guy wires and anchors supporting overhead hydro and utility lines. There are no Encroachment Agreements on record for the use of the alley.

The Subject Alley was established by Registered Plan of Subdivision No. 729, registered on April 14, 1914.

Discussion:

The criteria for evaluating applications to close a street or alley is included as part of the City’s *Street & Alley Closing Policy* (the “**Policy**”) as amended from time to time.

The Policy provides four classifications that a street or alley will fall under and corresponding direction on its suitability for closure, summarized in Table 1 below, and attached hereto as Appendix “E”.

Table 1 - Classification & Suitability for Closing a Street or Alley

Classification	Suitability for Closing
Indispensable	Not suitable for closure
Have some usefulness	May be considered for closure only when requested by abutting property owners; requests are not initiated by the City
Dispensable with no current or anticipated purpose	Suitable for closure where possible
Located in Holding zones and other similar undeveloped areas	Not suitable for closure unless required for municipal purposes or supported by specific development proposals acceptable to the city.

The Legal Department investigated the possibility of closing the remainder of the north/south alley and deemed it to be “indispensable”.

The Legal Department deems the Subject Alley “dispensable” and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the Subject Alley in the manner described in the Recommendation herein. Should the recommendation be approved, the Subject Alley will be closed and conveyed in **as is condition** in two equal halves along the centre to the abutting property owners, being the standard manner of conveyance.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to the City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned MD1.2 is assessed at \$12.00 per square foot without easements plus HST, 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 \$6.00 per square foot with easements plus HST, deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Survey cost is estimated at \$6,750, plus HST. The Legal Department will contract the survey when funds become available.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley by first-class mail on January 20, 2025, with one objection being received as of the date of writing this report. The owners of the property at 1530 Highland, are opposed to the alley closure as the Subject Alley is used for access to their backyard and was previously used for parking and may be used for parking in the future.

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.

Kristin Karam of the Financial Services Department was consulted on the financial matters associated with this report.

Jamelah Hersh, Senior Legal Counsel, was consulted on the legal matters associated with this report.

Conclusion:

Administration recommends closure of the Subject Alley shown on attached Appendix “A”, subject to easements in favour of Cogeco Connexion Inc., ENWIN Utilities Ltd., and Managed Network System Inc. (MNSi.).

Should the recommendation be approved, the Subject Alley will be closed and conveyed in **as is condition** in two equal halves along the centre to the owner of the abutting property owners.

Planning Act Matters:

N/A

Approvals:

Name	Title
Denise Wright	Manager Real Estate Services
Wira Vendrasco	City Solicitor
David Soave	Manager, Strategic Operating Budget Development & Controls
Dan Seguin	On behalf of Commissioner, Finance & City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

The Legal Department provided the Clerks Department with mailing labels for Notice of Development & Heritage Standing Committee on May 19, 2026.

Appendices:

- 1 SAA-7270 - Appendix A - Drawing No. CC-1868
- 2 SAA-7270 - Appendix B - EIS Drawing - Aerial Photo
- 3 SAA-7270 - Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 SAA-7270 - Appendix D - Site Photos
- 5 SAA-7270 - Appendix E - Criteria for Evaluating Applications to Close a Street or Alley

APPENDIX "B"

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7270)

1:750

APPLICANT : 2832765 ONTARIO INC., c/o GIOVANNI (JOHN) MICELLI

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: JANUARY, 2025





STREET & ALLEY CLOSING (SAA/7270)

APPLICANT : 2832765 ONTARIO INC., c/o GIOVANNI (JOHN) MICELLI

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: JANUARY, 2025

1:750



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA

No comments provided

COGECO CONNEXION INC.

Cogeco is on Bell/Enwin poles and will need to have an easement.

[Daniel Haggins - Lead OSP Engineering Windsor and Essex]

ENBRIDGE GAS INC.

No comments provided

ENGINEERING (DEVELOPMENT & ROW)

The proposed closure is approx. 4.27m wide and 27.4m long and is made of gravel.

There are no sewers or catch basins in the proposed closure.

There are hydro poles, guy wires, and overhead wires located within the alley; an easement would be required for utilities.

1535 – 1545 uses the alley to access backyard parking. However, 1535 is the one making the application, and the other addresses would not be affected by the closure.

This subject alley to have no usefulness by CR146/2005; therefore, we have no objections to the closure of this alley.

[Shannon Mills, C.E.T. – Technologist III]

ENGINEERING (OPERATIONS)

No comments provided

ENVIRONMENTAL SERVICES

This does not affect our services.

[Jim Leether - Senior Manager, Environmental Services]

ENWIN UTILITIES LTD. (HYDRO)

No Objection to alley closing within the requested section shown, however, an easement named to ENWIN Utilities Ltd. is required upon closing for the whole width and length of the entire alley to accommodate the existing 120/240V overhead secondary hydro distribution pole line.

Please be advised of the overhead 120/240V secondary distribution lines

[Nillavon Balachandra – Hydro Engineering Technologist]

ENWIN UTILITIES LTD. (WATER)

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

FINANCIAL PLANNING

There are currently insufficient funds in Capital Project 7145002 Alley Closing Subsidy Program to cover the cost of the survey. The Legal Department will contract the survey when funds become available.

[Kristen Karam, - Financial Planning Admin.]

LEGAL & REAL ESTATE SERVICES

For alley lands abutting property zoned MD1.2, the conveyance price of \$12.00 per square foot without Easements and \$6.00 per square foot with easements, plus deed preparation fees and proportionate Share of survey costs, plus HST (if applicable)

[Stephanie Santos - Coordinator Real Estate Services]

MANAGED NETWORK SYSTEM INC. (MNSi)

MNSi will require an Aerial Easement through this closure area please.

[Dave Hartleib - Outside Plant Manager]

PARKS

From a landscape architecture and urban design perspective, there are no objections to this application.

[Hoda Kameli - Landscape Architect]

Natural Areas has no concerns or comments with this part alley closure.

[Karen Alexander - Naturalist & Outreach Coordinator]

Forestry has no concerns for the closure of this alleyway.

No City Property to Access by Forestry

No City Trees to Access

[Gaspar Horvath - City Forester / Supervisor Parks]

PLANNING (LANDSCAPE)

From a landscape architecture and urban design perspective, there are no objections to this application.

[Hoda Kameli - Landscape Architect]

ROGERS

No comments provided

TELECON (TELUS)

TELUS has no infrastructure between Pavement Centerline & ROW line on the same side as the proposal.

Consent expires six (6) months from approval date. If the location of your proposed design changes, it will be necessary to re-apply.

[Frederic Sua, C. Tech, Design Specialist II – Access Engineering]

TRAFFIC OPERATIONS

No comments provided

TRANSPORTATION PLANNING

Transportation Planning has no objections to the proposed alley closure.

[Elara Mehrilou - Transportation Planner I]

WINDSOR FIRE

No issue with fire

[Mike Coste - Chief Fire Prevention Officer]

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the subject application for closure. Closure will not negatively impact the ability of the Windsor Police Service to carry out incident response or general service delivery to the affected properties in this situation.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (April 23, 2026)



Figure 1 - Looking north towards north-south alley from southern limit of requested alley closure



Figure 2 - Looking south towards north-south alley from northerly limit of requested alley closure



Figure 3 - Looking north towards entire north-south alley



Figure 4 – Rear fence at 1526 Highland



Figure 5 – Rear fence at 1530 Highland



Figure 6 – Rear fence at 1532 Highland

APPENDIX “E”

Criteria for Evaluating Applications to Close a Street or Alley

Classifications:

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.

Development & Heritage Standing Committee
Monday, June 1, 2026
Item 11.5 - Written Submission

From: Tina Poisson <>
Sent: June 1, 2026 12:44 PM
To: clerks <clerks@citywindsor.ca>
Subject: Report No: S 52/2026 File No: SAA2026

We just received a package TODAY regarding a meeting tonight June 1, 2026 about the closure of our alley that my husband and I have both been contacting various people about because we are opposed to this closure.

We have been repeatedly given the run around and were told we would be given sufficient notice to address this issue!

That time has come and gone since we were supposed to respond by May 29, 2026 and this package was withheld until today June 1, 2026.

We have been courteous with the workers and allowed them room to work when they blocked access to our property and installed a portable toilet against our gate. We figured when their work was done things would be fine.

We have lived here for 31 years and have never had any issues when we used the alley to access our backyard for parking and this would be impossible with only half. We're opposed to this alley being blocked and being denied access to our property. Please advise of your decision so we can inform our lawyer accordingly.

Tina Poisson

Subject: Report SCM 192/2026 / S 52/2026 - Part Closure of north/south alley located between Highland and Howard Avenue, south of Shepherd Street East (SAA-7270) - Ward 3

Reference:

Date to Council: September 28, 2026
Author: Denise Wright, Manager of Real Estate Services
(519) 255-6100 x 6403
dwright@citywindsor.ca
Legal - Real Estate Services
Report Date: 9/4/2026
Clerk's File #: SAA2026

To: Mayor and Members of City Council

Additional Information:

Report S 52/2026 was considered by Council on June 29, 2026, as Item 8.22 on the Final Consolidated Agenda. Two area residents whose properties abut the portion of the alley proposed for closure appeared as registered delegates and objected to the closure. Their concerns related primarily to limited on-street parking on Highland Avenue and their stated use of the alley for access to rear-yard parking.

Council referred the matter back to Administration for additional information.

Discussion

Administration has conducted a further review of the matter in consultation with Right-of-Way staff. The subject alley, outlined in white below, is gravel and grassed, unimproved, and not maintained for vehicular access.



The Manager of Right-of-Way has confirmed that the alley is not intended for vehicular traffic and that rear-yard parking accessed from this alley is not permitted at this location. Administration further confirms that there is no intention to improve the alley for vehicular use.

Grass alleys are not intended to provide vehicular access as outlined in Engineering Best Practice BP 2.3.2. Where the City has issued permits for rear-yard garages that require vehicular access, the alley would typically not be closed so as not to restrict that access. However, in this instance, there are no rear-yard garages or permanent parking structures and no permits have been identified for rear-yard garages adjacent to the subject alley.

In response to the concerns regarding limited on-street parking on Highland Avenue, Administration also reviewed whether front-yard parking may be available as an alternative. There is no record of either Abutting Owner having applied for, or been refused, front-yard parking approval. Right-of-way conducted a site inspection and, based on their measurements, there is sufficient space to accommodate front-yard parking in a manner consistent with other properties on Highland Avenue.

Such request will require a formal application and field confirmation by the appropriate City departments. Depending on the final layout, removal of private landscaping or a private tree may be required.

Administration has contacted the affected property owners to advise that a request for front-yard parking must proceed through the City's applicable review and approval process. Administration also provided a copy of the required application and the additional information provided herein.

Financial Matters

There are no financial implications associated with this report.

Conclusion

Administration continues to support the recommendations set out in Report S 52/2026. The subject alley is not required for municipal purposes, is not intended or maintained for vehicular use, and is not recommended to be retained for rear-yard parking. If approved, the alley will be closed and conveyed in "as is" condition, subject to any required easements, in two equal halves along the centre line to the abutting property owners.

Approvals:

Name	Title
Denise Wright	Manager Real Estate Services
Wira Vendrasco	City Solicitor
Adam Pillon	Manager of Right-of-Way
Stacey McGuire	Executive Director, Operations / Deputy City Engineer (A)

Name	Title
David Simpson	Commissioner, Infrastructure and City Engineer
David Soave	Manager, Strategic Operating Budget Development and Controls
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne for Ray Mensour	Chief Administrative Officer



Council Report: C 111/2026

Subject: Windsor-Canada Utilities Ltd. - Annual General Meeting - City Wide

Reference:

Date to Council: September 28, 2026
Author: Josh Meloche, Senior Legal Counsel
519-255-6100 x 6704
jmeloche@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: 8/14/2026
Clerk's File #: MU2026

To: Mayor and Members of City Council

Recommendation:

- I. That Council, as representative of The Corporation of the City of Windsor (the "City") as the sole shareholder of Windsor Canada Utilities Ltd. ("WCUL") **APPROVE** the resolutions presented by WCUL; and,
- II. That the Mayor **BE AUTHORIZED** to execute the shareholder's resolutions on behalf of the City, in accordance with Council direction, with respect to all matters presented herein by WCUL for the year 2025.

Executive Summary:

N/A

Background:

WCUL is the sole shareholder of the EnWin group of companies (EnWin Utilities Ltd., EnWin Energy Ltd.). The City, in turn, is the sole shareholder of WCUL. As a corporation subject to the Ontario *Business Corporations Act* ("OBCA"), WCUL is required to obtain certain shareholder resolutions from the City on an annual basis. This can be done by way of meeting, or in writing.

As the sole shareholder, the City (represented by City Council) must appoint someone to execute the resolutions in accordance with its direction. Therefore, this report seeks that Council approve the resolutions presented by WCUL, and further that it appoints the Mayor to execute the resolutions on behalf of the City.

Discussion:

The resolutions to be presented on an annual basis are prescribed by the legislation and are limited to:

- (a) Approval of minutes of prior AGMs (if any);
- (b) Receipt of financial statements;
- (c) Appointment of directors; and
- (d) Appointment of auditors.

These resolutions are essentially corporate housekeeping, save and except that WCUL requests that the sole shareholder appoint Mr. Garnet Fenn to its Board of Directors for a three (3) year term based on the recommendation of the Board's Nomination Committee.

It is Administration's opinion that it is appropriate to approve the resolutions presented.

In addition to the resolutions specifically noted above, WCUL has presented an additional housekeeping resolution intended to ensure that the WCUL minute book is properly up to date. In the interests of thoroughness, counsel for WCUL has proposed a resolution that would ensure all prior necessary resolutions are properly ratified. These resolutions would include but are not limited to:

- passing of financial statements;
- appointment of auditors; and,
- appointment of directors.

Administration is comfortable recommending acceptance of this resolution because:

- all prior WCUL financial statements have been placed before Council;
- WCUL has always been required to utilize the same auditors as the City and has done so; and,
- all directors have been appointed through the City's processes.

Risk Analysis:

As the sole shareholder of WCUL, the City must fulfill its obligations under the OBCA and address the resolutions presented by WCUL.

Approval of the resolutions pose little to no risk to the City as the City remains involved and is aware with respect to the operations of WCUL.

Approval of the housekeeping resolution will ensure that all prior necessary actions have been properly approved and ratified, thereby bringing the corporate minute books up to date.

Climate Change Risks**Climate Change Mitigation:**

N/A

Climate Change Adaptation:

N/A

Financial Matters:

There are no financial ramifications to accepting the resolutions presented by WCUL.

Consultations:

N/A

Conclusion:

The resolutions presented by WCUL are essentially corporate housekeeping and it is appropriate to approve them. It is necessary to appoint a signatory to represent the City for that purpose.

Planning Act Matters:

N/A

Approvals:

Name	Title
Joshua Meloche	Senior Legal Counsel
Steve Vlachodimos	City Clerk/Licence Commissioner
Wira Vendrasco	City Solicitor
Andrew Daher	Commissioner Corporate Services
Jelena Payne for Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email
EnWin Utilities Ltd. Attn: Gary Rossi		
Enwin Utilities Ltd. Attn: Paul Gleason		

Appendices:

- 1 Letter to Steve Vlachodimos, City Clerk dated July 30, 2026 attaching draft resolutions, financial statements
- 2 Appendix A--Draft Resolutions for Shareholder Approval
- 3 Appendix B--Windsor Canada Utilities Ltd. 2025 Annual Report—available at www.citywindsor.ca due to size



July 30, 2026

Mayor Dilkens and City Council
c/o Steve Vlachodimos, City Clerk and Licence Commissioner
Corporation of the City of Windsor
350 City Hall Square
Windsor, ON N8A 6S1

Dear Mr. Vlachodimos,

RE: Windsor Canada Utilities Ltd. - Annual General Meeting

I am writing on behalf of the Board of Directors of Windsor Canada Utilities Ltd. ("WCU"), which wishes to conduct its 2025 Annual General Meeting ("AGM") in accordance with the Ontario *Business Corporation Act* ("OBCA").

Executive management is available to attend the City Council meeting of **September 28, 2026** to provide the 2025 Annual Report and respond to questions.

As done in previous years, I am recommending using written and signed resolutions in lieu of a meeting in conducting the AGM, pursuant to s. 104(1) of the OBCA. Thus, a representative would need to be appointed to vote on behalf of the shareholder, and such appointee would cast the shareholder's vote by signing the written resolutions.

To this end, I formally request that City Council, by way of a City Council resolution, designate a representative to vote on behalf of the shareholder. In previous years, Mayor Dilkens was designated by City Council to act as the shareholder's representative.

I have attached the general form of the resolutions that the shareholder or its representative will be asked to approve. In this regard, I ask that City Council authorise their designate to approve and sign these resolutions. We propose that such designation and authorization occur at or before the City Council meeting of September 28, 2026.

To further support this request, attached is the WCU 2025 Annual Report and 2025 Audited Consolidated Financial Statements, which include the financial results of ENWIN Utilities Ltd. and ENWIN Energy Ltd.

Please contact me if you have any questions about this submission, and I look forward to receiving your confirmation of the date this proposed agenda item will be heard by City Council.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Gleason', with a stylized, cursive script.

Paul Gleason
Chief Risk Officer & Corporate Secretary
Windsor Canada Utilities Ltd.

c.c.: Mr. Garry Rossi, President & CEO, Windsor Canada Utilities Ltd.
Mayor Drew Dilkens, Chair, Windsor Canada Utilities Ltd. and ENWIN
Energy Ltd.
Andrea Orr, Chair, ENWIN Utilities Ltd.

att.: **Appendix A:** Draft resolutions for shareholder approval

Appendix B: 2025 Annual Report and 2025 Audited Consolidated
Financial Statements, Windsor Canada Utilities Ltd.

APPENDIX A

RESOLUTION OF THE SOLE SHAREHOLDER OF WINDSOR CANADA UTILITIES LTD.

The undersigned, being the sole shareholder of Windsor Canada Utilities Ltd. (the “**Corporation**”), acting pursuant to s. 104 of the *Business Corporations Act*, R.S.O. 1990, c.B.16, as amended (the “**Act**”) by its signature hereby passes the following resolutions:

NOW THEREFORE BE IT RESOLVED THAT:

1. Windsor Canada Utilities Ltd. 2025 Audited Consolidated Financial Statements

THAT the Windsor Canada Utilities Ltd. Audited Consolidated Financial Statements and report of the Auditor, KPMG LLP, for the period ending December 31, 2025, BE RECEIVED AND ACCEPTED.

2. Appointment of Auditors for 2026

THAT the audit firm selected and named by City Council as auditors of the Corporation of the City of Windsor, KPMG LLP, BE APPOINTED as the auditors of Windsor Canada Utilities Ltd. for the 2026 fiscal year end at such remuneration as may be fixed by the Windsor Canada Utilities Ltd. Board of Directors;

AND THAT the Windsor Canada Utilities Ltd. Board of Directors BE AUTHORIZED to fix the remuneration payable to the audit firm selected as auditors of Windsor Canada Utilities Ltd. for the 2026 fiscal year end.

3. Election of Board of Directors

THAT, as recommended by the Board of Directors of Windsor Canada Utilities Ltd., the following Directors of the Board of Directors of Windsor Canada Utilities Ltd. BE ELECTED as follows:

- Mr. Garnet Fenn (3-year term)

4. Confirmation of Proceedings

THAT all the by-laws, resolutions, contracts, proceedings, elections and appointments, enacted, passed, made or taken by the shareholders, directors or officers of the Corporation, at any time during the fiscal year beginning January 1, 2025 and ending

December 31, 2025 (hereinafter collectively called "the corporate proceedings") as the same are set forth or referred to in the minutes of the shareholders and the directors for the Corporation and in the other records of the corporate proceedings, and all acts and proceedings taken by the directors, officers, agents or employees of the Corporation under the authority of or pursuant to any of the corporate proceedings BE RATIFIED AND CONFIRMED with the effect stated in such corporate proceedings;

AND THAT, insofar as any such corporate proceeding shall not have been validly enacted, passed, sanctioned, confirmed, authorized or made, such corporate proceedings shall BE RATIFIED AND CONFIRMED with retroactive effect, and in all other respects with the effect stated in the minutes and records of the Corporation.

The undersigned, being the sole shareholder of the Corporation, hereby approves and consents to the above resolutions as evidenced by the signature of the shareholder's authorized representative set out below.

SIGNED AND DATED at Windsor, Ontario as of the _____ day of _____, 2026.

THE CORPORATION OF THE CITY OF WINDSOR

By:

Its:

I have the authority to bind the corporation.

2025 | ANNUAL REPORT

WINDSOR CANADA UTILITIES





ENWIN CORPORATE OFFICE SIGN

Land Acknowledgment Statement

We acknowledge that we have gathered on lands that have been inhabited and traversed by Indigenous Peoples since time immemorial. We acknowledge this as the traditional territories of the Huron-Wendat Peoples and the Three Fires Confederacy of First Nations, comprised of the Ojibwe, the Odawa, and the Potawatomi Peoples, who have historically been the stewards of the lands we live on and the waters we drink. We are grateful for the opportunity to live and work on this land and remain committed to moving forward respectfully with all First Nations, Inuit, and Métis.



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Mission, Vision and Values



ENWIN Utilities Ltd. Strategic Goals and Initiatives



A people driven learning organization.

Drive organizational excellence and learning through attracting, retaining, developing, and engaging passionate and diverse people.



Our community's leader for the energy evolution.

Articulate and pursue regulated and unregulated business opportunities that will position ENWIN at the forefront of the energy evolution.



Our customers' trusted partner.

Maintain a strong focus on delivering exceptional value to our customers as a trusted advisor that helps them navigate and choose solutions for their energy needs.



Corporate Structure



Windsor Canada Utilities Ltd.

Windsor Canada Utilities Ltd. (WCU) is 100 per cent owned by The Corporation of the City of Windsor. It is a private company, registered under the Ontario Business Corporations Act, and overseen by a Board of Directors consisting of six members appointed by City Council; four of these are elected members of City Council. WCU owns and operates three subsidiary companies. The core businesses of the Corporation, through its regulated and unregulated affiliates, are electricity and water distribution and other utility services. In 2025, WCU continued to expand its electricity distribution footprint through the acquisition of E.L.K. Energy, extending service to Essex, Lakeshore, and Kingsville. A multi-year integration is underway, with full integration planned through 2028.



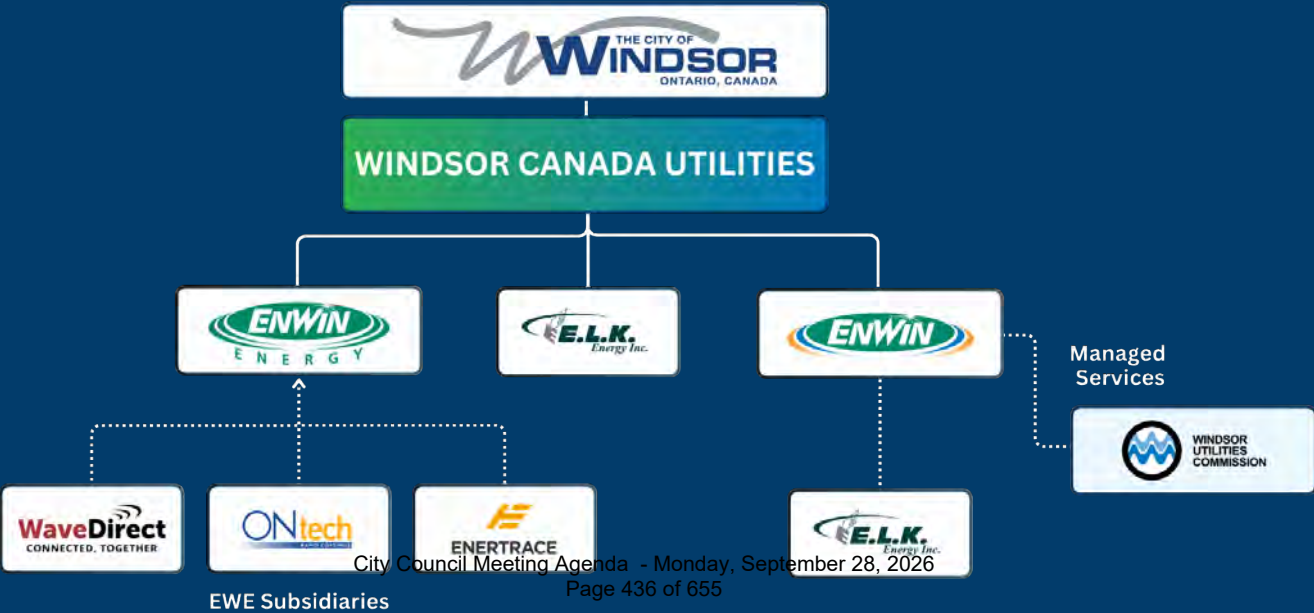
ENWIN Utilities Ltd.

ENWIN Utilities Ltd. (ENWIN or EWU), is a regulated electricity Local Distribution Company (LDC) serving customers in the City of Windsor, and is responsible for the local distribution of electricity and the service and maintenance of the local electricity distribution infrastructure. ENWIN is overseen by a Board of Directors consisting of six members appointed by its shareholder; including two elected members of City Council. ENWIN also maintains a contract of service with Windsor Utilities Commission (WUC) to operate and maintain the WUC owned water system that serves customers in Windsor, Tecumseh and LaSalle.



ENWIN Energy Ltd.

ENWIN Energy Ltd. (EWE), is the unregulated affiliate company that aims to find unregulated opportunities in the Ontario energy market. It is overseen by a Board of Directors consisting of six members appointed by the City Council; including four elected members of City Council. EWE's core business includes streetlighting and sentinel lighting, suite metering, and corrosion protection through its affiliate, Ontech Rapid Coatings Inc. The company also provides locating services through Enertrace Services Ltd., a joint venture with Essex Energy, and telecommunications services through WaveDirect, a locally owned internet service provider serving communities across southwestern Ontario.



Message from the Board Chair and President and Chief Executive Officer



As Windsor-Essex continues to grow, Windsor Canada Utilities (WCU) Ltd. is focused on building resilient energy and water systems that meet evolving community needs. Our work in 2025 was guided by our strategic pillars: A People-Driven Learning Organization; Our Customers' Trusted Partner; and Our Community's Leader for the Energy Evolution. This focus drove strengthened asset planning, improved service delivery, and responsible investment in safe, reliable, and sustainable services for today and the future.

Throughout the year, strong financial results, targeted infrastructure investment, and continued progress across the ENWIN Group of Companies demonstrated our commitment to responsible stewardship. Collectively, these efforts reinforce Windsor Canada Utilities' position as a trusted partner supporting the resilience, prosperity, and long-term growth of the communities we serve.

Operational excellence stood as a defining achievement this year. ENWIN Utilities Ltd. (ENWIN) was recognized with the Performance Excellence Award from the Electricity Distributors Association (EDA), one of Ontario's highest distinctions for a local distribution company. This recognition reflects leadership in customer service, safety, system performance, and community engagement, and reinforces a strong culture of accountability and continuous improvement.

Targeted investments across the distribution system strengthened capacity and overall performance. Outages were restored in an average of 28 minutes, reflecting a strong focus on responsive operations. To support system reliability and growth, more than 350 distribution poles and 240 transformers were installed. Total investment in the electrical system reached \$26.1 million, supporting both short-term performance and long-term system strength.

In 2025, WCU also advanced growth through the acquisition of E.L.K. Energy Inc., expanding ENWIN's presence to Essex, Lakeshore, and Kingsville. This transaction strengthens ENWIN's ability to enhance E.L.K.'s existing operations and infrastructure across its service area. A multi year integration approach supports continuity of service while positioning the organization for long term value creation and regional stability.

People and safety remained essential to organizational success. In 2025, ENWIN implemented a people-driven learning approach, expanded workplace and public safety programs, and strengthened talent partnerships with local educational institutions. Together, these initiatives support critical skill development, leadership capacity, and organizational capability, reinforcing ENWIN's position as both a trusted energy distributor and an employer of choice.

WCU also played a key role in advancing regional water infrastructure through ENWIN's Water Operations. Progress continued the organization's largest capital program to date, including major feedermain construction, further development of a new water tower, and completed the decommissioning of the 1926 Water Treatment Plant (WTP). These investments expand system capacity, strengthen service reliability, and protect long-term service quality for customers across the region.

Looking ahead, WCU remains focused on disciplined investment, operational excellence, and prudent growth. Grounded in our core values of trust, stewardship, agility, excellence, and purposeful action, we continue to deliver reliable and affordable energy and water services while preparing thoughtfully for future demand, supporting the wellbeing and long-term sustainability of the communities we serve today and into the future.

Garry Rossi,
President and CEO
ENWIN Utilities Ltd.

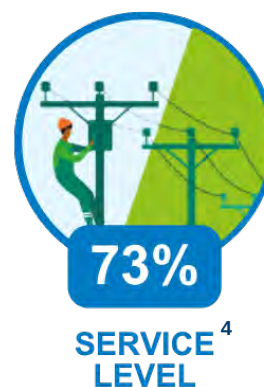
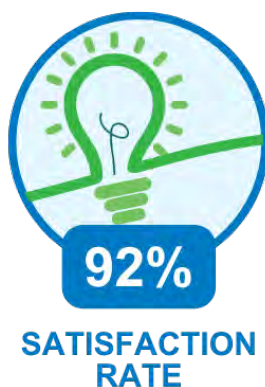
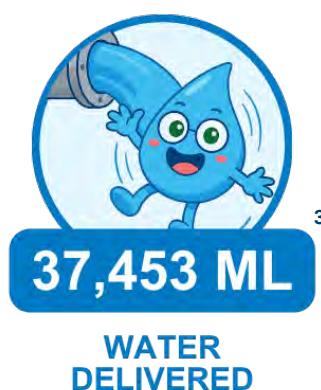
Mayor Drew Dilkens,
Board Chair
EWU and WCU



Success By the Numbers



2025 Fast Facts



1. Limited to ENWIN Utilities Ltd. only, E.L.K. Energy is not included in this figure

2. TWh is a terawatt-hour = 1,000,000,000 kWh

3. ML is the volume in megalitres (ML)

4. Percentage of calls answered in under 30 seconds for all ENWIN queues





ENWIN AT OPEN STREETS WINDSOR 2025

Board of Directors



ENWIN ENERGY LTD. (EWE) AND WINDSOR CANADA UTILITIES LTD. (WCU)



Drew Dilkens

(Chair)
Mayor, City of Windsor
DBA, MBA, LLB, CHRL



Jo-Anne Gignac

(Vice-Chair)
Councillor, City of
Windsor, Ward 6



Kevin Laforet

Regional President
(Canada), Caesars
Entertainment
CPA, CA, BComm



Jim Morrison

Councillor, City of
Windsor, Ward 10
PFP



Ed Sleiman

Councillor, City of
Windsor, Ward 5



Jerry Udell

Senior Counsel,
Miller Canfield
LLB, BA, CS

ENWIN UTILITIES LTD. (EWU)



Andrea Orr

(Chair, since July 1, 2025)
Licensed Insolvency Trustee
LLM, CGA, CPA, CIRP, LIT, C.Dir



Garnet Fenn

(Chair, until June 30, 2025)
Retired Global Assistant
Treasurer, Daimler Chrysler
Counsel Doher & Co. Chartered
Professional Accountants
MBA, FCPA, FCA, IUC.D, CPA
(Michigan)



Leo Muzzatti

(Vice-Chair)
Director of Human Resources
and Strategy Management,
Assisted Living Southwestern
Ontario (Windsor)
LLB, BEd



Drew Dilkens

Mayor, City of Windsor
DBA, MBA, LLB, CHRL



Jo-Anne Gignac

Councillor, City of
Windsor, Ward 6



Gregory Ioanidis

Former Vice President,
ITC Holdings Corp.
MBA, BMath, C.Dir



Benny Riggi

Director of Financial Planning
and Analysis, DTE Energy
MBA, CFA, CPA



Abe Taqtaq

President, Windsor-
Detroit Tunnel Duty Free
Shop Inc. & PanTaq Inc.
BA, C. Dir



ENWIN Utilities Ltd. Executive Team



Garry Rossi

President and CEO
BASc, P.Eng, C.Dir



Michelle Bonnici

Chief People Officer
LLM, BA, C.Dir



Jim Brown

Chief Operating
Officer - Hydro
BESc, BComm,
P.Eng C.Dir



Matt Carlini

Chief Financial Officer
CPA, CA, MBA, C.Dir



Paul Gleason

Chief Risk Officer
LLM, BA, CSCMP,
C.Dir



Robert Spagnuolo

Chief Operating Officer - Water
MBA, BASc, P.Eng, C.Dir



Kris Taylor

Chief Business
Development Officer
MBA, CEM, C.Dir



Board Attendance



2025 - REGULARLY SCHEDULED MEETINGS

WCU / EWE	Meetings / Year
Drew Dilkens (Chair)	Attended 2 of 5
Jo-Anne Gignac (Vice-Chair)	Attended 3 of 5
Kevin Laforet	Attended 5 of 5
Jim Morrison	Attended 5 of 5
Ed Sleiman (Member until November 2025)	Attended 4 of 4
Jerry Udell	Attended 4 of 5

EWU	Meetings / Year
Andrea Orr (Chair, since July 1, 2025)	Attended 5 of 5
Garnet Fenn (Chair, and member until June 30, 2025)	Attended 2 of 3
Leo Muzzatti (Vice-Chair)	Attended 5 of 5
Drew Dilkens	Attended 3 of 5
Jo-Anne Gignac	Attended 3 of 5
Gregory Ioanidis	Attended 5 of 5
Benny Riggi	Attended 5 of 5
Abe Taqtaq (Since November 2025)	Attended 1 of 1





FRONT EXTERIOR OF ENWIN'S RHODES DRIVE OPERATING FACILITY



ENWIN'S ELECTRICITY DISTRIBUTORS ASSOCIATION (EDA) AWARD

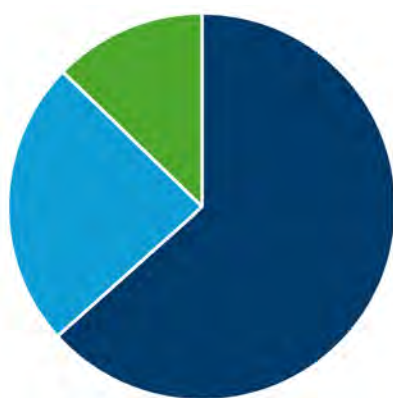
Financial Highlights



(in thousands of dollars)

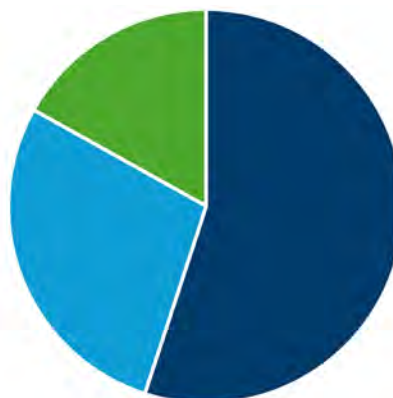
Operations	2025	2024	2023	2022	2021	2020	2019
Total Revenue	370,961	336,132	302,646	308,318	306,402	352,859	332,946
Distribution Revenue	59,586	56,378	53,314	51,726	49,778	49,019	51,400
EBITDA	38,708	26,031	21,819	14,574	19,014	23,566	29,645
Net Income	19,952	10,769	8,137	612	4,969	7,316	12,155
Dividends	5,000	4,000	4,000	4,000	4,000	4,000	4,000
Balance Sheet							
Cash and Investments	37,952	35,641	42,367	46,561	63,457	59,075	50,272
Property, Plant and Equipment & Intangible Assets	311,718	275,149	262,741	254,214	247,269	245,302	242,344
Total Assets	493,904	436,035	424,531	414,097	422,990	428,024	415,609
Long-term Debt	130,875	103,000	103,000	103,000	103,000	103,000	103,000
Equity	222,985	209,298	202,327	200,874	186,931	182,593	183,536
Cash Flows							
Operating	33,435	18,681	18,857	4,954	19,983	24,443	20,621
Investment in Infrastructure	26,082	26,498	22,938	19,274	14,889	16,749	21,630

Revenue by Type ¹



- Distribution Revenue
- Services to WUC
- Other services

Expenses by Type ¹



- Operating expenses
- Cost of services provided to WUC
- Depreciation

¹ Excludes the sale of electricity and cost of electricity



Operational Results



WCU's ability to achieve its strategic objectives depends on its assets, expertise, systems, and capital resources, both tangible and intangible.

Assets

WCU's total assets are \$493.9 million as of December 31, 2025.

Electricity Distribution Assets

In 2025, ENWIN continued to operate and maintain its electricity distribution assets while managing challenges related to aging infrastructure and extended equipment lead times. These issues were addressed through disciplined planning, targeted investment, and the consistent delivery of system replacement and expansion programs that support safe, reliable service and evolving customer needs.

ENWIN provides value through its electricity distribution grid, which includes poles, wires, cables, transformers, substations, and meters that deliver power safely and reliably across the city. This infrastructure is supported by ENWIN's technical expertise, operational practices, and long-term planning, with ongoing improvements focused on maintaining system reliability and service quality.

During the year, ENWIN invested \$26.1 million to maintain and expand the distribution system and related infrastructure. In 2025, ENWIN's distribution grid moved 449 MW of peak power which represents 68 per cent of the all-time peak the system established in 2006. Monthly peak demand was approximately three per cent lower than in 2024, reflecting stable overall system loading. While peak loads depend on economic and weather conditions, the ENWIN distribution grid has a reasonable reserve capacity to serve additional loads which may materialize in the future. The distribution system also supported the connection of 614 new customer load services and 16.6 MW of new generation.

Infrastructure renewal activities included the installation of approximately 350 distribution poles and 240 transformers. The newly developed Underground Cable and Submersible Transformer Replacement Program represented ENWIN's most ambitious electric capital initiative in 2025. The program supports ENWIN's objective to eliminate submersible transformers by 2030 due to their lower reliability compared to on-ground minipad transformer alternatives. Through focused efforts by ENWIN crews, all 62 planned submersible transformer units were replaced during the year, along with the associated aging primary cable.

Timely restoration of electrical service remains a key customer priority. In 2025, the average outage duration was 28 minutes, reflecting continued strong reliability performance across the distribution system.

Federal funding received in 2021 supported the implementation of two automated feeder ring systems within the City of Windsor. These self-healing grid investments enhance reliability by reducing outage hours in areas unaffected by the original source of an interruption. The project reached successful completion in 2025. Building on the experience and knowledge gained by the ENWIN team, opportunities will be explored to further expand and improve upon the outcomes achieved.

Unregulated Business Lines

Historically, ENWIN Energy Ltd. (EWE) has overseen and managed sentinel lighting and streetlighting services for a range of customers, including the City of Windsor. In recent years, the organization has taken steps to broaden its portfolio by pursuing strategic partnerships, launching new venture offerings, and participating in government-funded initiatives that support value creation for its shareholder.



A key milestone in this diversification was the formation of Ontech Rapid Coatings in 2018 through a partnership between EWE and Tessonics Inc. Since that time, Ontech has focused on delivering advanced corrosion control and coating solutions within the utility sector. The business has expanded to serve multiple licensed electricity distributors across Ontario. Growth continued through 2025, with a record number of customers served and assets coated across the province. Alongside this progress, Ontech began trialing new graffiti removal services with several Ontario-based clients, providing a foundation for further expansion in 2026.

EWE also established Enertrace Services Ltd. in 2023 as a joint venture with Essex Energy to respond to increasing demand for underground utility locates within Windsor-Essex County. The company's mandate focuses on meeting regional locating needs while supporting damage prevention efforts. Enertrace completed its first full year of operations in 2025, exceeding expectations and maintaining a flawless record of meeting all legislated ticket timelines. Locating and damage prevention work across the region continues.

Further portfolio diversification occurred in February 2025 with the acquisition of WaveDirect Telecommunications Ltd., a long-standing rural and regional internet service provider headquartered in Leamington, Ontario. This acquisition represented a strategic entry into telecommunications for ENWIN Energy, supported by the opportunity to leverage shared infrastructure. WaveDirect identified the partnership as a catalyst for accelerating reliable high-speed internet expansion across Windsor-Essex, reflecting a shared commitment to regional economic development and locally controlled service delivery.

ENWIN Water Operations

WUC is an independent utility that contracts ENWIN to manage and operate its water system through a Water System Operating Agreement (WSOA). ENWIN delivers operational, maintenance, and capital services on WUC's behalf and is compensated for these services.

In 2025, ENWIN supported WUC in delivering \$56.9 million in total capital investments including linear infrastructure investments focused on asset renewal and system expansion. This work included the installation of 12.02 km of new watermain and associated water services using PVC pipe and polyethylene/copper tubing. In addition, 5.66 km of feedermain were installed, completing Phase II of the Central Corridor Feedermain and strengthening system capacity to support population growth and expanding industrial demand.

At the Albert H. Weeks Water Treatment Plant, ENWIN advanced several key initiatives in 2025, including the initiation of ozone control system upgrades to improve reliability and troubleshooting, the commencement of generator replacement work to strengthen backup power capability, and the decommissioning and demolition of the adjacent 1926 Water Treatment Plant. These activities support the continued delivery of safe and reliable drinking water to Windsor, LaSalle, and Tecumseh.



Financial Results



\$20.0 M & \$14.1 M

Net Income & Modified
Net Income
(regulatory)



9.2% & 10.6%

Return on Equity &
Regulated Return on
Equity



\$311.7 M

Property, Plant,
Equipment and
Intangible Assets



\$60.0 M

Distribution
Revenue



\$65.1 M

Operating Expenses
(Excluding Depreciation)



\$493.9 M

Total Consolidated
Assets



ENWIN in the Community



Awarded locally through ENWIN's Community Support Program, employee-led Grassroots Initiatives, Post-Secondary Scholarships and Corporate Sponsorships



Employee Fundraising: United Way's Backpacks for Success and Summer Eats for Kids (**\$930 raised**), Big Brothers Big Sisters Bowl for Kids' Sake (**\$2,180 donated**), Customer Service Elves (**\$900 donated** to Goodfellows), S'Well Chili Cook-off fundraiser for Transition 2 Betterness (**\$1,010 donated**), and United Way Campaign (**\$26,704.95 raised**).

Employee Volunteering: Essex Region Conservation Authority (ERCA) Earth Day Tree planting (**2000+ trees planted**), Meet a Machine (**approximately 10,000 attendees**), Hydro crews Riverside Banner Initiative (**raised 48 veteran banners**), Safety Village Trick-or-Treat in the Village (**1500+ attendees**), City of Windsor Open Streets, and Essex Fun Fest.

ENWIN Supporting Students: ENWIN provided **\$2000 scholarships** to each of a University and College student. In addition, ENWIN provided four Equity, Diversity, Inclusion and Accessibility (EDIA) **scholarships of \$1000 each** for under-represented students in STEM fields entering post-secondary.

Events: International Women's Day Panels and Networking Sessions; Bright Lights Windsor; the City of Windsor Santa Clause Parade, Leamington Santa Claus Parade and Essex Santa Claus Parade; World Water Day; Windsor Spitfires Home Opener; Customer Care Access Initiative at Devonshire Mall, Aquatic Centre, and the Newcomer Centre.

Some of the Charitable Organizations ENWIN Supported in 2025





MEET A MACHINE 2025



Appendix A:

Consolidated Financial Statements and Independent Auditor's Report



Consolidated Financial Statements of

WINDSOR CANADA UTILITIES LTD.

And Independent Auditors' Report thereon

Year Ended December 31, 2025



WINDSOR CANADA UTILITIES LTD.

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Year ended December 31, 2025

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WINDSOR CANADA UTILITIES LTD.

Consolidated Balance Sheet
(In thousands of Canadian dollars)

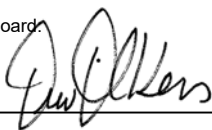
December 31, 2025, with comparative information for 2024

	Notes	2025	2024
Assets			
Current assets:			
Cash and cash equivalents	4	\$ 15,728	\$ 16,073
Accounts receivable	5	66,480	57,519
Due from related parties	24	5,736	3,926
Inventory	6	10,368	8,191
Other assets		3,108	1,989
		101,420	87,698
Non-current assets:			
Property, plant and equipment	7	310,277	273,747
Intangible assets	8	1,441	1,402
Investments	9	126	-
Investment, sinking fund	9	22,098	19,568
Investment in joint ventures	25	308	233
Due from related parties - debenture	24	52,000	52,000
Deferred income taxes	17	-	1,387
Goodwill	10	6,234	-
		392,484	348,337
Total assets		\$ 493,904	\$ 436,035
Liabilities			
Current liabilities:			
Accounts payable and accruals	11	\$ 40,318	\$ 31,912
Payments in lieu of income taxes payable	17	1,581	2,749
Due to related parties	24	11,384	10,787
Current portion of customer deposits	12	2,296	1,591
Deferred revenue		81	-
		55,660	47,039
Non-current liabilities:			
Customer deposits	12	5,287	7,155
Deferred revenue - customer contributions	13	25,681	21,109
Long-term debt	14	130,875	102,558
Employee future benefits	15	51,843	48,876
Deferred income taxes	17	1,573	-
		215,259	179,698
Total liabilities		270,919	226,737
Equity			
Common shares	18	81,842	81,842
Contributed surplus		516	516
Retained earnings		126,917	111,965
Accumulated other comprehensive income		13,710	14,975
		222,985	209,298
Commitments and contingencies	27		
Total liabilities and equity		\$ 493,904	\$ 436,035

The accompanying notes are an integral part of these consolidated financial statements.

On behalf of the Board:

Director



Director




WINDSOR CANADA UTILITIES LTD.

Consolidated Statement of Income
(In thousands of Canadian dollars)

Year ended December 31, 2025, with comparative information for 2024

	Notes	2025	2024
Revenue from sale of electricity:			
Sale of electricity		\$ 276,923	\$ 252,515
Distribution revenue	19	59,586	56,378
		336,509	308,893
Cost of electricity purchased		267,129	253,409
Gross profit		69,380	55,484
Other revenue:			
Services provided to Windsor Utilities Commission	24	22,473	20,752
Other income	20	11,979	6,386
		34,452	27,138
Operating expenses:			
Operating and distribution expenses	21	42,331	36,777
Billing, collecting and administrative expenses	21	22,793	19,814
Depreciation and amortization	7, 8	13,203	12,603
		78,327	69,194
Income from operating activities		25,505	13,428
Finance expense (income):			
Finance income	22	(4,382)	(5,697)
Finance expense	22	4,679	4,468
		297	(1,229)
Income before tax		25,208	14,657
Income taxes:			
Provision for payments in lieu of corporate taxes	17	1,576	2,671
Deferred income taxes	17	3,680	1,217
		5,256	3,888
Income for the year		\$ 19,952	\$ 10,769

The accompanying notes are an integral part of these consolidated financial statements.



WINDSOR CANADA UTILITIES LTD.

Consolidated Statement of Comprehensive Income
(In thousands of Canadian dollars)

Year ended December 31, 2025, with comparative information for 2024

	Notes	2025	2024
Income for the year		\$ 19,952	\$ 10,769
Other comprehensive (loss) income:			
Items that will not be reclassified to the statement of income:			
Remeasurement of employee future benefits (loss) income	15	(1,721)	275
Related tax	17	456	(73)
Other comprehensive (loss) income		(1,265)	202
Total comprehensive income for the year		\$ 18,687	\$ 10,971

The accompanying notes are an integral part of these consolidated financial statements.



WINDSOR CANADA UTILITIES LTD.

Consolidated Statement of Changes in Equity
(In thousands of Canadian dollars)

Year ended December 31, 2025, with comparative information for 2024

	Share capital	Contributed surplus	Retained earnings	Accumulated other comprehensive income (loss)	Total
Balance at January 1, 2024	\$ 81,842	\$ 516	\$ 105,196	\$ 14,773	\$ 202,327
Income for the year	-	-	10,769	-	10,769
Dividends declared	-	-	(4,000)	-	(4,000)
Other comprehensive income	-	-	-	202	202
Balance at December 31, 2024	\$ 81,842	\$ 516	\$ 111,965	\$ 14,975	\$ 209,298
Income for the year	-	-	19,952	-	19,952
Dividends declared	-	-	(5,000)	-	(5,000)
Other comprehensive loss	-	-	-	(1,265)	(1,265)
Balance at December 31, 2025	\$ 81,842	\$ 516	\$ 126,917	\$ 13,710	\$ 222,985

The accompanying notes are an integral part of these consolidated financial statements.



WINDSOR CANADA UTILITIES LTD.

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

Year ended December 31, 2025, with comparative information for 2024

	Notes	2025	2024
Operating activities:			
Total comprehensive income for the year		\$ 18,687	\$ 10,971
Adjustments for:			
Depreciation and amortization	7,8	13,203	12,603
Amortization of deferred revenue customer contributions		(639)	(565)
Remeasurement of employee future benefits	15	1,721	(275)
Gain on investments	9	(1,334)	(1,975)
Loss on sale of property, plant and equipment	20	437	670
Amortization of debt issuance costs		17	16
Share in joint venture's net (income) loss		(75)	(17)
Income tax expense	17	1,576	2,671
Changes in non-cash operating working capital	23	2,980	(5,281)
Interest paid		(4,662)	(4,452)
Interest received		4,382	5,697
Income taxes paid		(2,858)	(1,382)
		33,435	18,681
Investing activities:			
Acquisition of property, plant, equipment and intangible assets	7, 8	(26,082)	(26,498)
Acquisition of investments	9, 10	(27,853)	(1,200)
Deferred revenue - customer contributions		959	2,526
Proceeds from investment		-	3,740
Proceeds on sale of property, plant & equipment		563	590
		(52,413)	(20,842)
Financing activities:			
Acquisition of long-term debt	4	28,300	-
Settlement of long-term debt of subsidiary		(6,907)	-
Cash obtained on acquisition of subsidiary		2,240	-
Dividends paid		(5,000)	(4,000)
		18,633	(4,000)
Net change in cash and cash equivalents		(345)	(6,161)
Cash and cash equivalents at January 1		16,073	22,234
Cash and cash equivalents at December 31		\$ 15,728	\$ 16,073

The accompanying notes are an integral part of these consolidated financial statements.



WINDSOR CANADA UTILITIES LTD.

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WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

1. Reporting entity:

Windsor Canada Utilities Ltd. ("WCUL" or the "Corporation") is a holding company owned by its sole shareholder, the Corporation of the City of Windsor (the "City"). WCUL was incorporated in December of 1999 under the Business Corporations Act (Ontario). The principal business of WCUL is to provide strategic direction and financing to the operations of ENWIN Utilities Ltd. ("EWU"), a rate-regulated distribution company, ENWIN Energy Ltd. ("EWE"), a non-regulated service company, and E.L.K. Energy Inc. ("ELK"), a rate-regulated distribution company. The address of WCUL's registered office is 4545 Rhodes Drive, Windsor, Ontario, Canada.

The principal activity of WCUL, through its wholly-owned subsidiary, EWU, is the ownership and operation of the electricity distribution grid in the City. WCUL, through its wholly-owned subsidiary, EWE, is also responsible for the provision of street lighting maintenance services to the City and sentinel lighting to the businesses of the City. WCUL, through its wholly-owned subsidiary, ELK, is also responsible for the ownership and operation of the electricity distribution grid delivering electricity and related energy services to residential and commercial customers in the towns of Essex, Harrow, Belle River, Comber, Kingsville and Cottam.

These financial statements are presented on a consolidated basis and include the following subsidiaries: EWU, EWE and ELK. Hereafter, for purposes of these notes, unless specifically referenced, any and all references to the "Corporation" refer to WCUL and its subsidiaries EWU, EWE and ELK.

On November 6, 2012, EWU and the Windsor Utilities Commission (the "Commission") entered into a Water System Operating Agreement ("WSOA"), whereby EWU agreed to provide services to the Commission with respect to operating the water treatment and distribution system. The services include: management, administrative services, construction operations, and maintenance services. EWU is responsible for providing all personnel required to operate the water system. Pursuant to the terms of the WSOA and the associated Employee Arrangement Agreement, also dated November 6, 2012, the Commission transferred all non-unionized employees and all unionized employees of the Commission to EWU. The Commission is a local board of the City.

Through its wholly-owned subsidiary, EWE, the Corporation has joint venture investments in ONtech Rapid Coatings Inc. ("ONtech") and Enertrace Services Ltd. ("Enertrace"), which are accounted for using the equity method. EWE is also the sole shareholder of WaveDirect Telecommunications Corporation ("WaveDirect"), which provides telecommunication services to customers in Ontario.

Through its wholly-owned subsidiary, ELK, the Corporation is also the sole shareholder of E.L.K. Solutions Inc. ("ESI"), which provides street lighting maintenance and other services.

The Corporation's arrangements with its subsidiaries, the Commission and the City are subject to the Ontario Energy Board's ("OEB") Affiliate Relationships Code, which is a code prescribed by and issued pursuant to the Ontario Energy Board Act, 1998.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

2. Basis of preparation:

(a) Statement of compliance:

The consolidated financial statements have been prepared in accordance with IFRS Accounting Standards ("IFRS") as adopted by the International Accounting Standards Board ("IASB") and interpretations as issued by the International Financial Reporting Interpretations Committee ("IFRIC") of the IASB.

(b) Approval of the consolidated financial statements:

The consolidated financial statements were approved by the Board of Directors on April 22, 2026.

(c) Basis of measurement:

The consolidated financial statements have been prepared on the historical cost basis except for the following:

- (i) Where held, financial instruments at fair value through profit or loss, are measured at fair value.
- (ii) The accrued benefit related to the Corporation's unfunded defined benefit plan is actuarially determined and is measured at the present value of the defined benefit obligation.

(d) Functional and presentation currency:

These consolidated financial statements are presented in Canadian dollars, which is the Corporation's functional currency. All financial information presented in Canadian dollars has been rounded to the nearest thousand dollars.

(e) Use of estimates and judgements:

The preparation of consolidated financial statements in conformity with IFRS requires management to make judgements, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, income and expenses and disclosure of contingent assets and liabilities. Actual results may differ from those estimates.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

2. Basis of preparation (continued):

(e) Use of estimates and judgements (continued):

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the year in which the estimates are revised and in any future periods affected.

In particular, significant areas where upon estimation was required that have the most significant effect on the amounts recognized in these consolidated financial statements, include:

- (i) Note 3(j) – Deferred revenue: determination of the performance obligation for contributions from customers and the related amortization period;
- (ii) Note 5 – Trade accounts receivables: allowance for impairment. Unbilled revenue: measurement of revenues not yet billed;
- (iii) Note 7 – Property, plant and equipment: useful lives and the identification of significant components of property, plant and equipment;
- (iv) Note 10 – Goodwill: impairment test on goodwill;
- (v) Note 15 – Employee future benefits: measurement of the defined benefit obligation;
- (vi) Note 26 – Financial instruments and risk management: valuation of financial instruments.

Information about critical judgements in applying accounting policies that have the most significant effect on the amounts recognized in the consolidated financial statements, include:

- (i) The Corporation's determination that they are acting as a principal for electricity distribution and therefore have presented the electricity revenues on a gross basis.

(f) Rate regulation:

EWU and ELK are regulated by the OEB, under the authority granted by the Ontario Energy Board Act, 1998. Among other things, the OEB has the power and responsibility to approve or set rates for the transmission and distribution of electricity, providing continued rate protection for electricity customers in Ontario, and ensuring that transmission and distribution companies fulfill obligations to connect and service customers. The OEB may also prescribe license requirements and conditions of service to local distribution companies ("LDC"), such as EWU and ELK, which may include, among other things, record keeping, regulatory accounting principles, separation of accounts for distinct businesses, and filing and process requirements for rate setting purposes.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

2. Basis of preparation (continued):

(f) Rate regulation (continued):

In its capacity to approve or set rates, the OEB has the authority to specify regulatory accounting treatments that differ from IFRS. The OEB's regulatory accounting treatments require the recognition of regulatory assets and liabilities which do not meet the definition of an asset or liability under IFRS for EWU or WCU and, as a result, these regulatory assets and liabilities have not been recorded in these consolidated IFRS financial statements. ELK adopted IFRS at a different time than EWU and has the ability to record regulatory assets and liabilities under IFRS, however, for the purposes of consolidation within WUC, these balances have been unwound to retained earnings in order to satisfy the application of uniform accounting policies across all subsidiaries.

(i) Rate setting:

The electricity distribution rates and other regulated charges of an LDC are determined by the OEB. This regulated rate-setting provides LDCs with the opportunity to recover the revenue requirement associated with owning and operating the LDC. The revenue requirement represents the forecasted prudent costs, including the cost of capital, which will be reasonably necessary for the LDC to invest in the electricity grid, operate the electricity grid, and serve customers in its licenced service area.

(ii) Rate applications:

When an LDC files a "Cost of Service" ("COS") rate application, the OEB establishes the revenues required to recover the forecasted operating costs, including amortization and income taxes, of providing the regulated electricity distribution service and providing a fair return on the LDC's rate base. LDCs estimate electricity usage and the costs to service each customer class in order to determine the appropriate rates to be charged to each customer class. The COS application is reviewed by the OEB and any registered intervenors. Rates are approved based upon the review of evidence and information, including any revisions resulting from that review. On April 26, 2019, EWU submitted a COS application to the OEB to change distribution rates effective January 1, 2020. The application was approved by the OEB on December 5, 2019. ELK last filed a COS application in 2022 for rates effective July 1, 2022.

In the intervening years between a COS, an Incentive Regulation Mechanism ("IRM") is filed. An IRM application results in a formulaic adjustment to distribution rates that were set under the last COS application. The previous year's rates are adjusted for the annual change in the Gross Domestic Product Implicit Price Inflator for Final Domestic Demand net of a productivity factor set by the OEB and a stretch factor determined by the relative efficiency of an electricity distributor. On August 15, 2024, EWU submitted an IRM application to the OEB to change distribution rates effective January 1, 2025. The application was approved by the OEB on December 19, 2024. On October 28,



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

2. Basis of preparation (continued):

(f) Rate regulation (continued):

(ii) Rate applications (continued):

2024, ELK submitted an IRM application to the OEB to change distribution rates effective May 1, 2025. The application was approved on August 28, 2025 for Phase 1 issues and on December 11, 2025 for Phase 2 issues.

3. Material accounting policies:

The Corporation has consistently applied the following accounting policies to all periods presented in these consolidated financial statements, except if mentioned otherwise.

(a) Cash and cash equivalents:

Cash and cash equivalents consist of balances with banks and investments with a maturity of approximately three months or less at the date of purchase, unless they are held for investment rather than liquidity purposes, in which case they are classified as an investment.

(b) Financial instruments:

All consolidated financial assets and liabilities of the Corporation are classified into one of the following categories: amortized cost, fair value through other comprehensive income, or fair value through income or loss.

The Corporation has classified its financial instruments as follows:

Cash and cash equivalents	Amortized cost
Accounts receivable	Amortized cost
Due from related parties	Amortized cost
Investments	Fair value through income or loss
Accounts payable and accruals	Amortized cost
Due to related parties	Amortized cost
Long-term debt	Amortized cost

Financial instruments are recognized initially at amortized cost plus any directly attributable transaction costs.

Subsequent to initial recognition, financial instruments classified as fair value through income and loss are measured at fair value. The Corporation does not use derivative instruments.

The Corporation derecognizes a financial asset when the contractual rights to the cash flows from the asset expire or it transfers the rights to receive the contractual cash flows in a transaction in which substantially all of the risks and rewards of ownership of the financial asset are transferred.

The Corporation derecognizes a financial liability when its contractual obligations are discharged, cancelled or expire.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(c) Fair value:

Fair values are categorized into different levels in a fair value hierarchy based on inputs used in the valuation techniques as follows:

Level 1: unadjusted quoted prices in active markets for identical assets or liabilities;

Level 2: inputs other than quoted prices included in Level 1 that are observable for the asset, either directly or indirectly; and

Level 3: inputs for assets and liabilities that are based on observable market data.

(d) Inventory:

Inventory is measured at the lower of cost and net realizable value. The cost of inventory is determined on a weighted average basis. Net realizable value is determined on a replacement cost basis.

(e) Property, plant and equipment:

(i) Recognition and measurement:

Items of property, plant and equipment are measured at cost less accumulated depreciation and accumulated impairment losses.

Cost includes expenditures that are directly attributable to the acquisition of the asset. The cost of self-constructed assets includes the cost of materials and direct labour, any other costs directly attributable to bringing the asset to a working condition for its intended use, the costs of dismantling and removing the items and restoring the site on which they are located and capitalized borrowing costs. Borrowing costs on qualifying assets are capitalized as part of the cost of the asset and are based on the Corporation's average cost of borrowing.

When parts of an item of property, plant and equipment have different useful lives, they are accounted for as separate items (major components).

(ii) Subsequent costs:

The cost of replacing part of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied within the part will flow to the Corporation and its cost can be measured reliably. The carrying amount of the replaced part is derecognized. The costs of the day-to-day servicing of property, plant and equipment are recognized in the statement of income as incurred.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(e) Property, plant and equipment (continued):

(iii) Depreciation:

Depreciation is recognized in the consolidated statement of income on a straight-line basis over the estimated useful life of each part or component of an item of property, plant and equipment. Land is not depreciated. The estimated useful lives for the current and comparative years are as follows:

Buildings	10 – 50 years
Distribution and metering equipment	8 – 80 years
Other assets	4 – 20 years

Gains and losses on disposal of an item of property, plant and equipment are determined by comparing the proceeds from disposal with the carrying amount of property, plant and equipment and are recognized within other income in the consolidated statement of income.

Depreciation methods, useful lives and residual values are reviewed at each reporting date.

(f) Intangible assets:

(i) Computer software:

Computer software that is acquired or developed by the Corporation, including software that is not integral to the functionality of equipment purchased, which have finite useful lives, are measured at cost less accumulated amortization and accumulated impairment losses.

(ii) Amortization:

Amortization is recognized in the consolidated statement of income on a straight-line basis over the estimated useful lives of the intangible assets, from the date that they are available for use. The estimated useful lives for the current and comparative years are:

Computer software	5 – 10 years
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Amortization methods and useful lives are reviewed at each reporting date.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(g) Goodwill:

Goodwill arising on the acquisition of subsidiaries is measured at cost less accumulated impairment losses.

Goodwill is recognized as an intangible asset with an indefinite useful life and is not amortized. Instead, goodwill is tested for impairment annually, or more frequently if events or changes in circumstances indicate that it may be impaired, in accordance with IAS 36 *Impairment of Assets*.

(h) Impairment:

(i) Financial assets:

A financial asset is assessed at each reporting date to determine whether there is any objective evidence that it is impaired. A financial asset is considered to be impaired if objective evidence indicates that one or more events have had a negative effect on the estimated future cash flows of that asset.

A loss allowance for expected credit losses on financial assets measured at amortized cost is recognized at the reporting date. The loss allowance is measured at an amount equal to the lifetime expected credit losses for the asset.

All impairment losses are recognized in the consolidated statement of income. An impairment loss is reversed if the reversal can be related objectively to an event occurring after the impairment loss was recognized. For financial assets measured at amortized cost, the reversal is recognized in the consolidated statement of income.

(ii) Non-financial assets:

The carrying amounts of the Corporation's non-financial assets, other than inventory, work-in-progress and deferred tax assets, are reviewed at each reporting date to determine whether there is any indication of impairment. If any such indication exists, then the asset's recoverable amount is estimated.

Impairment losses recognized in prior periods are assessed at each reporting date for any indications that the loss has decreased or no longer exists. An impairment loss is reversed if there has been a change in the estimates used to determine the recoverable amount. An impairment loss is reversed only to the extent that the asset's carrying amount does not exceed the carrying amount that would have been determined, net of depreciation or amortization, if no impairment loss had been recognized.

For the purpose of impairment testing, assets are grouped together into the smallest group of assets that generates cash inflows from continuing use that are largely independent of the cash inflows of other assets or groups of assets (the "cash-generating unit"). The recoverable amount of an asset or cash-generating



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(h) Impairment (continued):

(ii) Non-financial assets (continued):

unit is the greater of its value in use and its fair value less costs to sell. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset.

An impairment loss is recognized if the carrying amount of an asset or its cash-generating unit exceeds its estimated recoverable amount. Impairment losses are recognized in the consolidated statement of income and are allocated to reduce the carrying amount of the assets in the cash-generating unit on a pro-rata basis.

(i) Employee future benefits:

(i) Pension plan:

EWU and ELK provide a pension plan for all its full-time employees through Ontario Municipal Employees Retirement System ("OMERS"). OMERS is a multi-employer, contributory, defined benefit pension plan established in 1962 by the Province of Ontario for employees of municipalities, local boards and school boards in Ontario. Both participating employers and employees are required to make plan contributions based on participating employees' contributory earnings.

OMERS is a defined benefit plan. However, as OMERS does not segregate its pension assets and liabilities information by individual employer, there is not sufficient information to enable EWU or ELK to account for the plan as a defined benefit plan. The plan has been accounted for as a defined contribution plan. Obligations for contributions to defined contribution pension plans are recognized as an employee benefit expense in income when they are due. At December 31, 2025, the OMERS plan is in a deficit position.

(ii) Employee future benefits:

EWU and ELK pay certain health, dental and life insurance benefits, under unfunded defined benefit plans, on behalf of its retired employees. These benefits are provided through a group defined benefit plan. EWU and ELK are the legal sponsor of the Plan. There is a policy in place to allocate the net defined benefit cost to the entities participating in the group plan. The allocation is based on the obligation attributable to the plan participants. EWU and ELK have reflected its share of the defined benefit costs and related liabilities, as calculated by the actuary, in these consolidated financial statements.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(i) Employee future benefits (continued):

(ii) Employee future benefits (continued):

EWU and ELK accrue the cost of these employee future benefits over the periods in which the employees earn the benefits. The accrued benefit obligations and the current service costs are actuarially determined by applying the projected unit credit method and reflect management's best estimate of certain underlying assumptions. The current service cost for a period is equal to the actuarial present value of benefits attributed to that period in which employees rendered their services.

Remeasurements of the net defined benefit liability, which comprise actuarial gains and losses, are recognized immediately in other comprehensive income. EWU and ELK determine the net interest expense on the net defined benefit liability for the period by applying the discount rate used to measure the defined benefit liability at the beginning of the annual period, taking into account any changes in the net benefit liability during the period as a result of benefit payments. Net interest expense and other expenses related to defined benefit plans are recognized in the consolidated statement of income.

Gains and losses on account of curtailment or settlement of these employee future benefits are recognized immediately in income.

In accordance with the WSOA and the Employee Arrangement Agreement between the Commission and EWU, the Plan was amended such that all active Commission management and union employees were included as part of the Plan, and have their coverage sponsored by EWU. A date of December 31, 2012 was assumed by the actuary to reflect this event in the Plan.

(j) Deferred revenue:

Certain customers are also required to contribute towards the capital cost of construction of distribution assets in order to provide ongoing service. These contributions fall within the scope of IFRS 15 *Revenue from Contracts with Customers*. These contributions are received to obtain a connection to the distribution system in order to receive ongoing access to electricity. The Corporation has concluded that the performance obligation is the supply of electricity over the life of the relationship with the customer which is satisfied over time as the customer receives and consumes the electricity. Revenue is recognized on a straight-line basis over the useful life of the related asset.

(k) Customer deposits:

For EWU and ELK, customer deposits include cash collections from customers, which are applied against any unpaid portion of individual customer accounts. Deposits are refundable to customers who demonstrate an acceptable level of credit risk, upon termination of their



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(k) Customer deposits (continued):

electricity distribution service or for deposits in excess of unpaid account balances in accordance with OEB requirements. Interest is paid on customer deposits. Customer

deposits also include monies received from developers and distribution customers for services that are recorded as construction in progress and, once the assets are put into service, will be accounted for through a capital contribution.

For EWE, customer deposits include cash deposits from the City for street lighting inventory and from telecommunication customers to guarantee the payment of internet services provided and ensure return of WaveDirect equipment on customers' premises. Deposits relating to telecommunication customers are refundable to customers who demonstrate an acceptable level of credit risk or upon termination of their telecommunications service. Interest is not paid on these customer deposits.

(l) Revenue recognition:

IFRS 15 *Revenue from Contracts with Customers* establishes a comprehensive framework for determining whether, how much and when revenue is recognized.

The performance obligations for the sale and distribution of electricity are recognized over time using an output method to measure the satisfaction of the performance obligation. The value of the electricity services transferred to the customer is determined on the basis of cyclical meter readings plus estimated customer usage since the last meter reading date to the end of the year and represents the amount that EWU and ELK have the right to bill. Revenue includes the cost of electricity supplied, distribution, and any other regulatory charges. The related cost of power is recorded on the basis of power used.

For customer billings related to electricity generated by third parties and the related costs of providing electricity service, such as transmission services and other services provided by third parties, the Corporation has determined that it is acting as a principal for these electricity charges and, therefore, has presented electricity revenue on a gross basis.

Revenue for EWU and ELK is recognized when EWU and ELK satisfy the performance obligations within the contract(s) for conditions of service, which is when the distribution and delivery of electricity is achieved or specific services are performed.

Revenue includes an estimate of unbilled revenue. Unbilled revenue represents an estimate of electricity consumed by customers since the date of each customer's last meter reading. Actual electricity usage could differ from those estimates.

Revenue is measured at the fair value of the consideration received or receivable, net of any taxes which may be applicable.

Street lighting maintenance revenue – EWE has a contract with the City to provide maintenance of the street lighting system. This contract includes replacing damaged or non-functioning street lighting. Revenue is recognized when the services have been performed. There is also a fixed component to the contract that is recognized evenly throughout the year.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(l) Revenue recognition (continued):

Sentinel lighting revenue – EWE provides sentinel lighting equipment to customers. A monthly rental charge is earned by EWE for the use of the sentinel light equipment.

Telecommunications revenue – Through its subsidiary, WaveDirect, telecommunications revenue is recognized in accordance with IFRS 15 when the control of the services is transferred to the customer. WaveDirect provides monthly wireless and hardwired internet services to residential and commercial customers. In addition, WaveDirect provides static IP services and internet protocol television (“IPTV”) services. Revenue from these services is recognized on a straight-line basis over the term of the contract. For telecommunications-related services including internet installation, repair, and other technical support services, revenue is recognized at the point in time when the related services have been completed.

Other income for work orders is recorded on a net basis as the Corporation is acting as an agent for this revenue stream. All other amounts in other income are recorded on a gross basis and are recognized when services are rendered.

(m) Finance costs:

Finance costs comprise interest expense on borrowings and unwinding of the discount rate on provisions.

(n) Income taxes:

The income tax expense comprises current and deferred tax. Income tax expense is recognized in the consolidated statement of income except to the extent that it relates to items recognized directly in equity, in which case, it is recognized in equity.

Under the Electricity Act 1998, the Corporation makes payments in lieu of corporate taxes to Ontario Electricity Financial Corporation. These payments are calculated in accordance with the rules for computing taxable income and taxable capital and other relevant amounts contained in the Income Tax Act (Canada) and the Corporation Tax Act (Ontario) as modified by the Electricity Act, 1998 and related regulations. Payments in lieu of taxes (“PILs”) are referred to as income taxes.

Current tax is the expected PILs payable on the taxable income for the year, using tax rates enacted or substantively enacted at the reporting date, and any adjustment to tax payable in respect of previous years.

Deferred tax is recognized using the balance sheet method, providing for temporary differences between the carrying amounts of assets and liabilities for financial reporting purposes and the amounts used for taxation purposes. Deferred tax assets and liabilities are measured using enacted or substantively enacted tax rates expected to apply to taxable income in the years in which those temporary differences are expected to be recovered or settled. The effect on deferred tax assets and liabilities of a change in tax rates is recognized



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(n) Income taxes (continued):

in the consolidated statement of income in the year that includes the date of enactment or substantive enactment.

(o) Set-off and reporting on a net basis:

Assets and liabilities and income and expenses are not offset and reported on a net basis unless required or permitted by IFRS. For financial assets and financial liabilities, offsetting is permitted when, and only when, the Corporation has a legally enforceable right to set-off and intends either to settle on a net basis, or to realize the asset and settle the liability simultaneously.

(p) Business Combinations:

The Corporation accounts for business combinations using the acquisition method at the date on which control is obtained. The consideration transferred in a business combination is measured at fair value at the acquisition date. Identifiable assets acquired and liabilities assumed are recognized at their acquisition-date fair values.

Goodwill represents the excess of the consideration transferred over the Corporation's interest in the net fair value of the identifiable assets acquired and liabilities assumed. Goodwill is not amortized and is tested for impairment annually, or more frequently if events or changes in circumstances indicate that it may be impaired. If the consideration transferred is less than the net fair value of the identifiable assets acquired and liabilities assumed, the resulting gain on a bargain purchase is recognized immediately in profit or loss.

Acquisition-related costs are expensed as incurred except for costs related to the issuance of debt or equity instruments, which are recognized in accordance with the applicable IFRS standards.

(q) New standards and interpretations not yet adopted:

The following standards which are not yet effective for the year ended December 31, 2025, have not been applied in preparing these consolidated financial statements.

Classification and Measurement of Financial Instruments – Amendments to IFRS 9 and IFRS 7

On May 30, 2024, the IASB issued amendments to the classification and measurement requirements in IFRS 9 *Financial Instruments*. The amendments will address diversity in accounting practice by making the requirements more understandable and consistent. The IASB has also amended IFRS 7 *Financial Instruments – Disclosures*. Companies will now be required to provide additional disclosures on financial assets and financial liabilities that have certain contingent features.

The amendments apply for annual reporting periods beginning on or after January 1, 2026.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

3. Material accounting policies (continued):

(q) New standards and interpretations not yet adopted (continued):

Improvements to IFRS Accounting Standards – Amendments to IFRS 1, IFRS 7, IFRS 9, IFRS 10, and IAS 7

On July 18, 2024, the IASB issued minor amendments to IFRS Accounting Standards and accompanying guidance as part of its regular maintenance of the Standards.

These amendments, published in a single document *Annual Improvements to IFRS Accounting Standards – Volume 11*, include clarifications, simplifications, corrections and changes aimed at improving the consistency of several IFRS Accounting Standards.

These amendments apply for annual reporting periods beginning on or after January 1, 2026.

Contracts Referencing Nature-dependent Electricity – Amendments to IFRS 9 and IFRS 7

On December 18, 2024, the IASB issued targeted amendments to help companies better report the financial effects of nature-dependent electricity contracts, which are often structured as power purchase agreements.

The amendments apply for annual reporting periods beginning on or after January 1, 2026.

Presentation and Disclosure in Financial Statements – New Standard (IFRS 18)

On April 9, 2024, the IASB issued a new standard IFRS 18, *Presentation and Disclosure in Financial Statements*, which replaces IAS 1 *Presentation of Financial Statements*. The new requirements introduced in IFRS 18 will help to achieve comparability of the financial performance of similar entities, especially related to how 'operating profit or loss' is defined. The new disclosures required for some management-defined performance measures will also enhance transparency.

The amendments apply for annual reporting periods beginning on or after January 1, 2027, however retrospective application is required for comparative periods.

Subsidiaries without Public Accountability – New Standard (IFRS 19)

On May 9, 2024, the IASB issued a new standard IFRS 19 *Subsidiaries without Public Accountability: Disclosures* which permits eligible subsidiaries to use IFRS Accounting Standards with reduced disclosures. Applying IFRS 19 will reduce the costs of preparing subsidiaries' financial statements while maintaining the usefulness of the information for users of their financial statements.

The amendments apply for annual reporting periods beginning on or after January 1, 2027.

The Corporation has assessed the potential impacts on its consolidated financial statements, and determined that the future pronouncements will not have a material impact on the Corporation.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

4. Cash and cash equivalents:

	2025	2024
Cash and cash equivalents	\$ 15,728	\$ 16,073
Cash and cash equivalents	\$ 15,728	\$ 16,073

The Corporation and EWU have a loan agreement with a Canadian chartered bank providing up to \$75,000 (2024 - \$75,000) bearing interest at prime minus 0.25% or Canadian Overnight Repo Rate Average (CORRA) plus 1.125%, based on current S&P rating for the Corporation, with interest accruing daily. All borrowings under this agreement are repayable by August 31, 2028. The agreement restricts the availability of the Corporation to lien assets. As of December 31, 2025, the outstanding balance in the line of credit was \$28,300 (2024 - \$nil). Additional information on the amount borrowed is included in Note 14.

5. Accounts receivable:

	2025	2024
Trade receivables	\$ 39,537	\$ 36,075
Unbilled revenue	29,936	23,567
Allowance for doubtful accounts	(2,993)	(2,123)
Accounts receivable	\$ 66,480	\$ 57,519

The Corporation's exposure to credit risk and impairment losses related to trade receivables is disclosed in Note 26.

6. Inventory:

Inventory consists of parts and supplies acquired for capital, internal construction, maintenance or recoverable work.

The amount of inventory consumed by the Corporation and recognized as an expense during 2025 was \$8,655 (2024 - \$7,237).



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

7. Property, plant and equipment:

(a) Cost:

	Land and buildings	Distribution and metering equipment	Other assets	Construction -in- progress	Total
Balance at January 1, 2024	\$ 26,843	\$ 310,661	\$ 37,316	\$ 5,578	\$ 380,398
Additions	211	17,360	5,478	5,205	28,254
Disposals/retirements	(14)	(1,591)	(663)	(2,482)	(4,750)
Balance at December 31, 2024	\$ 27,040	\$ 326,430	\$ 42,131	\$ 8,301	\$ 403,902
Balance at January 1, 2025	\$ 27,040	\$ 326,430	\$ 42,131	\$ 8,301	\$ 403,902
Additions	713	23,321	3,567	(2,027)	25,574
Additions from acquisition	1,797	26,447	4,907	-	33,151
Disposals/retirements	-	(1,519)	(84)	-	(1,603)
Balance at December 31, 2025	\$ 29,550	\$ 374,679	\$ 50,521	\$ 6,274	\$ 461,024

(b) Accumulated depreciation:

	Land and buildings	Distribution and metering equipment	Other assets	Construction -in- progress	Total
Balance at January 1, 2024	\$ 10,466	\$ 83,235	\$ 25,184	\$ -	\$ 118,885
Depreciation charge for the year	801	8,635	2,615	-	12,051
Disposals/retirements/transfers	-	(468)	(313)	-	(781)
Balance at December 31, 2024	\$ 11,267	\$ 91,402	\$ 27,486	\$ -	\$ 130,155
Balance at January 1, 2025	\$ 11,267	\$ 91,402	\$ 27,486	\$ -	\$ 130,155
Depreciation charge for the year	796	8,966	2,974	-	12,736
Accumulated depreciation on additions	113	6,650	1,643	-	8,406
Disposals/retirements/transfers	-	(515)	(35)	-	(550)
Balance at December 31, 2025	\$ 12,176	\$ 106,503	\$ 32,068	\$ -	\$ 150,747

(c) Carrying amounts:

	Land and buildings	Distribution and metering equipment	Other assets	Construction -in- progress	Total
December 31, 2024	\$ 15,773	\$ 235,028	\$ 14,645	\$ 8,301	\$ 273,747
December 31, 2025	\$ 17,374	\$ 268,176	\$ 18,453	\$ 6,274	\$ 310,277



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

8. Intangible assets:

(a) Cost or deemed cost:

	Computer software
Balance at January 1, 2024	\$ 32,708
Additions	726
Balance at December 31, 2024	\$ 33,434
Balance at January 1, 2025	\$ 33,434
Additions	506
Balance at December 31, 2025	\$ 33,940

(b) Accumulated amortization:

	Computer software
Balance at January 1, 2024	\$ 31,480
Amortization charge for the year	552
Balance at December 31, 2024	\$ 32,032
Balance at January 1, 2025	\$ 32,032
Amortization charge for the year	467
Balance at December 31, 2025	\$ 32,499

(c) Carrying amounts:

	Computer software
December 31, 2024	\$ 1,402
December 31, 2025	\$ 1,441



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

9. Investments:

On the purchase of ELK, the Corporation has acquired investments. The investment in the common shares of Sunlife Financial is recorded at market value.

	2025	2024
Investment in the common shares of Sun Life Financial	\$ 126	\$ -
Investments	\$ 126	\$ -

In 2014, a sinking fund was established with the intent to ensure sufficient funds are available to settle debentures issued November 6, 2012, with a maturity date of November 6, 2042, in the amount of \$103,000. There are no restrictions with this investment. Annual payments are expected to be completed to satisfy the obligation.

This investment is recorded at fair value as of December 31, 2025, and is invested in fixed income and equity markets as established by the Corporation's investment policy.

	2025	2024
Investment: Sinking fund	\$ 22,098	\$ 19,568
Investment, sinking fund	\$ 22,098	\$ 19,568



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

10. Acquisition of subsidiaries:

Through its wholly owned subsidiary EWE, on January 31, 2025, WaveDirect acquired the assets and selected liabilities of WaveDirect Telecommunications for cash consideration of \$3,725. The acquisition supports revenue growth and broadens WCUL's service offerings.

The following table summarizes the recognized amounts of assets acquired and liabilities assumed at the date of the acquisition.

	Recognized value
Property, plant, and equipment	\$ 1,266
Prepaid expenses	137
Security deposits	(64)
Deferred revenue	(73)
	\$ 1,266

On the acquisition of WaveDirect, the Corporation recognized goodwill as the excess of the consideration transferred over the Corporation's interest in the net fair value of the identifiable assets acquired and liabilities assumed. The acquisition was accounted for using the acquisition method in accordance with IFRS 3, Business Combinations.

Goodwill arising from the acquisition of WaveDirect primarily represents the expected synergies from combining WCUL operations, access to an established customer base, the assembled workforce, and anticipated future economic benefits that do not qualify for separate recognition as identifiable intangible assets. Goodwill recognized on the balance sheet from this transaction amounts to \$2,459.

For the eleven months ended December 31, 2025, WaveDirect contributed revenue of \$3,203 and a net loss of \$473. If the acquisition had occurred on January 1, 2025, management estimates that the consolidated revenue would have been \$336,800 and consolidated net income for the year would have been \$19,909.

On November 28, 2025, the Corporation acquired the shares of ELK from The Town of Essex for consideration of \$22,949. If information emerges within 18 months of the acquisition date regarding facts and circumstances present at that time, which necessitate adjustments to the amounts stated above or reveal additional provisions existing at the acquisition date, the accounting for the acquisition shall be updated accordingly. The acquisition will expand the Corporation's principal activity as ELK is the owner and operator of the electricity distribution grid in the communities of Belle River, Comber, Cottam, Essex, Harrow and Kingsville in Ontario, Canada.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

10. Acquisition of subsidiaries (continued):

The following table summarizes the recognized amounts of assets acquired and liabilities assumed at the date of the acquisition.

	Recognized value
Property, plant, and equipment	\$ 23,478
Other assets	10,757
Current liabilities	(5,080)
Non-current liabilities	(9,981)
	\$ 19,174

On the acquisition of ELK, the Corporation recognized goodwill as the excess of the consideration transferred over the fair value of the net assets purchased. The acquisition was accounted for using the acquisition method in accordance with IFRS 3, Business Combinations.

Goodwill arising from the acquisition of ELK primarily represents the expected synergies from combining EWU and ELK operations and anticipated future economic benefits that do not qualify for separate recognition as identifiable intangible assets. Goodwill recognized on the balance sheet from this transaction amounts to \$3,775.

The total amount of goodwill recognized on the consolidated balance sheet is \$6,234, comprised of \$2,459 relating to WaveDirect and \$3,775 relating to ELK.

For the one month ended December 31, 2025, ELK contributed revenue of \$3,441 and a net loss of \$180. If the acquisition had occurred on January 1, 2025, management estimates that the consolidated revenue would have been \$371,729 and consolidated net income for the year would have been \$20,069.

11. Accounts payable and accruals:

	2025	2024
Trade payables	\$ 28,798	\$ 21,597
Accrued expenses	11,520	10,315
	\$ 40,318	\$ 31,912

Information about the Corporation's exposure to currency and liquidity risk is included in Note 26.



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Notes to the Consolidated Financial Statements (continued)
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Year ended December 31, 2025

12. Customer deposits:

Customer deposits represent cash deposits from electricity distribution customers and retailers, construction deposits, deposits received from the City for inventory for Street-lighting maintenance, and security deposits received from WaveDirect customers. These deposits are recognized as liabilities until the related obligations are fulfilled or the deposits otherwise applied or refunded.

Customer deposits comprise:

	2025	2024
Customer deposits	\$ 5,608	\$ 4,653
Construction deposits	1,975	4,093
	7,583	8,746
Less: current portion	(2,296)	(1,591)
	\$ 5,287	\$ 7,155

13. Deferred revenue – customer contributions:

Deferred revenue relates to the capital contributions received from EWU and ELK customers and others. The amount of deferred revenue received from customers is \$25,681 (2024 - \$21,109). Deferred revenue is recognized as revenue on a straight-line basis over the life of the asset for which the contribution was received.

14. Long-term borrowings:

Long-term borrowings comprise:

	2025	2024
Debentures payable	\$ 103,000	\$ 103,000
Less: debt issuance costs	(425)	(442)
Long-term bank loan	28,300	-
	\$ 130,875	\$ 102,558

Senior unsecured debentures, which have a maturity date of November 6, 2042, and bearing interest at a rate of 4.134% per annum, were issued on November 6, 2012. Interest is payable in equal semi-annual instalments, in arrears, on May 6 and November 6 each year commencing May 6, 2013, until maturity. The debentures are represented by a single Global Debenture Certificate registered in the name of CDS & Co. In order to put the debentures in place, EWU



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

14. Long-term borrowings (continued):

incurred debt issuance costs in the amount of \$601. The debentures require semi-annual interest payments to 2042 of \$2,129, with a final principal payment of \$103,000 due November 6, 2042.

The Corporation incurred interest expense in respect of the debentures of \$4,258 (2024 - \$4,258), which is recognized as part of finance expense on the consolidated statement of income.

The Commission is a guarantor of \$52,000 in relation to the debentures and is a borrower of that same amount from WCUL pursuant to a revolving credit agreement also entered into on November 6, 2012. The Commission is obligated to make due and punctual payments of the principal and applicable interest on each debenture on their due dates, on maturity, on redemption or on acceleration.

On November 28, 2025, the Corporation purchased 30,000 common shares of E.L.K. Energy Inc. for a preliminary purchase price of \$22,924 and 10,000 Class B shares of E.L.K. Solutions Inc. for a preliminary purchase price of \$25 from The Corporation of the Town of Essex. The transaction was financed through a combination of cash and the use of the existing credit facility. The amount of \$28,300 was borrowed under the Corporation's existing credit facility. Additional information on the terms of this loan is provided in Note 4.

15. Employee future benefits:

EWU and ELK pay certain health, dental and life insurance benefits on behalf of some of their retired employees. Significant assumptions underlying the actuarial valuation include management's best estimate of the interest (discount) rate, mortality decrement, the average retirement age of employees, employee turnover and expected health and dental care costs.

The Plan was amended such that all active Commission management and union employees covered under the Commission collective agreement from July 1, 2012, would be included as part of the Plan and have their coverage sponsored by EWU. The December 31, 2012 date was chosen to reflect this event in the Plan. Reference Note 1 for further information.

EWU measures its accrued benefit liability for accounting purposes as at December 31 each year. A valuation date of October 31, 2025, with extrapolation to December 31, 2025, has been used to calculate EWU's current obligation. ELK's most recent valuation was completed December 31, 2024 and extrapolated to December 31, 2025. The Corporation's employee future benefit liability consists of the following:

	2025	2024
Defined benefit liability	\$ 51,843	\$ 48,876
Employee future benefits, end of year	\$ 51,843	\$ 48,876



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

15. Employee future benefits (continued):

Information about EWU's unfunded defined benefit plan is as follows:

Changes in the present value of the defined benefit liability:

	2025	2024
Defined benefit liability, beginning of year	\$ 48,876	\$ 48,299
Acquisition of ELK defined benefit liability	405	-
Defined benefit expense	3,251	3,105
Actuarial loss/(gain) on liability recognized in other comprehensive income	1,721	(275)
Benefits paid for the year	(2,410)	(2,253)
Defined benefit liability, end of year	\$ 51,843	\$ 48,876

Components of defined benefit expense recognized are as follows:

	2025	2024
Current service cost	\$ 817	\$ 776
Past service cost	172	130
Interest cost	2,262	2,199
Defined benefit expense	\$ 3,251	\$ 3,105

The defined benefit expense for the year is recognized as administrative expense on the consolidated statement of income.

The main actuarial assumptions underlying the valuation are as follows:

(a) Health care cost trend rates:

For EWU, the health care cost trend for prescription drugs is estimated to increase at 6.0% in 2026 grading down to 3.8% by 2041. Other health expenses are estimated to increase at 6.0% in 2026 grading down to 3.8% by 2041. Dental expenses are estimated to increase at 3.8% per year. For ELK, the medical trend rate is estimated to increase at 5.5% (2024 – 6.5%) and the dental trend rate is estimated to increase at 4.0% (2024 – 4.0%)

(b) Financial instruments:

For EWU, the liabilities at the period end and the present value of future liabilities were determined using a discount rate of 5% (2024 – 4.7%) representing an estimate of the yield on high quality corporate bonds as at the valuation date. For ELK, the discount rate used in the valuation was 3.9% (2024 – 3.9%).



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

15. Employee future benefits (continued):

(c) Mortality decrement:

The rates applicable to public sector retirees in the 2014 Canadian Pensioners Mortality table produced by the Canadian Institute of Actuaries were used as the basis of these assumptions.

For EWU, a 1% or one year change in actuarial assumptions, assuming all other factors remain constant, has the following impact on the defined benefit liability carrying amount:

	2025		2024	
	Increase	Decrease	Increase	Decrease
Health care trend rate (1% change)	\$ 6,884	\$ (5,667)	\$ 7,482	\$ (6,013)
Discount rate (1% change)	(6,535)	8,121	(6,168)	7,771
Mortality (1 year)	2,224	(2,123)	1,890	(1,752)

For ELK, a 1% increase in the assumed medical trend rate would result in the defined benefit obligation increasing by \$11. A 1% decrease in the assumed medical trend rate would result in the defined benefits obligation decreasing by \$11.

16. Pension plan:

EWU participates in OMERS, a multi-employer plan, on behalf of its employees. The plan has been accounted for as a defined contribution plan. Contributions during the year were 9.0% (2024 - 9.0%) for employee earnings below the year's maximum pensionable earnings and 14.6% (2024 - 14.6%) thereafter. During 2025, EWU expensed contributions totalling \$3,637 (2024- \$3,295) made to OMERS in respect of the employer's required contributions to the plan. ELK expensed contributions totalling \$17 during the 33-day period in 2025 since acquisition. Total estimated contributions for EWU and ELK in 2026 are \$4,153.

17. Income taxes (provision for payment in lieu of corporate taxes):

	2025	2024
Current provision for payments in lieu of corporate tax expense:		
Current year	\$ 1,391	\$ 2,679
Adjustments for prior years	185	(8)
Deferred income tax expense:		
Origination and reversal of temporary differences	2,565	770
Adjustments for prior years	659	520
Tax related to remeasurement of employee future benefits	456	(73)
Total income taxes expense	\$ 5,256	\$ 3,888



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

17. Income taxes (provision for payment in lieu of corporate taxes) (continued):

The provision for income taxes varies from amounts which would be computed by applying the Corporation's combined statutory income tax rate as follows:

	2025	2024
Basic rate applied to total comprehensive income before income tax	26.50%	26.50%
Change in income tax resulting from:		
Adjustments for prior years	(4.49%)	3.91%
Items not deductible for tax purposes and other	(1.16%)	(3.88%)
Effective rate applied to comprehensive income before income taxes	20.85%	26.53%

The components of the deferred income tax assets and liabilities are summarized as follows:

	2025	2024
Deferred tax assets:		
Employee benefits	\$ 7,965	\$ 7,179
Non-capital loss	1,373	-
Regulatory assets	-	2,059
Share of joint venture's net loss	25	43
Other	818	264
Deferred tax liabilities:		
Property, plant and equipment	(11,486)	(8,092)
Regulatory liabilities	(184)	-
Other	(84)	(66)
Net deferred income tax (liability) asset	\$ (1,573)	\$ 1,387

At December 31, 2025, a deferred tax liability of \$1,573 (2024 – (\$1,387)) has been recorded. This tax liability represents a future income tax payment the Corporation owes but is not required to pay until a later date



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

18. Share capital:

	2025	2024
Authorized:		
Unlimited common shares		
Issued:		
2,000 common shares	\$ 81,842	\$ 81,842

19. Distribution revenue:

EWU and ELK generate revenue primarily from the sale and distribution of electricity to their customers. Other revenue consists of services provided to related parties and other income. Additional information is provided in Note 20 with the components of other income.

In the following table, distribution revenue is disaggregated by type of customer:

	2025	2024
Residential	\$ 31,225	\$ 29,791
General service – small distribution	21,757	20,261
General service – large distribution	4,728	4,523
Street lighting distribution	1,876	1,803
Total distribution revenue	\$ 59,586	\$ 56,378

20. Other Income:

Other income comprises:

	2025	2024
Change in occupancy	\$ 336	\$ 337
Late payment and collection charges	844	512
Other operating revenues	1,547	231
Loss on disposal of property, plant and equipment	(437)	(670)
Pole attachment revenue	1,504	1,438
Sale of scrap	153	234
Sewer surcharge billing and collecting	3,186	2,614
Telecommunications revenue	3,203	-
Street lighting maintenance and sentinel light rental	1,568	1,673
Share in joint ventures' net gain	75	17
Total other income	\$ 11,979	\$ 6,386



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

21. Employee benefits:

Employee benefit amounts are allocated between Operating and Distribution expenses and Billing, Collecting and Administration expenses.

	Note	2025	2024
Salaries and benefits		\$ 46,154	\$ 40,809
Contributions to multi-employer plan	16	3,637	3,295
Expenses related to defined benefit plans	15	3,251	3,105
		\$ 53,042	\$ 47,209

22. Finance expense (income):

	2025	2024
Finance income:		
Interest income on loans to affiliate	\$ (2,150)	\$ (2,150)
Interest income on bank balances	(691)	(1,572)
Income on sinking fund investment	(1,330)	(1,767)
Interest income other	(211)	-
Income on investments	-	(208)
	(4,382)	(5,697)
Finance expense:		
Interest expense on long-term borrowings	4,258	4,258
Interest expense on customer and security deposits	143	193
Amortization of debt issuance costs	17	16
Interest expense other	261	1
	4,679	4,468
Net finance expense (income)	\$ 297	\$ (1,229)



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

23. Changes in non-cash operating working capital:

Changes in non-cash operating working capital comprises:

	2025	2024
Net finance expense	\$ 280	\$ (1,245)
Accounts receivable	(1,785)	(8,611)
Due from related parties	(1,810)	1,081
Inventory	(1,657)	637
Other assets	(1,069)	(203)
Deferred income taxes	3,224	1,291
Accounts payable and accruals	5,736	1,793
PIL of income taxes	501	379
Due to related parties	599	1,396
Deferred revenue	81	(4,118)
Customer deposits	(1,960)	1,467
Employee future benefits	840	852
Total changes in non-cash operating working capital	\$ 2,980	\$ (5,281)

24. Related party transactions:

(a) Parent and ultimate controlling party:

The parent of the Corporation is the City. The City produces consolidated financial statements that are available for public use.

(b) Key management personnel:

The key management personnel of the Corporation has been defined as members of its board of directors and executive management team members.

Key management compensation:

	2025	2024
Salaries and other short-term benefits	\$ 1,833	\$ 1,495
Employee future benefits	19	17
	\$ 1,852	\$ 1,512



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

24. Related party transactions (continued):

(c) Transactions with parent:

EWU provides waste water billing and related services for the City, for which EWU charges a fee. The total amount charged to the City for the year ended December 31, 2025, was \$3,186 (2024 - \$2,614). The fee charged for the waste water billing and related services were recognized as other income from operations on the consolidated statement of income.

EWU collects and remits the waste water billing amounts on behalf of the City. The total amount owing to the City at December 31, 2025, relating to waste water billing was \$11,384 (2024 - \$10,787).

EWU has issued a standby letter of credit to the City in the amount of \$300 (2024 - \$300) as an indemnity deposit for municipal consent permits. There was no amount owing on this facility at December 31, 2025.

EWE provides street lighting maintenance services to the City. The total amount charged to the City for the year ended December 31, 2025, relating to street lighting maintenance services was \$1,482 (2024 - \$1,586) and is recorded as part of other income from operations in the consolidated statement of income.

(d) Transactions with entities under common control:

On November 6, 2012, EWU and the Commission entered into a WSOA, whereby EWU agreed to provide services to the Commission with respect to the operation of the Commission's water system. The total amount charged to the Commission for the year ended December 31, 2025, was \$22,473 (2024 - \$20,752).

(e) Amounts due from (to) related parties:

The amounts due from related parties consist of:

	2025	2024
Due from companies under common control:		
Due from Windsor Utilities Commission	\$ 5,225	\$ 3,228
Due from joint ventures:		
Due from ONtech Rapid Coatings Inc.	6	6
Due from Enertrace Services Ltd.	20	-
Due from parent:		
Due from the Corporation of the City of Windsor	485	692
	<u>\$ 5,736</u>	<u>\$ 3,926</u>



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

24. Related party transactions (continued):

(e) Amounts due from (to) related parties (continued):

The amounts due from the City and the Commission are due on demand and are non-interest bearing. These amounts have no specified repayment terms

Long term receivable due from related parties consist of:

	2025	2024
Due from Windsor Utilities Commission, debenture	\$ 52,000	\$ 52,000
Due from related parties – debenture	\$ 52,000	\$ 52,000

The amount due from the Commission, debenture is pursuant to the revolving credit agreement entered into by the Commission and the Corporation.

The amounts due to related parties consist of:

	2025	2024
Due to parent:		
Due to the Corporation of the City of Windsor	\$ 11,384	\$ 10,787
	\$ 11,384	\$ 10,787

The amount due to the City is non-interest bearing.

25. Investment in joint ventures:

ONtech Rapid Coatings Inc. ("ONtech") is a Canadian controlled private corporation in which EWE has joint control and a 50% ownership interest as a result of purchasing fifty common shares for the amount of fifty dollars. ONtech was founded by EWE and Tessonics Inc. and is principally engaged to offer low pressure cold spray solutions. The address of ONtech's registered office is 787 Ouellette Avenue, Windsor, Ontario, Canada.

Enertrace Services Ltd. ("Enertrace") is a Canadian controlled private corporation in which EWE has joint control and a 50% ownership interest as a result of purchasing fifty common shares for the amount of fifty dollars. Enertrace was founded by EWE and Essex Energy Corporation and is principally engaged to offer underground infrastructure location and marking services prior to construction. The address of Enertrace's registered office is 4545 Rhodes Drive, Windsor, Ontario, Canada.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

25. Investment in joint ventures (continued):

Both ONtech and Enertrace are structured as separate legal entities and EWE has a residual interest in their net assets. Accordingly, the Corporation has classified its interests in ONtech and Enertrace as joint ventures, which are accounted for using the equity method.

26. Financial instruments and risk management:

The carrying values of cash and cash equivalents, accounts receivable, amounts due from (to) related parties, investment, accounts payable and accruals approximate fair values because of the short maturity of these instruments.

The following table illustrates the classification of the corporation's financial instruments using the fair value hierarchy as at December 31:

Assets	2025			2024		
	Level 1	Level 2	Total	Level 1	Level 2	Total
Investment, sinking fund	10,578	11,520	22,098	9,026	10,542	19,568
Investment, Sunlife	126	-	126	-	-	-
	\$ 10,704	\$ 11,520	\$ 22,224	\$ 9,026	\$ 10,542	\$ 19,568

The fair value of the investments is \$22,224 (2024 - \$19,568). The fair value is calculated based on the quoted market price in the active markets.

The Corporation's activities provide for a variety of financial risks, particularly credit risk, market risk and liquidity risk.

(i) Credit risk:

The aging of accounts receivables at the reporting date was:

	2025	2024
Not past due	\$ 58,527	\$ 45,867
Past due 0 – 30 days	2,806	8,075
Past due 31 – 60 days	1,562	1,710
Greater than 60 days	6,578	3,990
	\$ 69,473	\$ 59,642

Financial assets carry credit risk that a counter-party will fail to discharge an obligation which would result in a financial loss. Financial assets held by the Corporation, such as accounts receivable, expose it to credit risk. The Corporation earns its revenue from a broad base of customers located in the City of Windsor. No single customer accounts for greater than 6.0% (2024 – 5.7%) of revenues.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

26. Financial instruments and risk management (continued):

(i) Credit risk (continued):

The carrying amount of accounts receivable is reduced through the use of an allowance for impairment and the amount of the related impairment loss is recognized in the consolidated statement of income. Subsequent recoveries of receivables previously provisioned are credited to the consolidated statement of income. The balance of the allowance for impairment at December 31, 2025 was \$2,993 (2024 - \$2,123).

A continuity of the allowance for doubtful accounts is as follows:

	2025	2024
Balance, beginning of year	\$ 2,123	\$ 2,045
Accounts receivable balances written off	(712)	(820)
Change in provisions for doubtful accounts	1,582	898
Balance, end of year	\$ 2,993	\$ 2,123

The Corporation's credit risk associated with accounts receivable is primarily related to payments from distribution customers. At December 31, 2025, approximately \$6,637 (2024 - \$3,990) is considered 60 days past due. Credit risk is managed through collection of security deposits from customers in accordance with OEB regulation. As of December 31, 2025, the Corporation holds security deposits in the amount of \$5,608 (2024 - \$4,653).

(ii) Liquidity risk:

Liquidity risk is the risk that the Corporation will not be able to meet its obligations associated with financial liabilities. The Corporation monitors its liquidity risk to ensure access to sufficient funds to meet operational and investing requirements. The Corporation's objective is to ensure that sufficient liquidity is on hand to meet obligations as they fall due while minimizing interest expense. The Corporation has access to a line of credit and monitors cash balances to ensure that sufficient levels of liquidity are on hand to meet financial commitments as they come due.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

26. Financial instruments and risk management (continued):

(ii) Liquidity risk (continued):

The following are the contractual maturities of financial liabilities:

	6 Months or less	6-12 Months	1-2 years	More than 2 years	Other non cash adjustments	Carrying amount
2025						
Accounts payable and accruals	\$ 40,318	\$ -	\$ -	\$ -	\$ -	\$ 40,318
Due to related parties	11,384	-	-	-	-	11,384
Customer deposits	1,557	739	1,477	3,810	-	7,583
Long-term borrowings	-	-	28,300	103,000	(425)	130,875
	\$ 53,259	\$ 739	\$ 29,777	\$ 106,810	\$ (425)	\$ 190,160

	6 Months or less	6-12 Months	1-2 years	More than 2 years	Other non cash adjustments	Carrying amount
2024						
Accounts payable and accruals	\$ 31,912	\$ -	\$ -	\$ -	\$ -	\$ 31,912
Due to related parties	10,787	-	-	-	-	10,787
Customer deposits	795	796	1,591	5,564	-	8,746
Long-term borrowings	-	-	-	103,000	(442)	102,558
	\$ 43,494	\$ 796	\$ 1,591	\$ 108,564	\$ (442)	\$ 154,003

(iii) Market risk:

Market risk primarily refers to the risks of loss that result from changes in commodity prices, foreign exchange rates, and interest rates. The Corporation is exposed to market risks within the investment portfolio. A portion of the portfolio is invested in equities which are subject to market forces. For sensitivity purposes, a 1% change would result in a change of \$106 (2024 - \$90) on the consolidated balance sheet and consolidated statement of income.

(iv) Capital disclosures:

The main objectives of the Corporation when managing capital are to ensure ongoing access to funding to maintain and improve the electricity distribution system, compliance with covenants related to its credit facilities, prudent management of its capital structure with regard for recoveries of financing charges permitted by the OEB on its regulated electricity distribution business, and to deliver the appropriate financial returns.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
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Year ended December 31, 2025

26. Financial instruments and risk management (continued):

(iv) Capital disclosures (continued):

The Corporation's definition of capital includes shareholder's equity and long-term debt. As at December 31, 2025, shareholder's equity amounts to \$222,985 (2024 - \$209,298) and long-term debt amounts to \$130,875 (2024 - \$102,558).

Through rate-setting, the OEB determines the prudent costs of capital that are recoverable by EWU in relation to the distribution business. These costs of capital are the interest on debt and return on equity. The OEB permits recovery on the basis of a deemed capital structure of 60% debt and 40% equity. The actual capital structure for the Corporation may differ from the OEB deemed structure.

The Corporation has customary covenants typically associated with long-term debt. The Corporation is in compliance with all credit agreement covenants and limitations associated with its long-term debt.

(v) Interest rate risk:

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Corporation is subject to variable interest rate cash flow risk with respect to its investments. The Corporation has addressed this risk by entering into fixed interest rates on invested funds and debts.

(vi) Currency risk:

Currency risk is the risk that the fair value or future cash flow of a financial instrument will fluctuate due to changes in foreign exchange rates. The Corporation is exposed to currency risk through its foreign currency denominated bank and investment accounts. A weakening or strengthening of the Canadian dollar can affect the cash flows. This risk is monitored by investment managers and the exposure is limited to these accounts. For sensitivity purposes, a 1% change in the Canadian dollar would result in a change of \$67 (2024 - \$59) on the consolidated balance sheet and consolidated statement of income.



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

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27. Commitments and contingencies:

Contingencies

General

From time to time, the Corporation is involved in various litigation matters arising in the ordinary course of its business. The Corporation has no reason to believe that the disposition of any such current matter could reasonably be expected to have a materially adverse impact on the Corporation's financial position, results of operations or its ability to carry on any of its business activities.

General liability insurance

The Corporation is a member of the Municipal Electrical Association Reciprocal Insurance Exchange ("MEARIE"), a self-insurance plan that pools the liability risks of all the Municipal Electric Utilities in Ontario. Members of MEARIE would be assessed on a pro-rata basis should losses be experienced by MEARIE for the years in which the Corporation was a member.

To December 31, 2025, the Corporation has not been made aware of any additional assessments that have not been accrued.

28. Regulatory assets and liabilities:

Under IFRS, there is no recognition of regulatory assets or liabilities, and therefore, the impacts of these transactions are reflected on the consolidated statement of income, as applicable. As a result of not recognizing rate-regulated assets and liabilities, the effect was to increase (decrease) comprehensive income as follows:

	2025	2024
Gross income:		
Retail settlement variance	\$ 6,259	\$ (1,701)
Expenses:		
Property, plant and equipment	21	(4,505)
Future PILS	(3,781)	(1,210)
Regulatory adjustment for IFRS conversion	1	3,252
Disposition and recovery of regulatory balances	3,739	2,089
Pole attachment revenue	(200)	(248)
Interest expense (net of interest revenue)	265	(29)
Incremental cloud computing arrangement implementation	(142)	(1,588)
Low-income Energy Assistance Program (LEAP)	(63)	(70)
OEB Cost Assessment Variance	(58)	-
Other	4	5
Increase (decrease) in comprehensive income	\$ 6,045	\$ (4,005)



WINDSOR CANADA UTILITIES LTD.

Notes to the Consolidated Financial Statements (continued)
(in thousands of Canadian dollars)

Year ended December 31, 2025

29. Comparative information:

Certain reclassifications have been made to the prior year's consolidated financial statements to enhance comparability with the current year's consolidated financial statements. There was no impact on current or prior year's net income. Comparative figures have been adjusted to conform to the current year's presentation.



APPENDIX A

RESOLUTION OF THE SOLE SHAREHOLDER OF WINDSOR CANADA UTILITIES LTD.

The undersigned, being the sole shareholder of Windsor Canada Utilities Ltd. (the “**Corporation**”), acting pursuant to s. 104 of the *Business Corporations Act*, R.S.O. 1990, c.B.16, as amended (the “**Act**”) by its signature hereby passes the following resolutions:

NOW THEREFORE BE IT RESOLVED THAT:

1. Windsor Canada Utilities Ltd. 2025 Audited Consolidated Financial Statements

THAT the Windsor Canada Utilities Ltd. Audited Consolidated Financial Statements and report of the Auditor, KPMG LLP, for the period ending December 31, 2025, BE RECEIVED AND ACCEPTED.

2. Appointment of Auditors for 2026

THAT the audit firm selected and named by City Council as auditors of the Corporation of the City of Windsor, KPMG LLP, BE APPOINTED as the auditors of Windsor Canada Utilities Ltd. for the 2026 fiscal year end at such remuneration as may be fixed by the Windsor Canada Utilities Ltd. Board of Directors;

AND THAT the Windsor Canada Utilities Ltd. Board of Directors BE AUTHORIZED to fix the remuneration payable to the audit firm selected as auditors of Windsor Canada Utilities Ltd. for the 2026 fiscal year end.

3. Election of Board of Directors

THAT, as recommended by the Board of Directors of Windsor Canada Utilities Ltd., the following Directors of the Board of Directors of Windsor Canada Utilities Ltd. BE ELECTED as follows:

- Mr. Garnet Fenn (3-year term)

4. Confirmation of Proceedings

THAT all the by-laws, resolutions, contracts, proceedings, elections and appointments, enacted, passed, made or taken by the shareholders, directors or officers of the Corporation, at any time during the fiscal year beginning January 1, 2025 and ending

December 31, 2025 (hereinafter collectively called "the corporate proceedings") as the same are set forth or referred to in the minutes of the shareholders and the directors for the Corporation and in the other records of the corporate proceedings, and all acts and proceedings taken by the directors, officers, agents or employees of the Corporation under the authority of or pursuant to any of the corporate proceedings BE RATIFIED AND CONFIRMED with the effect stated in such corporate proceedings;

AND THAT, insofar as any such corporate proceeding shall not have been validly enacted, passed, sanctioned, confirmed, authorized or made, such corporate proceedings shall BE RATIFIED AND CONFIRMED with retroactive effect, and in all other respects with the effect stated in the minutes and records of the Corporation.

The undersigned, being the sole shareholder of the Corporation, hereby approves and consents to the above resolutions as evidenced by the signature of the shareholder's authorized representative set out below.

SIGNED AND DATED at Windsor, Ontario as of the _____ day of _____, 2026.

THE CORPORATION OF THE CITY OF WINDSOR

By:

Its:

I have the authority to bind the corporation.



Council Report: C 116/2026

Subject: OBCM Solve the Crisis Campaign – City Wide

Reference:

Date to Council: September 28, 2026

Author: Doran Anzolin

Executive Initiatives Coordinator

danzolin@citywindsor.ca

(519) 255-5200x5354

Report Date: 9/14/2026

Clerk's File #: GH/11710

To: Mayor and Members of City Council

Recommendation:

- I. THAT City Council **ENDORSE** and **SUPPORT** the Ontario's Big City Mayors' (OBCM) "Solve the Crisis: Reaction to Recovery" campaign, including the recommendations contained in Appendix A attached to this report; and,
- II. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to take all necessary actions to give effect to Council's endorsement and support of the Ontario's Big City Mayors (OBCM) "Solve the Crisis: Reaction to Recovery" campaign.

Background:

Ontario's Big City Mayors (OBCM) is a non-partisan organization representing municipalities with populations of more than 100,000 residents. Collectively, OBCM municipalities represent approximately 70% of Ontario's population and advocate on issues that affect large urban communities across the province.

In 2024, OBCM launched the "Solve the Crisis" campaign to advocate for greater provincial action and investment in addressing the growing homelessness, mental health and addictions crisis affecting municipalities throughout Ontario. According to OBCM, municipalities have increasingly and unfairly been required to respond to complex social and health care challenges despite these areas being largely within provincial jurisdiction.

Building on the original campaign, this past summer, OBCM recently launched the next phase of its advocacy efforts entitled "Solve the Crisis: Reaction to Recovery." The campaign calls upon the Province of Ontario to move beyond crisis response measures

and adopt a recovery-focused approach that addresses the root causes of homelessness, mental health challenges and addictions through improved access to treatment, supportive housing, rehabilitation services and coordinated provincial leadership.

As part of this initiative, OBCM is seeking resolutions of support from municipal and regional councils across Ontario to strengthen its advocacy efforts with the Provincial Government. The proposed recommendations and advocacy positions developed by OBCM have been included in Appendix A for Council's consideration.

Discussion:

OBCM has identified homelessness, mental health and addictions as one of the most pressing public policy challenges confronting municipalities across Ontario. Through its "Solve the Crisis: Reaction to Recovery" campaign, OBCM maintains that while municipalities continue to work collaboratively with community organizations, health care partners and service providers, local governments do not possess the legislative authority, resources or fiscal capacity to independently address the increasingly complex nature of these issues. OBCM further emphasizes that the current reliance on municipal property tax revenues to support services associated with housing, homelessness and mental health is not sustainable over the long term.

The campaign acknowledges recent provincial investments, including initiatives such as Homelessness and Addiction Recovery Treatment (HART) Hubs and other mental health, addictions and supportive housing programs. However, OBCM's position is that additional action is required to meet growing community needs and improve outcomes for vulnerable individuals across the province.

Through the recommendations contained in Appendix A, OBCM is advocating for several key actions by the Province of Ontario, including:

- Declaring a provincial state of emergency related to the homelessness, mental health and addictions crisis;
- Significantly increasing investment in voluntary recovery-based treatment programs, supportive housing and rehabilitation services;
- Expanding access to treatment and recovery services while reducing barriers to care;
- Undertaking a comprehensive review of the Mental Health Act and the Health Care Consent Act to explore a compassionate care and intervention framework, while maintaining appropriate safeguards for individual rights and dignity;
- Expanding addiction treatment and rehabilitation programming within provincial and federal correctional institutions; and
- Establishing a dedicated Ministry of Mental Health and Addictions with the authority and resources necessary to coordinate provincial responses to these interconnected challenges.

OBCM's advocacy framework is centered on the principle that recovery-oriented programs, coordinated provincial leadership, and sustained investments in treatment and supportive housing can improve outcomes for individuals experiencing homelessness, mental health challenges and addictions. The campaign further emphasizes that municipalities should continue to be partners in implementing solutions, but that responsibility for health care, treatment and related support systems rests primarily with senior levels of government.

Administration is bringing this matter forward at the request of OBCM for Council's consideration. Endorsement of the proposed resolution would signal the City of Windsor's support for the advocacy positions and recommendations advanced by OBCM and contained in Appendix A and would contribute to OBCM's ongoing efforts to engage the provincial and federal government on this issue.

Administration supports Council's endorsement of the OBCM advocacy campaign as the recommendations contained in Appendix A align with the broader objective of securing additional provincial leadership, funding, and system coordination to address the growing homelessness, mental health, and addictions crisis across Ontario. Through collective advocacy, municipalities can provide a unified voice in support of enhanced treatment capacity, supportive housing, recovery-based services, and policy reforms that are primarily within the responsibility of senior levels of government.

Risk Analysis:

There are no risks in endorsing and supporting the associated advocacy efforts.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

There are no financial implications associated with this report. The report is intended solely to seek Council's consideration of OBCM's "Solve the Crisis: Reaction to Recovery" campaign and the advocacy recommendations contained in Appendix A.

Consultations:

Jennifer Tanner – Manager, Homelessness & Housing Support
Kelly Goz – Manager, Homelessness & Housing Support (A)
Kirk Whittal – Executive Director, Housing & Children's Services

Conclusion:

Ontario's Big City Mayors (OBCM) has requested support from municipal councils across Ontario for its "Solve the Crisis: Reaction to Recovery" campaign and the advocacy recommendations outlined in Appendix A. Administration is bringing this matter forward for Council's consideration. Endorsement of the campaign and its

recommendations would demonstrate the City of Windsor's support for OBCM's efforts to advocate for enhanced provincial leadership, investment, and coordinated action to address homelessness, mental health, and addictions challenges across Ontario.

Approvals:

Name	Title
Dana Paladino	Commissioner, Human and Health Services
Jelena Payne for Ray Mensour	Chief Administrative Officer

Appendices:

1 Appendix A- Municipal and Regional Councils - Motion to Support OBCM Solve the Crisis- Reaction to Recovery Campaign

**MOTION: City of Windsor Supporting Ontario's Big City Mayors (OBCM)
Solve the Crisis - Reaction to Recovery Campaign**

Whereas OBCM launched the Solve the Crisis campaign in 2024, urging the provincial and federal governments to make significant investments and updates to programs and services to address the homelessness, mental health and addictions crisis; and

Whereas the homelessness, mental health and addictions crisis continues to escalate, impacting communities of all sizes across the province; and

Whereas municipalities have continued to step up, working with community partners to put in place community-specific solutions to address this crisis, but we lack the expertise, capacity, or resources to address these increasingly complex health care and housing issues alone; and

Whereas this crisis falls under provincial jurisdiction and municipalities should not have to continue to fund these programs and services on the property tax base; and

Whereas municipalities' property taxes are paying for the largest and fastest-growing share of housing and homelessness funding in Ontario - \$4B in 2025, up from \$2.1B in 2018 - (AMO) despite housing and homelessness being a provincial responsibility; and

Whereas the province has made some progress in addressing this crisis over the last two years including the introduction of Hart Hubs and increased funding for the Homelessness Prevention Program and Community Mental Health and Addictions programs, they are far from meeting the growing needs of the most vulnerable members of our communities; and

Whereas barriers to access programs and services must be removed to ensure that anyone who voluntarily requests treatment will have access within 24 hours of that request, including by:

- Ensuring appropriate mental health and addictions treatment supports, including 24/7 medical staff and beds are in place in facilities across the province
- Easier access to evidence-based, life-saving medications for those in emergency situations and for emergency service providers to provide this medication along with anyone requesting treatment immediately; and

Whereas the priority is to increase funding for programs, services and spaces for those who want to receive help, we need to also look at ways to address the needs of those who do not have the capacity to ask for help themselves but may be a danger to themselves or the broader community; and

Whereas provinces across the country are seeing a lot of success in addressing this crisis by funding recovery based models of care that combine medical, rehabilitation and psychological treatment of mental illness and addictions, including empowerment of patients, and treatment options that are tailored to the individual needs of patients to support their well-being and recovery journey; and

Whereas the Province of Ontario needs to move towards a coordinated, adequately funded, and outcomes-focused system that addresses the root causes of the crisis.

Therefore it be resolved that the City of Windsor, supports Ontario's Big City Mayors' Solve the Crisis - Reaction to Recovery campaign requesting that the Province of Ontario:

1. Declare a state of emergency on the homelessness, mental health and addictions crisis impacting the province to highlight this growing crisis and to unlock appropriate supports at both provincial and federal levels.
2. Significantly increase investment in voluntary recovery based treatment for homelessness, mental health and addictions that includes supportive housing capacity to reflect the scale needed, expanding the HART Hub program and removing barriers to access all treatments, programs and services.
3. Undertake a comprehensive review of, and consultation on, changes to the *Mental Health Act*, and the *Health Care Consent Act*, focused on implementing a compassionate care and intervention model for Ontario, as well as the safeguards required to protect the rights, dignity, and well-being of individuals living with severe mental illness and/or substance use disorders with consideration given to circumstances involving individuals who have the capacity to provide informed consent and those who do not.
 - And that this review is in collaboration with key stakeholders, municipal partners, first responders, individuals with lived and living experience, families, caregivers and others deeply impacted by mental health and addictions issues.
4. Expand addiction treatment and rehabilitation programming within provincial and federal correctional institutions, including discharge planning to ensure appropriate treatment and housing options.
5. Establish a Minister of Mental Health and Addictions with its own ministry, decision-making authority, and the appropriate funding required to address the supportive housing, mental health and addictions crisis in this province, with the sole focus of overseeing the extensive work that needs to be done to solve this crisis, including the recommendations above.



Council Report: C 88/2026

Subject: 825 Riverside Drive West, CBC/CKLW Building – Consideration of Notice of Objection and Heritage Designation By-law (Ward 3)

Reference:

Date to Council: September 28, 2026
Author: Kristina Tang, MCIP, RPP
Planner III-Heritage
Email: ktang@citywindsor.ca
Phone: 519-255-6543 X6179
Planning & Building Services
Report Date: 6/19/2026
Clerk's File #: MBA/15167

To: Mayor and Members of City Council

Recommendation:

- I. THAT Council **RECEIVE** the Notice of Objection submitted on behalf of Clayland Developments Inc. regarding the Notice of Intention to Designate the property municipally known as 825 Riverside Drive West under Part IV of the *Ontario Heritage Act*;
- II. THAT Council **CONSIDER** the Notice of Objection in accordance with subsection 29(6) of the *Ontario Heritage Act* and **DECIDE NOT TO WITHDRAW** the Notice of Intention to Designate 825 Riverside Drive West;
- III. THAT Council **APPROVE** the revised Statement of Cultural Heritage Value or Interest, which refines the statement in response to the matters raised in the Notice of Objection and continues to support designation under Ontario Regulation 9/06;
- IV. THAT Council **PASS** By-law XX-2026 to designate the property municipally known as 825 Riverside Drive West under Part IV of the *Ontario Heritage Act*; and,
- V. THAT Administration **BE DIRECTED** to serve and publish notice of the passing of the designation by-law in accordance with the requirements of the *Ontario Heritage Act*.

Executive Summary:

Council previously authorized the issuance of a Notice of Intention to Designate 825 Riverside Drive West after determining that the property met the prescribed criteria under Ontario Regulation 9/06. The owner subsequently submitted a Notice of Objection raising concerns about the statutory process and certain portions of the Statement of Cultural Heritage Value or Interest.

Both the heritage studies submitted by the owner and Administration's review recognize that the property has cultural heritage value. The principal areas of disagreement relate to the process followed, the scope and wording of the identified heritage attributes, and whether a holding provision under the Planning Act would provide an adequate alternative to designation.

Since Council's initial consideration, Council has approved the associated Official Plan and Zoning By-law Amendment applications. Administration recognizes the significance of the proposed development and does not consider designation to be incompatible, in principle, with redevelopment of the property. However, Legal Services has advised that the proposed holding provision would not provide protection equivalent to designation under the Ontario Heritage Act. A holding provision does not prevent a demolition permit from being issued.

Administration has revised the Statement of Cultural Heritage Value or Interest in response to the substantive matters raised by the owner. The revisions remove commentary concerning redevelopment feasibility and more precisely define the attributes associated with the property's heritage value. Administration continues to recommend designation because no alternative mechanism has been identified that would provide comparable, long-term statutory protection of the identified heritage attributes.

Background:

The subject property is located along Riverside Drive West at the intersection of Crawford Avenue. The building was constructed in 1954 for CKLW Radio and Television and remained in use by CKLW until 1972, after which it continued to operate as a Canadian Broadcasting Corporation (CBC/CBET) broadcasting facility. The property has been listed on the Windsor Municipal Heritage Register since 2010 as the CBC Radio-Canada TV/Radio Building (constructed 1954; Contemporary style; glazed brick).

The property's cultural heritage value or interest was identified through both the heritage materials submitted by the owner in support of Official Plan Amendment OPA 199 [OPA/7352] and Zoning By-law Amendment Z-001/26 [ZNG/7351] and the City's ongoing review of listed heritage properties in response to Provincial legislative changes. Both reviews concluded that the property meets multiple criteria for designation under Ontario Regulation 9/06. The parties therefore generally agree that the property has cultural heritage value or interest. The matters now before Council primarily concern the statutory process, the scope of the Statement of Cultural Heritage Value or Interest, and the appropriate mechanism for addressing the identified heritage attributes.

On June 8, 2026, Council adopted Decision Number CR242/2026:

- I. THAT the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the property municipally known as 825 Riverside Drive West in accordance with Part IV of the *Ontario Heritage Act* according to the Statement of Cultural Heritage Value or Interest attached as Appendix "A";
- II. THAT the City Solicitor **PREPARE** the by-law to designate the property; and,
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the integration of key heritage attributes into the future redevelopment.

Council's consideration of the Notice of Intention to Designate occurred before the associated Planning Act applications were decided because the Ontario Heritage Act establishes a limited period following a prescribed event within which Council may initiate designation. The sequencing of the two matters therefore reflected the applicable statutory timelines and was not intended to prejudice or preclude Council's subsequent consideration of the redevelopment applications.

Following issuance of the Notice of Intention to Designate on June 9, 2026, Baroudi Law submitted a Notice of Objection on behalf of Clayland Developments Inc. within the prescribed 30-day objection period on July 3, 2026 (Appendix A). The objection raises both a process concern related to the timing of the Notice of Intention to Designate and substantive concerns regarding the Statement of Cultural Heritage Value or Interest (SCHVI).

Pursuant to subsection 29(6) of the Ontario Heritage Act, Council is required to consider the Notice of Objection and determine whether or not to withdraw the Notice of Intention to Designate within 90 days following the expiry of the objection period. As the objection period ended on July 9, 2026, Council must make its decision by October 7, 2026.

Administration, in consultation with Legal Services, has reviewed the objection and prepared revisions to the Statement of Cultural Heritage Value or Interest that address the substantive concerns raised while maintaining the basis for designation under Ontario Regulation 9/06 (Appendix B). Legal Services has also reviewed the process objection and advised that Administration's interpretation of the statutory timing requirements remains supportable.

On July 27, 2026, Council approved the associated Official Plan and Zoning By-law Amendment applications, which would permit a significant residential redevelopment of the property consisting of six buildings. The implementing by-laws are scheduled for Council's consideration on September 14, 2026.

The owner proposed a holding provision intended to prevent demolition until documentation, commemoration and salvage measures are finalized through the development approval process. Administration recognizes the intent of that proposal. However, Legal Services has advised that a holding provision would not provide protection equivalent to that available under Part IV of the Ontario Heritage Act and would not serve as a permanent mechanism for conserving the identified heritage attributes.

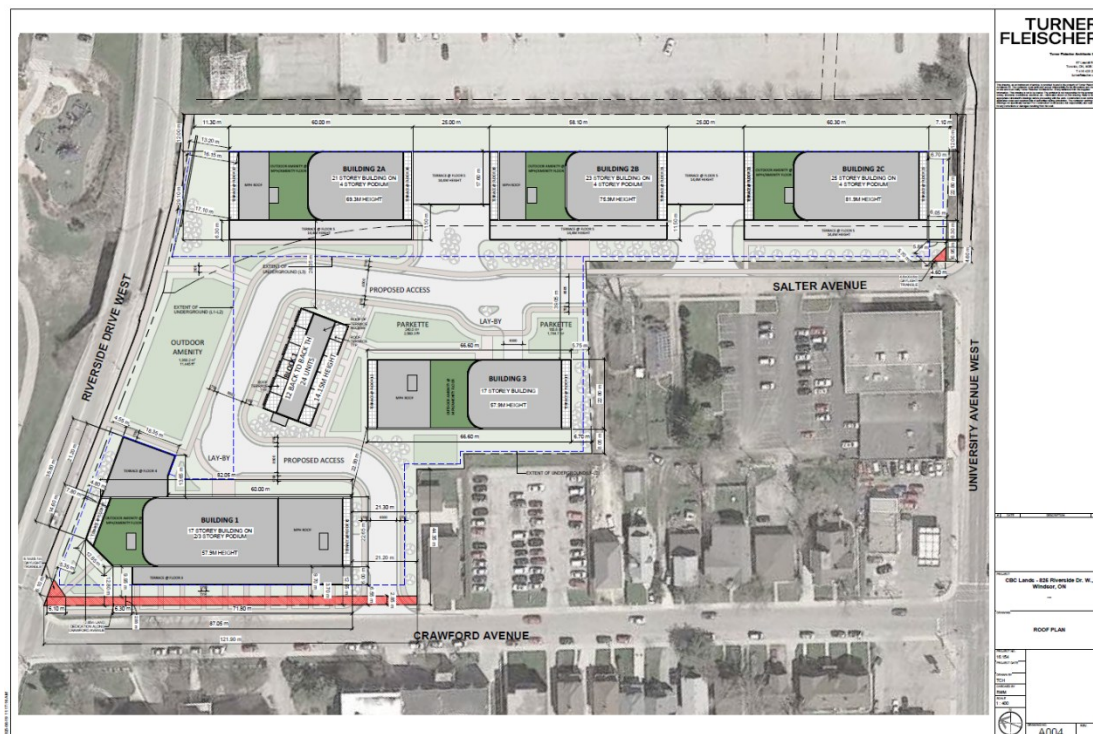
In the absence of another mechanism providing comparable statutory protection, Administration continues to recommend designation. Designation would not rescind or alter the Planning Act approvals but would establish a separate process for considering future alterations, salvage and removals, or integration of the identified heritage attributes. As the redevelopment advances, Administration will coordinate the applicable Planning Act and Ontario Heritage Act approval processes where feasible.



PERSPECTIVE VIEW FROM RIVERSIDE DR W
LOOKING SOUTH WEST

825 RIVERSIDE DRIVE WEST, WINDSOR, ON

TURNER
FLEISCHER



Architectural drawings from the proposed approved development by Clayland Development Inc.

Discussion:

Legal Provisions:

Part IV, Section 29 of the *OHA* provides for designation of “property within the municipality to be of cultural heritage value or interest”. The *OHA* under Section 29 (4)(b) includes the requirement for a “statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property”. Ontario Regulation 9/06 establishes the criteria for determining whether a property has cultural heritage value or interest. Council previously determined that the property satisfies multiple criteria under Ontario Regulation 9/06 through its adoption of the Notice of Intention to Designate on June 8, 2026.

After thirty days from when the Notice of Intention to Designate is issued, if there is no objection, the Council may pass a by-law to designate the property in accordance with the *Ontario Heritage Act* and publish notice to the same parties and the City’s website. However, any person may object to the designation. If an objection is received to the NOID within 30 days after publication of the notice, Council shall consider the objection and make a decision whether or not to withdraw the NOID within 90 days after the end of the 30-day period. Any person may also appeal the designation bylaw to the Ontario Land Tribunal (OLT) within 30 days of the notice of the bylaw being issued or served. After holding the hearing, the OLT shall dismiss the appeal, allow it in whole or part, repeal the bylaw, amend the bylaw, or direct Council to repeal or amend the bylaw.

In this case, the 30-day period for filing a notice of objection to the Notice of Intention to Designate ended on July 9, 2026. As a Notice of Objection was served within that period, subsection 29(6) of the *Ontario Heritage Act* requires Council to consider the objection and make a decision whether or not to withdraw the Notice of Intention to Designate within 90 days after the end of the 30-day objection period. Accordingly, the last date for Council to make its decision under subsection 29(6) is October 7, 2026.

Notice of Objection:

A Notice of Objection was submitted by Baroudi Law on behalf of Clayland Developments Inc. pursuant to subsection 29(5) of the *Ontario Heritage Act*. The objection requests that the Notice of Intention to Designate be withdrawn and raises two categories of concerns: first, a process objection related to the timing of the Notice of Intention to Designate following the submission of Planning Act applications; and second, objections to the SCHVI attached to the Notice of Intention to Designate.

Legal Services has reviewed the process objection. The owner submits that the 90-day period for giving the Notice of Intention to Designate should be calculated from the date on which the Planning Act notice was required to have been given, rather than the date on which the prescribed notice was issued. Administration’s interpretation is that the statutory period is calculated from the date the prescribed event occurred. Legal Services advises that the City’s interpretation remains supportable. On the basis of that

advice, Administration is not recommending withdrawal of the Notice of Intention to Designate on process grounds. Should Council pass the designation by-law, the owner would retain the statutory right to appeal the by-law to the Ontario Land Tribunal.

The substantive SCHVI objections state that the statement should not include opinions on whether existing building elements may be integrated into future development or commentary on feasibility of restoration or retention; that there is insufficient evidence that the mid-20th-century design or specific design elements directly relate to broadcasting practices; that there is insufficient evidence to support the relationship of the property to its surroundings as a heritage attribute; and that the setback and open space do not relate to the contextual value of the property.

Administration has carefully considered the substantive matters raised by the owner. Several of the concerns can be addressed through revisions that clarify the basis for designation and more precisely define the identified heritage attributes. These revisions do not change Council's earlier finding that the property meets the prescribed criteria under Ontario Regulation 9/06. Administration continues to recommend that the Notice of Intention to Designate not be withdrawn and that Council proceed using the revised Statement of Cultural Heritage Value or Interest.

Revisions to Statement of Cultural Heritage Value or Interest (SCHVI):

The revised SCHVI removes language that could be interpreted as assessing the feasibility of retaining or integrating building elements into a future redevelopment. It clarifies that the property's design and physical value arises from its representative value as a mid-20th century modernist building purpose-built to accommodate radio and television broadcasting operations and exhibiting modernist architecture of the period, rather than asserting that each specific design element was dictated by broadcasting practices. It also refines the contextual value to focus on the property's physical, functional, and historical link to Windsor's cross-border broadcasting and media production environment and revises the heritage attributes accordingly.

Response to Notice of Objection - Statement of Cultural Heritage Value or Interest 825 Riverside Drive West

Objection Raised	Staff Response	Revisions Made to Statement
1. It is not appropriate for the Statement to contain opinions relating to whether elements of the existing building may be integrated into future development or commentary on the feasibility of restoration or retention.	The original Statement was tailored to accommodate flexibility for the redevelopment proposal.	References to redevelopment potential, integration into future development, restoration feasibility, and retention feasibility were removed. The Statement now focuses exclusively on the property's cultural heritage value and heritage attributes, while still providing flexibility for the integration of the heritage attributes into the

Objection Raised	Staff Response	Revisions Made to Statement
		property owner's redevelopment plan.
2. While the building is a purpose-built broadcasting station, there is no evidence that the mid-20th century design or specific design elements relate directly to broadcasting practices.	The revised Statement does not assert that the architectural features were functionally required by broadcasting operations. Rather, the property is identified as a representative example of a purpose-built mid-20th century modernist building constructed to accommodate radio and television broadcasting operations and exhibiting modernist architecture of the period. The design value is based on the identified architectural expression of the building, particularly the composition of the north façade, including its horizontal massing, buff brick cladding, green glazed brick detailing, rhythmic façade treatment, and L-shaped breezeway. Building permit records and contemporaneous newspaper reporting indicate that alterations and additions were undertaken between 1964 and 1968, during which the building continued to evolve as a broadcasting facility. The Statement recognizes the architectural expression of the building as it developed during this period.	Design/Physical Value section revised to recognize the property as a "representative example of a mid-20th century modernist building purpose-built to accommodate radio and television broadcasting operations, exhibiting modernist architecture of the period" and to focus on the architectural characteristics that contribute to its design value. Additional text was added to acknowledge the documented 1964-1968 period of expansion and alteration that contributed to the composition of the north façade. Heritage attribute wording was revised to align with the identified design characteristics.
3. There is no evidence to support the relationship of the property to its surroundings as a heritage attribute.	The revised contextual value focuses on the property's historic orientation and presentation toward Riverside Drive West and its relationship to the Detroit-Windsor broadcasting environment. The contextual value is based on	Contextual attributes were refined to identify the orientation and presentation of the north façade toward Riverside Drive West, including its historic setback relationship to the street, which supports an

Objection Raised	Staff Response	Revisions Made to Statement
	the property's physical, functional, and historical relationship to Windsor's role in cross-border broadcasting and media production.	understanding of the property's historic relationship to Riverside Drive West and its role within the Detroit-Windsor broadcasting environment.
4. The setback and open space have no relation to the contextual value of the property and there is no evidence that the property has contextual value.	The significance of the property's siting is linked to understanding the historic orientation, presentation, and function of the purpose-built broadcasting facility along Riverside Drive West. The property has contextual value because it is physically, functionally, and historically linked to Windsor's role in cross-border broadcasting and media production.	Contextual attribute wording was revised to refer to the orientation and presentation of the north façade toward Riverside Drive West, including its historic setback relationship to the street. The Design/Physical Value section was also revised to state that the building's siting contributes to an understanding of its original function, historic orientation, and presence along Riverside Drive West. Flexibility has been provided in the Statement to allow for setback from the identified north façade while not dictating siting in-situ/specific measure of setback.

The revisions demonstrate that the matters raised through the objection have resulted in changes to the Statement of Cultural Heritage Value or Interest where appropriate. The revised statement continues to identify multiple criteria for designation under Ontario Regulation 9/06 and is supported by the supplemental research contained in Appendix D. Appendix B contains the revised statement, while Appendix C identifies the specific changes from the version included with the Notice of Intention to Designate.

Official Plan Policy:

The Windsor Official Plan supports the identification, conservation, and protection of cultural heritage resources. The most relevant policies for this report are Official Plan sections 9.3.4 Protection of Heritage Resources, 9.3.7 Heritage Resources and Planning Initiatives, and 10.2.9 Supporting Technical Studies. Section 9.3.4.1 provides that Council will protect heritage resources. Section 9.3.7.1 supports integrating heritage conservation into development and infrastructure approval processes, including through the planning approval process and demolition control provisions where applicable. Section 10.2.9 recognizes that a Built Heritage Impact Study may be required to identify and evaluate cultural heritage resources, determine potential

impacts, and identify the need for mitigation measures. These policies support Council's consideration of the property's cultural heritage value or interest and the use of the *Ontario Heritage Act* designation process to protect identified heritage attributes. Detailed matters related to future development applications will continue to be addressed through the separate *Planning Act* processes and their conditions.

Development and Economic Considerations:

On July 27, 2026, Council approved the associated Official Plan and Zoning By-law Amendment applications, which contemplate approximately 1,602 residential units and represent a significant potential investment in the property. If implemented, the development would contribute new housing, construction activity and future assessment growth. The implementing by-laws are scheduled for Council's consideration on September 14, 2026.

The cultural heritage value of the property was initially identified through the heritage studies prepared by the owner's consultants in support of the redevelopment applications. The owner and Administration generally agree that the property has cultural heritage value and that heritage conservation measures should form part of the redevelopment process. The principal difference is the mechanism through which those measures should be secured. The owner has proposed a holding provision under the *Planning Act*, while Administration, based on advice from Legal Services, recommends designation under the *Ontario Heritage Act* because a holding provision would not provide comparable long-term statutory protection.

Administration expects that the existing building will ultimately be demolished as the property is redeveloped and recognizes that retaining the building in its entirety may not be practical within the approved development concept. The proposed designation is not intended to require full-building retention. Rather, it would provide a framework for considering the treatment of selected heritage attributes through the future redevelopment process.

The owner has expressed concern that designation and associated conservation requirements could affect the design, timing, cost or feasibility of the development. Administration acknowledges this potential risk; however, the extent of any impact cannot be determined until more detailed development and conservation plans are prepared.

Designation would not rescind or alter the land-use permissions approved by Council. It would establish a separate process under the *Ontario Heritage Act* for considering alterations, salvage and removals, and the potential conservation or integration of the identified heritage attributes. As the redevelopment advances, Administration will coordinate the applicable *Planning Act* and *Ontario Heritage Act* approval processes where feasible.

Risk Analysis:

If Council withdraws the Notice of Intention to Designate, the property would not proceed to designation through the current process. The identified heritage attributes would therefore not receive the statutory protection available under Part IV of the

Ontario Heritage Act and could be altered or lost through future demolition or redevelopment.

If Council proceeds with designation, future alterations, salvage and removals, or redevelopment affecting the identified heritage attributes would require consideration under the Ontario Heritage Act. This may introduce additional design, approval, timing or cost considerations for the redevelopment. The owner's planning consultant has publicly indicated that requiring retention of the existing building could affect whether the redevelopment proceeds. While the proposed designation is not intended to require retention of the building in its entirety, the comment identifies a potential risk to the implementation of the project. The extent of any impacts cannot be determined until more detailed development plans are prepared. Designation would not, in itself, prohibit redevelopment or alter the land-use permissions approved by Council.

The owner would retain the right to appeal the designation by-law to the Ontario Land Tribunal (OLT). An appeal could result in additional costs, delay and uncertainty for both the City and the owner. The Tribunal may uphold, amend or repeal the designation by-law. Legal Services advises that the City's interpretation of the statutory timing requirements remains supportable.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Costs associated with designation include legal notices and registration of the by-law totaling approximately \$110.00.

Typically, the designation costs are funded by the Heritage Committee operating budget. However, for designations undertaken as a result of Bill 23 and Bill 200, the costs would be funded by the Capital Project 7241028 (Bill 23 Municipal Heritage Register) which has an uncommitted amount of \$143,176 and would be sufficient to cover the costs of these designations. The Owner would not be eligible for heritage incentives for heritage works as a result of the redevelopment.

In the event of an appeal of the Designation By-law to the OLT, legal costs may be incurred in defending the By-law.

Consultations:

Heritage Planning staff have consulted with the following staff in the preparation of this report:

- Clerks Department Staff
- Michael Okanlawon, Financial Planning Administrator, Finance Department
- Aaron Farough, Senior Legal Counsel, Legal Department
- Laura Diotte, Manager- Planning

Chantal Kristensen, Co-op student, assisted with preparation of the Appendix D-Research Document.

Conclusion:

The Notice of Objection has been received and considered. Both the owner's heritage consultant and Administration have identified cultural heritage value in the property. The remaining disagreement relates primarily to the statutory process, the scope of the identified heritage attributes and the mechanism through which those attributes should be addressed.

Administration has revised the Statement of Cultural Heritage Value or Interest to respond to the substantive matters raised in the objection, including removing commentary concerning redevelopment feasibility and refining the description of the heritage attributes. The revised statement continues to support Council's earlier determination that the property meets the prescribed criteria under Ontario Regulation 9/06.

Administration recognizes the significance of the approved redevelopment and the owner's concerns regarding potential impacts on its implementation. However, no alternative mechanism has been identified that would provide protection equivalent to designation under Part IV of the Ontario Heritage Act. Administration recommends that Council not withdraw the Notice of Intention to Designate and that the designation by-law proceed using the revised Statement of Cultural Heritage Value or Interest.

Planning Act Matters:

The associated Official Plan Amendment OPA 199 [OPA/7352] and Zoning By-law Amendment Z-001/26 [ZNG/7351] file for development on 825 Riverside Drive West were approved by Council on July 27, 2026. Their associated bylaws are scheduled for Council decision on September 14, 2026.

Approvals:

Name	Title
Kristina Tang	Planner III – Heritage
Jason Campigotto	Deputy City Planner – Growth
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Lorie Gregg	Executive Director, Financial Planning/Deputy Treasurer
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Janice Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Notice of Objection Letter
- 2 Appendix B- Revised Statement of Cultural Heritage Value or Interest
- 3 Appendix C- Redline version of Statement of Cultural Heritage Value or Interest
- 4 Appendix D- Research Document, 825 Riverside Dr W

July 3, 2026

**Clerk
City of Windsor
400 City Hall Square East Suite 404
Windsor ON N9A 7K6**

RE: 825 Riverside Drive West – Notice of Objection - Heritage Designation

I have been retained by Clayland Developments Inc. to file this Notice of Objection pursuant to section 29(5) of the *Ontario Heritage Act*. The reasons for the objection along with the relevant facts are set out below.

Process Objection

My Client submitted applications for an Official Plan Amendment and Zoning By-law Amendment with respect to a proposed development on 825 Riverside Drive West. The applications were deemed complete on February 17, 2026. The City notified my Client that the applications were complete by letter dated February 20, 2026, pursuant to subsections 22(6.1) and 34(10.4) of the *Planning Act*.

The City then had fifteen (15) days from the date my Client was notified of the complete applications (February 20, 2026) to send out general notice of the applications pursuant to subsections 22(6.4)(a) and 34(10.7)(a) of the *Planning Act*. The fifteen (15) day deadline expired on March 7, 2026.

It appears from the staff report that went to the Development & Heritage Standing Committee for its meeting on June 1, 2026 that the notices required under subsections 22(6.4)(a) and 34(10.7)(a) of the *Planning Act* were not issued until March 13, 2026, which was six (6) days past the fifteen (15) day deadline.

825 Riverside Drive West is listed in the heritage register but has not been designated. Section 29(1.2) of the *Ontario Heritage Act* provides that if a prescribed event has occurred in respect of a property that is listed in the register, Council may not give a notice of intention to designate such a property after ninety (90) days have elapsed from the event, subject to a list of exceptions that do not apply in these circumstances.

Subsections 1(1)(1) and (2) of Regulation 385/21 under the *Ontario Heritage Act* provide that a Council completing giving notices in accordance with subsections 22(6.4)(a) and

BAROUDI LAW PROFESSIONAL CORPORATION
Tel: (519)200-3776 analee@baroudilaw.ca

34(10.7)(a) of the *Planning Act* constitute prescribed events for the purpose of section 29(1.2) of the *Ontario Heritage Act*.

Council ought to have completed the notice requirements under subsections 22(6.4)(a) and 34(10.7)(a) of the *Planning Act* within the fifteen (15) day statutory deadline that expired on March 7, 2026. Therefore, the ninety (90) day window for Council to serve a Notice of Intention to Designate the property expired June 5, 2026 – which is ninety (90) days from March 7, 2026. The staff report for the June 1, 2026 meeting of the Development & Heritage Standing Committee inaccurately cites June 11, 2026 as the date the ninety (90) day window expired.

The fact that the City sent the notices required under subsections 22(6.4)(a) and 34(10.7)(a) of the *Planning Act* late does not delay the start of the ninety (90) day window for designation. To interpret the *Ontario Heritage Act* in any other way would undermine the spirit and intent of the legislation, which is to provide the City with a limited window within which they can move forward with designation of a property after an applicant submits a complete planning application.

At its meeting on June 8, 2026, Council directed that a Notice of Intention to designate the property be served. The Notice was served on my Client on June 9, 2026, which was four (4) days past the ninety (90) day statutory deadline.

Subsection 29(3) provides that Council may designate a property if the property meets the prescribed criteria and if the designation is made in accordance with the process set out in section 29 of the Act. Service of the Notice of Intention was not made in accordance with the process set out in section 29 of the Act, as the Notice was served after the expiry of the ninety (90) day statutory deadline. The Notice is therefore invalid.

Statement of Cultural Heritage Value or Interest Objection

Notwithstanding my Client's objection to the Notice of Intention based on process, my Client also objects to the Statement of Cultural Heritage Value or Interest attached as Appendix A to the Notice of Intention for the following reasons:

1. It is not appropriate for the Statement to contain opinions relating to whether elements of the existing building may be integrated into future development or commentary on the feasibility of restoration or retention.
2. While my Client agrees the existing building was a purpose-built broadcasting station, there is no evidence that the mid-20th century design or the specific design elements used relate directly to broadcasting practices.
3. There is no evidence to support the relationship of the property to its surroundings as a heritage attribute.
4. The setback and open space of the property have no relation to the contextual value of the property. There is no evidence that the property has contextual value.

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analee@baroudilaw.ca

For all of the foregoing reasons, my Client hereby requests that the Notice of Intention be withdrawn pursuant to subsection 29(6) of the *Ontario Heritage Act*.

BAROUDI LAW

A handwritten signature in cursive script, reading "Analee Baroudi".

Analee J.M. Baroudi

Lawyer

BAROUDI LAW PROFESSIONAL CORPORATION

Tel: (519)200-3776

analee@baroudilaw.ca

Statement of Cultural Heritage Value or Interest
CBC/CKLW Building
825 Riverside Drive West

Description of Historic Place:

The CBC/CKLW Building is located at 825 Riverside Drive West in the City of Windsor, at the intersection of Riverside Drive West and Crawford Avenue. Constructed in 1954 for CKLW Radio and Television, the building was a purpose-built broadcasting facility. The building was occupied by CKLW until 1972, after which it continued to be used for media production by the Canadian Broadcasting Corporation (CBET). The property has remained in continuous use as a broadcasting and communications facility since its construction, representing the longstanding history of broadcasting in Windsor.

Design / Physical Value

The property has design and physical value as a representative example of a mid-20th century modernist building purpose-built to accommodate radio and television broadcasting operations, exhibiting modernist architecture of the period.

The building's design value is particularly expressed through the composition of its north façade, which evolved during a period of expansion and alteration undertaken between 1964 and 1968. Features including its horizontal massing, buff brick cladding, green glazed brick detailing, rhythmic façade treatment, and distinctive L-shaped breezeway reflect the property's continued development as a purpose-built broadcasting facility during CKLW's period of growth and influence. These elements contribute to its mid-20th-century modernist architectural expression and form part of the property's heritage character as a purpose-built broadcasting facility associated with CKLW and later CBC/CBET.

The building's siting, including its placement set back from Riverside Drive West, contributes to an understanding of its original function, historic orientation, and presence along Riverside Drive West.

Historical / Associative Value

The property has historical and associative value through its direct association with CKLW Radio and Television and later the Canadian Broadcasting Corporation (CBET), key institutions in the development of broadcasting in Windsor and the Detroit–Windsor region. It is the only property on the Windsor Municipal Heritage Register associated as a broadcasting facility.

CKLW was a highly influential AM radio station in North America during the 1960s and 1970s, known as the "Big 8," with a signal reaching across southern Ontario and into the United States. Alterations and additions undertaken between 1964 and 1968 corresponded with the continued expansion of broadcasting operations at the site, including increased space for television studios, administration, news, and film departments. The building accommodated both radio and television operations until 1972, representing an important phase in the integration of broadcasting media and the expansion of cross-border communication.

The property also demonstrates Windsor's role within a bi-national media environment. Its location and function as a purpose-built broadcasting facility illustrate how programming was

produced in Windsor for audiences on both sides of the border, reflecting a unique system of cross-border cultural exchange and media distribution.

As a purpose-built broadcasting facility, the property yields information about the development of radio and television broadcasting in Windsor and the Detroit-Windsor region, contributing to an understanding of the community's cultural and communications history.

Contextual Value

The property has contextual value because it is physically, functionally, and historically linked to Windsor's role in cross-border broadcasting and media production.

The property's location in Windsor, near the Detroit River and the Detroit–Windsor media market, supports an understanding of CKLW's and later CBC/CBET's role in producing and transmitting programming to audiences on both sides of the border.

The property is a recognizable site associated with long-time broadcasting in Windsor. Its contextual significance is primarily derived from its historical and functional role within the Detroit–Windsor media environment, supported by the orientation and presentation of the north façade toward Riverside Drive West.

Heritage Attributes:

Exterior attributes that contribute to the property's design and physical value as a representative example of a purpose-built mid-20th century broadcasting facility exhibiting characteristic modernist design features include:

- **North façade**, including:
 - green glazed brick detailing and columns
 - rhythmic façade bays and inset openings
- **L-shaped breezeway element**, including its open-air covered walkway form, rhythm of green glazed brick-clad columns, and contribution to the property's historic presentation along Riverside Drive West
- Horizontal expression of the north elevation, reflecting the property's original low-scale broadcasting facility design and presentation along Riverside Drive West
- Buff brick cladding as a secondary material contributing to the composition and horizontal expression of the north façade

Contextual Attributes:

Attributes that support the property's contextual value, including its historical and functional relationship to Windsor's cross-border broadcasting environment and its surroundings, include:

- Orientation and presentation of the north façade toward Riverside Drive West, including its historic setback relationship to the street, which supports an understanding of the property's historic relationship to Riverside Drive West and its role within the Detroit–Windsor broadcasting environment.

**Statement of Cultural Heritage Value or Interest
CBC/CKLW Building
825 Riverside Drive West**

Description of Historic Place:

The CBC/CKLW Building is located at 825 Riverside Drive West in the City of Windsor, at the intersection of Riverside Drive West and Crawford Avenue. Constructed in 1954 for CKLW Radio and Television, the building was a purpose-built broadcasting facility. The building was occupied by CKLW until 1972, after which it continued to be used for media production by the Canadian Broadcasting Corporation (CBET). The property has remained in continuous use as a broadcasting and communications facility since its construction, representing the longstanding history of broadcasting in Windsor. ~~The cultural heritage value of the property is embodied in key elements that can be conserved through sensitive integration into future development.~~

Design / Physical Value

The property has design and physical value as a representative example of a mid-20th century modernist ~~broadcasting facility~~building purpose-built to accommodate radio and television broadcasting operations, exhibiting modernist architecture of the period.

The building's design value is particularly expressed through the composition of its north façade, which evolved during a period of expansion and alteration undertaken between 1964 and 1968. Features including its horizontal massing, buff brick ~~façade~~cladding, green glazed brick detailing, rhythmic façade treatment, and distinctive L-shaped breezeway, ~~which together define the reflect the property's continued development as a purpose-built broadcasting facility during CKLW's period of growth and influence. These elements contribute to its mid-20th-century modernist architectural expression and form part of the property's heritage character of the structure, as a purpose-built broadcasting facility associated with particular importance attributed to the north and west façades and the breezeway as primary expressions of this value~~CKLW and later CBC/CBET.

The ~~property's substantial setback~~building's siting, including its placement set back from Riverside Drive and landscaped open space contribute to its visualWest, contributes to an understanding of its original function, historic orientation, and presence. ~~These features support views toward the Detroit River and help establish a relationship with the adjacent riverfront along Riverside Drive West.~~

Historical / Associative Value

The property has historical and associative value through its direct association with CKLW Radio and Television and later the Canadian Broadcasting Corporation (CBET), key institutions in the development of broadcasting in Windsor and the Detroit–Windsor region. It is the only property on the Windsor Municipal Heritage Register associated as a broadcasting facility.

CKLW was a highly influential AM radio station in North America during the 1960s and 1970s, known as the “Big 8,” with a signal reaching across southern Ontario and into the United States. Alterations and additions undertaken between 1964 and 1968 corresponded with the continued

expansion of broadcasting operations at the site, including increased space for television studios, administration, news, and film departments. The building accommodated both radio and television operations until 1972, representing an important phase in the integration of broadcasting media and the expansion of cross-border communication.

The property also demonstrates Windsor's role within a bi-national media environment. Its location and function as a purpose-built broadcasting facility illustrate how programming was produced in Windsor for audiences on both sides of the border, reflecting a unique system of cross-border cultural exchange and media distribution.

~~The building reflects mid-20th century broadcasting practices through its~~

~~As a purpose-built form and continued use as a communications~~ broadcasting facility, illustrating the evolution property yields information about the development of media production and the organization of integrated radio and television operations broadcasting in Windsor and the Detroit-Windsor region, contributing to an understanding of the community's cultural and communications history.

Contextual Value

The property has contextual value because it is physically, functionally, and historically linked to ~~its surroundings and to Windsor's development as a centre of~~ role in cross-border broadcasting and media production.

~~Located along~~

~~The property's location in Windsor, near the Detroit River, the site reflects the geographic conditions that enabled radio and television signals to reach audiences in both Canada and the United States. The building's location and long-standing use as a broadcasting facility illustrate Windsor's role within a broader regional communications network centred on the Detroit-Windsor media market, supports an understanding of CKLW's and later CBC/CBET's role in producing and transmitting programming to audiences on both sides of the border.~~

The property is a recognizable site associated with long-time broadcasting in Windsor ~~along Riverside Drive West, though its.~~ Its contextual significance is primarily derived from its historical and functional role ~~rather than its visual prominence. The property is also distinguished within the Detroit-Windsor media environment, supported by its substantial setback the orientation and landscaped open space. presentation of the north façade toward Riverside Drive West.~~

Heritage Attributes:

Exterior attributes that contribute to the property's design and physical value as a representative example of a purpose-built mid-20th century ~~purpose-built~~ broadcasting facility exhibiting characteristic modernist design features include:

- **North façade**, including:
 - green glazed brick detailing and columns
 - rhythmic façade bays and inset openings
- **L-shaped breezeway ~~structure~~element**, including:
 - its open-air covered walkway form
 - , rhythm of green glazed brick-clad columns, and structural rhythm contribution to the property's historic presentation along Riverside Drive West
- **Horizontal ~~massing as expressed along~~expression of** the north elevation
- **Substantial landscaped setback**, reflecting the property's original low-scale broadcasting facility design and presentation along Riverside Drive West
- Buff brick cladding as a secondary material contributing to the **overall façade** composition and horizontal expression of the north façade

Contextual Attributes:

Attributes that support the property's contextual value, including its physical~~historical~~ and functional relationship to Windsor's cross-border broadcasting environment and its surroundings, include:

~~Prominent location along~~

- Orientation and presentation of the north façade toward Riverside Drive West
- Visual and spatial, including its historic setback relationship to the Detroit River, including views toward the river and a generous setback from Riverside Drive, as expressed through the site's overall configuration
- Siting and orientation reflecting the street, which supports an understanding of the property's historic functionrelationship to Riverside Drive West and its role within a cross-borderthe Detroit-Windsor broadcasting environment.

~~The identified heritage attributes have been defined to focus on the primary elements that convey the property's cultural heritage value and that may feasibly be retained and integrated into future development.~~

~~Priority shall be given to the retention of heritage attributes in their original location. Where it is demonstrated that in situ retention is not feasible, the attributes may be relocated or reconstructed within the property in a manner that conserves their form, material expression, and spatial relationships, to the satisfaction of the City Planner.~~

Research Document – 825 Riverside Drive West, CBC Radio-Canada TV/Radio

PROPERTY OVERVIEW	
Property address:	825 Riverside Dr W
Property Roll Number:	040-140-05900-0000
Property name (if known):	CBC Radio-Canada TV/Radio
Current use (observed):	Broadcasting and communications facility
Date constructed:	1954, renovations (1964-1968, 1978-1979)
Architect(s) (if known):	William J. Carter

Photos/Pictures of Property



View of property from northwest perspective



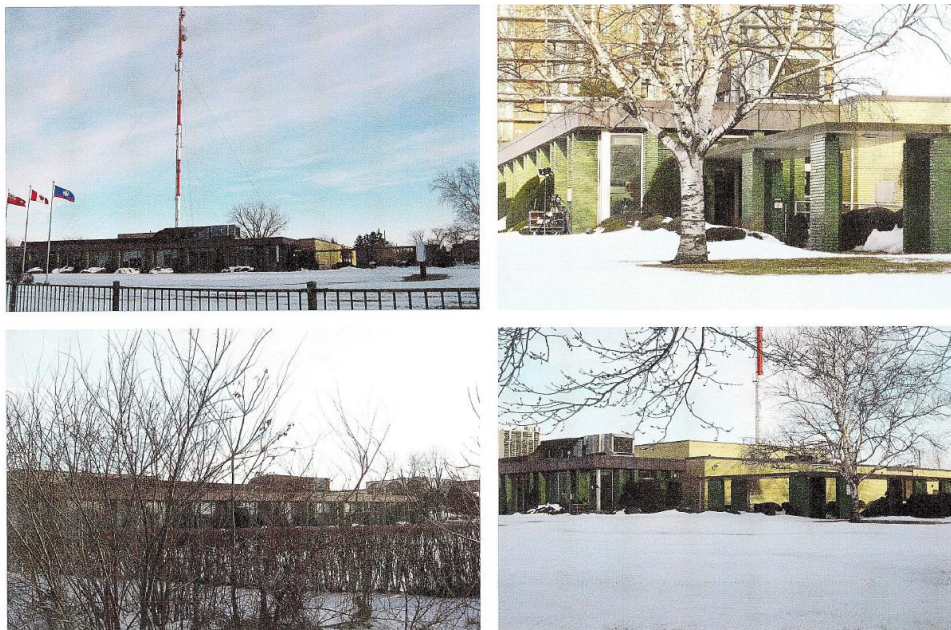
Western elevation

Site Visit by Heritage Planning Staff, March 2025



Glazed green brick detailing

Photos taken by Planning Staff, September 2018



HER-2672, City of Windsor Planning Department Heritage Files, pg. 4. (2010, March).



North-facing façade

Google Street View, July 2025

Historical Photos



The Windsor Daily Star. (1954, September 15). Page 18 of 50. Retrieved from <https://www.proquest.com/docview/2239385723/541A08420A4C4E31PQ/1?accountid=31270&sourcetype=Newspapers>



CKLW TELEVISION AND RADIO IS MORE THAN CAMERAS, MICROPHONES, LIGHTS, TURNABLES, PROPS AND COMPLEX ELECTRONIC EQUIPMENT . . .

CKLW is PEOPLE

- PRODUCERS
- DIRECTORS
- FLOOR MANAGERS
- ENGINEERS
- CAMERA MEN
- ELECTRICIANS
- "PROP" MEN
- STAGE CARPENTERS
- SOUND ENGINEERS
- VIDEO ENGINEERS
- TELETYPE OPERATORS
- TRANSCRIPTION OPERATORS
- WRITERS
- COMMERCIAL ARTISTS
- SET DECORATORS
- FILM EDITORS
- NEWS EDITORS
- NEWSCASTERS
- NEWS PHOTOGRAPHERS
- ANCHORERS
- PERFORMERS
- MUSICIANS
- STENOGRAPHERS
- SECRETARIES
- MAIL CLERKS
- SWITCHBOARD OPERATORS
- LIBRARIANS
- FILE CLERKS
- ACCOUNTANTS
- MAINTENANCE MEN
- COMMUNITY AFFAIRS DIRECTOR
- DEPT. SUPERVISORS
- SALESMEN
- EXECUTIVES

A HAPPY NEW YEAR

From **ALL 141** OF US WHO LIVE IN WINDSOR AND WORK AT CKLW

A CBC TELEVISION NETWORK AFFILIATE

TELEVISION **9** CKLW-TV

CKLW-RADIO 80

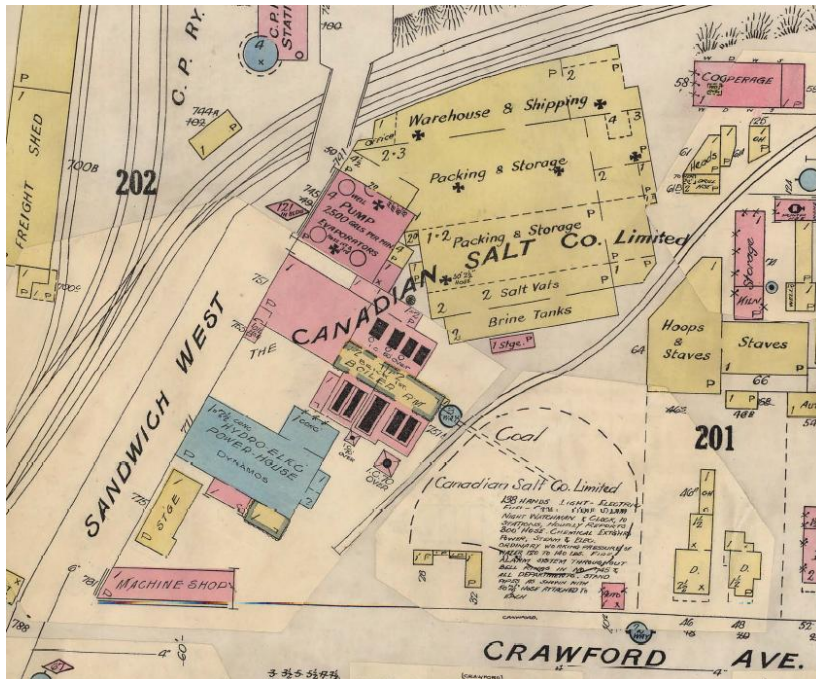
WESTERN ONTARIO BROADCASTING COMPANY LIMITED

ADMINISTRATION OFFICES AND STUDIOS — Riverside Drive West at Crawford Avenue, WINDSOR ONTARIO

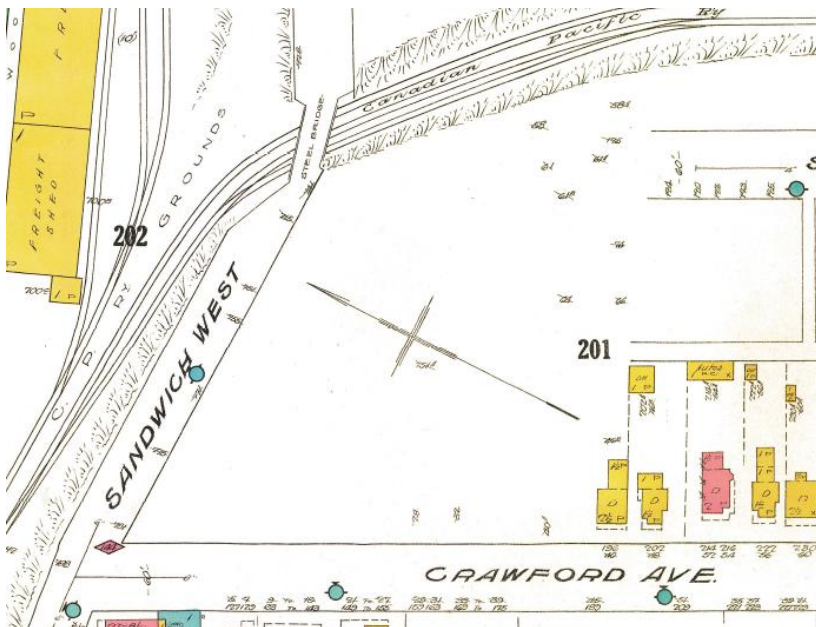
Sales Offices: Windsor, Toronto, Montreal, Winnipeg, Regina, Edmonton, Vancouver, Detroit, Chicago, New York, Atlanta, Dallas, San Francisco, Los Angeles

Windsor Star. (1964, December 31). Page 19

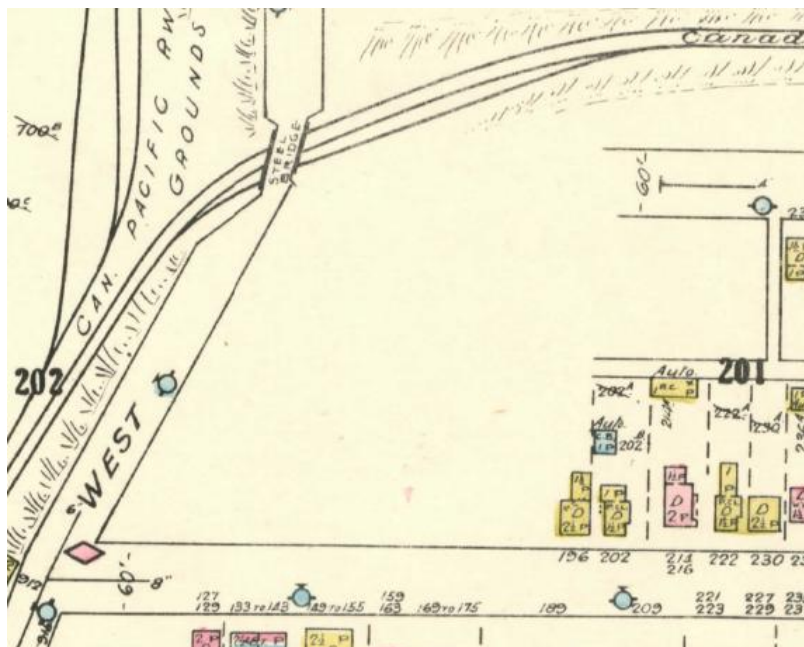
Research/Supporting Materials



Underwriters' Survey Bureau Limited. (1924). *Insurance Plan of the City of Windsor*, Sheet 18.



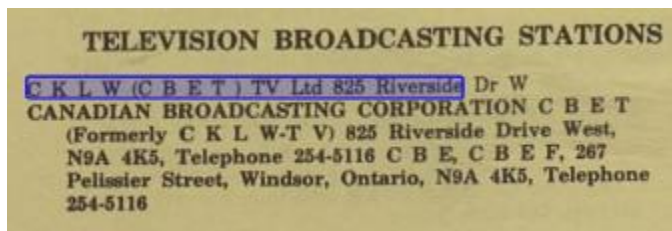
Underwriters' Survey Bureau Limited. (1937). *Insurance Plan of the City of Windsor*, Volume 1, Sheet 18.



Underwriters' Survey Bureau Limited. (1952, May). *Insurance Plan of the City of Windsor, Volume 1, Sheet 18.*



ACME Windsor Directory Co. Limited. (1955). *Yellow Page 45. Windsor City Directory 1955.*



Might. (1975). *Page 97. Windsor City Directory 1975.*

West side Satter Ave

Page 12

City Council Meeting Agenda - Monday, September 28, 2026
Page 529 of 655

Page 13

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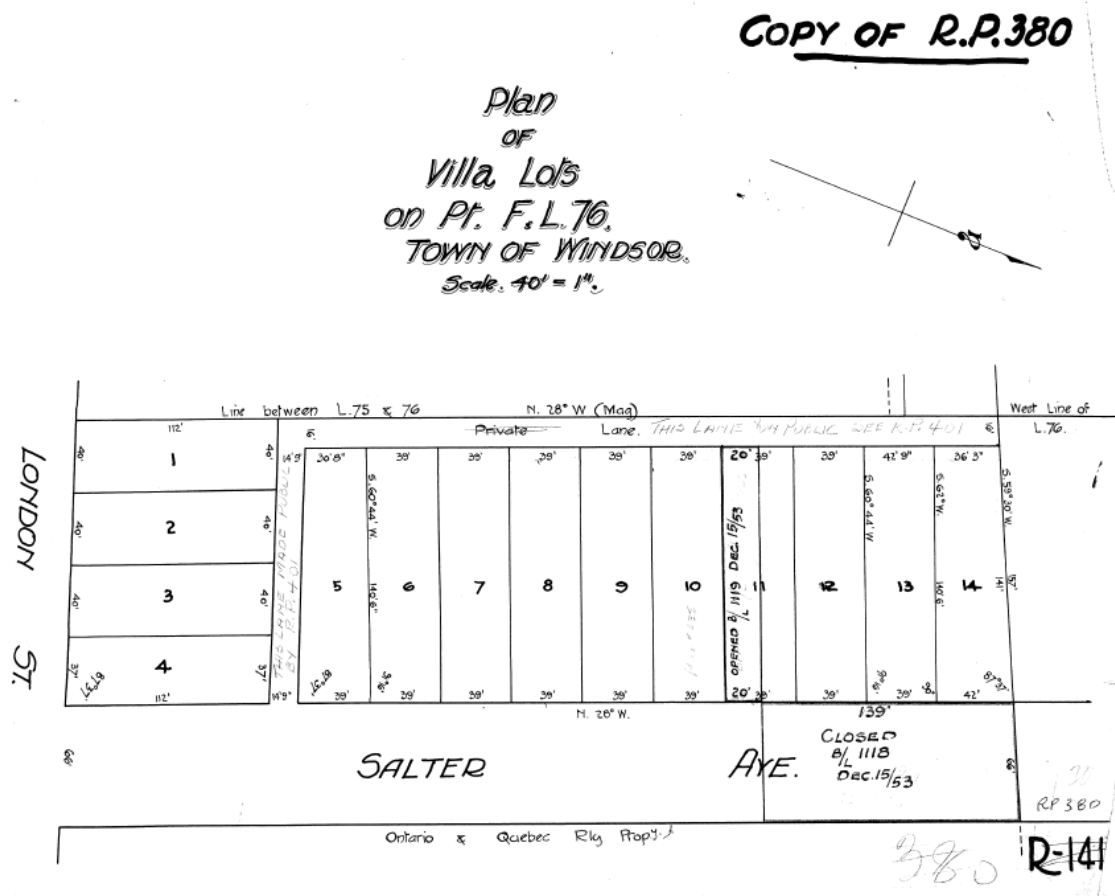
City Council Meeting Agenda - Monday, September 28, 2026
Page 530 of 655

Number of Instrument	Instrument	Re Date	Date of Registry	GRANTOR	GRANTEE	Quantity of Land	Consideration or amount of Mortgage	
K. 6387	Deed	3 Oct 1900	15 Nov 1900	John Curry	John Curry			
L. 1377	Deed	24 May 1901	10 June 1901	John Curry	John Curry			
M. 1377	Deed	1 July 1901	11 July 1901	John Curry	John Curry			
1241380	Deed	25 Apr 1921	17 May 1921	John Curry	John Curry			
1340	Deed	1 Jan 1926	11 Jan 1926	John Curry	John Curry			
1341	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1342	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1343	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1344	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1345	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1346	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1347	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1348	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1349	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1350	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1351	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1352	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1353	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1354	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1355	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1356	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1357	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1358	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1359	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1360	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1361	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1362	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1363	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1364	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1365	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1366	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1367	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1368	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1369	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1370	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1371	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1372	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1373	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1374	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1375	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1376	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1377	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1378	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1379	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1380	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1381	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
1382	Deed	1 July 1926	11 July 1926	John Curry	John Curry			
417608	Deed	JUL 10 1970	JUL 24 1970	John Curry	John Curry			
417622	Deed	JUL 10 1970	JUL 24 1970	John Curry	John Curry			
606 213	O.C.D.	28 June 1971	9 July 1971	John Curry	John Curry			
638903	Deed	31 July 1971	5 Aug 1971	John Curry	John Curry			

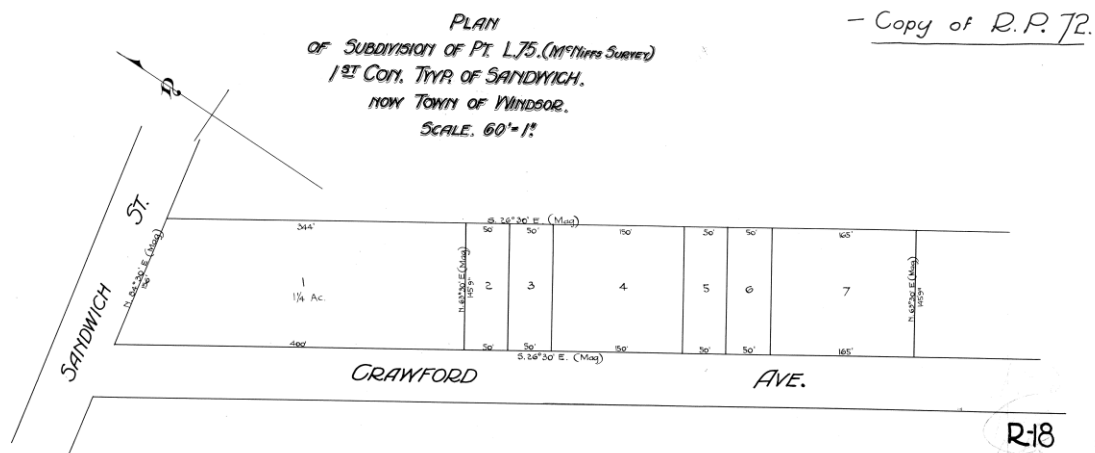
William J Carter was an interesting man, he was born in Windsor in 1897, and studied architecture and engineering in night classes at Cass Tech in Detroit. He articulated with J.C. Pennington from 1913 to 1917. From 1920 to 1932 Carter was the chief assistant in the firm of Pennington & Boyde. In the late 1920's around the same time he built this house, Carter was also the local radio inspector for the Dominion of Canada. After 1932, he left the world of architecture and became an engineer for CKLW, working on both Radio and TV projects. He designed the studio at Riverside Drive and Crawford (now CBC) as well as the broadcasting equipment, including the giant transmitting tower.

After a 25 year career in Engineering for Radio & TV, he returned to the world of architecture, partnering with his old boss J.C. Pennington in 1957 to form the firm Pennington-Carter. Their partnership would last until Pennington's passing in 1963. He then joined forces with William Fraser, and founded the firm Carter-Fraser, until his passing in 1971.

International Metropolis. (2020, May 3). 1045 Parent – William J Carter Residence. Retrieved from <https://internationalmetropolis.com/2020/05/03/1045-parent-william-j-carter-residence/>



Snippet of Reference Plan No. 380



Snippet of Reference Plan No. 72

Legal Description CON 1 PT LOT 76PLAN 72 L 1;PLAN 380 PT LOTS 11 & 139;LOTS 12 TO 14;CLOSED SALTER AVE; 4.19AC 359.70FR

Date Issued	Permit Type	Permit No.	Status Code	Date Completed	Indemnity or Bond Amount
Nov 17, 1964	BUILDING OLD	1964 002901 000 00	Completed	Feb 04, 1968	
Permit Description					
ALTER & ADD TO STUDIO AS PER PLANS					

Date Issued	Permit Type	Permit No.	Status Code	Date Completed	Indemnity or Bond Amount
May 16, 1978	BUILDING OLD	1978 009884 000 00	Completed	Jul 24, 1979	
Permit Description					
RENOVATE & REBUILD TV STUDIO					

Property Summary & select Building Permits Records for 825 Riverside Dr W. City of Windsor Executive Information System.

STATUS	LOCATION	NAME OR TYPE OF BUILDING	BUILT	REASONS FOR CONSIDERATION	CONTEXT
R	825 Riverside Dr W	CBC Radio-Canada TV/Radio	1954	Contemporary, glazed brick	Core

Windsor Municipal Heritage Register, pg. 14. (2024, February 26).



Photo: CKLW Radio Station. Artona Studio, Josephine A. Smith, Windsor, Ontario. Courtesy of Museum Windsor P 6539

Published date:
Mar 20, 2019
Communication



Detroit's most dominant radio station in the late 1960s was CKLW – The Big 8. It was the hum of a region. Walking down Woodward Avenue, you would hear it blasting from just about every direction – from passing cars, businesses and the open windows of homes. CKLW was the aural wallpaper of a region and the soundtrack of a generation. But Detroit's #1 station was, in fact, not from Detroit. Its 50,000 watts of AM power, which blanketed southern Ontario and more than a dozen states, was instead situated on the south shore of the Detroit River in Windsor, Ontario.

BY
RON LEARY

Excitement and speed permeated The Big 8 to its very core. Its bold, new style revolutionized not only how radio and media would be delivered, but also how it would be consumed. Its format relentlessly pumped out the hits in assembly-line

fashion. Its newscasters made the news as exciting as the music, and the "audio wizardry" of its engineer, Ed Buterbaugh, pushed the capabilities of the AM frequency, sonically separating the station from all others on the dial. CKLW resonated with the rising power of a youthful, new generation that demanded to be listened to just as much as the station did itself. Music was the backbone of CKLW. This was "hit radio," and key to its reign supreme in the trend-setting Detroit radio market was its ability to integrate Black R&B seamlessly with white rock 'n' roll in a way that most American stations would not touch. Leading the mining expedition for hit songs was radio pioneer and music director, Rosalie Trombley, known as the "girl with the golden ear." Trombley was "the single most powerful female in the pop music business" because she made careers. Through a combination of great instincts and a vast network for precise data collection on the music-buying and -listening habits of the region, when she added a song to the weekly CKLW Big 30 playlist, stations from across North America took note. Her golden touch would impact careers as diverse as Elton John, Diana Ross and the Supremes, Bob Seger, Stevie Wonder, Alice Cooper and KISS.

The Big 8 established Windsor as a “gateway radio market” for breaking Canadian recording artists into the United States. With limited market possibilities nationally, Canadian recording artists were always tempted by the lucrative American audience. Few acts felt the station’s impact greater than The Guess Who. While already enjoying national success, once CKLW picked up on These Eyes in 1969, the band’s career was forever changed. Overnight, they were signed to an American record deal with RCA Victor and within the year had a #1 hit on the Billboard charts with the single American Woman. CKLW got behind numerous Canadian acts, giving their careers a significant boost in the process. Steppenwolf, The Stampeders, Bachman Turner Overdrive, Burton Cummings, The Bells, Five Man Electrical Band, The Poppy Family and numerous others. As Gordon Lightfoot said, because of Windsor radio, Detroit was “the first major American city where you could find yourself.”

Leary, R. (2019, March 20). *CKLW – The Big 8: Canada’s #1 American radio station*. Ontario Heritage Trust. Retrieved from <https://www.heritagetrust.on.ca/heritagematters/articles/cklw-the-big-8-canadas-1-american-radio-station>

By the end of 1970, CKLW was neck-and-neck with Chicago’s WLS as North America’s second-most-listened-to radio station, behind New York City’s WABC. “The Big 8” was the top station across the river in Detroit and ranked as the most-listened-to in markets stretching as far east as Cleveland. Depending on the time of day, its signal reached as many as 28 states and four provinces. Up to 50,000 copies of its weekly top-30 hits chart were sent out within a 300-kilometre radius.

Bradburn, J. (2020, June 4). “*Everything about it rocked*”: How Windsor’s CKLW reckoned with the brand-new CanCon rules. TVO Today. Retrieved from <https://www.tvo.org/article/everything-about-it-rocked-how-windsors-cklw-reckoned-with-the-brand-new-cancon-rules>

New TV Station Technical Wonder

Reporter Delves Into Wide Maze Of CKLW Video Installations

North America's newest and most powerful television station—CKLW-TV, 325,000 watts—opens its doors tomorrow and officially goes on the air at 2:50 p.m. Windsor time.

The spanking new \$1,500,000 structure, occupying some six acres of choice riverfront property and dominated by its Windsor-built 650-foot tower, will also house radio station CKLW, formerly located in the downtown business district.

The new building, destined to take its place as one of the show places of Windsor's developing riverfront improvement program, rivals the impressive skyline of neighboring Detroit. Its interior is no less impressive than its handsome outward appearance. The very latest in modern equipment will place it in the forefront of the nation's rapidly expanding television industry.

For the time being, no "open house" reception is planned for the opening. Plans to receive the public are being worked out and will be announced at a later date.

When visitors are permitted they will see what it takes to put a modern TV show on the air. They will find themselves in surroundings reminiscent of backstage theatre visits. Indeed, modern TV is theatre of the latest kind, highly organized, concentrated and timed to the second.

CKLW-TV has its own properties department. Busy craftsmen are at work building and painting the scenery to be used in the shows the public will see from time to time and prepared to take on any art job that programming in the future will require. The room where they are at work is a miniature Hollywood.

Besides the main production stage, there are numerous smaller rooms where live shows can be staged and broadcast, such as interviews and individual guest appearances. The big production room gives the impression of a modern movie stage with cameras poised and testing for the moment when the first Windsor-produced show will be televised.

A modern kitchen set has been installed for the presentation of the popular Myrtle Labbitt show which will be a daily feature of the new TV medium. Living-rooms, fireside scenes, backgrounds for news presentation, in fact anything that a particular type of show requires,

See TV STATION—Page 6

The lower floor of the big new structure on Sandwich street and Crawford avenue houses one of the most completely-equipped photographic and movie film processing plants money can provide.

One unit alone—known as a Houston-Fearless film processor—is an automatic wonder. Exposed film of a spot news event or a feature is fed into one end of the gadget and comes out in a few minutes, developed, fixed, dried and ready for the TV cameras.

Guided by News Editor Austin Grant, a Star reporter toured the new layout, threading our path through scores of workmen and production crews putting the last touches on a maze of installations.

The structural job alone on the building sets something of a record. The Windsor contracting firm of Woodall Construction, Limited, moved in on the job following the sod-turning ceremonies December 15, last. Moving with full speed ahead, they have put together the entire building, with all its specially-designed layouts. The entire plant also has been landscaped and seeded, providing spacious lawns on the river side of the building.

The Windsor Daily Star. (1954, September 15). Page 5 of 50. Retrieved from <https://www.proquest.com/docview/2239385658/83A4C9E29DC24556PQ/1?accountid=31270&sourcetype=Newspapers>



Ray Bennett

Windsor TV: One of a kind



They're pretty well agreed in the broadcasting business that Windsor is one of a kind. Any time the city is mentioned at a communications meeting, heads begin to shake and sooner or later someone will apologize: "Well, of course, Windsor is unique."

It happened again at the Canadian Radio-Television Commission hearing in Hamilton Wednesday when the CBC formally sought approval for its take-over of CKLW-TV, soon to be known as **CBET**.

No other Canadian city is so dominated by a U.S. metropolis and while elsewhere there is a significant discussion going on about curtailing American domination of cable

television, in Windsor good off-air reception of U.S. channels makes the debate academic.

The CBC, then, faces a considerable problem in its plans for the Canadianization of CKLW. The cost of running the station itself is daunting. In its licence renewal application to the CRTC, the corporation estimated that gross revenue in the first year of operating Channel 9 will be \$1,895,000, increasing to \$2,081,000 in the second year and \$2,286,000 in the third.

Total operating costs, however, are estimated at \$5,910,644 in the first year, \$6,502,208 in the second and \$7,152,728 in the third.

The Canadian portion of

the station's current \$3.8-million annual revenue is about \$500,000. With the CBC takeover close to \$2 million in U.S. revenue will be lost because Detroit sales will be geared down and such lucrative items as sponsored religious programs will no longer be carried. The increase in Canadian programming will add about \$150,000 in Canadian advertising if all goes well.

The CBC had some interesting statistics to place before the commission regarding its problems in Windsor and they help place the corporation's proposals in perspective.

The station's weekly reach in its Canadian coverage area of roughly

520,000 people is 388,000, half of which are city residents. In Michigan, the station's weekly reach of 2,400,000 is about seven times greater.

The three major Detroit network stations and Ch. 50 account for two-thirds to four-fifths of television viewing throughout Windsor and the three counties.

The CBC says the average Windsorite watches television for just over 26 hours a week, higher than the national average of 23 1/2 hours and the Ontario average of 22 1/2 hours. Channel 9 attracts 15 to 17 per cent of the Windsor audience and up to six per cent of the Detroit audience.

The station's largest

audience on weekdays is from 4 to 8 p.m. when U.S. reruns such as I Dream of Jeannie and The Beverly Hillbillies earn a 22-per-cent share of the Windsor audience. The Canadian shows between 8 and 9 p.m. get a six-per-cent share and between 9 and 11 p.m. a 10-per-cent share. Canadian programs, the CBC says, attract a lower share of the audience in Windsor than in Toronto.

In Detroit, Canadian-oriented programs earn only a very small share of the audience.

American news is also popular in Windsor. CKLW's 9 p.m. news show gets an eight-per-cent share of the Windsor audience and at 11 p.m. the combined Windsor audience for the three Detroit newscasts is larger than the audience for the CBC National News.

The CBC argues with considerable merit that the station has been unfairly labelled American because of past sins. They point out, for example, that in a recent three-month period only 31 stories out of 300 dealt with in the local news were Detroit stories and that only one of the 31 could be considered a purely Detroit story, the remainder being of interest to Windsor viewers.

Windsor Star. (1975, May 8). Page 19 of 76. Retrieved from

<https://www.proquest.com/docview/2244159945/F001490E745344D4PQ/3?accountid=31270&sourcetype=Newspapers>

Ray Bennett

Coming Thursday: **CBET**



The Canadian Radio-Television Commission has officially rubber-stamped the CBC's take-over of CKLW-TV and on Thursday Channel 9 becomes **CBET**.

The CBC's purchase of the station, at first in

partnership with Baton Broadcasting, was initiated by the CRTC and approval of the corporation's licence application for Channel 9 was a matter of course following the public hearing in Hamilton on May 8.

The new licence runs until March 31, 1978, in order to bring it in line with other television stations in the region. In its written decision, the CRTC remarked: "The commission considers that the acquisi-

tion of the assets of CKLW-TV by the CBC will prove beneficial to its Canadian viewers in Essex, Kent and Lambton Counties and notes that the new licensee will provide the full Canadian service of the CBC English network.

"At the public hearing... considerable concern was expressed by the commission about the solicitation of advertising in the Detroit, Mich., area. The commission reminds the licensee that its obligation is to serve the people of Canada in the Windsor area and that it should eliminate any practices that might interfere in any way with this obligation."

Station manager Harry Hackney says the CBC will acknowledge that obligation in its promotion activities.

"In the past the station spent most of its promotional money in the United States. We're reversing that. We learned in our study of this area, and I've had several complaints myself, that a great many Windsor viewers are not aware of CKLW's Canadian content. I'd look on that as the real emphasis that we plan," Hackney says.

While the station becomes CBET this week the real push to make the call letters and change in programming well known to viewers will begin toward the end of August and in the early part of September.

In the new format Channel 9 will continue to carry some CTV programs because U.S. shows on the CBC network service will remain border-protected here.

Lightning responsible for yet another death

By Canadian Press

Rony Amir Rosidi, 27, a free-lance photographer from Ottawa, was killed in Brockville, Ont., Monday when struck by lightning during a thunderstorm which swept the area.

Mr. Rosidi was struck

some streets were impassable at times.

Kingston and Belleville reported heavy rain and thundershowers, but no deaths or damage.

Rev. Stan Worth, a Sudbury evangelist, escaped injury when his Brockville crusade tent was blown

A seaman anyone could trust

GUELPH, Ont. (CP) — Despite her mother's reservations about sailors, Florence Ward, 94, married a seaman 72 years ago.

"When I married Jack 72 years ago my mother was very concerned, she didn't

Windsor Star. (1975, July 22). Page 15 of 48.

Carter, William John

1897-1971

CARTER, William John (1897-1971) was born in Windsor, Ont. on 27 August 1897 and studied architecture and engineering in night classes at the Cass Technical School in Detroit. He articulated with **J.C. Pennington** (in 1913-17) and was chief assistant in the office of **Pennington & Boyde** from 1920 to 1932. In 1934 he opened his own office in Windsor and continued to practise there until 1957 when he became a partner in the new firm of Pennington & Carter. After Pennington died in 1963 Carter formed another partnership with William A. Fraser and executed several projects on the campus of the University of Windsor. Their firm also specialized in the design of health care facilities. Carter died in Windsor on 31 October 1971 (obit. Windsor Star, 1 Nov. 1971, 5; inf. Ontario Assoc. of Architects).

CARTER & LEIGHTON

WINDSOR, ONT., residence for Minister M.C. Davies, rector of St. George's Memorial Church, Moy Avenue at Niagara Street, 1924-25 (Border Cities Star [Windsor], 15 Nov. 1924, 11, descrip.)

Biographical Dictionary of Architects in Canada. (2024, March 13). Carter, William John. Retrieved from <https://canadianarchitects.org/architects/carter-william-john-n893/>

W. J. (Bill) Carter retired after 25 years in the business. He designed and built CKLW and Toronto's CFRB. He had been chief engineer and director of engineering for CKLW Radio & Television. Carter was replaced by Stewart Clark who had been with CKLW since 1937, working in technical and maintenance supervisory capacities.

History of Canadian Broadcasting. (n.d.) CBET-DT, CBC-TV, Windsor.

Three New TV Stations On Air in December

Windsor, Dec. 15 (BUP).--Radio station CKLW broke ground today for its new \$1,250,000 television transmitter in a joint ceremony stressing the international nature of its service.

Mayor Arthur Beaune, Health Minister Paul Martin and Don Brown, Member of Parliament, represented Canada at the ceremony, and Police Commissioner Don Leonard and Common Council President Louis Miriani headed the American officials attending.

J. E. Campeau, president and managing director of the Western Ontario Broadcasting Co., said the station will be on the air next July on Channel 9, and will be the first Canadian station to operate on maximum allowable power. He said the signal would be received in a fringe area extending about 65 miles.

Besides Campeau, the directors of the company are Harry Sedgwick, managing director of Station CFRB, Toronto; J. E. Rogers, Samuel Rogers, QC, and John Campbell.

the Province of Quebec, said the station, CBMT, "may be on the air for short test periods prior to that date, although this is not definite." He said further details will be announced at a news conference in a few days.

CBMT is expected to provide English-language programs, while CBFT, the only TV station now operating here, will give programs mostly in French. CBFT now provides programs in both languages.

The Globe and Mail. (1953, December 16). *Three New TV Stations On Air in December.*

Limit Sought On U.S. Control Of Radio, TV

Ottawa, March 29 (CP). — The CBC Board of Governors today asked the Government to set a limit on control foreign interests may hold in Canadian radio and television stations.

It suggested a limit of 20 per cent, the same degree of foreign ownership in U.S. stations permitted by U.S. laws.

The board made the suggestion in recommending approval of transfer of 2,677 common shares in Western Ontario Broadcasting Co. to RKO Distributing Corp. of Canada Ltd.

The shares represent about a third of control in the company which operates Radio Station CKLW and Television Station CKLW-TV, Windsor.

RKO Distributing is a Canadian subsidiary of a U.S. company.

The board approved the transfer "on the condition that there be no further transfer of share ownership, directly or indirectly to non-Canadian control."

Two of the directors of the new board of directors of Western Ontario Broadcasting would be Americans under the proposed transfer.

The board added in its recommendation:

"Recently the board has heard of several suggestions to transfer control of companies licensed to use Canadian air channels to interests controlled from outside the country."

"The board finds some difficulty in the fact that there has been no rule, statutory or otherwise, to which applicants, such as the present one, could turn for assistance in establishing the basis upon which their applications will rest. . . .

"It recommends that the licensing authority (the Government) give consideration to this matter and to the desirability of a provision relating to the degree of non-Canadian control, direct or indirect, in the use of a Canadian air channel, possibly along the lines of the U.S. provision limiting the amount of alien interest in a licensed station in that country to 20 per cent."

The board's recommendations are rarely overruled by the Government. However, the entire field of Canadian broadcasting now is being reviewed by a Royal Commission and it is possible the Government will await a recommendation from the commission before taking action.

The Globe and Mail. (1956, March 30). *Limit Sought on U.S. Control Of Radio, TV.*

Forebodings about CKLW

BY CHARLES TAYLOR

WHEN JOHN Bassett invaded the Windsor television scene four years ago, he promised to give disgruntled and angry local viewers a schedule that was heavy with Canadian programs.

Today, as the Toronto tycoon prepares to relinquish control of CKLW-TV to the CBC, there are mixed feelings in Windsor about the station's performance under Mr. Bassett's management—as well as forebodings about its future with the CBC.

Under a deal proposed and then approved by the Canadian Radio-Television Commission, Mr. Bassett's Baton Broadcasting entered into an unusual partnership with the CBC in the spring of 1970 to acquire CKLW from its U.S. owners, RKO-General.

Mr. Bassett would run the station but the CBC would have to buy him out within five years. In the meantime, Mr. Bassett would offer Windsor viewers a rich diet of both CBC and CTV programs.

Long-time critic

This promise was meant to mollify local interests, including the Windsor Star, which had long been critical of the station's performance under RKO, especially the lack of Canadian programs in a schedule that was mainly aimed at the much larger market across the river in Detroit.

The Star and other Windsor groups would have preferred an immediate takeover by the CBC, but this was ruled out because the CBC lacked the money. Initially, however, they seemed prepared to give Mr. Bassett the benefit of the doubt.

Just before Christmas, however, the Star returned to the attack with an editorial which attacked the "quality" of the station's programs under Mr. Bassett's management—as well as the unsatisfactory financial aspects of the partnership agreement.

Urging an immediate CBC takeover,

the newspaper stated: "After years of television shows aimed at Detroit commercial sales, Windsor deserves better and more Canadian content. Why wait until May of 1973?"

In a strong reply to the newspaper, Gordon Ashworth, a Baton director who is also president of the station, said that CKLW is the only Canadian station that broadcasts virtually a totally Canadian schedule in the prime time evening hours, and that every one of its commitments to the CRTC had been met.

Dynamic and articulate, Mr. Ashworth maintains that he has no cause to apologize for the station's performance. This winter, CKLW is carrying about 30 hours of Canadian network programming a week, most of it in prime time.

With some exceptions for local shows, the weekday evening schedule has CTV programs from 8 to 9, followed by a half-hour newscast, the CBC programs taking over from 9:30 to the end of the national news at 11:30.

Mr. Ashworth is proudest of his local programming. "We probably do more local production than any other station in Canada," he said in an interview. "We certainly do more than the average CBC station."

Two of the local shows indicate how much Windsor looks across the river. Their hosts are Greg Landry, the Detroit Lions' quarterback, and first baseman Norm Cash of the Detroit Tigers.

Mr. Ashworth prefers to cite his local newscast, from 9 to 9:30 p.m. and from 11:30 to midnight, every weekday, as well as a Saturday evening show called Document. These programs concentrate on community issues; with a strenuous public relations campaign by Mr. Ashworth, they have done a lot to win over many local skeptics.

Lloyd Brown-John, a professor of political science at Windsor University and a strong critic of the station when it was run by RKO, admits that his attitude has mellowed. "CKLW isn't a pillar of Canadian nationalism," he says, "but it has changed for the bet-

"CKLW isn't a pillar of Canadian nationalism, but it has changed for the better."

ter. The local news is quite sophisticated and it has an immense impact."

Peter Benesh, an editorial writer on the Windsor Star, also cites the local news as a significant improvement. But he maintains that local public affairs programming is hopelessly inept, partly because the station is starved for money. Mr. Benesh also claims that the CBC gets too much precedence over CTV, so that Windsor viewers are deprived of such top CTV public affairs programs as W-5.

When other viewers become aroused, it's largely because of special problems which the new management inherited from RKO. Since Windsor is adjacent to Detroit, CKLW has been forbidden by the CBC to use U.S.-originated shows ahead of their release on U.S. networks. This winter, the station is deprived of such regular CBC network programs as Cannon, Mary Tyler Moore and All in the Family.

These "border protection" agreements raise the hackles of Canadian nationalists. But they don't prevent Windsor viewers from eventually seeing the top U.S. shows on one of the four Detroit channels, including one for each of the three U.S. networks.

It's more serious when border protection works the other way around. In the past, CKLW has been deprived of Canadian shows because the CBC was afraid of jeopardizing an eventual sale to a U.S. network. This was the case with the Jolson series, which was only made available to CKLW five months after it had been shown on the network and when it was clear that a U.S. deal was not going to materialize.

This brought a strong outcry from Windsor viewers; Mr. Ashworth says he has assurances from the CBC it

won't happen again (it's to be hoped it won't when Windsor viewers become angry at their station, they don't always limit themselves to letters and phone calls. In recent years there have also been bomb threats and an attempt to sabotage the station's tower).

Sports are another headache, especially in a sports-mad city. With football, CKLW carried the full CBC schedule last fall, plus six CTV games; more football than any other station in Canada. But Windsor viewers still see less Canadian football than they would if they were living in a city with both CBC and CTV outlets.

Hockey is a much bigger problem because telecasts in the area are controlled by the Detroit Red Wings, under an NHL agreement. Eight Saturday night games are blacked out in Windsor this season because they conflict with games at the Olympia. Instead, under a new agreement with the Olympia-CKLW is carrying eight Wednesday night CTV hockey telecasts, even though three of these conflict with Red Wing home games. It's not an ideal solution: Mr. Ashworth concedes that Saturday night hockey is still "the gut question" for CKLW.

Tough rival

Despite improvements in the programming, CKLW has a hard battle to compete with Detroit. According to the Bureau of Broadcast Measurement, CKLW attracts only 19 per cent of Windsor viewers on a daily average. This puts the station behind all three Detroit network channels.

Other BBM ratings show the station in a better light. Between March, 1972, and March, 1973, CKLW's total of viewers increased by 25 per cent on a daily average. In prime time, its total went up by a healthy 33 per cent.

"Don't forget," Mr. Ashworth emphasizes, "after 8 p.m. our programs are totally Canadian. That shows it's hogwash to say that Windsor is just another American city."

Mr. Ashworth also cites the growth of local and Canadian advertising on

CKLW as proof that the station's stronger Canadian identity is paying off. But 80 to 82 per cent of the station's advertising revenue still comes in U.S. dollars (a few years ago it was about 90 per cent).

If you're a visitor from Toronto, you'll likely be impressed by the local newscasts, which compare favorably with our own. But you'll be astonished by the number of ads on CKLW which include warnings such as "Not for Sale in Ontario."

It's not surprising when you realize that there are only about 200,000 potential viewers in the Windsor area, compared to about 5,000,000 around Detroit. Mr. Bassett says flatly: "The station's main market is Detroit—I've never made any bones about it."

(With so many potential U.S. viewers, CKLW has been regarded by nationalists as a unique shop window for Canadian culture. Sadly, its U.S. adherents have more mundane tastes: they prefer the Irish Rovers and Pig and Whistle to serious Canadian documentaries, while the station's most popular programs in Detroit—with up to 200,000 viewers—are the old Tarzan movies which it runs on Sunday afternoons.)

Despite its U.S. revenues—and a promising venture into making commercials—CKLW is running in the red. For the first three years under the new management, the station had operating losses of about \$3-million. According to Mr. Ashworth, these losses have been steadily falling—they were \$600,000 in the last fiscal year and there should be a further improvement this year.

There is one main reason for the losses—those notorious border protection agreements. Unlike any other Canadian station, CKLW cannot broadcast U.S. network programs into its market, so that it can't generate the mass audience available to other CBC affiliates.

Would raise revenue

As Mr. Ashworth told the Windsor

Star: "Obviously if CKLW-TV could broadcast the full network service of the CBC (both Canadian and non-Canadian programs) as is done by every other affiliate in Canada, our share of advertising revenue generated from such programs would make this station extremely profitable."

Baton and Mr. Ashworth in particular deserve credit for steadily reducing the station's losses in the face of difficulties for which the CBC and geography must be held accountable.

It is also arguable that Windsor viewers have had better treatment than they would have received if the CBC had taken over the station in 1970. While opinions about program quality are always subjective, the station's mix of CBC and CTV shows is probably better than anything the CBC would have provided on its own.

This explains the forebodings about CKLW's future when the CBC takes over the station next year. There is no hard information about the corporation's intentions—while a high-level CBC committee has been planning the transition, spokesmen say it would be premature to discuss the details.

But critics like Lloyd Brown-John think there's a real danger that the CBC will reduce the emphasis on local programming. It's also highly unlikely that the CBC will continue to take CTV programs, including the hockey and football.

(Plans for a CTV relay station in Windsor are still on the drawing board. But the new Global network is now providing Windsor viewers with an alternative source of Canadian programs.)

Because of its pusillanimity, the CBC is not highly regarded by most Windsor viewers. With its acceptance of border protection agreements and its deference to the NHL, pandjandrums, the national network has consistently spurred a quarter of a million Canadians.

If the CBC cuts down on the increased sports and other Canadian and local programming that Windsor viewers now enjoy, the cries of outrage will be heard as far as Ottawa.

Last of three articles.

Taylor, C. (1974, February 22). *Forebodings about CKLW*. The Globe and Mail.

CBC plans 'superstation' to crack U.S. market

BY MATTHEW FRASER
The Globe and Mail

MONTREAL

The CBC plans to penetrate the U.S. TV market with a "superstation" that would send Canadian programs — produced by private and provincial networks as well as by the CBC — by satellite to cable companies throughout the United States.

According to the plan, to be announced today, the CBC would transform its Windsor

station into a so-called superstation with a start-up cost of between \$2-million and \$5-million for the satellite hookup.

The new CBC channel, using existing facilities and staff at the Windsor station, could break even after three years and earn as much as \$100-million a year from advertising after a decade. The signal would be beamed to about five million U.S. cable TV subscribers and five million in Canada, so advertising would reach both markets.

The CBC plan is to be announced at noon as

part of the public network's over-all report to the federal task force on broadcasting policy.

The superstation portion of the proposal, part of CBC's strategy to develop a number of specialized channels, was revealed by a source who has been working on the network's report to the task force, headed by Gerald Caplan and Florian Sauvageau.

Last night on its television news program, the National, the CBC also announced other measures in the report, including plans to

drop all U.S. television programming by the fall of 1987.

As well, it said the corporation plans to create a channel for children and an all-news channel.

The proposals would have to be approved by the Canadian Radio-Television and Telecommunications Commission.

"This all started a few years ago when Francis Fox was the minister of communica-

CBC — Page A2

CBC proposes invasion of U.S. market

● From Page One

tions and announced his open-skies policy," said the source, who asked not to be identified.

"The network thought there would be some opportunities in that, but when the cutbacks came last

year, the idea was dropped. Now with the task force, we're at it again, and it has the personal support of (CBC president) Pierre Juneau and everybody in the head office. It's been passed by the CBC board of governors."

Mr. Juneau's office said he would

comment on the report after it is made public.

The proposed channel would send the CBC's normal schedule of news, current affairs, documentaries, drama, science and children's programs deep into the U.S. market.

Canadian private broadcasters, such as CTV and Global, and the National Film Board and provincial educational networks, would be invited to join the network. But if they show no interest, the CBC would proceed alone.

CBC's French-language network, Radio-Canada, would not be involved in the channel, the source said. But the CBC report to the federal task force recommends that Radio-Canada become more involved in TV 5, the European television consortium.

The plan, hatched in the CBC's planning department, used a Canadian consulting firm as well as the Nielsen rating company to gather data on the feasibility and acceptability of the scheme.

The Nielsen company discovered that CBC's Windsor station, CBET, has about 1 million U.S. viewers for such programs as *The Nature of Things* and *The Fifth Estate*, the source said. Most U.S. cable companies surveyed said they would be interested in carrying the Canadian superstation, which would be available free.

CBC's Windsor station was chosen because of its unique situation within the public network's string of owned-and-operated stations. Because it is so close to the large Detroit market, CBET is not permitted to broadcast many popular U.S. programs such as *Dallas*, which the CBC has purchased and airs on its other stations.

Consequently, CBET's program schedule is, by force of circumstance, almost entirely Canadian.

For Canadians outside Windsor, the new channel would mean they would be able to receive two CBC networks. Windsor residents would receive only the new network, except perhaps for local news shows not seen on the superstation.

The proposal comes at a time when much of the Canadian cultural community is concerned about the country's cultural industries in the coming free-trade talks with the United States.

But according to the CBC source, officials in the Canadian Embassy in Washington say the idea would encounter no foreseeable problems with U.S. Government officials. "Trade is already so heavily weighted on the side of the Americans," said the source. "We believe that getting a Canadian voice with a Canadian message into the United States is important."

Fraser, M. (1986, January 9). *CBC plans 'superstation' to crack U.S. market*. The Globe and Mail.

CBC-TV RESTORING WINDSOR NEWSCAST

The CBC and two of its unions signed an agreement yesterday that clears the way for TV viewers in Windsor, Ont., to once again see local TV newscasts. This summer, CBC Television plans to launch a 30-minute news show in the border city through what's being described as "an experiment in electronic newsgathering."

CBC president Anthony Manera and representatives of two unions, the Canadian Wire Service Guild and the National Association of Broadcast Employees and Technicians, signed the agreement which allows the CBC to use journalists who combine the duties of reporters and camera operators — traditionally separate jobs done by members of different unions — for a lower-cost news operation. The project was developed as a joint union-management initiative. In announcing the project go-ahead yesterday, CBC vice-president of news Tim Kotcheff said there are no plans for experiments with the system outside Windsor.

Windsor viewers lost local coverage in December, 1990, when the CBC — facing a budget shortfall of \$108-million — shut down its station there as part of a sweeping round of station closings and service reductions from coast to coast. Protest from Windsor viewers was particularly vocal since CBC Windsor was the only local TV station in a city dominated by U.S. signals from neighbouring Detroit.

When the news operation is up and running, as many as 12 new positions will be created, with some laid-off CBC employees to be rehired under the terms of the agreement (87 CBC staff were laid off with the Windsor shut-down; the network has maintained a tiny bureau there to feed stories to CBC Toronto for regional newscasts). CBC-TV has said it will spend \$1.5-million to launch the nightly show.

Staff

The Globe and Mail. (1994, March 16). *CBC-TV Restoring Windsor Newscast*.



Committee Matters: SCM 275/2026

Subject: Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held July 7, 2026



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Tuesday, July 7, 2026

Time: 4:00 PM

Location: County of Essex Administration Building
360 Fairview Avenue West, St. Clair Room, 2nd Floor
Essex, Ontario N8M 1Y6

Attendance

Board Members:

Gary Kaschak –Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Gary McNamara – Vice Chair	County of Essex
Hilda MacDonald	County of Essex
Michael Akpata	County of Essex
Rob Shepley	County of Essex

EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
James Bryant	Manager of Waste Disposal
Cathy Copot-Nepszy	Manager of Waste Diversion
Natalie Byczynski	Project Manager
Teresa Policella	Executive Assistant

City of Windsor Staff:

Stacey McGuire	Acting Executive Director of Operations
Lorie Gregg	Executive Director, Financial Planning/Deputy Treasurer
Rachel Chesterfield	Manager, Performance Measurement and Business Case Development
Jim Leether	Manager of Environmental Services (City of Windsor)

County of Essex Staff:

Melissa Ryan	Director of Financial Services/Treasurer
David Sundin	Director, Legislative and Legal Services

Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Mark McKenzie	City of Windsor
Fred Francis	City of Windsor
Tony Ardovini	Deputy Treasurer Financial Planning (City of Windsor)

1. Call to Order

The Chair called the meeting to order at 4:04 PM.

2. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest, and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the meeting, it would be noted at that time.

3. Approval of the Minutes

Moved by Gary McNamara
Seconded by Rob Shepley

That the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated May 5, 2026, be ***approved and adopted***.

**36-2026
Carried**

4. Business Arising from the Minutes

No items were raised for discussion.

5. Correspondence

- A. Letter from Town of Essex dated May 6, 2026
Re: Regional Green Bin Program - Resolution R26-05-189.

The General Manager advised that the correspondence was provided for the Board's information. She noted that a Notice of Motion, similar in nature, was brought forward by County of Essex Council and previously discussed by the Board and included on the previous meeting agenda. She further noted that she will be meeting with the Chief Administrative Officer of the Town of Essex to review the information and discuss the matter further. Administration will direct the Town of Essex to the relevant Board agenda and supporting materials to provide additional context and background information. The Chair asked if there were any questions from Board members. No questions were raised.

Moved by Michael Akpata
Seconded by Hilda MacDonald

That the Board ***receive*** the correspondence as information.

**37-2026
Carried**

6. Delegations

There were no delegations for July 7, 2026.

7. Waste Disposal

A. Hazardous Gas Monitoring System – Regional Landfill

The Manager of Waste Disposal reported that a Request for Tender (RFT) was issued for the replacement of the landfill gas monitoring system, but only one bid was received. Under the Authority's Procurement Policy, Administration was permitted to negotiate with the sole bidder. Although efforts were made to reduce the project scope and costs, the final price remained above the approved budget. The proposal also includes ongoing semi-annual calibration and maintenance costs. As a result, Administration recommended funding the capital project from reserves and incorporating future maintenance expenses into annual operating budgets.

Mr. Morrison questioned the significant difference between the budgeted amount and the tendered cost. The Manager of Waste Disposal explained that the existing gas monitoring system is very old, has reached the end of its useful life, and contains sensors, control panels, and other components that are no longer reliable or serviceable. Mr. Morrison also asked whether reissuing the tender would be beneficial. Administration noted that three companies inspected the site, but only one submitted a bid, and the original supplier, Honeywell, no longer supports the current system, limiting available alternatives.

In response to questions about risks and lifespan, the Manager of Waste Disposal advised that the new system can be maintained through regular preventative servicing and sensor replacement. Suppliers typically provide advance notice when equipment support or replacement parts are being phased out.

The General Manager explained that the gas monitoring system was originally installed as part of the landfill's original construction approximately 30 years ago. When the current \$100,000 budget was established, Administration did not anticipate that a full system replacement would be required. She emphasized that the system is a critical life-safety component that protects staff and visitors from hazardous landfill gases.

Kieran McKenzie asked whether the project was related to the methane capture initiative. The General Manager clarified that the gas monitoring system replacement is separate from the methane capture project. The monitoring system detects hazardous gases, triggers alarms, alerts staff and can automatically activate building ventilation when necessary.

Mr. Akpata asked whether any value could be recovered from the obsolete equipment through repurposing or donation. The Manager of Waste Disposal

advised that outdated equipment is disposed of appropriately and that reusable components are salvaged where possible, although very few parts from the existing system can be reused.

Moved by Gary McNamara
Seconded by Kieran McKenzie

That the Board **authorize** the Authority to enter into a service agreement with Hetek Solutions Inc. to replace the existing hazardous gas monitoring system at the Essex-Windsor Regional Landfill, for a total of \$300,244.35, excluding applicable taxes, to be funded up to \$100,000 by the Equipment Replacement Reserve, and \$200,244.35 by the Rate Stabilization Reserve.

That the Board **approve** entering into a Managed Service Agreement with Hetek Solutions Inc. for semi-annual calibration and preventative maintenance of the hazardous gas monitoring system at the Essex-Windsor Regional Landfill, commencing in 2026 and concluding in 2031, for a total amount of \$44,755.65.

38-2026
Carried

B. Reverse Osmosis Plant Status and Delegation of Authority

The Manager of Waste Disposal presented an update on the Authority's leachate management strategy, explaining that leachate is currently hauled to the Lou Romano Water Reclamation Plant for treatment. To establish a more sustainable long-term solution, Administration is pursuing on-site treatment using reverse osmosis (RO) technology.

A three-stage pilot RO treatment system is currently operating at the landfill, separating leachate into approximately 85% clean water and 15% concentrated residual material. Administration is working to increase processing capacity to approximately 100 US gallons per day. While there are currently no regulatory requirements specific to PFAS treatment, the proposed system would further improve treated water quality and reduce reliance on trucking, lowering transportation risks and minimizing impacts from potential treatment plant shutdowns.

Administration reviewed project finances and concluded that, despite the significant upfront capital investment, the on-site treatment facility will generate long-term savings compared to the ongoing costs of hauling and treating leachate off-site. Given the timing of the upcoming municipal election, Administration is seeking limited delegated authority to advance specific project components.

In response to questions from Mr. Shepley regarding Ministry of the Environment and Parks (MECP) approval, the Manager of Waste Disposal advised that Administration is seeking authority only to proceed to the stage of

obtaining a Letter of Concurrence from the MECP, which would indicate a reasonable likelihood of approval. He emphasized that project costs would be incurred in stages rather than requiring full funding upfront.

Kieran McKenzie asked how the completed facility would appear to the public. The Manager of Waste Disposal explained that the discharge outlet would resemble a typical municipal stormwater infrastructure and that the treatment facility would look like existing landfill buildings. He added that preliminary discussions with the Essex Regional Conservation Authority (ERCA) and the Town of Essex have been positive and that additional approvals will be required.

In response to Kieran McKenzie's questions regarding monitoring, regulatory oversight and contingency plans in the event the system does not operate as intended, the Manager of Waste Disposal explained that the MECP will establish standards and monitoring requirements through the Environmental Compliance Approval process. Administration will develop operating, monitoring, contingency, and emergency response plans to ensure compliance and address any operational issues. The General Manager noted that environmental monitoring reports are currently reviewed by the Landfill Liaison Committee, which includes representatives from the Authority, Town of Essex, MECP, residents, and consultants. Kieran McKenzie suggested that perhaps an executive summary of the reports could be provided to the Board. The General Manager added that if the system is not operating properly, the RO system can be turned off promptly.

Mr. Morrison questioned the assumptions associated with tipping fee revenue from greenhouse vine waste, a major source of leachate. The Manager of Waste Disposal explained that while greenhouse vines contribute significantly to leachate production, leachate is generated from many waste streams and will continue to require treatment for more than 100 years, even if waste acceptance stopped today. The General Manager added that previous contaminating lifespan studies confirmed long-term leachate treatment requirements would be required at Landfills No. 2 and No. 3 for more than a century and transportation costs are expected to increase significantly when leachate hauling contracts are renewed. Regardless of revenue sources, the Authority remains obligated to treat leachate both environmentally and financially responsible.

Administration also highlighted that treatment costs at the Water Reclamation Plant remain a significant expense and that the proposed RO system offers environmental benefits by reducing contaminant concentrations, including PFAS.

In response to a question from Mrs. MacDonald, the General Manager confirmed that the permanent treatment facility will use the same technology as the pilot plant but will be approximately twice the size and treatment capacity.

Moved by Gary McNamara
Seconded by Rob Shepley

That the Board **receive** this report as information and:

That the Board **delegate** approval authority to the General Manager and the Manager of Finance and Administration, to execute a purchase agreement with Rochem Americas Inc. for the supply of a full-scale reverse osmosis leachate treatment plant, including issuance of a Purchase Order and payment of the initial deposit, subject to receipt of the MECP Letter of Concurrence and consultation with the Authority's Solicitor; and

That the Board **delegate** approval authority to the General Manager and the Manager of Finance and Administration, to execute agreements related to the Balance of Plant detailed design, including awarding and entering into a Professional Services Agreement with the successful proponent through the Authority's competitive procurement process; and

That Administration be **directed** to advance regulatory submissions and technical studies that are required to secure all applicable approvals; and

That Administration be **directed** to undertake all necessary administrative and contractual actions required to maintain the project schedule and ensure readiness for construction in 2027; and

That Administration be limited in its delegated authority to those items that are consistent with the scope, budget, and procurement processes outlined in this report, be subject to all applicable policies, by-laws, and financial controls of the Authority; and further

That Administration report back to the Board at the earliest opportunity following the appointment of the new Board.

**39-2026
Carried**

8. Waste Diversion

- A. Green Bin Program Promotion and Education Activities Report
2020-2025 - County of Essex Council Notice of Motion Re: Green
Bin Program Statistics and Public Education

The Manager of Waste Diversion presented the Green Bin Program and Education Activities Report 2020-2025, which was prepared in response to a motion from Essex County Council.

She highlighted the increased collaboration between the Authority and various municipal working groups and partnerships. As part of these efforts, Board

resolutions are now circulated to municipal clerks to ensure municipalities remain informed about Authority initiatives, projects, and decisions.

The report also reviewed the 2025–2026 Green Bin Program (GBP) promotion and education initiatives, emphasizing the importance of evaluating current outreach activities and measuring their effectiveness. Administration is working to improve performance metrics and reporting processes to better track outcomes and assess the success of collaborative education and promotion efforts in the future.

The Manager of Waste Diversion noted that the activities and accomplishments outlined in both reports were funded through previously approved Authority budgets. As a result, there are no immediate financial implications, as the related costs have already been incorporated into the 2026 Operational Plan and Budget.

Moved by Hilda MacDonald
Seconded by Rob Shepley

That the Board **receive** this report as information.

That the Board **direct** Authority Administration to provide the Green Bin Program Promotion and Education Activities Report 2020-2025 - County of Essex Council Notice of Motion RE: Green Bin Program Statistics and Public Education, as applicable to the Clerk's Department at the City of Windsor, County of Essex and seven (7) County Municipalities.

**40-2026
Carried**

9. Finance & Administration

A. 2026/2027 EWSWA Insurance

The Manager of Finance provided an update on the Authority's insurance renewals, advising that AON successfully secured full insurance coverage for the coming year. Coverage levels remain consistent with those carried in the previous year, and the schedule of policies and premiums was provided in the report. He reported that overall insurance premiums have decreased compared to the previous year, resulting in a favourable budget variance of approximately \$17,800.

In response to a question from Kieran McKenzie regarding the premium reduction, the Manager of Finance explained that AON attributed the savings primarily to the removal of the recycling component from the Authority's operations, which lowered the organization's overall risk profile. Additional savings were achieved through the environmental liability policy, where an insurer offered a three-year renewal term, resulting in more favourable premium pricing.

The Chair asked about the Authority's historical insurance claims. The General Manager explained that the Authority experienced a significant loss of its fibre processing building due to a fire in 2005. At that time, the Authority operated facilities that presented a higher fire risk, making insurance more difficult and expensive to obtain. She noted that following the closure and removal of the fibre processing operations, the Authority's risk profile improved significantly, leading to increased competition among insurers and more favourable insurance coverage terms and premium costs.

Moved by Kieran McKenzie
Seconded by Jim Morrison

That the Board **receive** this report as information.

41-2026
Carried

B. Restricted Acts of the Board after Nomination Day

The General Manager presented a report regarding the use of delegated authority during the upcoming municipal election period. She noted that Administration has implemented a similar approach during previous elections to ensure continuity of operations.

The General Manager explained that either the City or Essex County Council could enter a lame-duck period during the election, during which certain decision-making powers may be restricted. Consequently, limited delegated authority may be necessary to allow urgent operational matters and time-sensitive decisions to proceed without delay.

She noted that the Board has already delegated authority for two significant capital projects:

- The purchase of an additional landfill compactor; and
- The Reverse Osmosis (RO) leachate treatment system project.

At present, Administration does not anticipate requiring any further delegated authority. However, should an emergency or other urgent matter arise during the election period, delegated authority may be needed to address it promptly.

The General Manager emphasized that any actions taken under delegated authority would be reported to the incoming Board at its first meeting following the election, ensuring transparency and accountability.

Moved by Gary McNamara
Seconded by Kieran McKenzie

That the Board of the Essex-Windsor Solid Waste Authority, provisional upon City of Windsor Council, Essex County Council or the Board of the Essex-Windsor Solid Waste Authority being subject to the restricted acts of Council set out in Section 275 (3) of The Municipal Act, 2001, S.O. 2001 c.25, following nomination day, **delegate** approval authority to the General Manager for the period August 21, 2026 to the date of first meeting of the newly appointed Board, to approve unbudgeted expenditures or liabilities exceeding \$50,000.

And further that the General Manager report to the Essex-Windsor Solid Waste Authority Board any use of this delegated authority at the first scheduled meeting of the Board.

**42-2026
Carried**

10. New Business

- The General Manager provided an update on a recent site visit by MPP Andrew Dowie, describing the visit as very positive. She reported that MPP Dowie showed significant interest in the Authority's operations and was particularly engaged by the innovative projects and technologies currently being implemented at the landfill site. During the tour, MPP Dowie received information on several Authority initiatives and expressed appreciation for the operational improvements and technological advancements being pursued. The General Manager noted that he indicated an interest in receiving future updates, particularly as the Reverse Osmosis (RO) leachate treatment project continues to advance.
- The General Manager reported that Administration has temporarily suspended tipping fees for double-axle trailers being used for storm clean-up activities following recent storm events. She advised that this temporary measure has been communicated through the Authority's Customer Service team and coordinated with the City of Windsor and County of Essex municipalities. The fee waiver is intended to assist residents and municipalities by reducing disposal costs and facilitating the prompt removal of storm-related debris and supporting efficient clean-up efforts in a timely manner.

11. Other Items

No items were raised for discussion.

12. By-Laws

A. By-Law 7-2026

Moved by Hilda MacDonald
Seconded by Rob Shepley

That By-Law 7-2026, being a By-law to authorize a Service Agreement with Hetek Solutions Inc. to replace the existing hazardous gas monitoring system at the Essex-Windsor Regional Landfill and approve entering into a Managed Service Agreement with Hetek Solutions Inc. for semi-annual calibration and preventative maintenance of the hazardous gas monitoring system at the Essex-Windsor Regional Landfill.

**43-2026
Carried**

B. By-Law 8-2026

Moved by Hilda MacDonald
Seconded by Rob Shepley

That By-Law 8-2026, being a provisional upon City of Windsor Council, Essex County Council or the Board of the Essex-Windsor Solid Waste Authority being subject to the restricted acts of Council set out in Section 275 (3) of the Municipal Act, 2001, S.O. 2001 c.25, following nomination date, delegate approval authority to the General Manager for the period August 21, 2026 to the date of first meeting of the newly appointed Board, to approve unbudgeted expenditures or liabilities exceeding \$50,000.

**44-2026
Carried**

C. By-Law 9-2026

Moved by Hilda MacDonald
Seconded by Rob Shepley

That By-Law 9-2026, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be **adopted** this 7th day of July, 2026.

**45-2026
Carried**

13. Next Meeting Dates

Wednesday, August 12, 2026
Tuesday, September 1, 2026
Tuesday, October 6, 2026
Tuesday, November 3, 2026 – 2027 Budget deliberation
Tuesday, December 1, 2026

14. Adjournment

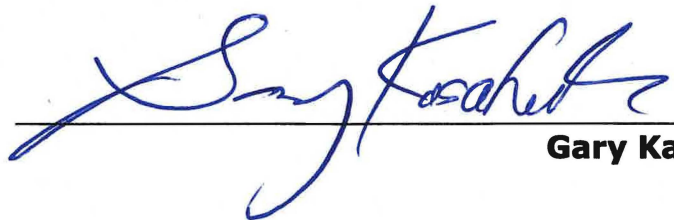
Moved by Jim Morrison

Seconded by Rob Shepley

THAT the Board stand ***adjourned*** at 5:05 PM.

46-2026
Carried

All of which is respectfully submitted.



Gary Kaschak
Chair



Michelle Bishop
General Manager

BY-LAW NUMBER 139-2026

A BY-LAW TO AMEND BY-LAW NUMBER 139-2013, BEING A BY-LAW TO DELEGATE AUTHORITY TO THE CITY PLANNER TO APPROVE AND PROCESS CERTAIN APPLICATIONS UNDER THE PLANNING ACT AND PERMITS UNDER THE ONTARIO HERITAGE ACT.

Passed the 28th day of September, 2026.

WHEREAS By-law Number 139-2013 was passed by the Council of The Corporation of the City of Windsor on August 26, 2013;

AND WHEREAS By-law Number 126-2019, being a by-law to amend By-law Number 139-2013, was passed by the Council of The Corporation of the City of Windsor on November 18, 2019;

AND WHEREAS By-law Number 99-2022, being a by-law to amend By-law Number 139-2013, was passed by the Council of The Corporation of the City of Windsor on July 11, 2022;

AND WHEREAS By-law Number 147-2023, being a by-law to amend By-law Number 139-2013, was passed by the Council of The Corporation of the City of Windsor on November 27, 2023;

AND WHEREAS it is deemed expedient to further amend said By-law Number 139-2013 of The Corporation of the City of Windsor;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That Schedule “A” of By-law 139-2013 be amended by adding the following new section after Section 9.1:

Execute and Cause to be Registered Minor Variance and Consent Agreements

10.1 To approve, execute and cause to be registered Minor Variance and Consent Agreements authorized pursuant to sections 45(9.1), 45(9.2), 53(12), 51(25) and 51(26) of the Planning Act, including agreements respecting warning clauses, servicing requirements and other matters authorized by the Act.

2. 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 September 28, 2026, Mayor Drew Dilkins will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

First Reading – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 140-2026

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 28th day of September, 2026.

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 Section 91.10 of said by-law is amended by adding the following clause:

35. NORTHEAST CORNER OF WYANDOTTE STREET EAST AND WATSON AVENUE

For the lands comprising Block “A” and Block “B”, Registered Plan 1628, and Part of Block “B”, Registered Plan 1627 (PIN 01066-0197, 01066-0244), the following additional provision shall apply:

- a) *Landscaped Area: minimum 26.5% of the lot area.*
- b) *Parking Area separation: From the north interior lot line: minimum 2.0 m.*
- c) *A continuous screening fence with a minimum height of 1.8 m shall be provided along the north interior lot line.*

[ZDM 14; ZNG/7369]

2. That said by-law is further amended by amending the Zoning District Maps shown in Column 2 by changing the zoning symbol of the lands described in Column 3 from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Current Zoning Symbol	6. New Zoning Symbol
1	14	Block “A” and Block “B”, Registered Plan 1628, Part of Block “B”, Registered Plan 1627 (PIN 01066-0197 & 01066-0244) (Northeast corner of Wyandotte Street East and Watson Avenue; Roll No: 060-330-00100 & 060-330- 00200)	--	RD1.1 RD3.2	RD3.2x(35)

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 September 28, 2026, Mayor Drew Dilkins will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

First Reading – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 141-2026

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE
"CITY OF WINDSOR ZONING BY-LAW"

Passed the 28th day of September, 2026.

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 Section 91.10 of said by-law is amended by adding the following clause:

34 **EAST SIDE OF ARGYLE ROAD, BETWEEN OTTAWA STREET
AND ONTARIO STREET**

For the land comprising Lot 68 and Part of Lots 67 and 69, on Plan 684, PIN 01131-0560 LT, PIN 01131-0561 LT, and PIN 01131-0562 LT, one *Multiple Dwelling* with a *maximum* of 7 *dwelling units* shall be an additional permitted *main use* subject to the following additional provisions:

- a) *Lot Area: minimum 720.0 m²*
- b) *Landscaped Open Space Yard: minimum 35.0% of lot area*
- c) Notwithstanding Section 24.20.5.1, the *minimum* parking rate shall be 1.0 for each dwelling unit
- d) Section 24.22 shall not apply
- e) Section 24.24 shall not apply
- f) Notwithstanding Clause .3 in Table 25.5.20.1, the *minimum parking area separation* from an alley shall be 0 m
- g) Section 25.5.30 shall not apply
- h) Exterior Cladding:
 - 1. North, South, and East Sides of the building -
 - a. Red brick veneer - *minimum* 50% of the exterior wall face
 - b. Stucco limited to the second storey
 - 2. West Side of the building –
 - a. Red brick veneer – *minimum* 80% of the exterior wall face
 - b. Red brick veneer predominantly raised up to the soffit
 - c. Stucco is permitted as an accent material on the second storey only.

- i) Roofing Material shall be of “Certainteed Carriage House Asphalt Shingles” or similar scalloped shingle.
- j) A flat roof or a roof having a slope of less than 20.0 degrees is prohibited.
- k) A *Multiple Dwelling* containing 8 or more *dwelling units* is prohibited

[ZDM 7; ZNG/7371]

2. That said by-law is further amended by amending the Zoning District Maps shown in Column 2 by changing the zoning symbol of the lands described in Column 3 from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Current Zoning Symbol	6. New Zoning Symbol
1	7	PT of LOT 67 and 68, PLAN 684 (PIN -01131-0560 LT), PT of LOT 68 PLAN 684 (PIN 01131-0561 LT), and PT of LOT 68 and 69, PLAN 684 (PIN 01131-0562 LT), situated on the east side of Argyle Road, between Ottawa street and Ontario Street	-	RD2.2	RD2.2x(34)

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 September 28, 2026, 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 – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 142-2026

A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, MUNICIPALLY KNOWN AS 825 Riverside Drive West, TO BE OF CULTURAL HERITAGE VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED

Passed the 28th day of September, 2026.

WHEREAS by virtue of the provisions of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, the Council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest.

AND WHEREAS upon consideration of the recommendation of the Development & Heritage Standing Committee, The Corporation of the City of Windsor deems it desirable and expedient to designate the lands municipally known as *825 Riverside Drive West*, more particularly described in Schedule "A" annexed hereto and forming part of this by-law (the subject lands), to be of cultural heritage value or interest, according to the Statement described in Schedule "B" annexed hereto and forming part of this by-law.

AND WHEREAS notice of intention to so designate the subject lands, was served on the owner(s) of the said subject lands and upon the Ontario Heritage Trust and such notice was published digitally in a manner consistent with the requirements of the Act on 9th of June, 2026.

AND WHEREAS a Notice of Objection has been served on the Clerk of the Municipality within thirty (30) days after the date of publication of the Notice of Intention to designate, and Council of The Corporation of the City of Windsor has considered the Notice of Objection in accordance with subsection 29(6) of the *Ontario Heritage Act* and decided not to withdraw the Notice of Intention to Designate 825 Riverside Drive West.

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That the lands municipally known as *825 Riverside Drive West*, more particularly described in said Schedule "A" annexed hereto, be and the same is hereby designated to be of cultural heritage value or interest, according to the Statement described in Schedule "B" annexed hereto.

2. This by-law shall come into force and take effect after the final passing thereof on the day upon which it is electronically registered in the Land Registry Office for the County of Essex (No. 12), if no appeals are received after 30 days of the publication of the bylaw.

DREW DILKENS, MAYOR

CITY CLERK

By signing this by-law on September 28, 2026, 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 – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

SCHEDULE "A"
TO BY-LAW 142-2026

LOT 1 PLAN 72 WINDSOR; LOT 12 PLAN 380 WINDSOR; LOT 13 PLAN 380 WINDSOR; LOT 14 PLAN 380 WINDSOR; PT LOT 11 PLAN 380 WINDSOR; PT LOT 76 CONCESSION 1 WINDSOR AS IN R638903; PT SALTER AVENUE PLAN 380 WINDSOR CLOSED BY WW60062 AS IN R638903 S/T EASEMENT IN R638903 ; WINDSOR

PIN: 01196-0267 (LT)

825 Riverside Drive West, Windsor

**SCHEDULE “B”
TO BY-LAW 142-2026**

**Statement of Cultural Heritage Value or Interest
CBC/CKLW Building
825 Riverside Drive West**

Description of Historic Place:

The CBC/CKLW Building is located at 825 Riverside Drive West in the City of Windsor, at the intersection of Riverside Drive West and Crawford Avenue. Constructed in 1954 for CKLW Radio and Television, the building was a purpose-built broadcasting facility. The building was occupied by CKLW until 1972, after which it continued to be used for media production by the Canadian Broadcasting Corporation (CBET). The property has remained in continuous use as a broadcasting and communications facility since its construction, representing the longstanding history of broadcasting in Windsor.

Design / Physical Value

The property has design and physical value as a representative example of a mid-20th century modernist building purpose-built to accommodate radio and television broadcasting operations, exhibiting modernist architecture of the period.

The building’s design value is particularly expressed through the composition of its north façade, which evolved during a period of expansion and alteration undertaken between 1964 and 1968. Features including its horizontal massing, buff brick cladding, green glazed brick detailing, rhythmic façade treatment, and distinctive L-shaped breezeway reflect the property’s continued development as a purpose-built broadcasting facility during CKLW’s period of growth and influence. These elements contribute to its mid-20th-century modernist architectural expression and form part of the property’s heritage character as a purpose-built broadcasting facility associated with CKLW and later CBC/CBET.

The building’s siting, including its placement set back from Riverside Drive West, contributes to an understanding of its original function, historic orientation, and presence along Riverside Drive West.

Historical / Associative Value

The property has historical and associative value through its direct association with CKLW Radio and Television and later the Canadian Broadcasting Corporation (CBET), key institutions in the development of broadcasting in Windsor and the Detroit–Windsor region. It is the only property on the Windsor Municipal Heritage Register associated as a broadcasting facility.

CKLW was a highly influential AM radio station in North America during the 1960s and 1970s, known as the “Big 8,” with a signal reaching across southern Ontario and into the United States. Alterations and additions undertaken between 1964 and 1968 corresponded with the continued expansion of broadcasting operations at the site, including increased space for television studios, administration, news, and film departments. The building accommodated both radio and television operations until 1972, representing an important phase in the integration of broadcasting media and the expansion of cross-border communication.

The property also demonstrates Windsor’s role within a bi-national media environment. Its location and function as a purpose-built broadcasting facility illustrate how programming was produced in Windsor for audiences on both sides of the border, reflecting a unique system of cross-border cultural exchange and media distribution.

As a purpose-built broadcasting facility, the property yields information about the development of radio and television broadcasting in Windsor and the Detroit-Windsor region, contributing to an understanding of the community’s cultural and communications history.

Contextual Value

The property has contextual value because it is physically, functionally, and historically linked to Windsor’s role in cross-border broadcasting and media production.

The property’s location in Windsor, near the Detroit River and the Detroit–Windsor media market, supports an understanding of CKLW’s and later CBC/CBET’s role in producing and transmitting programming to audiences on both sides of the border.

The property is a recognizable site associated with long-time broadcasting in Windsor. Its contextual significance is primarily derived from its historical and functional role within the Detroit–Windsor media environment, supported by the orientation and presentation of the north façade toward Riverside Drive West.

Heritage Attributes:

Exterior attributes that contribute to the property’s design and physical value as a representative example of a purpose-built mid-20th century broadcasting facility exhibiting characteristic modernist design features include:

- **North façade**, including:
 - green glazed brick detailing and columns
 - rhythmic façade bays and inset openings
- **L-shaped breezeway element**, including its open-air covered walkway form, rhythm of green glazed brick-clad columns, and contribution to the property’s historic presentation along Riverside Drive West
- Horizontal expression of the north elevation, reflecting the property’s original low-scale broadcasting facility design and presentation along Riverside Drive West
- Buff brick cladding as a secondary material contributing to the composition and horizontal expression of the north façade

Contextual Attributes:

Attributes that support the property’s contextual value, including its historical and functional relationship to Windsor’s cross-border broadcasting environment and its surroundings, include:

- Orientation and presentation of the north façade toward Riverside Drive West, including its historic setback relationship to the street, which supports an understanding of the property’s historic relationship to Riverside Drive West and its role within the Detroit–Windsor broadcasting environment.

BY-LAW NUMBER 143-2026

A BY-LAW TO AUTHORIZE THE DECOMMISSIONING OF A SEPTIC SYSTEM AND CONSTRUCTION OF A SANITARY PRIVATE CONNECTION LOCATED AT 1410 NORTHWAY AVENUE, IN THE CITY OF WINDSOR, AS A LOCAL IMPROVEMENT

Passed the 28th day of September, 2026.

WHEREAS it is deemed desirable to undertake the decommissioning of a septic system and construction of a sanitary private connection located at 1410 Northway Avenue, Windsor, more particularly described in Schedule “A” attached hereto (the “Subject Lands”), in the City of Windsor, as a local improvement, pursuant to Part III of the *Ontario Regulation 586/06*, made under the *Municipal Act, 2001* (the “Regulation”), at a cost of Twenty-Two Thousand Three Hundred Dollars (\$22,300.00), HST excluded.

THEREFORE the Council of The Corporation of the City of Windsor (the “Corporation”) enacts as follows:

1. That the decommissioning of the septic system and construction of a sanitary private connection located at the Subject Property (the “Work”), at a cost of Twenty-Two Thousand Three Hundred Dollars (\$22,300.00), being the estimate of Pannunzio Drainage Inc. (the “Contractor”) as set out in Schedule “B” attached hereto, plus HST, applicable interest and reasonable administration costs (collectively, the “Cost”), for the purpose of raising all or any part of the Cost of the Work by imposing special charges on the Subject Property, is hereby authorized as a local improvement under the provisions of Part III of the Regulation.
2. That the Work shall be carried out and executed under the provisions and according to the directions and orders of the City Engineer.
3. That the Cost of the said Work shall be placed on the tax roll for the Subject Lands in the City of Windsor.
4. That the estimated lifetime of the completed Work shall not be less than twenty (20) years.
5. 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 September 28, 2026, 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 – September 28, 2026

Second Reading – September 28, 2026

Third Reading – September 28, 2026

SCHEDULE A

LT 491 PL 1014 SANDWICH WEST; LT 492 PL 1014 SANDWICH WEST; LT 493 PL
1014, SANDWICH WEST; WINDSOR

Being PIN # 01212 - 0381 (LT)

The Subject Lands to be assessed are registered under Assessment Roll Numbers:

1410 Northway Avenue, Windsor

080-650-13500-0000

SCHEDULE B
Estimate



Pannunzio Drainage Inc.

6245 Howard Ave., R.R. #1
Oldcastle, Ontario NOR 1L0
Phone and Fax: 519-966-6738

FIRM CONTRACT

NAME DATE Oct 29/2025
ADDRESS 1410 Northway, Windsor, ON
DETAILS:

To supply labour; equipment, material & permits to change over from septic tank to sanitary sewer. Price includes pumping & filling septic tanks. Price is to install sewer from septic tank to existing connection at property line. Price includes replacing sewage inspector line.

NOTE: All excavation will be removed & back filled with stone

NOTE: owner is responsible for restoration of concrete, asphalt & interlocking bricks

JOB COST \$22,300 + HST


PANNUNZIO DRAINAGE INC.

ACCEPTED: _____

BY-LAW NUMBER 144-2026

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

Passed the 28th day of September, 2026.

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

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

AND WHEREAS it is deemed expedient to repeal By-law 146-2025 and replace it with a new consolidated By-law

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

SECTION 1 TITLE

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

SECTION 2 DEFINITIONS

In this By-law:

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

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

CITY means The Corporation of the City of Windsor.

CITY CLERK means the person duly appointed as Clerk for the City.

COUNCIL means the Council of the City.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OFFICER means a provincial offences officer as defined in the *Provincial Offences Act*, R.S.O. 1990, c. P.33 or any successor legislation.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3 ENFORCEMENT

- 3.1 The City Clerk shall administer this By-law as amended.
- 3.2 This By-law shall be enforced by the City Clerk and any Officer so designated by the City Clerk.

SECTION 4 GENERAL REGULATIONS

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

SECTION 5 REGULATIONS

- 5.1 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that is not a full cut off Fixture.
- 5.2 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that creates Light Pollution.
- 5.3 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that creates Light Trespass.
- 5.4 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, a Laser Source Light or any similar high intensity light outside.
- 5.5 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, a Strobe Light or Stroboscopic Lamp outside.
- 5.6 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Indoor Luminaire in a manner that, in the opinion of the Officer, could be a Nuisance to any Person or is positioned in a way that would purposefully impact adjoining properties.

- 5.7 No Person shall leave Architectural Lighting or Landscape Lighting on between 11:00 p.m. to sunrise of the next day with the exception of the following:
- (a) Dock Light Fixtures and Pathway Light Fixtures;
 - (b) a maximum of three (3) Outdoor Luminaires attached to the exterior of a boathouse; and
 - (c) any other Outdoor Luminaires necessary for the purposes of traversing the Property and which all such Luminaires are only on for a maximum period of one (1) hour.
- 5.8 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, an Outdoor Luminaire that creates Reflected Light.
- 5.9 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, any Festive Lighting in contravention of the requirements of this By-law;
- 5.10 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, any Bubbler Light in contravention of the requirements of this By-law;
- 5.11 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, an Outdoor Luminaire used for a Sport Court or outdoor recreational area that is not in compliance with the requirements of this By-law.

SECTION 6 NUISANCE

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

SECTION 7 EXEMPTIONS

- 7.1 The City is exempt from the requirements of this By-law.
- 7.2 Every Person who installs Festive Lighting shall be exempt from sections 5.1, 5.2, 5.3 and 5.4 and shall comply with the following conditions:
- (a) all Lightbulbs shall be a maximum of either 10 Watts or 70 Lumens;
 - (b) all Festive Lighting is permitted to be operational between November 15 and January 15. Any other festive lighting will be at the discretion of the City Clerk and

- (c) Festive Lighting shall also be exempt from section 5.4 provided that all Laser Source Lighting is pointed directly onto a building of the Property in which the lights are located.
- 7.3 Every Person who installs or owns a Bubbler Light shall be exempt from sections 5.1, 5.2, 5.3 and 5.8 and shall comply with the following conditions:
 - (a) the light shall be blue in colour;
 - (b) the light shall be a solid colour;
 - (c) the light shall not flash or be intermittent at any time;
 - (d) if using a fluorescent light, the maximum Wattage shall be 13 Watts;
 - (e) if using an incandescent light, the maximum Wattage shall be 60 Watts;
 - (f) if using a LED Lighting, the maximum Wattage shall be 10 Watts; and
 - (g) all Bubbler Lights that existed prior to the passing of this By-law and were either a solid red or amber in colour, shall be exempt from section 7.3 until such time that the Lightbulb requires maintenance or needs to be replaced.
- 7.4 Vehicular lights and all temporary emergency lighting needed by the Fire and Police departments, or other emergency services shall be exempt from the requirements of this By-law.
- 7.5 South West Detention Centre.
- 7.6 Nothing in this by-law shall apply to navigational lighting systems at lighthouses and airports, or to airport lighting systems marking runways or taxiways. All radio, communications and navigation towers that require lights shall have dual lighting capabilities. For daytime, white Strobe Lights may be used, and for night-time, only red lights shall be used.
- 7.7 Lighting required through by-law enforcement or emergency services personnel.
- 7.8 Traffic control signals and devices.
- 7.9 Lighting in-compliance with the City of Windsor's Lighting Intensity Standards Study.
- 7.10 Dock Light Fixtures shall be exempt from section 5.1 of this By-law.
- 7.11 Motion-Sensor Activated Lighting may be left unshielded provided it is located in such a manner as to prevent Direct Lighting and Glare onto the properties of others, or into a public right of way, and provided the light is set to only go on when activated and to go off within two (2) minutes after activation has ceased, and the light shall not be triggered by activity off the Property.
- 7.12 The provisions of this By-law do not apply to any theatrical, film or television production approved by the City.
- 7.13 A contractor's identification light, provided it is located on the Property where the work is being performed and only during the period of such work, is exempt from the requirements of this By-law.
- 7.14 The provisions of this By-law do not apply to any of the Special Events, Sports Fields or other activities approved by Council.

SECTION 8 LIGHTING OF OUTDOOR SIGNS

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

SECTION 9 SPORT COURTS AND OUTDOOR RECREATIONAL AREAS

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

SECTION 10 ORDERS

- 10.1 An Officer who finds a contravention of this By-law or an unsafe condition may make an Order directing compliance with this By-law and may require the Order to be carried out within such time as is specified in the Order.
- 10.2 The Order may be served on the Person whom the Officer believes is contravening the By-law, by:
- (a) personal service;
 - (b) prepaid mail to the Person's address shown on the last revised assessment roll and may also be sent to the last address known to the City of the Owner if it differs from that on the assessment roll. In which case the Order shall be deemed to have been served on the fifth day after mailing;
 - (c) posting a copy of the Order on the Property; or
 - (d) any combination of the above as the Officer deems necessary.
- 10.3 Every Order delivered, sent or posted shall identify the Property by street number and name, and/or legal description.
- 10.4 Power of Entry re: Inspections
- Pursuant to section 436 of the *Municipal Act, 2001*, the City Clerk or an Officer may enter on Property at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- a) this By-law; and
 - b) an Order made under this By-law.

10.5 Inspection Powers

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

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

10.6 Inclusion

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

10.7 Entry onto Property

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

SECTION 11 OFFENCES

11.1 Offence

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

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

SECTION 12 NON-COMPLIANCE WITH ORDER

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

12.2 Recovery of Expense

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

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

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

SECTION 13 ADMINISTRATION FEES

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

SECTION 14 LIABILITY

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

SECTION 15 VALIDITY AND SEVERABILITY

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

SECTION 16 REPEAL AND TRANSITION

16.1 Except as provided by Section 16.2 hereof, By-law Number 146-2025, is hereby repealed.

16.2 Notwithstanding Section 16.1 hereof, the provisions of By-law Number 146-2025, shall continue to apply to any properties in respect of which an Order has been issued under the said by-law until such Order has been concluded.

SECTION 17 EFFECTIVE DATE

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

DREW DILKENS, MAYOR

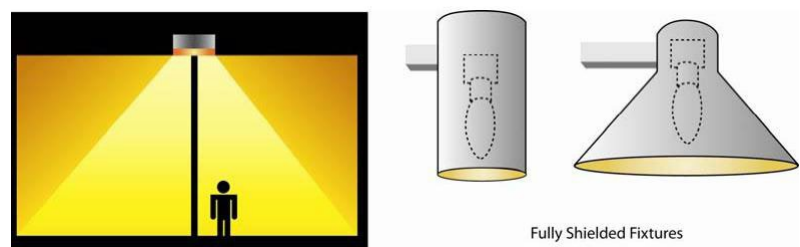
CITY CLERK

By signing this by-law on September 28, 2026, Mayor Drew Dilkens will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

Schedule “A”

TO BY-LAW XXX-2026

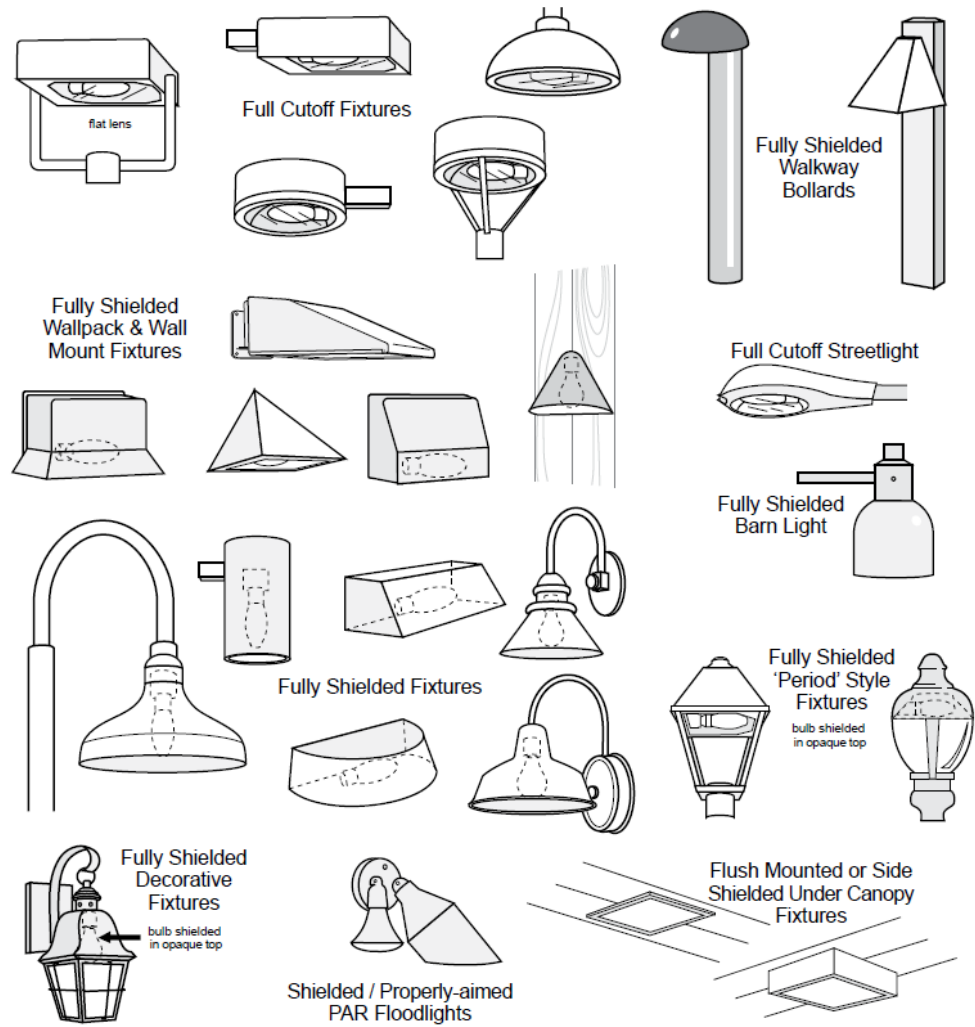
Examples of Full-Cut Off Fixtures



Fully Shielded Fixtures

ACCEPTABLE

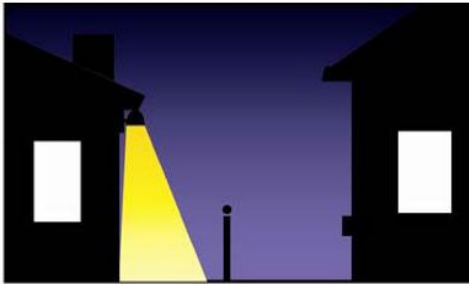
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



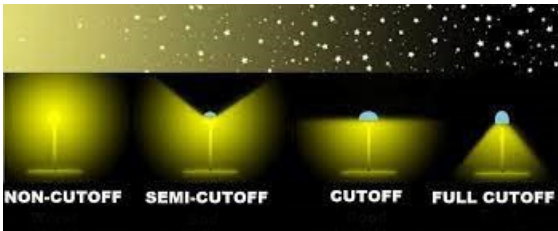
Rendered for the Town of East Hampton, NY by Bob Crelin ©2/05



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



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



BY-LAW NUMBER 145-2026

A BY-LAW TO REGULATE THE FORTIFICATION OF LAND AND PROTECTIVE ELEMENTS APPLIED TO LAND AND TO PROHIBIT EXCESSIVE FORTIFICATION OF LAND AND EXCESSIVE PROTECTIVE ELEMENTS BEING APPLIED TO LAND WITHIN THE CITY OF WINDSOR

Passed the 28th day of September, 2026.

WHEREAS the Council of the Corporation of the City of Windsor deems it appropriate to enact a by-law to regulate the fortification of land and protective elements applied to land and to prohibit excessive fortification of land and excessive protective elements being applied to land within the City of Windsor pursuant to section 133 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended,

AND WHEREAS the Council of the Corporation of the City of Windsor deems it appropriate for the health, safety and well-being of the inhabitants of the City of Windsor to enact a by-law providing for the regulation of fortification of land and protective elements being applied to land and to prohibit the excessive fortification of land and excessive protective elements being applied to land within the City of Windsor pursuant to section 130 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended,

AND WHEREAS it is deemed expedient to repeal By-law 174-2003 and replace it with a new consolidated By-law,

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

SECTION 1 - SHORT TITLE

1.1 This By-law may be cited as the “The Fortification of Land By-Law”.

SECTION 2 - DEFINITIONS AND INTERPRETATION

2.1 In this By-law,

- (1) **“Apply or Application”** means the erection, installation, extension or material alteration or repair of or application to land and includes to construct;
- (2) **“City”** means The Corporation of the City of Windsor;
- (3) **“City Clerk”** means the person duly appointed as Clerk for the City.
- (4) **“Construct” or “Construction”** means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere;
- (5) **“Corporation”** means The Corporation of the City of Windsor;
- (6) **“Council”** means the Council of The Corporation of the City of Windsor;

- (7) **“Emergency Services Personnel”** means any individual employed by a Police Service, Fire Service (including volunteer Fire-Fighters), or Ambulance Service in Ontario who is acting in accordance with the obligations imposed upon them (whether by statutory or common law duty) by their position and includes any person who is directed by an emergency services personnel to do or refrain from doing anything and who acts on those directions;
- (8) **“Excessive Fortification and Excessively Fortify”** means the construction of devices, barriers, or materials applied to land and includes but is not limited to:
- (i) The application of steel plates, steel bars, bullet-resistant/proof shutters or heavy gauge wire mesh to windows or other openings on any and all levels of any structure or building on land with the sole exclusion of basement windows or openings;
 - (ii) The application of concrete block, brick, or other masonry or similar product to partially or completely obstruct or seal any doorway, window, or other exterior entrance or egress to a building or land;
 - (iii) The application of steel sheeting or plates or other similar products to the interior or exterior walls of a structure or building such as to reinforce walls or create a secondary wall such as to protect against firearms artillery, explosives, vehicle contact, shock, and any other similar intrusions;
 - (iv) The application of laminated glass or any other form of break resistant/proof or bullet resistant/proof material to windows or doors;
 - (v) Armour plated or reinforced doors (exterior or interior) designed to resist against impact of firearms artillery, explosives, battering rams, shock or vehicle contact;
 - (vi) The construction of pillars, cones or barriers out of concrete, steel, or any other building material that are designed to obstruct, hinder, restrict, or deny access to any building or land by conventional means of access or modes of transportation; and,
 - (vii) The construction of an observation tower designed to enable the visual observation of surrounding areas beyond the perimeter of the land actually owned or leased/rented by the occupant whether the tower is occupied by an individual or a surveillance camera or like equipment;
- (9) **“Excessive Protective Elements”** means devices, objects, material components, or any contrivance applied to land and includes but is not limited to:
- (i) The application of perimeter warning devices such as “laser eyes” or other types of advanced warning systems be they electronic or otherwise designed to forewarn of the encroachment onto the perimeter of land from adjoining lands or roadways but excluding similar applications to forewarn of entry into a structure located on land;

- (ii) The application of electrified fencing or any similar perimeter barrier including hidden traps, electrified doors or windows, land mines or other explosive devices or any weapon or thing that may become a weapon when triggered or activated on encroachment to land whether designed to, or by application in such manner is, likely to cause death or serious injury; and,
 - (iii) The application of surveillance equipment, including video cameras, 'night vision' systems, or electronic listening devices capable of permitting either stationary or scanned viewing or listening, by an operator or viewer or listener of that equipment, beyond the perimeter of the land actually owned, leased or rented by the occupant.
- (10) **"Fortification and Fortify"** means the construction of devices, barriers, or materials in a manner designed to strengthen, or to provide defensive works to land and includes **Excessive Fortification**;
 - (11) **"Land"** means land, including buildings, mobile homes, mobile buildings, mobile structures, outbuildings, fences, erections, physical barriers and any other structure on the land or on or in any structure on the land;
 - (12) **"Officer"** means means a provincial offences officer as defined in the Provincial Offences Act, R.S.O. 1990, c. P.33 or any successor legislation,
 - (13) **"Protective Elements"** includes, but is not limited to surveillance equipment and includes Excessive Protective Elements.
 - (14) **"Person"** means any natural person and includes a corporation incorporated pursuant to the laws of any jurisdiction and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

SECTION 3 - GENERAL PROHIBITIONS

3.1 No person shall:

- (a) Excessively fortify any land; or
- (b) Apply excessive protective elements to land.

SECTION 4 - EXEMPTIONS

4.1 Clause 3.1 above does not apply to:

- (a) Financial institutions as identified and listed in Schedules I, II, and III of the *Bank Act*, S.C. 1991, c. 46 as amended;
- (b) Detention centres zoned for such use or otherwise permitted by law;
- (c) Lands owned or occupied by the Windsor Police Services, the Ontario Provincial Police or an Ontario Municipal Police Service in accordance with the *Ontario Police Services Act*;
- (d) Lands owned or occupied by the Federal Department of Defence;
- (e) Lands owned or occupied by the Royal Canadian Mounted Police.

SECTION 5 - SCOPE AND LIMITATION OF BY-LAW

5.1 Clause 3.1 does not operate to prohibit;

- (a) The use or application of commercially marketed household security devices designed and applied to provide reasonable fortification and protection from theft or other criminal activity against the person or property of a person; and
- (b) The reasonable use of protective elements such as a “laser eye” or other advanced warning devices on windows or doors of a dwelling house for the purpose of providing a warning to the occupants of that dwelling house or structure or to dispatch emergency services personnel where an actual entry into a dwelling house has occurred; and
- (c) Common household alterations or renovations where the location or style of a door or window may be altered for purely aesthetic reasons and meets local Building Code and Fire Code requirements and have received any permit required to complete such alteration or renovation.

5.2 Nothing in this By-law shall be interpreted as restricting a normal farm practice carried on as part of an agricultural operation pursuant to the *Farming and Food Protection Act, 1998*.

SECTION 6 - APPLICATION FOR PARTIAL OR COMPLETE EXEMPTION

6.1 Any person wishing to obtain a partial or complete exemption from the provisions of this By-law must file with the City Clerk a written application for partial or complete exemption from any provision(s) of this By-Law containing the following information:

- (a) Date of application;
- (b) Complete details of the location of the land, including municipal address, legal description, the existing use of the land and the intended use if any change in use is anticipated;
- (c) A drawing or survey of the land and structures;
- (d) A detailed explanation of the exemption(s) requested and the reasons for requesting such an exemption(s). This should include details of proposed excessive fortification or fortification or application of excessive protective elements or protective elements being considered along with an explanation as to how the proposal relates to the exemption request;
- (d) Proof of ownership of the land or proof of authorization by the owner of the land; and
- (e) The signature of the person making the application.

6.2 All applications will be reviewed by the office of the City Clerk who may make any further inquiries deemed necessary and relevant to the review and investigation of the application and may require the provision of any additional information that shall be provided at the expense of the applicant, including, but not limited to;

- (a) Requests for further details or documentation from the applicant,
- (b) Requiring the provision of any further or other documents considered by the City Clerk to be necessary or relevant to the investigation of the application;

- (c) Information from any department of local, provincial or federal government considered necessary or relevant to the investigation of the application; and
 - (d) Making inquiries and requesting input from local Police, Fire and Ambulance Services, or any other department that may have an interest, issue, concern with the application.
- 6.3 The City Clerk shall, once his or her investigation and review of the application is complete:
- (a) prepare a report containing a recommendation to be considered by Council;
 - (b) that report may recommend either a partial or complete exemption or denial of the application;
 - (c) in the event the report recommends partial or complete approval, the approval may be time limited, or include such other conditions and restrictions as in the opinion of the City Clerk, is appropriate;
 - (d) the reasons for any recommendation must be based upon the information provided pursuant to Clauses 6.1 and 6.2, the investigation and review undertaken pursuant to Clause 6.2 and the principles set out in Clause 6.4 of this By-Law.
- 6.4 Upon review of the documentation required or requested pursuant to Clauses 6.1 and 6.2, the City Clerk may recommend a complete or partial exemption if:
- (a) the applicant is a person;
 - (b) there is, in the opinion of the City Clerk, a reasonable connection between the necessity for the exemption and rationale provided for the exemption and the nature and extent of exemption requested;
 - (c) the nature and extent of the exemption requested does not exceed that which is reasonably necessary; and
 - (d) the necessity of access to emergency services personnel and/or law enforcement officials is not unreasonably interfered with or limited considering the need, necessity and rationale provided for the exemption.
- 6.5 Upon the recommendation of the City Clerk, Council may:
- (a) approve the application for exemption in whole or in part, with such restrictions or conditions as Council deems appropriate; or
 - (b) deny the application.
- 6.6 The Council decision referred to in Clause 6.5 shall be forwarded immediately by the office of the City Clerk to the attention of the Chief of Police, Windsor Police Service, the City's Fire Chief and the County of Essex Director of Ambulance Services.

SECTION 7 - POWER OF ENTRY

- 7.1 An Officer may, at any reasonable time, enter and inspect any land to determine whether this By-law, or an order under this By-law, is being complied with.

- 7.2 No person shall exercise a power of entry under this By-law to enter a place, or a part of a place, that is being used as a dwelling unless:
- (a) The occupier of the dwelling unit consents to the entry, having first been informed of his or her right to refuse entry, consents; or
 - (b) If the occupier refuses to consent, a warrant issued pursuant to Section 158 of the *Provincial Offences Act* is obtained.

SECTION 8 - ORDERS

- 8.1 Where an Officer is satisfied that a contravention of this By-law has occurred, the Officer shall make an Order requiring work to be done to correct the contravention and the Order shall set out:
- (i) The name of the owner of the land;
 - (ii) The municipal address and the legal description of the land;
 - (iii) Reasonable particulars of the contravention and the work to be done and the period within which there must be compliance with the Order; and
 - (iv) A notice stating that if the work is not done in compliance with the Order within the period it specifies, the City may have the work done at the expense of the owner.
- 8.2 If the work required by an Order is not completed within the specified period, an Officer may, at any reasonable time, enter upon the land or may make arrangements for municipal employees or a contractor retained for that purpose, to enter upon the land to do the work and the cost of such work shall be recoverable from the owner by the City in like manner as municipal taxes.
- 8.3 The period described in Clause 8.1 shall not be less than three months if the excessive fortification or excessive protective elements were present on the land on the day this By-law was passed.
- 8.4 The Order identified in Clause 8.1 shall be deemed to be served on the owner of the land by any of the following methods:
- (i) Personally delivered to the owner or occupant of the land, in which case the Order is deemed to come to the attention of the owner of the land on the date of the delivery;
 - (ii) Mailed by registered mail to the municipal address of the registered owner of the land, in which case the Order is deemed to come to the attention of the owner of the land on the third business day after the date of mailing;
 - (iii) Posting the Order in a conspicuous place on the land, in which case the Order is deemed to come to the attention of the owner of the land on the date of the posting.

SECTION 9 - PENALTY AND ENFORCEMENT

- 9.1 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the penalties specified in accordance with the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended or any successor legislation.

SECTION 10 - SEVERABILITY

- 10.1 Should a court of competent jurisdiction declare a part or whole of any provision of the By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

SECTION 11 - EXEMPTION LIMITED BY ACT OF LAW

- 11.1 Any exemption authorized by this By-law in any manner shall in no way be construed or interpreted as an exemption, limitation or excuse from a person's requirement to abide by and comply with any other Federal, Provincial or Municipal Law.

SECTION 12 - REPEAL AND TRANSITION

- 12.1 Except as provided by Section 12.2 hereof, By-law Number 174-2003, is hereby repealed.
- 12.2 Notwithstanding Section 12.1 hereof, the provisions of By-law Number 174-2003, shall continue to apply to any properties in respect of which an Order has been issued under the said by-law until such Order has been concluded.

SECTION 13 - ENACTMENT

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

DREW DILKENS, MAYOR

CITY CLERK

By signing this by-law on September 28, 2026, 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 – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 146-2026

**A BY-LAW TO PROVIDE VITAL SERVICES TO RESIDENTIAL TENANTS IN
THE CITY OF WINDSOR**

Passed the 28th day of September, 2026.

WHEREAS pursuant to section 216(1) of the Residential Tenancies Act, S.O. 2006, c. 17 [the Act], the Council of The Corporation of the City of Windsor may pass by-laws requiring, *inter alia*, every landlord to provide adequate and suitable vital services to each of the landlord’s rental units;

AND WHEREAS pursuant to section 217 of the Act, it is in the best interest of The Corporation of the City of Windsor to have advance notice of the intention of any vital service provider to discontinue the provision of a vital service in order that any interruption to a vital service may be averted;

AND WHEREAS it is deemed necessary by The Corporation of the City of Windsor to require the supply of vital services by landlords and suppliers to rental units and prohibit the cancellation of such services to rental units;

AND WHEREAS it is deemed expedient to repeal By-law 195-2011 replace it with a new By-law,

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

Short Title

- 1. This by-law may be cited as the “Vital Services By-law”.

Definitions

- 2. In this by-law,

“adequate and suitable” means providing enough vital services to make a rental unit habitable, such as providing:

- 1) A supply of hot water at a min. of 45° C (113° F)
- 2) A room temperature of 21° C (70° F) when the outside temperature is -18° C (0° F)
- 3) A vital service to run necessary electrical appliances (i.e. a refrigerator)

“City” means The Corporation of the City of Windsor

“City Clerk” means the person duly appointed as Clerk for the City.

“landlord” means the same as provided in Section 2(1) of the Act

“Officer” means a provincial offences officer as defined in the Provincial Offences Act, R.S.O. 1990, c. P.33 or any successor legislation.

“rental unit” means any living accommodation used or intended for use as rented residential premises in a residential rental building

“residential rental building” means a building, or part thereof, containing 6 or more rental units.

“supplier” means a person who carries on a business of or whose business includes supplying a vital service to an end user

“tenant” means a person who pays rent in return for the right to occupy a rental unit in a residential rental building and includes the tenant’s heirs, assigns and personal representatives

“vital services” means hot or cold water, fuel, electricity, gas or, between September 1st and June 15th, heat

Application

3. This by-law applies to residential rental buildings which are tenant occupied or where a tenant has a right to occupy a rental unit.
4. This by-law does not apply to a landlord with respect to a rental unit to the extent the tenant has expressly agreed to obtain and maintain the vital services.

Landlord Responsibility

5. Every landlord shall provide adequate and suitable vital services to each of the landlord’s rental units.
6. No landlord shall cease to provide a vital service for any rental unit, except in accordance with section 8 of this by-law.
7. A landlord shall be deemed to have ceased providing a vital service for a rental unit if the landlord is obligated to pay the supplier for the vital service and fails to do so and, as a result of non-payment, the vital service is no longer provided for the rental unit.
8. Pursuant of section 6 of this by-law, a landlord may cease providing a vital service only when such cessation is necessary to alter or repair the rental unit and only for the minimum period necessary to effect the alteration or repair.

Supplier Responsibility

- 9.1. A supplier shall not cease to provide the vital service to a residential rental building to which this by-law applies, except where written notice of an intended discontinuance of a vital service is provided to the City Clerk at least thirty (30) days before the supplier ceases to provide the vital service.
- 9.2. A notice of an intended discontinuance of a vital service shall be provided to the City Clerk at the end of the calendar month.
10. A supplier is required to give notice to the City Clerk only if the vital service is to be discontinued for a rental unit, or any part of a residential rental building containing a rental unit, as a result of a breach of contract by the landlord with the supplier for the supply of the vital service.
11. A notice of a discontinuation of a vital service required by this by-law shall contain:
 - (a) The name, address, telephone number, facsimile number, and email of the supplier, and contact person for the supplier,
 - (b) The type of vital service being supplied,
 - (c) The name, address, telephone/cell number, facsimile number, and email of the person with whom the supplier has a contract for the supply of the vital service [i.e. landlord],
 - (d) The municipal address of the residential rental building at which the vital service is being supplied,
 - (e) Where available, confirmation of the number of rental units occupied at the subject site,
 - (f) The nature of the landlord’s breach of contract with the supplier,
 - (g) The date and time when the supplier will discontinue to provide the vital service.

12. If the supplier discontinues the vital service, without providing notice, the supplier shall immediately restore the vital service when directed by the City Clerk.

Enforcement

13. A Property Standards Officer may at all reasonable times enter and inspect a residential rental building or part of a residential rental building with respect to which the by-law applies for the purpose of determining compliance with the by-law.
14. The Property Standards Officer shall not enter a rental unit, except
 - (a) Where the Property Standards Officer received consent of the occupier of the rental unit, after informing the occupant of their right to refuse the Property Standards Officer's entry into the unit, or
 - (b) Where the Property Standards Officer has been authorized to enter a rental unit by a warrant issued under section 231 of the Act.

Offence

15. Every landlord and every supplier who contravenes or fails to comply with this by-law, upon conviction, is guilty of an offence for each day on which the offence occurs or continues, and is liable to the penalties provided for in section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.

Repeal and Transition

- 16.1 Except as provided by Section 16.2 hereof, By-law Number 195-2011, is hereby repealed.
- 16.2 Notwithstanding Section 16.1 hereof, the provisions of By-law Number 195-2011, shall continue to apply to any properties in respect of which an Order has been issued under the said by-law until such Order has been concluded.

Comes into Force

17. 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 September 28, 2026, 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 – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 147-2026

A BY-LAW TO ESTABLISH STANDARDS RESPECTING YARD WASTE &
EXTERIOR PROPERTY MAINTENANCE AND TO PROHIBIT LITTERING IN
THE CITY OF WINDSOR

Passed the 28th day of September, 2026.

WHEREAS Section 8 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person, for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a single-tier municipality may pass by-laws respecting matters within spheres of jurisdiction including but not limited to waste management, drainage and flood control;

AND WHEREAS Section 127 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws requiring an owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings and for regulating when and how such matters shall be done, for prohibiting the deposing of refuse or debris on land without the consent of the owner or occupant of land and for defining “refuse”;

AND WHEREAS Section 128 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws prohibiting and regulating with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS Section 130 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may regulate matters not specifically provided for in the act for purposes related to the health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS Section 131 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may prohibit and regulate the use of any land for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposal;

AND WHEREAS Section 425 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws providing that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS Section 427 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws directing or requiring that a matter or thing be done and that in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense and that a municipality may enter upon land and into structures at any reasonable times for the above purpose and further that a municipality may recover the cost of doing a thing or matter required above and may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes;

AND WHEREAS the Council of the Corporation of the City of Windsor deems standing water, loose rubbish and debris on lands and unkempt yards a nuisance that could create a health and safety hazard for the public;

AND WHEREAS it is deemed expedient to repeal By-law 3-2006 replace it with a new consolidated By-law,

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

Part 1 - Short Title & Definitions

- 1.1 Short Title
- 1.2 Definitions

Part 2 - General Provisions and Administrative Matters

- 2.1 Administration of By-law
- 2.2 Application of By-law

Part 3- Maintenance of Yards & Private Drains

- 3.1 Clean and Clear Yards
 - 3.1.1 Yard Conditions
 - 3.1.2 Hedges and Landscaping
 - 3.1.3 Trees and Landscaping
- 3.2 Naturalized Areas
- 3.3 No Breach when Complying with Waste Collection By-law
- 3.4 Removal of Standing Water
- 3.5 Authority of Medical Officer of Health
- 3.6 Non-Applicability to Agricultural Operations

Part 4 - Backyard Composting Activities

- 4.1 Material not Permitted in Backyard Composter or Compost Heap
- 4.2 Location in Yard
- 4.3 Steps to Reduce Nuisance or Health Hazard

Part 5 - Large Appliance Safety

- 5.1 Large Appliances – Remove or Secure Door

Part 6 - Maintenance of Abutting Untravelled Portions of Highway

- 6.1 Requirement to Maintain
- 6.2 No Breach when Complying with Waste Collection By-law

Part 7 - Prohibition of Littering within the City of Windsor

- 7.1 No Littering
- 7.2 Refuse Deposited at Approved Location
- 7.3 Maintaining the Alley or Land

Part 8 - Inoperative Motor Vehicles

- 8.1 Storing of Inoperative Motor Vehicles
- 8.2 Yard and Storage
- 8.3 Motor Vehicle Salvage Prohibited
- 8.4 Exceptions

Part 9 – Graffiti

9.1 Markings, Stains Graffiti and Defacements

Part 10 - Enforcement and Penalties

- 10.1 Notice to Comply
 - 10.1.1 Where No Notice is Required
 - 10.1.2 Receipt of Notice
- 10.2 Administrative Fees
 - 10.2.1 Property Identification
 - 10.2.2 Source of Mailing Address
 - 10.2.3 Inclusion
- 10.3 Non-Compliance with Notice
- 10.4 Recovery of Expense
- 10.5 Entry onto Property
 - 10.5.1 Entry to Inspect
 - 10.5.2 Entry to Remedy
 - 10.5.3 Non-Obstruction of City Employee or Agent
- 10.6 Offence

Part 11- Severability

11.1 Severability

Part 12 - Repeals & Enactment

- 12.1 Repeal of Previous By-laws
- 12.2 Transition
- 12.3 Effective Date

Part 1 – Short Title & Definitions

1.1 Short Title

This by-laws may be cited as the Yard Maintenance and Anti-Littering By-law.

1.2 Definitions

In this by-law:

Backyard Composter means a retail or homemade unit designed to enhance the decomposition of organic materials not including fat, bones or dairy products, into a soil supplement.

City means The Corporation of the City of Windsor.

City Clerk means the person duly appointed as Clerk for the City.

Council means The Council of the Corporation of the City of Windsor.

Debris means the same as “refuse”.

Deposit means throw, place or set down.

Depression means any natural or human made condition on property that is capable of holding water for more than four (4) consecutive days but does not include a municipally owned storm water management facility or any of the following maintained in good repair and working condition: swimming pool, hot tub, wading pool or artificial pond.

Domestic Waste means any article, thing, matter or any effluent belonging to or associated with a house or household or concerning or relating to the home or family that appears to be waste material, including but not limited to the following classes of material:

- a) accumulations, deposits, leavings, remains;
- b) ashes;
- c) large appliances or any part thereof;
- d) furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks, plumbing fixtures;
- e) inoperative motor vehicles, trailers and vehicle parts and accessories;
- f) paper, cartons, fabrics or carpets;
- g) furniture;
- h) crockery;
- i) sewage,
- j) garbage as defined in by-law 2-2006

Garbage Container means a hard sided container to place garbage in for storage and collection, as described in Part 3 of By-law 2-2006.

Grass means any plant characterized by rounded and hollow jointed stems, narrow sheathing leaves, flowers borne in spikes and hard grain like seeds.

Ground Cover means plants or shrubs characteristically forming an extensive dense growth close to earth.

Industrial and Commercial Waste means any article, thing, matter or effluent belonging to or associated with industry or commerce or concerning or relating to manufacture or concerning or relating to any trade, business, calling or occupation that appears to be waste material, including but not limited to the following classes of material:

- a) articles, things, matter, effluent which in whole or in part or fragments are derived from or are constituted from or consist or agricultural, animal, vegetable, paper, lumber, wood, mineral, metal or chemical products, whether or not the products are manufactured or otherwise produced;
- b) automotive parts, inoperative motor vehicles, trailers, vehicle parts, mechanical equipment, mechanical parts, accessories or adjuncts to the vehicles and mechanical equipment;
- c) piping, tubing, conduits, cable and fittings or other accessories or adjuncts to the piping, tubing, conduits or cable;
- d) containers or pallets or any size, type or composition;
- e) material resulting from or as part of construction or demolition projects;
- f) rubble, inert fill;
- g) bones, feathers, hides;
- h) sewage.

Inoperative Motor Vehicle means licensed or unlicensed a vehicle having missing bodywork, components or parts, including tires or damaged components, parts, bodywork, glass or deteriorated or removed adjuncts, which prevent its mechanical function, and includes a motor vehicle that is not licensed for the current year.

Large Appliance means appliances such as, but not limited to, refrigerators, stoves, freezers, washers and dryers.

Medical Officer of Health means the Medical Officer of Health for the City of Windsor and the County of Essex.

Maintained means to carry out any repairs, reconstruction, refinishing, or replacement of any part or parts of a structure or building or appurtenances including mechanical equipment required so they may properly perform the intended function.

Motor Vehicle means an automobile, truck, boat, motorcycle, snowmobile, trailer, recreational vehicle and any other vehicle propelled or driven by other than muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running solely upon rails, or a traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the *Highway Traffic Act*, R.S.O. 1990, c.H8, as amended.

Naturalized Area means a yard or a portion of a yard containing vegetative growth that does not form part of a natural garden that has been deliberately implemented to produce ground cover, including one or more species of wildflowers, shrubs, perennials, grasses or combinations of them, whether native or non-native, consistent with a managed and natural landscape other than regularly mown grass.

Noxious Weed means a noxious weed designated under the *Weed Control Act* including any weed designated as a local or noxious weed under a by-law of the City passed under this Act.

Nuisance means an injurious, offensive or objectionable condition and, without limiting the generality of the foregoing, shall include a condition which is offensive or obnoxious by reason of the emission of gas, fumes, dust, sawdust or objectionable odour or by reason of the unsightly storage of goods, wares, merchandise, rubbish, salvage, refuse matter, waste or other material.

Occupant means any person or persons over the age of eighteen years in possession of the property.

Officer means a provincial offences officer as defined in the *Provincial Offences Act*, R.S.O. 1990, c. P.33 or any successor legislation.

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

Person means an individual, firm, proprietorship, partnership, association, syndicate, trust, corporation, department, bureau or agency.

Private Drain means a drain or sewer or part of a drain or sewer that is situated on private property.

Private Property means property that is privately owned by a person and is not City property, School Board property, property of the Crown in Right of Ontario or of any of its agencies or property of the Crown in Right of Canada or any of its agencies.

Property means any grounds, yard, vacant lot or watercourse, meaning any natural route or alterations to such route, including rivers, lakes, streams, creeks and channels in which the flow of storm water, groundwater, runoff or precipitation flow is either intermittent or continuous”

Public Property means property that is owned by the City or any of its Boards and agencies, School Boards, the Crown in Right of Ontario or any of its agencies or property of the Crown in Right of Canada or any of its agencies.

Refuse means any article, thing, matter, substance or effluent that is or appears to be

- a) cast aside, discharged or abandoned;
- b) discarded from its usual and intended use;
- c) used up in whole or in part or is expended or worn out in whole or in part;
- d) domestic or industrial and commercial waste, whether it is commercially saleable or recyclable or not.

Standing Water means any water, other than a natural body of water that exists on a permanent basis or contained within a municipally owned storm water management facility, that is found either on the ground or in debris as defined in this by-law, but shall not include any of the following maintained in good repair and working condition: swimming pool, hot tub, wading pool or artificial pond.

Street means any public road, avenue, parkway, lane, alley or highway as defined in the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.

Sewage means any liquid waste containing human, vegetable or mineral matter or waste that is in suspension, whether domestic or industrial, or any other waste whether in suspension or precipitated, but does not include roof water or storm run-off.

Unlicensed shall mean the lack of a currently validated permit for the motor vehicle within the meaning of the *Highway Traffic Act*, displayed on the motor vehicle.

Unsafe Condition means any condition that could cause undue hazard to the health or safety of any person, authorized or unauthorized on or about a property.

Woodlot shall mean an area of trees in excess of 0.2 hectares.

Weed means any weed designated under the *Weed Control Act*.

Yard means land that is not a highway, including vacant lots or any part of a lot, which is not beneath a building and for the purpose of this by-law includes unenclosed decks, unenclosed porches, balconies, patios, unenclosed carports and unenclosed garages accessory to a residential use.

Part 2 – General Provisions and Administrative Matters

2.1 Administration of By-law

The City Clerk shall administer this By-law.

2.2 Application of By-law

This By-law shall apply to all persons within the geographic boundaries of the City, including occupants and owners of property.

Part 3 – Maintenance of Yards & Private Drains

3.1 Clean and Clear Yards

Every owner of property shall ensure that the yard is kept free of refuse and shall ensure that grass and ground cover is trimmed or cut to a height of 31 centimetres (12 inches) or less and shall ensure that weeds are removed or destroyed.

3.1.1 Yard Conditions

Every owner of property shall ensure that the yard is kept free of dead, decayed or damaged trees or other natural growth, and the branches or limbs thereof which create an unsafe or unsightly condition.

3.1.2 Hedges and Landscaping

Every owner of property shall ensure that hedges, shrubs, plantings, trees and all other landscaping on a property shall be maintained in a neat, tidy and healthy condition that is not unsightly or unreasonably overgrown, is acceptable to the Officer, and does not:

1. Obstruct or interfere with the safety and health of the public;
2. Affect the safety of or obstruct the view of vehicular or pedestrian traffic;
3. Detract from the neighbouring environment; or
4. Wholly or partially conceal or interfere with the use of any public infrastructure.

3.1.3 Trees and Landscaping

Every owner of property shall ensure that all dead, diseased or decaying hedges, plantings, trees, or other landscaping which may be a hazard in the opinion of the Officer, shall be removed or returned to a healthy condition.

3.1.4 Every owner or occupant of property shall maintain the property free from rodents, vermin or other pests and free from conditions that may attract such.

3.1.5 Every owner or occupant of property shall ensure that domestic waste in a yard is placed in Garbage Containers.

3.2 Naturalized Areas

Provisions relating to the trimming of grass and ground cover as in section 3.1 above do not apply to naturalized areas.

3.2.1 There must be a buffer strip, minimum of 0.6 metres (2 feet) in width, containing grass or ground cover trimmed or cut to a height of 31 centimetres (12 inches) or less between any naturalized area and an abutting property not owned or occupied by the person keeping the naturalized area.

3.3 No Breach when Complying with Waste Collection By-law

A person does not breach s.3.1 merely by storing, preparing or placing items out for collection by the City in accordance with any City by-law pertaining to the collection of waste, recyclable material or yard waste.

3.4 Removal of Standing Water

Every owner of property shall ensure that any depression in or on the yard is kept free of standing water and that all depressions do not hold standing water for a period of more than four (4) days.

3.5 Authority of Medical Officer of Health

Any action taken under this by-law in relation to standing water in no way precludes the Medical Officer of Health from taking action with regard to standing water as provided for in the *Health Protection and Promotion Act*, R.S.O. 1990, c.H7, as amended.

3.6 Non Applicability to Agricultural Operations

Despite the provisions of Sections 3.1 to 3.5, inclusive, nothing in this section shall be deemed to prevent a farm, meeting the definition of “agricultural operation” under the *Farming and Food Protection Act*, S.O. 1998, c.1, as amended, from carrying out a “normal farm practice” as defined by that Act.

Part 4 – Backyard Composting Activities

4.1 Material not Permitted in Backyard Composter

No person shall permit any bones, meat, dairy or other fat or fat products to be placed in a backyard composter or compost heap.

4.2 Location in Yard

Backyard composters shall be placed behind the building line in a yard and no closer than 0.6 metres (2 feet) to the property line. The backyard composter shall be of a size no greater than 3 metres by 1.5 metres or 4.5 cubic feet (10 feet by 3 feet or 150 cubic feet). The composting shall take place on the property of the person owning, having charge of or harbouring the backyard composter.

4.3 Steps to Reduce Nuisance and Health Hazard

Food waste placed in the backyard composter shall be covered by yard waste, soil or compost and the person owning, having charge of or harbouring the backyard composter shall ensure that no offensive odour is emitted and that it is not attracting or harbouring any vermin.

Part 5 – Large Appliance Safety

5.1 Large Appliances – Remove or Secure Door

If a large appliance is not being used for its manufactured purpose or is being set out for collection by the City, or is being set out in a yard pending collection by the City, the door shall be removed or secured in such a way as to prevent the door from being shut so as to prevent any person from being trapped in such an appliance.

Part 6 – Maintenance of Abutting Untravelled Portions of Highways

6.1 Requirement to Maintain

Every owner of property shall ensure that the untravelled portion of highway abutting their property be kept free of refuse and shall ensure that grass and ground cover is trimmed or cut to a height of 31 centimetres (12 inches) or less and shall ensure that weeds are removed or destroyed.

6.2 No Breach when Complying with Waste Collection By-law

A person does not breach s. 6.1 merely by placing items out for collection by the City in accordance with any City by-law pertaining to the collection of waste, recyclable material or yard waste.

Part 7 – Prohibition of Littering within the City of Windsor

7.1 No Littering

No person shall deposit any refuse on Public Property or Private Property.

7.2 Refuse Deposited at Approved Location

Refuse may be deposited at a waste disposal site that has been approved by the Ministry of the Environment pursuant to the *Environmental Protection Act*, R.S.O. 1990, c.E19, as amended, if the owner of such a waste disposal site has granted permission for the deposit.

7.3 Maintaining the Alley or Land

Every owner or occupant of land in the City of Windsor shall keep and maintain that portion of the alley or land which abuts upon such land, up to the middle of the alley or lane, free and clear of weeds, ashes, paper, building material, rubbish and other refuse.

Part 8 – Inoperative Motor Vehicles

8.1 Storing of Inoperative Motor Vehicles

No person shall keep inoperative motor vehicles or parts thereof upon a yard. Vehicles lacking current valid licence plates shall be parked or stored only within a private garage or other building.

8.2 Yard and Storage

All properties including vacant lots and every yard shall be kept clean and free from unusable, wrecked, dismantled, discarded or partially dismantled or abandoned appliances, machinery, boats, vehicles, trailers or parts thereof, except as provided in subsection (8.4) of this Section;

8.3 Motor Vehicle Salvage Prohibited

No person shall use any land in the City for storing inoperative motor vehicles for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal including for purposes of repairing other vehicles.

8.4 Exceptions

Sections 8.1, 8.2 and 8.3 do not apply if zoning by-laws permit the land to be so used and the person holds a current and valid license issued by the City for the land, permitting motor vehicle salvage or storage. Sections 8.1, 8.2 and 8.3 do not apply to agricultural farm equipment upon a property that is a farm property falling within the definition of “agricultural operation” under the *Farming and Food Protection Act*, S.O. 1998, c.1, as amended.

Part 9 - Graffiti

9.1 Markings, Stains Graffiti and Defacements

Every owner or occupant of land in the City of Windsor shall ensure that markings, stains, graffiti, painted slogans, or other defacements on the exterior walls and surfaces of fences, buildings or structures be removed or covered. These surfaces shall be refinished, restored or covered in an acceptable manner.

Part 10 – Enforcement & Penalties

10.1 Notice to Comply

The City Clerk or an Officer may, by a notice delivered by personal service to the owner or property, or by a notice sent by prepaid mail to the owner of property, or by a notice posted on the property, or by a notice published once in a local newspaper of general circulation, or by any combination of the above as the City Clerk or Officer deems necessary, require the owner or occupant, as the case may be, within seven (7) days of the notice being served

- a) to keep a private drain in repair;
- b) to alter or relay a private drain;
- c) to provide for the sanitary disposal of sewage and drainage from the property;
- d) to clean, clear or remove from the property or yard any refuse;
- e) to cease using the property for the dumping or disposing of refuse;
- f) to cover, screen, shield or enclose any refuse, in the manner specified in the Notice;
- g) to remove any standing water from the property;
- h) to remove any inoperative motor vehicles from the property;
- i) to remove, trim or cut grass or ground cover to a height of less than 31 centimetres (12 inches);
- j) to remove weeds;
- k) to take any action the City Clerk or Officer deems necessary to bring the property into compliance with this By-law.
- l) to remove weeds, ashes, paper, building material, rubbish or other refuse from an alley or lane.
- m) to remove graffiti, stains, painted slogans and other defacements

10.1.1 Where No Notice is Required

Where the condition of the Yard is such that it constitutes a hazard to members of the public, the City Clerk or Designated is authorized to follow the provisions of Section 10.3 of the By-law, without having first issued the Notice.

10.1.2 Receipt of Notice

Where the Notice to Comply is sent by prepaid mail in accordance with Section 10.1 of the By-law, it is deemed to have been served on the fifth day after mailing.

10.2 Administrative Fees

Administrative Fees will be charged in accordance with By-law 392-2002.

10.2.1 Property Identification

Every notice delivered, sent, posted or published shall identify the property by street number and name, and/or legal description.

10.2.2 Source of Mailing Address

Every notice to an owner that is sent shall be sent to the address shown on the last revised assessment roll and may also be sent to the last address known to the City of the owner if it differs from that on the roll.

10.2.3 Inclusion

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

10.3 Non-Compliance with Notice

If an owner or occupant, as the case may be, fails to comply with a notice issued under section 10.1, the City Clerk may take action to do the thing(s) required to be done as specified in the notice.

10.4 Recovery of Expense

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

10.5 Entry onto Property

10.5.1 Entry to Inspect

For the purposes of inspecting a property to determine compliance with the terms of this by-law, the City Clerk or an Officer may enter onto any public or private property.

10.5.2 Entry to Remedy

Where the City proceeds with action under s.10.3 of this by-law, the City Clerk or an Officer or an agent appointed by the City may enter onto the property accompanied by any person(s) under his or her direction and with the appropriate equipment as required to bring the property into compliance with this by-law.

10.5.3 Non-Obstruction of City Employee or Agent

No person shall hinder or obstruct an Officer employed to enforce this by-law from carrying out an inspection of lands nor shall any person obstruct any employee or agent authorized by the City to carry out any work under authority of this by-law.

10.6 Offence

Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine and any other penalties as provided for in the *Provincial Offences Act*, R.S.O. 1990, c.P33, as amended.

Part 11 – Severability

11.1 Severability

If a Court of competent jurisdiction should declare any section or a part of a section of this by-law to be invalid, the remainder of this by-law shall continue in force unless the court makes an order to the contrary.

Part 12 – Repeal & Enactment

12.1 Repeal of Previous By-laws

Except as provided by Section 12.2 hereof, By-law Number 3-2006 and all amendments thereto are hereby repealed.

12.2 Transition

Notwithstanding Section 12.1 hereof, the provisions of By-law 3-2006, shall continue to apply to any properties or persons in respect of which enforcement action has commenced under the said by-law until such action has been concluded.

12.3 Effective Date

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 September 28, 2026, 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 – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 148-2026

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE
"CITY OF WINDSOR ZONING BY-LAW"

Passed the 28th day of September, 2026.

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 Section 1.7.3 of said by-law is amended by replacing it with the following clause:
The City Clerk or their designate including an officer who has the responsibility of enforcing a zoning by-law shall enforce this by-law.
2. That Section 3.10 of said by-law is amended by adding the following definition:
"City Clerk" means the person duly appointed as Clerk for the City of Windsor under the *Municipal Act*, 2001, or any successor legislation.
3. 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 September 28, 2026, 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 – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 149-2026

**A BY-LAW TO ESTABLISH STANDARDS FOR THE MAINTENANCE AND
OCCUPANCY OF ALL PROPERTY IN THE CITY OF WINDSOR**

Passed the 28th day of September, 2026.

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WHEREAS Section 15.1(3) of the *Building Code Act*, S.O. 1992, c. 23, as amended authorizes municipalities to enact by-laws prescribing standards for the maintenance and occupancy of all property within the municipality and for prohibiting the occupancy or use of such property that does not conform with the standards; and for requiring any property that does not conform with the standards to be repaired and maintained to conform with the standards as described herein or the site to be cleared of all buildings, structures, debris or refuse and the lands left in a graded and level condition;

AND WHEREAS the Official Plan for The Corporation of the City of Windsor includes provisions relating to property conditions as required by Section 15.1(3) of the *Building Code Act*, S. O. 1992, c. 23, as amended;

AND WHEREAS Section 35.3 of the Ontario Heritage Act, (OHA) R.S.O. 1990, c. 0.18 authorizes municipalities to pass by-laws to include minimum standards for the maintenance of heritage attributes or properties designated by the municipality under Section 29 or by the Minister under Section 34.5 OHA, and require property that has been so designated, that does not comply with the standards, to be repaired and maintained to conform with the standards;

AND WHEREAS Section 391 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that Council may, by by-law, impose fees for services and activities provided or done by or on behalf of The Corporation of the City of Windsor;

AND WHEREAS it is deemed expedient to repeal By-law 148-2025 replace it with a new consolidated By-law;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

SECTION 1 SHORT TITLE

1.1 This by-law may be cited as the Property Standards By-law.

SECTION 2 DEFINITIONS

2.1 In this by-law:

ACCEPTABLE means:

- (a) accepted by the Chief Building Official of the Corporation with respect to matters under the Building Code; or
- (b) accepted by the Property Standards Officer with respect to the standards set out in this by-law.

ACCESSORY BUILDING means a completely detached building used for an accessory use of the lot.

ACT means the *Building Code Act*, S.O. 1992, c. 23, as amended or any successor thereof.

APPLIANCE means a device to convert fuel to energy and includes all components, controls, wiring and piping required as part of the device by the applicable standard referred to in the Building Code.

BARRIER-FREE means that a building and its facilities can be approached, entered and used by persons with physical or sensory disabilities.

BASEMENT means one or more storeys of a building located below the first storey.

BUILDING means a structure as defined in the Act.

BUILDING CODE means the Regulations made under the section 34 of the Act.

CELLAR means any part of a building where the vertical distance from the grade to the floor is greater than the vertical distance from the grade to the ceiling above.

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

CITY means The Corporation of the City of Windsor.

COUNCIL means the Council of the City.

CITY CLERK means the person duly appointed as Clerk for the City.

CRAWLSPACE means an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance of less than 1.8 metres in height.

DERELICT BUILDING shall mean:

- (a) a building which has been left vacant and/or neglected by the owner for a period of 182 days or more; or
- (b) a building damaged by fire, storm or other catastrophic event where, in the opinion of the Officer the building is beyond practical repair.

DUCT TYPE SMOKE DETECTOR means a device used to detect the presence of smoke in the airstream of ductwork sections of the HVAC air handling systems.

DWELLING means a building or structure that is occupied for the purpose of human habitation. A correction institution, hotel, motel home, recreational vehicle, tent trailer or travel trailer is not a dwelling.

DWELLING UNIT means a room or suite of rooms used by or designed to be used by one (1) or more individuals as an independent and separate housekeeping unit.

EXIT means that part of a means of egress, including doorways, that leads from the floor area it serves to a separate building, an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.

FLOOR AREA means the maximum area contained within the outside walls of a building or within the walls of a room, as the case may be.

GRADE means:

- (a) The average elevation of the crown of that part of the street abutting the front lot line. Where the elevation of a point on a building located on the lot is equal to the grade elevation, that point is deemed to be “at grade”; and
- (b) Grade for an *accessory building* means the average elevation of the finished surface of the ground adjacent to the accessory building.

GUARD means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.

HABITABLE ROOM a room within a dwelling that is designed, legally used, or able to be legally used for living, sleeping, cooking, or dining. A washroom/bathroom within a dwelling unit is a habitable room.

HERITAGE ATTRIBUTES means;

- (a) The attributes or features of property, buildings or structures that contribute to the property’s cultural heritage value or interest that are defined or described or that can be reasonably inferred
 - i. In a by-law designating a property passed under section 29 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation, or otherwise; and
 - ii. In a Minister’s order made under section 34.5 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation or otherwise.
- (b) The elements, features or building components including, roofs, walls, floors, retaining walls, foundations and independent interior structures and structural systems that hold up, support or protect the heritage values and attributes and without which the heritage values and attributes may be at risk.

HERITAGE PROPERTY means real property, and includes all buildings and structures thereon, in the City that:

- (a) Has been designated by the City under section 29 of the *Ontario Heritage Act* or by the appropriate Minister under section 34.5 of the *Ontario Heritage Act*, or
- (b) Is within a heritage conservation district pursuant to Part V of the *Ontario Heritage Act*.”

INTERCEPTOR (GREASE & OIL) means a plumbing device designed to trap and separate grease, oil, and other non-soluble substances from wastewater before it enters the sewage system.

LOW-IMPACT DEVELOPMENT (LID) is a term that describes through land use planning and engineering design an approach to manage storm water as part of green on-site infrastructure.

MAINTAINED means to carry out any repairs, reconstruction, refinishing or replacement of any part or parts of the structure or building or appurtenances including heating and ventilation equipment required so they may properly perform the intended function.

MEANS OF EGRESS means a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or other egress facility or combination thereof for the escape of persons from any point in a building floor area, room or contained open space to a public thoroughfare or other suitable open space and includes exit and access to exits.

MULTIPLE DWELLING means one (1) dwelling, other than a double duplex dwelling, attached dwelling or townhome dwelling, containing a minimum of three (3) dwelling units.

NEGLECT means the failure of a property owner to maintain the property in accordance with the standards set out in this by-law.

NON-RESIDENTIAL PROPERTY means a building or structure, or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant thereto and all outbuilding fences or erections thereon or therein.

OCCUPANT means any person or persons over the age of eighteen years in possession of the property.

OFFICER means a provincial offences officer as defined in the *Provincial Offences Act*, R.S.O. 1990, c. P.33 or any successor legislation.

ONTARIO BUILDING CODE (OBC) means the regulations made under section 34 of the Act.

ONTARIO HERITAGE ACT means the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18 as amended.

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

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

PARKING AREA means an area used for parking spaces, bicycle parking spaces and loading spaces and includes all collector aisles and parking aisles capable of being maintained for the parking of five (5) or more operable motor vehicles. An outdoor storage yard is not a parking area.

PARKING GARAGE/STRUCTURE (STORAGE GARAGE) means a building or part of a building that is intended for the storage or parking of motor vehicles and that contains no provision for the repair or servicing of motor vehicles.

PART IV HERITAGE PROPERTY means property designated under section 29 or 34.5 of the *Ontario Heritage Act*.

PERSON includes any individual, an owner, occupant, agent, contractor, tenant, firm, proprietorship, partnership, association, syndicate, trust, corporation, department, bureau or mortgagee.

PRIVATE SEWAGE CONNECTION means the part of a private sewer system which connects private property to a municipal sewer system and includes: the tee or tap into the municipal sewer, the entire lateral from the municipal sewer to 3 feet (1.0 metres) inside the building including the cleanout tee fitting, the riser and cap/cast iron cover or sampling manhole with cast iron frame and cover; but does not include storm drainage or storm connections.

PRIVATE SEWAGE SYSTEM means a system contained on private property consisting of a septic tank, treatment unit and/or leaching bed system servicing a building(s) located wholly within the boundaries of the lot or parcel of land.

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

REAR YARD DRAIN means a drainage system located in the backyard of a property designed to collect and redirect excess rainwater.

REPAIR includes the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that the property conforms to the standards established in this by-law to the satisfaction of the Officer.

RESIDENTIAL PROPERTY means a building or structure or part of a building or structure that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes the land and premises appurtenant thereto and all mobile buildings or structures, outbuildings, retaining walls, fences and erections thereon, whether heretofore or hereafter erected.

SAFE CONDITION means a condition that does not pose or constitute a hazard or risk to life, limb or health of any person on or about the property, and includes a structurally sound condition.

SERVICE ROOM means a room provided in a building to contain equipment associated with building services.

SEWAGE means any liquid waste containing animal, vegetable or mineral matter in suspension or solution, but does not include storm water.

SEWAGE SYSTEM means the City of Windsor's system of storm sewers, sanitary sewers and combined sewers, or a private sewage disposal system approved by the City Engineer or Chief Building Official within the City.

STOREY means that part of a building between any floor and the floor, ceiling or roof next above. Any part of a storey exceeding 4.0 metres in height is deemed to be an additional storey for each 4.0 metres, or fraction thereof, of such excess. A cellar and that part of a building located entirely within a sloping roof and having a ceiling height greater than 2.0 metres over a floor area less than 50.0 percent of the area of the floor next below, is not a storey.

STORM WATER means discharge from a surface as a result of rainfall, snow melt and snow fall.

STORM WATER MANAGEMENT SYSTEM means an infrastructure designed to manage the runoff of rainwater, including drains, pipes, detention basins, storage facilities and other components.

SUITE means a single room or series of rooms of complementary use, operated under a single tenancy, and includes dwelling units, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.

TSSA means Technical Standards and Safety Act, 2000, S.O. 2000, c. 16.

UNSAFE CONDITION means any condition that could be hazardous to the health or safety of any person authorized or unauthorized on or about the property.

USER FEE SCHEDULE BY-LAW means a by-law to establish and require the payment of fees and charges.

VACANT BUILDING shall mean a building which is neither used nor occupied by the owner or a tenant under a signed tenancy/lease agreement, for a period of more than 182 days.

WIRING means the installation of any wiring in or upon any land building, or premises from the point or points where electric power or energy is delivered therein or thereon by the supply authority or from the points where electric power or energy can be used therein or thereon by any electrical equipment and shall include the connection of any such wiring with any of the said equipment and any part of the wiring aforesaid and shall also include the maintenance, alteration, extension and repair of such wiring.

YARD means an open space, which is located on the same lot as a building or other structure and is unoccupied and unobstructed from ground to sky except for any encroachments not prohibited by the City Zoning By-law.

2.2 Any word or term not defined in this by-law shall have the meaning ascribed to it in the Act or the Ontario Building Code.

SECTION 3 AUTHORITY

3.1 The City Clerk shall administer this by-law.

3.2 The City Clerk and appointed Officers are responsible for enforcing this by-law.

SECTION 4 PROPERTY STANDARDS COMMITTEE

4.1 For the purpose of this by-law, there is hereby established a Property Standards Committee which shall be composed of not fewer than three members, who shall remain in office at the pleasure of Council.

4.2 The Council of the City may appoint members of the Property Standards Committee, to coincide with the term of Council of the City. The members of the Property Standards Committee shall be paid such compensation as the Council may provide, and when a vacancy occurs in the membership of the Property Standards Committee, the vacancy shall forthwith be filled.

4.3 The members of the Property Standards Committee shall select one of themselves to act as chair, who shall preside at all meetings thereof. In case of the absence of the chair, the Property Standards Committee may appoint another member as acting chair.

4.4 A majority of the members of the Property Standards Committee shall constitute a quorum and the Property Standards Committee may adopt its own rules of procedure.

- 4.5 Any member of the Property Standards Committee may administer oaths.
- 4.6 The Property Standards Committee shall appoint a secretary who shall keep on file minutes and records of all applications and the decisions thereon, and all other official business of the Property Standards Committee, and Section 253 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, applies with necessary modifications to such documents.
- 4.7 The Property Standards Committee shall give notice or direct that notice be given of the hearing of an appeal to such person(s) as the Property Standards Committee considers advisable.
- 4.8 An owner who appeals an order shall pay the fee as outlined in the City of Windsor User Fee Schedule, as passed and amended by Council, from time to time, at the time the appeal is filed.

SECTION 5 STANDARDS

- 5.1 The standards for the maintenance and occupancy of property set out in this by-law, are adopted as the minimum standards for all property within the City.

5.2 STANDARDS FOR ALL PROPERTIES

5.2.1 Maintain Safe and Sanitary Condition

Every owner or occupant of a property shall maintain the property or part thereof they occupy or control in a clean, sanitary and safe condition in accordance with this by-law.

5.2.2 Tenant/Occupant Requirements for Floor, Wall, Ceiling & Fixtures

Every owner or occupant of a property shall maintain every floor, wall, ceiling and fixture, under his/her/its control in a clean, sanitary and safe condition.

5.2.3 Storage of Garbage, Refuse, Appliances or Furniture in a Means of Egress

Accumulations or storage of garbage, refuse, appliances or furniture by either the occupant or owner in a means of egress shall not be permitted.

5.2.4 Structural

Every part of a property shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight, the loads due to the use and occupancy, and the loads imposed by natural causes such as wind, rain and snow as set out in the Building Code regulations made under Section 34 of the Act.

5.2.5 Structural Engineer's Report

Where, in the opinion of the Officer, there is doubt as to the structural condition or adequacy of the building or part thereof, the Officer may order that a building or structure or part thereof be examined by a professional engineer qualified to perform such inspections and licensed to practice as an engineer in Ontario, at the owner's expense, and that a written report, which may include drawings detailing recommended remedial work, be provided to the Officer.

5.2.6 Foundations

In every building or structure, the foundations, piers, posts or other similar supports shall be maintained in good repair and structurally sound. Where necessary, foundation walls shall be extended to a depth of 1,070 mm below finish grade, provided with subsoil drains at the footings, shored, waterproofed, and treated or repaired to prevent moisture penetration or footing settlement. Every foundation wall, basement, cellar or crawlspace shall be maintained so as to protect the building against deterioration, including that due to weather, water entry, dry rot, and infestation by rodents, vermin or insects. The perimeter of slab on grade type foundations shall be maintained to prevent rodent infestation.

5.2.7 Exterior Walls

All exterior walls shall be maintained in a watertight condition and in good repair so that they remain straight, level and plumbed (unless otherwise designed), presenting an appearance that is uniform and neat in the opinion of the Officer and free from any damaged, defective, unsecured or deteriorated materials and any conditions that may result in the infestation of rodents, vermin or insects. Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.

5.2.8 Exterior Doors & Windows

Exterior doors, windows and skylights shall be maintained in good repair and weather tight. Rotted and defective doors, door frames, window frames, sashes and casings shall be renewed and defective door and window hardware, weather stripping, caulking and broken glass shall be replaced. Repairs to windows shall be i) reglazing, or refitting with panes of transparent glass; or ii) the use of other materials which are compatible in finish and colour with the remainder of the facade of the building on which the broken window is located, provided such other material are of an appropriate thickness, have sufficient structural support, and are installed so that no broken glass is visible for the exterior of the building. Replace defective, damaged or missing hardware and locking devices: sash controls.

5.2.9 Stairs, Porches, Landings, Loading docks, Balconies, Canopies, Awnings, Fire Escapes

All stairs, porches, landings, loading docks, balconies, canopies, awnings, fire escapes together with any guard, balustrade, railing, screen or other appurtenance attached thereto shall be maintained in good repair and in a safe and structurally sound condition.

5.2.10 Required Handrails or Guards at Stairs

A handrail or guard shall be provided and maintained in good repair as follows:

- i. at least one side of stairs less than 1 100 mm in width;
- ii. two sides of stairs 1 100 mm in width or greater;
- iii. two sides of a curved stair used as an exit;

- iv. handrails are not required for stairs
 - (i) within dwelling units having not more than 2 risers; or
 - (ii) for exterior stairs having not more than 3 risers and serving not more than one dwelling unit.
- v. only one handrail is required on exterior stairs having more than 3 risers provided such stairs serve not more than one dwelling unit;
- vi. except as required in (b) & (c), one handrail may be provided centrally for stairs up to 2.4 m wide; and
- vii. handrails shall have a maximum uniform height of 920 mm when measured vertically from a line drawn through the outside of the stair nosing and minimum uniform height of 800 mm.

5.2.11 Height of Guards

A guard shall be installed and maintained in good repair as follows:

- (a) Except for the edges of the floor pits in repair garages and loading docks, every surface to which access is provided for other than maintenance purposes, including but not limited to exterior lands, porches, decks, balconies, mezzanines, galleries, raised walkways and roofs, shall be protected by a guard having a minimum height of 900 mm on each side which is not protected by a wall and where there is a difference in elevation to adjacent surfaces of more than 600 mm. Except that a guard of 710 mm minimum height is acceptable for exterior porches, decks and balconies where the vertical drop from the open side exceeds 600 mm but does not exceed 1 800 mm.
- (b) Every exterior stair with more than 6 risers and every ramp shall be protected with guards on all open sides where the difference in elevation between the adjacent ground level and the stair or ramp exceeds 600 mm.
- (c) When an interior stair has more than 2 risers, the side of the stair and the landing or floor level around the stairwell shall be enclosed by walls, or be protected by guards, except that a stair to an unfinished basement in a dwelling unit is permitted to have 1 unprotected side.

5.2.12 Openings in Guards

Guard – Openings

Guards for residential occupancies shall have no openings which would permit the passage of a spherical object having a diameter of 100 mm unless it can be shown that the location and size of such openings which exceed this limit does not represent a hazard.

Guards – Not to Facilitate Climbing

Guards around exterior balconies, porches and decks of buildings of residential occupancy shall be constructed and maintained not to facilitate climbing.

5.2.13 Stair Requirements

Stairs

(a) Stairs – Interior – Single Unit Dwelling

The stair tread rise and run for residential interior single dwelling unit shall not exceed the following unless existing acceptable to the Officer:

- (i) Maximum rise 210 mm
- (ii) Minimum tread 230 mm
- (iii) Minimum run 200 mm
- (iv) If run is less than 240 mm, a 25 mm nosing is required

(b) Stairs – Residential – Not Within

- (i) Maximum rise 210 mm
- (ii) Minimum tread 240 mm
- (iii) Minimum run 212 mm
- (iv) If run is less than 240 mm, a 25 mm nosing is required

(b) Stairs – Non-residential

- (i) Rise minimum 125 mm, maximum 200 mm
- (ii) Minimum run of 230 mm, must be uniform
- (iii) If run is less than 240 mm, a 25 mm nosing is required
- (iv) Existing winders of not more than 3 in 90 degrees and not more than 1 set between floors are permitted and where each tread is not less than 30 degrees and each tread is not greater than 45

(c) Stairs – Service Rooms – curved/spiral

Stairs may exceed the requirements in 1.13 (c) if serving only service rooms, service spaces and other rooms unused in industrial occupancies serving equipment and machinery, or existing curved and spiral stairs in dwelling units acceptable to the officer.

5.2.14 Roofs, Chimneys, Fascia, Soffit, Antennas, Solar Panels

All roofs, including chimneys, stacks, masts, lightning arresters, antennas, fascia, soffits, flashings, solar panel and supports, and other roof structures shall be maintained in good repair, watertight and structurally sound condition. Such maintenance may include, but is not limited to: a) removal of loose, unsecured objects or materials b) keeping roofs and chimneys weather tight and free from leaks and/or defects.

5.2.15 Eaves Troughs

Water runoff from roof surfaces shall discharge into an eaves trough or gutter and thence to a downpipe, discharging directly to grade with an appropriate extension away from the building to prevent flooding, erosion and other nuisance to neighboring properties. Discharge into the municipal storm system may be permitted if approved or authorized by the City Engineer or his/her designate.

5.2.16 Storm Water Management and Rear Yard Drain Maintenance

Property owners must ensure the effective operation and maintenance of their rear yard drains and storm water management systems as designed, thereby protecting their property and the surrounding environment.

5.2.17 Ventilation Systems

All properties provided with designed mechanical ventilation systems shall operate the system on a continuous basis. The system controls, louvers and associated equipment shall be maintained in safe working order.

5.2.18 Chimneys, Prefabricated Chimneys & Vents

Every chimney, prefabricated chimney, smoke pipe, flue and gas vent in use or available for use in a building shall:

- (a) be of a type listed for the appliance for which it is being used, properly secured, free from fire hazards and unsafe conditions;
- (b) be maintained so as to prevent the escape of combustion gases into the building;
- (c) be adequately supported as to maintain proper alignment;
- (d) be kept clear of obstructions;
- (e) be sealed at all joints or tightly sealed; and
- (f) all deteriorated and/or loose masonry shall be repaired.

5.2.19 Fuel Burning Heating Equipment

All fuel burning heating equipment shall:

- (a) be connected to a chimney or flue, which vents to the exterior of the building;
- (b) be furnished with an adequate supply of combustion air to ensure proper combustion of the appliance; and
- (c) be maintained in a good state of repair and in a safe operating condition.

5.2.20 Water Supply Premise Isolation

All water supply cross connection devices specifically designated as "Premise isolation" or other testable devices located on the property shall be tested annually by a licensed tester at the expense of the owner or agent of the owner in accordance with the most recent edition of the CSA STANDARD listed in the Ontario Building Code for selection and installation of backflow preventers, proof of testing shall be provided upon request by the Officer.

5.2.21 Sewage Discharge

All sewage shall be discharged directly into the municipal sewage system where one is available. Where a municipal sewage system is not available, an alternate means of disposal, acceptable to the Officer, shall be used and maintained in good repair. The

maintenance of a private sewage system shall include i) septic tanks
ii) leaching beds iii) dry wells.

5.2.22 Maintenance of Private Sewer Connections

All private sewer connections must be maintained free from blockages, collapse or unacceptable conditions.

5.2.23 Sewers: Properties Services By

A property shall be deemed to be serviced by an available City sewer system if the sewer system is within 30.0 metres of any said property abutting municipal rights-of-way. In the event a City sewer system becomes available, the property owner will have one (1) year to connect to the available sewer and decommission the private sewage system per section 5.2.25. The availability of the sewer will be determined by the City Engineer.

5.2.24 Backwater Valves

Backwater valves installed on building drains must be maintained to provide an effective barrier to municipal backups.

5.2.25 Decommissioning of Private Sewage System

To decommission, septic tanks, treatment units, leaching beds or dry wells they shall be pumped dry and the contents disposed of at a suitable disposal site and a receipt of the disposal fee shall be submitted to the Officer. The tanks treatment units or dry wells shall be disposed of to the satisfaction of the Officer, cavities shall be filled with sand or other suitable material and the ground graded to match existing grades. Existing building drain(s) not being reused shall be removed from the foundation wall and the foundation wall shall be repaired and made impervious to water.

5.2.26 Damaged Vacant Building

A vacant building or structure damaged by fire, storm or other causes, shall be repaired to its original condition or demolished within 182 days of the issuance of an Order.

Until the necessary repair or demolition can be undertaken, the building or structure shall be supported and barricaded to avoid unauthorized entry, prevent fire hazards and prevent unsafe conditions.

5.2.27 Damaged Building

Every building damaged by fire, storm, or other unintended causes until repairs have been completed shall effectively:

- (a) be protected against the further risk of fire, or unsafe conditions;
- (b) be secured to prevent the entrance thereto of unauthorized persons; and
- (c) have the exterior building envelope sealed with an appropriate material to protect the interior from rain, snow or other environmental elements that would cause the building to further deteriorate.

5.2.28 Materials Used to Board Buildings

All materials used to board vacant buildings damaged by fire, storm, or other unintended causes, shall be tight fitted plywood, composite panels or wood boards painted with an exterior grade paint so that the colour compliments the building's exterior elements and is acceptable to the Officer.

5.2.29 Demolition of a Building

Where a building or structure is demolished:

- (a) the site shall be cleared of all rubbish, debris, refuse, masonry, lumber and other materials and left in a graded and leveled condition;
- (b) unless new construction is to commence immediately on the same footings and/or foundation walls, the footings and foundations shall be removed unless authorized and described on the demolition permit by the Chief Building Official;
- (c) only clean, inert, native material or granular material approved by the Chief Building Official shall be used as backfill;
- (d) building rubble including but not limited to, broken bricks and concrete, shall not be acceptable as backfill material;
- (e) building services such as gas, electrical and water lines, sewer lines, and other such services, shall be properly abandoned per the City Engineer's best engineering practice standards and the authority having jurisdiction; and
- (f) the site shall be properly graded, grass seeded and otherwise restored to the satisfaction of the Officer to ensure that water will not pond on the site, or drain onto adjoining properties.

5.2.30 Demolition of Part of a Building

Where part of a building or structure has been demolished, the exterior walls of the remaining part of the building or structure shall comply with the requirements of this by-law and the walls shall be finished with a parge coat of cementitious mortar or otherwise treated with a protective coating to prevent the entry of water into the building and to present a neat and uniform appearance, in the opinion of the Officer, free from the outlines of partitions, stairs, doors, floors, signs and from areas of multi-coloured paint or wallpaper.

5.2.31 Yard Rubbish, Debris

All properties and every yard shall be kept clean and free from rubbish, brush or other debris and from objects or conditions, such as holes or excavations, that might create a fire hazard or unsafe conditions.

5.2.32 Buffering and Screening Garbage Containers

Where commercial, industrial or multi-residential on site garbage containers are visible from a residential property or from a public street, the area where the receptacles are being stored shall be buffered and screened from adjoining or nearby residential properties or public areas so as to minimize the effect of the nuisance in accordance with applicable municipal by-laws.

Without limiting the generality of the foregoing, such buffering and screening shall be acceptable to the Officer, and shall include the provision and maintenance of an effective system to cover, contain, screen and facilitate the collection and removal of waste materials and debris.

5.2.33 Lighting & Walkways-Multiple Dwellings and Non-Residential

Regarding yard conditions:

- (a) In yards of multiple dwellings and non-residential properties, sufficient lighting of exterior property areas shall be provided to minimize any danger to persons using walkways;
- (b) All exterior lighting standards and fixtures shall be kept in a safe condition, in working order, in good visual condition and must be compliant with the City's lighting by-law; and
- (c) Walkways shall be maintained, resurfaced or re-graded as necessary to ensure a reasonably smooth, slip free and safe surface for pedestrian traffic.

5.2.34 Water From Downspouts and Sumps

The storm water run-off from all downspouts, sump pump discharges or impervious surfaces shall be designed and maintained so as to discharge water run-off away from the building and to prevent flooding, erosion and other nuisance to neighboring properties.

5.2.35 Retaining Walls

Retaining walls, signs and all structures appurtenant to a property shall be maintained in good repair, free from unsafe conditions including fire hazards and capable of safely performing the function for which they were designed.

5.2.36 Sound Barriers

Existing barriers and berms required for sound attenuation and train safety shall be maintained safe, plumb, unless designed otherwise and structurally sound.

5.2.37 Parking Areas

All parking areas shall be:

- (a) entirely paved and maintained with a hard surface consisting of concrete, asphalt, paving brick or block or similar material acceptable to the City Clerk that is free from excessive cracks, pot holes, and delaminating;
- (b) provided with an internal drainage system satisfactory to the Officer, which discharges into the municipal storm system as approved by the City Engineer's Office;
- (c) provided with a minimum 150 mm in height curbs or curb stops secured to minimize the risk of vehicles damaging fences, lamp standards and other structures, and to restrict access to untraveled portions of City rights-of-way;
- (d) provided with sufficient full-cut off lighting compliant with City's LISS Council Resolution 228/2005; and,

- (e) provided with visible markings and islands, to indicate parking spaces, ingress and egress routes.

Note: Parking areas using 'Low Impact Design' (*LID*) criteria that have been approved and constructed pursuant to the City's Site Plan Control by-law are exempt from section 5.2.37.

5.2.38 Fire & Suppression Systems

Fire detection systems, fire alarm systems, standpipe and sprinkler systems, where required, shall be maintained in working condition and records for the routine testing and maintenance of these systems shall be readily available for the Officer's review upon demand.

5.2.39 Fire Separations

The integrity of all required fire separations and associated smoke seals and fire stopping systems shall be maintained.

5.2.40 Elevators, Hoists, Lifts, Moving Walkways & Escalators

Elevators, hoists, lifts, moving walkways and escalators shall be maintained in working order and in accordance with the requirements of the TSS Act, 2000, S.O., 2000, c 16 as amended from time to time, and any regulations made there under. Including lighting fixtures, elevator buttons, floor indicators and ventilation fans. Routine testing and maintenance records of these systems shall be readily available for the Officer's review upon demand. Repair of inoperable elevators shall be done as expeditiously as possible.

5.2.41 Refuse Chute System

Where a refuse chute system was originally provided in a multiple floor building, the system shall be maintained except that acceptable alternatives may be provided if facilities are readily accessible to occupants. Refuse chute systems, disposal rooms, containers and receptacles shall be washed down, disinfected and maintained as is necessary to be clean, odour free and in good working order and repair.

5.2.42 Parking Garage & Parking Structures Requirements

Parking garages and parking structures shall be:

- (a) maintained in a clean, structurally sound, free from defects and safe condition;
- (b) adequately ventilated at all times to provide (3.8L/s/m²) of floor area minimum if ventilated by mechanical means unless the system is controlled by a Carbon Monoxide detection system;
- (c) the ventilation systems referenced in sentence (b) shall be maintained in proper working order, free from defects;
- (d) where the officer has doubts to the effectiveness of the ventilation and/or carbon monoxide detection system, can at the owners expense order testing to confirm compliance with sentence (b);

- (e) adequately lighted at all times, so that the number and arrangement of light fixtures is such as to provide an average level of illumination of at least 54 lux at floor level over the entire floor area with a minimum level of 11 lux at any location on the floor;
- (f) equipped with wire screens or other suitable means of protection for lighting fixtures, so as to prevent accidental or malicious damage; and
- (g) shall be provided with an effective fire separation and barrier to the passage of gas and exhaust fumes from any part of the parking garage into any other part of the building used or intended to be used for human occupancy.

5.2.43 Barrier-free Buildings

All existing barrier-free requirements shall be maintained in existing buildings required to be barrier-free.

5.2.44 Barrier Free Buildings - Types of Classes

The following types of classes of buildings and structures shall be upgraded to provide barrier free access at the principal entrance to the following buildings:

- (a) medical and dental facilities with more than one (1) doctor;
- (b) places of public assembly occupancy including schools, colleges, universities and places of instruction/training;
- (c) banks and other financial institutions;
- (d) restaurants with more than 60 seats;
- (e) rest homes and lodging homes; and
- (f) commercial occupancies including retail stores and offices, but limited to those that are more than three storeys in height or more-than six hundred square meters in floor area.

5.2.45 Barrier Free Requirement Do Not Exceed the Standards

Barrier free requirements shall not be required to exceed the standards contained in the Ontario Building Code.

5.2.46 Accessibility to persons with Disabilities

A requirement of Section 5.2.44 and 5.2.45 shall be deemed to be complied with if, in the opinion of the Officer, the building will provide accessibility to persons with disabilities, taking into consideration physical limitations in the design of the building that may make some upgrading impractical.

5.2.47 Rodents, Vermin, Termites, Injurious Insects & Other Pests

Every dwelling property owner, and every occupant in that part of a property that he or she controls, shall maintain the property free from rodents, vermin, termites, injurious insects and other pests, and from conditions which might encourage infestation by such pests. Methods used for exterminating rodents or insects or both shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990, Chapter P.11, as amended, and all regulations enacted pursuant thereto.

5.2.48 Means of Egress/Exit

Means of egress(s):

- (a) Every dwelling shall have safe, continuous and unobstructed passage or means of egress from the interior of each dwelling unit contained therein to the exterior of the dwelling at or near street or grade level;
- (b) Except as provided in sentence (c), every dwelling, containing dwelling units located other than on the first floor or the floor directly above the first floor, shall provide a second means of egress from such dwelling units to the exterior of the dwelling at or near grade level;
- (c) A second means of egress shall not be required from any dwelling unit having a separate or self-contained means of egress to the exterior of the dwelling at or near grade level; and
- (d) A required means of egress shall not pass through an attached or built-in garage or an enclosed part of another dwelling unit.

5.2.49 Equipment

All equipment, components and supplies or replacement equipment, components and supplies must be Canadian Standards Association approved or otherwise listed in a manner consistent with the Ontario Building Code as amended or other authority having jurisdiction.

5.2.50 Building Used as Illegal Marijuana Grow Operations

Buildings identified by police services as illegal marijuana grow operations will require the following:

- (a) Mould Air Quality Report- at the owner's expense, a report prepared by a Certified Air Quality Assessment professional, trained and knowledgeable in this field, detailing mould spore samples and related air quality. The owner will undertake the appropriate remediation outlined in the report. The owner will also provide a follow-up report, at their own expense, which confirms that air quality levels consistent with a healthy environment have been attained at the premises, to the satisfaction of the Property Standards Officer;
- (b) Structural Report - where the Officer has doubt as to the structural condition or adequacy of the property, the Officer may require compliance with section of 5.2.5 this by-law; and

- (c) Electrical Report - where an Officer has reason to believe the building electrical system may pose an unsafe condition, may require at the owners expense the submission of an Electrical Safety Authority Clearance Certificate to the Officer.

5.3 STANDARDS FOR NON-RESIDENTIAL PROPERTIES

5.3.1 Maintain Safe & Sanitary Conditions

Every owner or occupant of a property shall maintain the property or part thereof they occupy or control as follows:

- (a) in a clean, sanitary and safe condition, free from litter, garbage and debris, including such litter and garbage as may be left by customers or other members of the general public, and shall provide containers for the disposal of such litter or garbage; and
- (b) free from objects or conditions which create fire hazard or unsafe conditions.

5.3.2 Ventilation

All non-residential properties shall be adequately ventilated by natural or mechanical means on a continuous basis, in a safe and working order and with regard to the operations carried on therein, to ensure that persons within the property are not exposed to conditions deleterious to their health or safety as described in the current edition of the American National Standards Institute/American Society of Heating, Refrigerating and Air Conditioning Engineers. (ASHRAE) Standard 62.1.

5.3.3 Lighting

In all parts of a non-residential building, a minimum level of illumination of 50 lux shall be provided and maintained which will adequately protect all persons within the building from unsafe conditions.

5.3.4 Heating Systems

All non-residential buildings, or parts thereof, normally heated, shall be provided with a heating system maintained in a safe and working order, free from unsafe conditions or fire hazards and capable of supplying sufficient heat to maintain a minimum indoor temperature of 18° C during hours of occupancy.

5.3.5 Boiler Space Heating

Boiler space heating shall be provided with backflow prevention and annually tested in compliance with the most current CAN/CSA Standard "Manual for the Selection and Installation of Backflow Prevention Devices" listed in the Ontario Building Code. Test reports shall be provided to an Inspector upon request

5.3.6 Plumbing Systems, Fixtures & Appliances

Plumbing systems, fixtures and appliances in all non-residential buildings shall be maintained in good working order, free from cross-contamination potential, and free from leaks and defects.

5.3.7 Grease Interceptors

Where food is cooked processed or prepared for the public, all plumbing fixtures located in the wash-down area shall discharge through a grease interceptor which is maintained in accordance with the most current edition of CAN/CSA Standard "Maintenance of Grease Interceptors" listed in the Ontario Building Code.

5.3.8 Interceptors (Grease & Oil)

Interceptors shall be professionally designed, installed and maintained in accordance with the manufacture's design and maintenance guidelines or a recognized industry standard.

5.3.9 Fume/Gas Separations

In a building used in part for residential purposes, and in part for non-residential purposes, wherein noxious fumes, or gases are, or could be, present, all separations between the non-residential portion and the residential portion shall be of gas-tight construction and maintained in a good state of repair so as to effectively prevent the passage of noxious fumes, or gases through the separation.

5.4 STANDARDS FOR RESIDENTIAL PROPERTIES

5.4.1 Cabinet, Cupboard, Shelf & Counter Top Condition

Every cabinet, cupboard, shelf and counter top in a dwelling unit shall be maintained in a structurally sound condition, free from cracks and deterioration.

5.4.2 Interior Cladding of Walls & Ceilings-Mould Air Quality Report

Interior claddings of every wall and ceiling shall be maintained so as to be free of large holes, cracks, leaks, deteriorating material, visible mould and-mildew, and loose material.

5.4.3 Water Penetration Related to Mould

Water penetration related to mould- Any condition in a building, including but not limited to water penetration, humidity or inadequate ventilation, which may relate to the creation and growth of mould, shall be repaired or removed. Mould Air Quality Report- If in the opinion of the Property Standards Officer, the mould accumulation is excessive so as to cause a health hazard, the owner will provide, at the owner's expense, a report prepared by a Certified Air Quality Assessment professional, trained and knowledgeable in this field, detailing mould spore samples and related air quality. The owner will undertake the appropriate remediation outlined in the report. The owner will also provide a follow-up report, at their own expense, which confirms that air quality levels consistent with a healthy environment have been attained at the premises, to the satisfaction of the Property Standards Officer.

5.4.4 Floors & Finished Flooring

Floors and finished flooring (including carpeting) shall be maintained in a structurally sound condition and be free from visible mould and-mildew, holes, cracks or other defects which may cause an unsafe condition or trip hazard.

5.4.5 Window & Door Panel Maintenance

Cracked and broken glass in door panels, missing screens, and missing windows shall be replaced with approved glass or similar materials. All operable windows and all doors shall be capable of being opened from the inside without the use of specialized tools and maintained in good repair. All materials referred to in this section shall be to the satisfaction of the Officer to provide an acceptable level of fire protection.

5.4.6 Heating System

Every dwelling and every dwelling unit shall be provided with a heating system maintained in a good state of repair and in safe operating condition capable of maintaining “adequate and suitable heat” specified in the City of Windsor Vital Services by-law. Room temperature shall be determined at any point in the room, for the purposes of this by-law “adequate and suitable” means that the minimum temperature of the air in the accommodation which is available to the tenant or lessee is 22 °C. All common areas or internal entrance ways in a multiple dwelling shall be provided with heating systems capable of maintaining a minimum temperature of not less than 18 °C.

5.4.7 Heating Systems, Stoves, heating Appliances, Fireplaces, Chimneys, Pumps & Filtration Equipment

Heating systems, including stoves, heating appliances, fireplaces, chimneys, fans, pumps and filtration equipment shall be maintained in a good state of repair and in a safely operable condition.

5.4.8 Portable Heating Equipment

No dwelling unit shall be equipped with portable heating equipment as the primary source of heat.

5.4.9 Approved Heating Equipment

Only heating equipment approved for use by a recognized standard testing authority shall be provided in a room used or intended for use for sleeping purposes.

5.4.10 Parking Garage – Noxious Fumes

Every parking/storage garage serving a residential use shall be provided with a fire separation (if required) and an effective barrier to the passage of gas and exhaust fumes from any part of the parking/storage garage into any other part of a dwelling unit or multiple dwelling used or intended to be used for human occupancy inclusive of doors between a parking garage and remainder of the building.

5.4.11 Bathroom Facilities & Personal Privacy

Unless specifically exempted under other governmental regulations, every dwelling and dwelling unit shall be provided with at least a water closet (toilet), a wash basin, a bath tub or shower, and a kitchen sink, all of which shall be maintained in good working order, free from cross-contamination potential, and free from leaks and defects. The water closet, wash basin, bath tub and/or shower shall be located within, and be accessible from within, the dwelling or dwelling unit and shall be located and equipped to afford privacy, secured from the inside and can be opened from outside the room in an emergency.

5.4.12 Location of Toilet/Urinal

No toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing, consuming or storing food.

5.4.13 Hot/Cold Running Water

Hot water at a temperature of at least 43 °C , and cold running water shall be provided in a capacity that will produce a flow in the fixture that will flush the fixture and keep it in a sanitary condition.

5.4.14 Plumbing, Including Drains, Water Supply Pipes, Water Closets and Other Plumbing Fixtures

All plumbing, including drains, water supply pipes inside a building and outside a building, water closets, back water valves, and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

5.4.15 Electrical Supply & Wiring

Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.

The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use and intended use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained:

- (a) In compliance with the respective requirements of the Electrical Safety Code and Building Code;
- (b) In good working order and good repair; and
- (c) In a safe condition.

5.4.16 Voice Communication Section

In multiple dwellings where a voice communications system between each dwelling unit and the front lobby and security locking and release facilities for the entrance, have been provided and are controlled from each dwelling unit, such facilities shall be maintained in good repair.

5.4.17 Artificial Light

Adequate artificial light shall be available at all times, in all habitable rooms, common areas, means of egress, exits and corridors.

5.4.18 Windows & Window Lighting

Every habitable room in a dwelling, except a kitchen, shall maintain an outside window or windows which shall be maintained in good repair, and which shall have a total light transmitting area of not less than five per cent (5%) of the floor area of the room for bedrooms, and not less than ten per cent (10%) of the floor area for all other habitable rooms.

5.4.19 Window ventilation

Every habitable room in a dwelling shall contain windows that are capable of being opened from the inside or vents providing a minimum unobstructed ventilation area to the outdoors of 0.14 square metres per occupant for sleeping areas, and a minimum of 0.28 square metres per occupant for all other habitable rooms. Every bathroom or water closet room shall contain windows capable of being opened from the inside, or vents, providing a minimum unobstructed ventilation area to the outdoors of 0.09 square metres; and every unfinished basement or cellar area shall contain said windows or vents providing a minimum unobstructed ventilation area to the outdoors equal to 0.2 per cent (0.2%) of the floor area.

5.4.20 Ventilation (Mechanical)

In lieu of the natural ventilation required by section 5.4.19, acceptable mechanical ventilation directly to the exterior shall be permissible. The system shall be capable of providing at least one (1) air change per hour for the room being served.

5.4.21 Window Guards

Every window in a leased dwelling unit that is located above the first storey of a multiple dwelling shall be equipped with an approved guard or a safety mechanism that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter sphere. Such safety devices shall offer protection to the height of at least 1.07 m above the floor but shall not prevent the windows from being fully opened by an adult without the use of tools during an emergency.

5.4.22 Ventilation in Laundry Room, Garbage Room, Boiler Room

In dwellings, every laundry room, garbage room, boiler room, storage garage and all parts of the building used by the tenants in common shall be adequately ventilated, and where a system of mechanical ventilation is used it shall be maintained in good working condition.

5.4.23 Maximum Person Residing in a Dwelling

The maximum number of persons residing in a dwelling unit shall not exceed one person for each 9 square metres of habitable room floor area.

5.4.24 Minimum Floor Area for Sleeping

A room used for sleeping purposes shall have a minimum floor area of 6 square metres and shall not be occupied by more than 1 person for each 4 square metres of floor area thereof.

5.4.25 Ceiling Height for Habitable Rooms – Dwelling Unit

- (a) Minimum room height shall not be less than 1950 mm over the required floor area and in any location that would normally be used as a *means of egress*; or
- (b) Minimum room height shall not be less than 2010 mm over at least 50% for the required floor area, provided that the floor having a clear height of less than 1400 mm shall not be considered in computing the required floor area.
- (c) Minimum clear heights under beams and ducting shall be not less than 1850mm
- (d) Sentence (a) or (c) shall be contiguous with the entry or entries to those rooms or spaces.

5.4.26 Basement Requirements – Used as a Dwelling

No basement or portion thereof shall be used as a dwelling unit or habitable rooms of a dwelling unit, unless it meets the following requirements:

- (a) Basement ceiling heights comply with the requirements of section 5.4.25;
- (b) Access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room;
- (c) In the calculations referred to in Section 5.4.18 provided that one-half of the total area of such windows is above the top of the window well. Where less than half the light transmitting area of a window is above the top of a window well, only that area of the window above the top of the window well may be counted in the calculations;
- (d) The minimum required unobstructed ventilation area to the outdoors shall not be limited to the requirements of Section 5.4.19, if, in the opinion of the Officer, the location of windows that are capable of being opened or vents, providing such ventilation, is such as to create a poorly and inadequately ventilated room;
- (e) Except where a door on the same level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with:
 - i) At least one window that can be opened from the inside without the use of tools; and
 - ii) At least one window shall, in every bedroom, provide an unobstructed open portion having a minimum area of .35 m² with no dimension less than 380 mm.
- (f) Each habitable room shall be separated from service rooms by a suitable fire separation in compliance with Ontario Building Code Regulations.

5.4.27 Smoke Alarms

Every dwelling unit shall be equipped with an approved smoke alarm(s) conforming to the current edition of the OBC regulations that shall be:

- (a) Installed on every floor level in proximity of bedrooms and in conformance with the manufacturers' instructions or recommendations for installation;
- (b) Clearly audible within sleeping areas even though the doors to the sleeping areas may be closed;
- (c) Either wired directly into the electrical system without a disconnect switch, or be battery powered. Sufficient additional replacement batteries shall be maintained nearby at all times as replacements for the smoke alarm, should it be battery powered so that at any given time such smoke alarm may have its battery or batteries replaced as warranted in order to keep it fully operational; and
- (d) Continuously operating, except during periods of unavoidable electrical power interruption or battery replacement, as the case may be.

5.4.28 Carbon Monoxide Detectors

Every dwelling unit that has fuel burning appliances, solid fuel burning appliances, or is attached to a storage garage, shall be equipped with a carbon monoxide detector conforming with the most current edition of CAN/CSA and US UL Standard as listed in the current Ontario Building Code regulations and shall be:

- (a) Installed in conformance with Sentence (c) where a solid fuel-fired combustion appliance exists;
- (b) Installed on or near the ceiling in each room in which there is installed a solid fuel-burning appliance;
- (c) Permanently connected to an electrical circuit, and
 - i) shall have no disconnect switch between the over-current device and the carbon monoxide detector where practical;
 - ii) be wired so that its activation will activate all carbon monoxide detectors within the suite, where located within a suite of residential occupancy; and
 - iii) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located adjacent to a sleeping area.
- (d) Plug-in types of detectors plugged into a duplex receptacle near the floor level are acceptable in locations where there may be a hardship complying with (a), (b) and (c) outlined above.

5.4.29 Duct Type Smoke Detector

Where there is more than one dwelling unit within a building that share one force air furnace, a duct type smoke detector shall be installed and maintained.

5.5 STANDARDS FOR VACANT PROPERTIES

5.5.1 General

In addition to the minimum standards for the maintenance and occupancy of property set out elsewhere in this by-law, the owner of a vacant building, shall:

- (a) Ensure that all utilities serving a building damaged by fire or storm, which are not required for safety or security are properly disconnected or otherwise secured, to prevent damage to the building or adjoining property;
- (b) Ensure all utilities serving a vacant building that is not damaged by fire or storm be connected to public utilities to ensure building HVAC and electrical systems are operational and in use to protect the building from deterioration;
- (c) Ensure all fire protection and life safety systems serving a vacant building that is not damaged by fire or storm shall be maintained and operational per applicable standard(s);
- (d) The boarding of building openings not damaged by fire, storm or other catastrophic event is prohibited; and
- (e) Ensure that the property is kept free of rodents, vermin and other harmful pests and any conditions that would allow such pests to harbour in or about the building.

5.5.2 Additional Requirements for Vacant Non-Residential Buildings

The owner of every non-residential vacant building shall keep the property free of conditions that promote the infestation of birds.

5.5.3 Additional Requirements for Vacant Residential Buildings

Despite any other provision of this by-law, where in the opinion of the Officer a vacant residential property can be repaired, the building shall be repaired:

- (a) As soon as is possible in a manner consistent with other parts of this by-law; and
- (b) Maintained in a manner so as not to become, in the opinion of the Officer, a public nuisance.

5.5.4 Clearing and Leveling of Vacant Residential Buildings

Despite any other provision of this by-law an Officer may issue an order directing the owner to demolish a derelict or vacant residential building.

5.5.5 Clearing and Leveling of Vacant Non-Residential Buildings

Despite any other provision of this by-law an Officer may issue an order directing the owner to demolish a derelict or vacant non-residential building.

5.6 STANDARDS FOR HERITAGE PROPERTIES

5.6.1 General

In addition to the minimum standards for the maintenance and occupancy of property in the City as set out in this chapter, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall:

- (a) Maintain, preserve and protect the heritage attributes so as to maintain the heritage character, visual and structural heritage integrity of the building or structure;
- (b) Maintain the property in a manner that will ensure the protection and preservation of the heritage values and attributes; and
- (c) Obtain a heritage permit from Council or where applicable Council's designate prior to performing work or causing work to be performed under this section of the by-law.

5.6.2 Repair of Heritage Attributes

Despite any other provision of this chapter, where a heritage attribute of a Part IV heritage property or a Part V heritage property can be repaired, the heritage attribute shall not be replaced and shall be repaired:

- (a) In a manner that minimizes damage to the heritage values and attributes;
- (b) In a manner that maintains the design, colour, texture, grain or other distinctive features of the heritage attribute;
- (c) Using the same types of material as the original and in keeping with the design, colour, texture, grain and any other distinctive features of the original; and
- (d) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material, if approved by Council or where applicable their designate.

5.6.3 Replacement of Heritage Attributes

Despite any other provision in this by-law, where a heritage attribute of a Part IV or V Heritage Property cannot be repaired, the heritage attribute shall be replaced:

- (a) In such a manner as to replace the design, colour, texture, grain or other distinctive features and appearances of the heritage attribute, using the same types of materials as the original; and
- (b) Where the same of materials as the original are no longer available, alternative types of materials that replicate the design, colour, texture, grain or other distinctive features of the original materials may be used, if approved by Council or where applicable their designate.

5.6.4 Alteration or Demolition of Heritage Properties

Despite any other provision of this by-law or the Act, no building or structure located on a Part IV or Part V Heritage Property may be altered, demolished, removed or relocated except in accordance with the *Ontario Heritage Act*.

5.6.5 Vacant Heritage Properties

Notwithstanding provisions for vacant buildings under this by-law:

- (a) Where a Part IV or Part V Heritage Property remains vacant for a period of 90 days or more, the owner shall ensure that appropriate utilities serving the building are connected as required in order to provide, maintain and monitor proper heating and ventilation to prevent damage to the heritage attributes.
- (b) The owner of a vacant Part IV or Part V Heritage Property shall protect the building and property against the risk of fire, storm, neglect, intentional damage or other damage by other causes by effectively preventing the entrance of the elements, unauthorized persons or the infestation of pests by boarding up and securing any openings to the building in the following manner:
 - (i) all boards shall be installed from the exterior and shall be fitted in a watertight manner and so that all exterior trim and cladding remains uncovered and undamaged by the boarding;
 - (ii) all boards shall be fastened securely in a manner that minimizes damage to the heritage attributes and the historic fabric, and is reversible;
 - (iii) all boards shall be painted in a manner to reflect panes of glass, frames and mullions that were to be found on the opening that is being boarded over or the panes of glass shall be painted in matt black and the window frames and mullions shall be painted in a colour that of the original opening;
 - (iv) all boards used for boarding and securing openings not located in a window or door opening shall be painted or otherwise treated so that the colour blends with the exterior of the building or structure.
 - (v) minimizing visual impact; and
 - (vi) no window, door or other opening on a Part IV heritage property or Part V heritage property shall be secured by brick or masonry units held in place by mortar unless a Heritage Alteration Permit is granted.

SECTION 6 CERTIFICATE OF COMPLIANCE

- 6.1 Following the inspection of property, the Officer may, or upon the request of the owner, shall where no building permit was required, issue to the owner a Certificate of Compliance if, in the Officer's opinion, the property is in compliance with the standards set out in this by-law.

- 6.2 Where the owner has made a written request for a Certificate of Compliance, all fees associated with the Order pursuant to the City of Windsor User Fees Schedule shall be paid prior to the issuance of the Certificate.

SECTION 7 PERMITS, AND ADMINISTRATION FEES

- 7.1 Where an Order to Repair is issued pursuant to this by-law, a fee will be assessed to the registered owners in accordance with the City of Windsor User Fee Schedule.
- 7.2 Every property owner who is issued an Order to Repair pursuant to this by-law shall obtain a building permit unless exempted in writing by the Chief Building Official.

SECTION 8 COMPLIANCE

- 8.1 All owners or occupants of property shall comply with the standards set out in this by-law and any Order to Repair that is final and binding.
- 8.2 All owners of property within the municipality that does not conform with the standards contained in this by-law shall repair and maintain such property to conform with the standards or clear the site of all buildings, structures, debris or refuse and leave the property in a graded and leveled condition, except where a demolition permit has been issued and remains in effect.
- 8.3 All repairs and maintenance of property shall be carried out with suitable and sufficient materials in a manner acceptable to the Officer.
- 8.4 All new construction or repairs shall conform to the most current addition of the Ontario Building Code and any other applicable legislation.
- 8.5 No person shall occupy any property if there are conditions which pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person in or about the property.

SECTION 9 ENFORCEMENT AND PENALTY

- 9.1 An owner or occupant who fails to comply with an Order is guilty of an offence under Section 36(1) of the Building Code Act, and is liable to a penalty or penalties as set out in Section 36 of the Building Code Act.

SECTION 10 VALIDITY AND SEVERABILITY

- 10.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law, and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
- 10.2 Where a provision of this by-law conflicts with the provision of another by-law in force within the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

SECTION 11 REPEAL AND TRANSITION

- 11.1 Except as provided by Section 11.2 hereof, By-law Number 148-2025 and all amendments thereto are hereby repealed.
- 11.2 Notwithstanding Section 11.1 hereof, the provisions of By-law Number 148-2025, shall continue to apply to any properties in respect of which an Order has been issued under the said by-law until such Order has been concluded.

SECTION 12 EFFECTIVE DATE

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

DREW DILKENS, MAYOR

CITY CLERK

By signing this by-law on September 28, 2026, Mayor Drew Dilken will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

First Reading – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 150-2026

A BY-LAW TO ESTABLISH STANDARDS,
REGULATIONS AND MAINTENANCE
REQUIREMENTS FOR SWIMMING POOLS,
THEIR ENCLOSURES AND EQUIPMENT

Passed the 28th day of September, 2026.

WHEREAS pursuant to s.10(2) of the Municipal Act, 2001, municipalities have authority to pass by-laws respecting health, safety and well-being of persons, protection of persons, and property and structures including fences;

AND WHEREAS it is deemed expedient to repeal By-law 63-2021 and replace it with a new consolidated By-law

AND WHEREAS pursuant to s.10(2) of the Municipal Act, 2001, municipalities have authority to pass by-laws respecting health, safety and well-being of persons, protection of persons, and property and structures including fences;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

SECTION 1 TITLE

1.1 This By-law may be referred to as the Swimming Pool By-law.

SECTION 2 DEFINITIONS

In this By-law:

ACCEPTABLE means accepted by the *Officer* with respect to the standards set out in this bylaw.

BUILDING CODE means the Regulations made under the section 34 of the Building Code Act.

CHIEF BUILDING OFFICIAL means the Chief Building Official of the City or his/her designate.

CITY means The Corporation of the City of Windsor.

CITY CLERK means the person duly appointed as Clerk for the City.

CONSTRUCT means to build and/or to permit to build or erect, alter, relocate or cause any material alteration to a swimming pool or swimming pool enclosure. Without limiting the generality of the foregoing construct includes any work in preparation to construct, and constructed has a corresponding meaning.

EFFECTIVE GRADE LEVEL means the highest level of ground within 0.5m of a pool enclosure or above ground pool wall, measured horizontally in any direction, from the location under consideration.

ENTRANCE includes a gate, or opening intended for a means of entry or exit within a *swimming pool enclosure*.

EXTERIOR means the surface of a fence, swimming pool enclosure, deck or ramp that does not face toward a swimming pool or swimming pool area.

FARM means those lands dedicated primarily to the practice of farming.

FEES AND CHARGES BY-LAW means the City's By-Law to establish and require payment of fees and charges, as amended from time to time.

HOT TUB means a vessel designed or intended for therapeutic or bathing purposes commonly referred to as a hot tub, whirlpool, hydro massage pool, jetted tub or spa.

INTERIOR means the surface of a fence, swimming pool enclosure, deck or ramp which surface faces towards the swimming pool or swimming pool area.

MAINTAIN means to keep a swimming pool, swimming pool enclosure and associated equipment in a condition that complies with this By-law.

OFFICER means a provincial offences officer as defined in the *Provincial Offences Act*, R.S.O. 1990, c. P.33 or any successor legislation

ORDER means a direction issued pursuant to Section 9 and requiring compliance with the standards prescribed by this bylaw, and "Orders" shall have a corresponding meaning.

OWNER includes the registered owner, occupant or any other person with an interest in the property.

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

POND means a contained body of water not intended for swimming or diving which is located in an area permitting residential uses but does not include bodies of water that are designed for storm water retention, those located on farms, or those on golf courses.

POOL SEASON means the period of time a swimming pool shall be operational: June 1st through October 31st.

PROPERTY means lands or structures on which a swimming pool, swimming pool enclosure, pond or hot tub is located.

IN GOOD REPAIR means free from damaged, defective and/or deteriorating materials, and capable of performing the function as designed per manufacturer's specifications.

STAGNANT WATER means an accumulation of water on any swimming pool cover or untreated or uncirculated water in any swimming pool, pond or hot tub.

SWIMMING POOL means any privately owned body of water contained in whole or in part by artificial means, including:

- a) a *pond* located outdoors, above or below grade, on privately owned property;
- b) any body of water contained in a man-made vessel,
 - i. which is capable of holding a minimum depth of water at any point of 610mm and with more than 2.0m² in potential liquid surface area; and
 - ii. which may be used or is capable of being used for swimming or diving or both;
- c) swimming pools which are designed to be removed periodically on a seasonal or more frequent basis.

SWIMMING POOL does not include the following:

- i. a) a *pond* or reservoir utilized for farming purposes or as part of a golf course;
- ii. b) those swimming pools regulated by the Building Code; or
- iii. c) an existing natural body of water or stream; a privately or publicly owned storm water management facility or publicly owned pool.

SWIMMING POOL AREA means the area of the swimming pool and surrounding areas adjacent thereto used or intended or capable of being used in conjunction with the swimming pool.

SWIMMING POOL ENCLOSURE means a permanent barrier, guard, railing, entrance or wall of any type, surrounding a swimming pool and swimming pool area. Earth berms, hedges and other similar natural or man-made topographic features are not deemed to be swimming pool enclosures.

TEMPORARY ENCLOSURE means an enclosure used for the purpose of temporarily enclosing a swimming pool or swimming pool excavation.

UNSAFE CONDITION means any condition that in the opinion of the Officer is hazard to the health or safety of any person(s).

WORKING CONDITION in relation to *swimming pools, ponds and hot tubs*, their enclosures and equipment means in a condition capable of performing the function for which they were designed.

ZONING BY-LAW means the Zoning By-law in effect for the *City*.

SECTION 3 AUTHORITY

- 3.1 The City Clerk shall administer this By-law.
- 3.2 This By-law shall be enforced by the City Clerk and any *Officer* assigned the responsibility of enforcing this By-law.
- 3.3 Nothing in this By-law shall restrict the *use* of alternative methods, materials or design as pre-approved by the *Chief Building Official at the time the application for a permit is made and prior to commencement of construction* or demolition.

SECTION 4 PERMITS, INSPECTIONS, EXPIRY & RENEWAL

- 4.1 No *person* shall *construct* or cause to be constructed a *swimming pool* unless a permit has been issued by the *Chief Building Official*.
- 4.2 No *person* shall demolish or cause to be demolished or fill in an in-ground *swimming pool* unless a permit has been issued by the *Chief Building Official*.
- 4.3 An Officer may enter upon land and into buildings at any reasonable time without a warrant for the purpose of inspecting the building or site in respect of which a permit is issued or an application for a permit is made.
- 4.4 A permit issued pursuant to this By-law shall be valid for a period of six (6) months from the date of issue. The permit may be revoked by the *Chief Building Official* if the work covered by the permit has not commenced before the expiry of six (6) months from the date of issue.
- 4.5 Where no work has commenced within six (6) months of issue, a permit may be renewed once for a further six (6) month period upon submitting a written request for renewal to the *Chief Building Official* before the expiry of the initial six (6) month period.
- 4.6 If a permit has been revoked and not renewed, and the owner or person(s) to whom a permit was issued wishes to proceed with the construction of the *swimming pool*, a new application for a permit shall be made and all applicable fees paid.
- 4.7 It is the responsibility of the *owner* or the *person(s)* to whom a permit has been issued to schedule the following mandatory inspections:
 - a) On site pre-construction – prior to excavation;
 - b) The relocation of a rear yard drain, catch basin or other means to retain or dispose of surface water to accommodate the *swimming pool* must be reinspected, and
 - c) When the *swimming pool* and *swimming pool enclosure* is complete and prior to filling with water.

SECTION 5 SWIMMING POOL REGULATIONS

- 5.1 No *person* shall *construct*, cause to be constructed or have a *swimming pool* except in accordance with the application, information, plans and specifications approved by the *Chief Building Official* and upon which the permit was issued.
- 5.2 No *person* shall *construct* or cause to be constructed a *swimming pool* without first having installed a *temporary enclosure*, unless an existing *swimming pool enclosure* has been confirmed to be in compliance with this By-law by an Officer.
- 5.3 No *person* shall *construct*, cause to be constructed or have a *temporary enclosure* unless:
 - a) it consists of a minimum 1.2m high mesh fence having a mesh not greater than 38mm, with a steel T-bar support post every 3.0 m maximum horizontal distance and a minimum 9 gauge galvanized steel wire located at the top and bottom of such fence; or
 - b) it is constructed of material that will provide the degree of safety referred to subsection a), as determined by the Chief Building Official.

- 5.4 No *person* shall place water in or permit water to be placed in a *swimming pool* or allow water to remain therein unless the *swimming pool enclosure* required by this By-law is erected and maintained *in good repair*.
- 5.5 No *person* shall place water in or permit water to be placed in a *swimming pool* or permit the use of a swimming pool unless it is constructed, installed and maintained in accordance with this By-law.
- 5.6 No *person* shall maintain a *swimming pool* with water at a level lower than that for which it was designed.
- 5.7 No *person* shall *construct*, cause to be constructed or have a *swimming pool* enclosure closer than 1.2m to any permanent physical object, plantings or geographical feature or any combination thereof that permits or facilitates the climbing from the *exterior* of such *swimming pool enclosure*.
- 5.8 No *person* shall *construct*, cause to be constructed or have an above ground *swimming pool* unless:
- a) all access points are fenced in accordance with this By-law;
 - b) such *swimming pools* with a minimum height of 1.2m are constructed in a manner that would prevent climbing from the exterior and, access points to the *swimming pool* are fenced in accordance with this By-Law; or
 - c) such *swimming pools* which may be accessed by portable or removable ladders or other similar devices, have the ladders or other such devices removed from the *swimming pool* and securely locked and stored so as to prevent ready access to the *swimming pool* when it is not in use.
- 5.9 No *person* shall maintain, cause to be maintained or have a seasonal *swimming pool* assembled or in place outside of the usual *pool season* as described in this By-law.
- 5.10 No *person* shall *construct*, cause to be constructed or have a deck or ramp or part thereof serving a *swimming pool area* with a height greater than 610mm above the *effective grade level*, unless a continuous guard or other barrier is constructed and maintained around the *exterior* perimeter of the deck or ramp. Such guard barrier shall be constructed in general conformance with the height and spacing provisions stated in the Building Code.
- 5.11 Where any *swimming pool* has been removed, demolished or filled in;
- a) The site shall be cleared of all swimming pool walls, floor, supports and other appurtenant components and left in a graded and levelled condition;
 - b) Only clean, inert, native material or granular material approved by the Chief Building Official shall be used as backfill;
 - c) Building rubble including but not limited to, broken bricks and concrete, shall not be acceptable as backfill material;
 - d) The site shall be properly graded, grass seeded and otherwise restored to the satisfaction of the Officer to ensure that water will not pond on the site or drain onto adjoining properties.

- 5.12 No *person* shall remove or demolish an in-ground *swimming pool* without removal of its walls, floor and any other component attached to that which formed part of the swimming pool or its enclosure. Existing drains may remain but shall be capped and inspected prior to backfilling.
- 5.13 Every person shall ensure that a reaching pole or similar device that measures at least half the width of the *swimming pool* in length is provided in a clear and conspicuous location at all times.
- 5.14 Every *person* shall ensure that every *swimming pool* chemical is stored in a safe and secured container in a ventilated building out of the reach of children.

SECTION 6 SWIMMING POOL ENCLOSURE REGULATIONS

- 6.1 No *person* shall *construct*, cause to be constructed or have a *swimming pool enclosure* or part thereof unless it is constructed of:
- a) chain link construction;
 - b) vertical panel or metal picket construction;
 - c) such other materials and construction that will provide the degree of safety referred to subsection a) or b) as determined by the Chief Building Official; or
 - d) a combination of (a), (b) and (c) above.
- 6.2 No person shall construct, cause to be constructed or have a *swimming pool enclosure* as described in s. 6.1 unless the maximum dimension from the underside of the swimming pool enclosure to the *effective grade* is 50mm or less.
- 6.3 No *person* shall *construct* or cause to be constructed or have a *swimming pool enclosure* of chain link construction having a mesh not greater than 38mm unless such *swimming pool enclosure*:
- a) is a minimum of 1.2m high;
 - b) has mesh consisting of minimum 13 gauge galvanized steel wire, or of 11 gauge steel wire covered with vinyl or other product which has been approved by the Chief Building Official;
 - c) has no rails, bracing or exposed attachments on the exterior of the swimming pool enclosure; and
 - d) has minimum 32mm diameter top and bottom rails firmly fastened to the upright posts, which rails shall consist of at least 32 mm galvanized steel pipe provided that a continuous galvanized steel tension rod or wire of at least 5 gauge wire thickness may be substituted for the bottom rail.
- 6.4 No *person* shall *construct*, cause to be constructed or have a *swimming pool enclosure* of chain link construction having a mesh not greater than 50mm unless such *swimming pool enclosure*:
- a) is a minimum of 1.5m high above *effective grade level*;
 - b) has a mesh consisting of minimum 13 gauge galvanized steel wire, or of 11 gauge steel wire covered with vinyl or other product which has been approved by the Chief Building Official;
 - c) has no rails, bracing or exposed attachments on the exterior facing for a height of 760mm above *effective grade level* that could facilitate or permit climbing from the exterior; and

- d) has minimum 32mm diameter top and bottom rails firmly fastened to the upright posts, which rails shall consist of at least 32 mm galvanized steel pipe provided that a continuous galvanized steel tension rod of at least 5 gauge wire thickness may be substituted for the bottom rail.
- 6.5 No *person* shall *construct, cause to be constructed* or have a *swimming pool enclosure* of panel construction unless such *swimming pool enclosure*:
- a) has panels of at least 25mm thickness attached to supporting rails in such a manner as to not facilitate or permit climbing from the *exterior*,
 - b) is supported by posts at least 89mm x 89mm spaced not more than 2.45m apart, which posts shall extend at least 600mm into the ground for any swimming pool enclosure having a height of 1.2m and shall extend at least 900mm into the ground for any *swimming pool enclosure* having a height greater than 1.2m and which posts shall be securely embedded into the soil and any portion thereof below *effective grade level* consisting of wood shall be treated with a suitable wood preservative or be of pressure treated wood.
- 6.6 No *person* shall *construct, cause to be constructed* or have a *swimming pool enclosure* of vertical panel construction unless such *swimming pool enclosure*:
- a) Is a minimum of 1.2m in height with panels spaced no more than 100mm apart with no intermediate horizontal rails or diagonal supports,
 - b) Is a minimum of 1.5m in height with an intermediate horizontal rail constructed of 38mm x 89mm located no less than 760mm measured vertically from top of rail to top of the next rail with vertical panels spaced not more than 100mm apart, or
 - c) Is a minimum of 1.5m in height with an intermediate horizontal rail constructed of 38mm x 89mm located less than 760mm measured vertically from top of rail to top of the next rail with the exterior vertical panels spaced not more than 38mm apart.
- 6.7 No *person* shall *construct, cause to be constructed* or have a *swimming pool enclosure* of horizontal panel construction unless such *swimming pool enclosure* has horizontal panels spaced not more than 25mm apart.
- 6.8 No *person* shall *construct, cause to be constructed* or have a *swimming pool enclosure* of metal picket or tube construction unless such *swimming pool enclosure*:
- a) has vertical members spaced not more than 100mm apart which are attached to a supporting structure which does not contain any diagonal members or framework that would facilitate or permit climbing from the *exterior*;
 - b) is a minimum of 1.2m in height with posts firmly embedded into the ground and spaced not more than 2.44m apart, such posts shall extend:
 - i. at least 600mm into the ground for any *swimming pool enclosure* having a height of 1.2m or less, or
 - ii. at least 915mm into the ground for any *swimming pool enclosure* having a height greater than 1.2m; and
 - c) has a minimum 30mm x 6mm top and bottom rails permanently connected to the vertical members, such that the top of the bottom rail to the top of the next rail is not less than 760mm.

- 6.9 No *person* shall *construct*, cause to be constructed or have a *swimming pool enclosure* which contains barbed or razor wire, electrified wire, sharp projections, or any other unsafe or dangerous feature on either side of the *swimming pool enclosure*.
- 6.10 No *person* shall *construct*, cause to be constructed or have a *swimming pool enclosure* containing an *entrance* consisting of double gates, unless:
- a) both gates are supported on operable hinges of a quantity and quality to safely and adequately support them at all times;
 - b) with at least one of the gates equipped with an operable self-closing device,
 - c) such gate is equipped with an operable self-latching device, located a minimum of 1.2m above *effective grade level* on the *interior* of the *entrance*;
 - d) such gate is equipped with an operable locking device that locks both gates; and
 - e) the remaining gate shall be anchored with a ground pin to mechanically secure that section of the gate.
- 6.11 No *person* shall *construct*, cause to be constructed or have an *entrance* that forms part of a *swimming pool enclosure* unless such *entrance*:
- a) is of a type and height equivalent to that of the required *swimming pool enclosure*;
 - b) is supported on operable hinges of a quantity and quality to safely and adequately support the entrance at all times;
 - c) is equipped with an operable self-latching device located a minimum of 1.2m above *effective grade level* on the interior of the entrance;
 - d) is equipped with an operable self-closing device; and
 - e) is equipped with an operable locking device.
- 6.12 Except when the *swimming pool* is in *use* and being supervised by an adult, the *entrance(s)* which form part of a *swimming pool enclosure* shall be kept locked at all times.
- 6.13 No *person* shall have the wall of an attached or detached accessory building as part of the required *swimming pool enclosure* unless the door or *entrance* in that wall has a self-closing door equipped with a self-latching device (ie. lockset) and shall be locked when the pool is not in use or being supervised by an adult.
- 6.14 No *person* shall *construct*, cause to be constructed or have a *hot tub* unless:
- a) the hot tub complies with the swimming pool enclosure requirements of this By-law or;
 - b) the hot tub has a cover that prevents access to the hot tub and the cover is in place and locked when the hot tub is not in use.

SECTION 7 MAINTENANCE

- 7.1 Every person shall:
- a) i. *maintain* their *swimming pool, hot tub or pond* and any necessary or parts thereof, including covers, *in good repair and working condition*,
 - ii. *maintain* the *swimming pool, hot tub, pond* and any covers so that during the *pool season*, it is free from accumulation of *stagnant water, leaves and debris*; and
 - iii. *maintain* any deck, *swimming pool, hot tub, pond*, railings, and guards, *in good repair* and structurally sound condition, or
 - b) remove the *swimming pool, hot tub, pond* and any accessories or parts thereof.
- 7.2 No *person* shall place, pile, attach or lean any object or material against or near the *exterior* side of a *swimming pool enclosure* which in the opinion of the *Officer* may:
- a) facilitate climbing of the swimming pool enclosure,
 - b) diminish the structural integrity of the swimming pool enclosure, or
 - c) render the swimming pool *enclosure* in non-conformity with this By-law.
- 7.3 The *owner* of any lands on which a *swimming pool* is located or constructed shall *maintain* in good *repair* a *swimming pool enclosure* around the entire *swimming pool area* in accordance with the applicable provisions of this By-law.
- 7.4 No *person* shall backwash or drain a *swimming pool, hot tub, or pond* in a manner that adversely affects any adjacent land or that is directed towards any point of disposal other than a municipal storm sewer system with an appropriate extension to prevent flooding erosion or other nuisances to neighbouring properties.
- 7.5 All repairs and maintenance of *swimming pools, hot tubs and ponds*, their enclosures and any accessory or parts thereof, including covers and equipment, shall be carried out with suitable and sufficient materials in a manner *acceptable* to the *Officer*.

SECTION 8 FEES/ DEPOSITS

- 8.1 Every *person* applying for a *swimming pool* permit to construct or install a *swimming pool* or *swimming pool enclosure* within the *City* of Windsor shall, (in addition to Public Works Indemnity Deposit) pay the fees and deposits set out in accordance with the City's Fees and Charges By-Law prior to commencement of construction.
- 8.2 Where an Order to Comply is issued by an *Officer* pursuant to this by-law, a fee will be assessed to the registered owner(s) in accordance with the city's Fees and Charges By-law.
- 8.3 Where a permit has been revoked all fees and deposits shall be in accordance with city's Fees and Charges By-law

SECTION 9 ORDERS

- 9.1 An officer who finds a contravention of this By-law or an *Unsafe Condition* may make an Order directing compliance with this By-law and may require the Order to be carried out immediately or within such time as is specified in the Order.
- 9.2 The Order shall be served on the person whom the officer believes is contravening the By-law, by:
- a) personal service;
 - b) registered mail to the person's last known address in which case the order shall be deemed to have been served on the fifth day after mailing; or
 - c) posting a copy of the order on the property.
- 9.3 Power of Entry for Inspections
- An Officer may enter on *property* at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- a) a by-law of the municipality passed under the Municipal Act;
 - b) a direction or order made under this By-law.
- 9.4 Inspection Powers
- For the purposes of an inspection under section 9.3, an Officer may:
- a) require the production for inspection of documents or things relevant to the inspection;
 - b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c) require information from any person concerning a matter related to the inspection; and
 - d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 9.5 Samples
- a) A sample taken under clause 9.4 shall be divided into two parts; one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time that the sample is taken and provides necessary facilities,
 - b) If a sample is taken under clause 9.4 and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken, and
 - c) A receipt shall be provided for any document or thing removed under Section 9.4 and the document or thing shall be promptly returned after the copies or extracts are made.
- 9.6 Inclusion
- Every Order delivered, sent, posted or published shall specify that if the *person* defaults in doing the thing(s) required to be done under this by-law by the date specified in the Order, the *Chief Building Official, City Clerk*, or designate may take action to cause the *City* to do the thing(s) required to be done as specified in the order and that the *City* may recover the costs of doing the thing(s) required to be done from the *owner* and that the *City* may recover the costs by action or by adding the costs to the tax roll and collect them in the same manner as taxes.

9.7 Power of Entry re: Compliance

- a) For the purposes of inspecting a *property* to determine compliance and action with the terms of the Order issued under Section 9, the *Chief Building Official, City Clerk, or Officer* may enter onto any public or private *property*;
- b) Where the *City* proceeds with action under s.10.2 of this by-law, the *Chief Building Official, City Clerk, or Officer*, or an agent appointed by the *City* may enter onto the *property* accompanied by any *person(s)* under his or her direction and with the appropriate equipment as required to bring the *property* into compliance with this by-law.

SECTION 10 OFFENCES

10.1 Offence

Every *person* who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine and any other penalties as provided for in the *Municipal Act 2001*, S.O. 2001, c.25

10.2 Non-Compliance with Order

If an *owner* or *person*, as the case may be, fails to comply with an *Order* issued under section 9.1, the *Chief Building Official, City Clerk, or Officer* may take action to make remedial repairs or other thing(s) required to be done as specified in the *Order*.

10.3 No *person* shall hinder or obstruct, or attempt to hinder or obstruct;

- a) Any *Officer* in the performance of a duty under this By-Law, or
- b) Employees or Agents authorized to take action to do the thing(s) required to be done as specified in the order.

10.4 Recovery of Expense

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

SECTION 11 VALIDITY AND SEVERABILITY

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

SECTION 12 REPEAL AND TRANSITION

- 12.1 Except as provided by Section 12.2 hereof, By-law 63-2021 is hereby repealed.

- 12.2 Notwithstanding Sections 12.1 hereof, the provisions of By-law 63-2021, shall continue to apply to any person in respect of which an Order has been issued, or any enforcement action has been commenced under the said by-law until such Order has been concluded or enforcement action concluded.

SECTION 13 EFFECTIVE DATE

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

DREW DILKENS, MAYOR

CITY CLERK

By signing this by-law on September 28, 2026, Mayor Drew Dilkins will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

First Reading – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 151-2026

A BY-LAW TO PRESCRIBE THE HEIGHT AND DESCRIPTION OF FENCES IN THE CITY OF WINDSOR

Passed the 28th day of September, 2026.

WHEREAS the *Council* of The Corporation of the City of Windsor has, pursuant to the Municipal Act, 2001, Section 10 as amended, the authority to pass By-laws for prescribing the height and description of *fences*;

AND WHEREAS it is deemed expedient to repeal By-law 170-2012 and replace it with a new By-law.

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

SECTION 1 TITLE

- 1.1 This By-law may be referred to as the Fence By-law.
- 1.2 By-law 150-2026 applies to fences used as a swimming pool enclosure.

SECTION 2 DEFINITIONS

In this By-law:

- 2.1 **CITY** means The Corporation of the City of Windsor.
- 2.2 **CITY CLERK** means the person duly appointed as Clerk for the City.
- 2.3 **CONSTRUCT** means to build and/or to permit to build or erect, alter, relocate or cause any material alteration to a *fence*. Without limiting the generality of the foregoing construct shall be taken to include any work in preparation to construct, and **CONSTRUCTED** has a corresponding meaning.
- 2.4 **COUNCIL** means the Council of the *City*.
- 2.5 **EFFECTIVE GRADE LEVEL** means the highest level of ground at a *fence* location within a horizontal distance of 0.5 m either side of the *fence*.
- 2.6 **FARM** means an agricultural operation as defined in the Farming and Food Production Protection Act, 1998 and includes such operation that is not carried on with the exception of gain but otherwise meets the definition of the Act.
- 2.7 **FRONT YARD** as defined in the applicable Zoning By-law.
- 2.8 **FENCE** means a barrier, guard, railing or enclosure of any type *constructed, used, or intended to enclose and delineate property* and includes a screening fence as defined in the *Zoning By-law* and any hedge used in a visibility triangle. Structures designated by any By-law or municipal authority or agreement as sound barriers, or sound barrier walls, or any other structure governed under the Ontario Building Code are not *fences*. Earth berms or other natural or man-made similar topographic features are not *fences*.

- 2.9 **HEDGE** means a boundary formed by closely growing bushes or shrubs.
- 2.10 **HIGHWAY** means a highway as defined by the *Municipal Act* as amended from time to time.
- 2.11 **IN GOOD REPAIR** means in compliance with the Maintenance Standards in Section 7 of this By-law.
- 2.12 **OFFICER** means a provincial offences officer as defined in the Provincial Offences Act, R.S.O. 1990, c. P.33 or any successor legislation.
- 2.13 **OWNER** includes the registered owner and the *person* for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the *person's* own account or as agent or trustee of any other *person*, or who would receive the rent if such land and premises were let, and shall also include a lessee or occupant of the *property* who, under the terms of a lease, is required to repair and maintain the *property* in accordance with the standards of this By-law.
- 2.14 **PERSON** includes an individual, an owner, occupant, agent, contractor, tenant, firm, proprietorship, partnership, association, syndicate, trustee, corporation, department, bureau or mortgagee.
- 2.15 **PROPERTY** means lands or structures on which a *fence* is located.
- 2.16 **REAR YARD** as defined in the applicable Zoning By-law.
- 2.17 **SIDE YARD** as defined in the applicable Zoning By-law.
- 2.18 **TEMPORARY BARRICADE** means a structure described in Section 6 of this By-law, *used* for the purposes of temporarily enclosing an excavation or other hazard.
- 2.19 **UNSAFE CONDITION** means any condition that in the opinion of the *Officer* is an immediate hazard to the health or safety of any *person(s)*.
- 2.20 **USE**, when used as a verb means anything done and/or permitted or allowed to be done by any *person* for the purpose of making use of any parcel of land, building, or structure or any part(s) thereof and includes the maintenance of anything done or erected in conjunction with those uses, lands, buildings, structures or part(s) thereof, and **USED** has a corresponding meaning.
- 2.21 **ZONING BY-LAW** means any Zoning By-law in effect for the *City*.
- 2.22 **VISIBILITY TRIANGLE** means the area within a triangle formed by measuring a prescribed distance along two specified intersecting lines and a third line joining the terminal points of the two measured lines.

SECTION 3 ENFORCEMENT

- 3.1 The *City Clerk* shall administer this By-law as amended.
- 3.2 This By-law shall be enforced by the *City Clerk* and any *Officer* so designated by the *City Clerk*.

SECTION 4 RESIDENTIAL FENCE REGULATIONS

- 4.1 No *person* shall on any property used for any residential purpose, *construct, use* or permit to be maintained a *fence* greater in height than:
 - (a) 2.2 m from *effective grade level* in any *side yard* or *rear yard* *excluding a hedge*.

- (b) 1.2 m from *effective grade level* in any *front yard* including a *hedge*.
 - (c) 2.5 m from *effective grade level* on any *property* boundary abutting any publicly owned walkway or alley as designated by a registered plan of subdivision, not adjacent to a road *excluding a hedge*.
 - (d) 2.2 m from the walking surface of any raised deck or to the height of the eave, whichever is less.
 - (e) 0.9 m from effective grade within a *visibility triangle* as described in section 4.3.
- 4.2 The height limitation in Section 4.1 of this By-law shall not apply to decorative post caps and other similar features. The height limitation in Section 4.1 shall not apply to a *hedge* if the *hedge* is located in the *side yard* or *rear yard* unless the *hedge* is located in any *rear yard* of any lot situated on the north side of Riverside Drive East between Strabane Avenue and Lakeview Avenue.
- 4.3 Despite any other provisions of this By-law, in the case of a corner lot or a lot where the *highway* bends to form an angle not more than 135 degrees, no *person* shall *construct*, allow or permit to be maintained on any *property* a *fence* 0.9 m above the *effective grade level* within a *visibility triangle* formed by the intersecting curbs, or the edge of pavement where no curbs exist, or the projections thereof, and a straight line connecting them 7.5 m from their point of intersection, unless such *fence* is *constructed* of unobstructed chain link or metal pickets spaced no closer than 90 mm and complies with the height limitations identified in section 4.1.
- 4.4 No *person* on any property used for residential purpose, on the North Side of Riverside Drive East between Drouillard Road and Lakeview Avenue, may *construct*, *use* or *permit* to be maintained the following:
- (a) A *fence* or *hedge* greater in height than 1.2 m from *effective grade level* in any *rear yard* (water side).
 - (b) A *fence* or *hedge* greater in height than 2.2m from *effective grade level* in any *side yard*.
 - (c) A *hedge* greater in height than 2.4m from *effective grade level* in any *front yard* (road side).
 - (d) A *fence* greater in height than 1.2m from *effective grade level* in any *front yard* (road side).

SECTION 5 NON RESIDENTIAL FENCE REGULATIONS

- 5.1 No *person* shall on any *property* used for any non-residential purpose *construct*, *use*, or permit to be maintained a *fence* unless:
- (a) such *fence* has a maximum height not exceeding 3.0 m;
 - (b) such *fence* is not electrified except for a *fence* on a *farm* for the keeping of livestock or the protection of livestock or crops from animals provided that the *fence* meets the requirements of any applicable Canadian Standards Association Standard.
 - (c) such *fence* is located no more than 1.0 m of the nearest portion of any wall of an adjacent residential main building;
 - (d) such *fence* does not incorporate barbed or razor type wire in its construction unless that portion of *fence* which is made of barbed or razor wire is located no closer than 2.15 m above the *effective grade level* at any point.
 - (e) such *fence* is located at least 3.5m from the nearest curb, or the edge of pavement where no curb exist, where such *fence* abuts any existing public or private driveways, lanes, alleys, roadways or any other similar access area in any *side yard*, *rear yard* or *front yard*.

- 5.2 No *person* shall *construct*, allow or permit to be maintained, a *fence* consisting of single strand wire type construction unless it is so *constructed* so as to be readily visible to any *person* at all times and does not in any way create an *unsafe condition* to any *person*.
- 5.3 Despite sections 4.1 and 4.2 of this By-law, no *person* shall *construct* or *use* any *fence* on residential *property* along the property line of any commercial, industrial or institutional use in excess of the prescribed height in Sections 4.1 and locations as permitted in Section 5.1(e) of this By-law.
- 5.4 Every *owner* shall maintain their *fence in good repair* and in compliance with the Maintenance Standards, Section 7, of this By-law.

SECTION 6 TEMPORARY BARRICADE

- 6.1 Excluding any hoarding on the *highway*, no *person* shall *construct*, allow or permit to be maintained, a *temporary barricade* unless:
- a) it consist of a minimum 1.2 m high mesh *fence* having a mesh not greater than 38 mm, with a steel T-bar support post every 3.0 m maximum horizontal distance and a 9 gauge galvanized steel wire located at the top and bottom of such *fence*; or
 - b) it is *constructed* of material that will provide an equivalent degree of safety and has been approved by the *City Clerk*.

SECTION 7 MAINTENANCE STANDARDS

- 7.1 Every *fence* shall be:
- a) stable;
 - b) vertical;
 - c) *constructed* of materials of good quality;
 - d) suitable for the purpose, and
 - e) *constructed* and supported in a manner commensurate with the design of the entire *fence*.
- 7.2 Every *person* who *constructs*, *uses* or permit to be maintained a *fence* shall keep such *fence*:
- a) in good repair;
 - b) in a safe and structurally sound condition;
 - c) free from accident hazards, and
 - d) protected by paint, preservative or other weather resistant material, except for a *hedge* or wooden *fences* made of cedar, redwood or treated wood.

SECTION 8 ORDERS

- 8.1 An *Officer* who finds a contravention of this By-law or an *unsafe Condition* may make an Order directing compliance with this By-law and may require the Order to be carried out within such time as is specified in the Order.
- 8.2 The Order may be served on the *person* whom the *Officer* believes is contravening the By-law, by:
- a) personal service;

- b) prepaid mail to the *person's* address shown on the last revised assessment roll and may also be sent to the last address known to the *City* of the *owner* if it differs from that on the assessment roll. In which case the Order shall be deemed to have been served on the fifth day after mailing;
 - c) posting a copy of the Order on the *property*; or
 - d) any combination of the above as the *Officer* deems necessary.
- 8.3 Every Order delivered, sent or posted shall identify the *property* by street number and name, and/or legal description.
- 8.4 Power of Entry re: Inspections
Pursuant to section 436 of the Municipal Act, the *City Clerk* or an *Officer* may enter on *property* at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - a) this By-law;
 - b) an Order made under this By-law.
- 8.5 Inspection Powers
For the purposes of an inspection under this section, an *Officer* may:
 - a) require information from any *person* concerning a matter related to the inspection; and
 - b) alone or in conjunction with a *person* possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 8.6 Inclusion
Every Order delivered, sent, posted or published shall specify that if the *owner* defaults in doing the thing(s) required to be done under this By-law by the date specified in the Order, the *City Clerk* may take action to cause the *City* to do the thing(s) required to be done as specified in the Order and that the *City* may recover the costs of doing the thing(s) required to be done from the *owner* and that the *City* may recover the costs by action or by adding the costs to the tax roll and collect them in the same manner as taxes.
- 8.7 Entry onto *property*
Where the *City* proceeds with action under s. 10.1 of this By-law, the *City Clerk* or designate, or an agent appointed by the *City* may enter onto the *property* accompanied by any *person(s)* under his or her direction and with the appropriate equipment as required to bring the *property* into compliance with this By-law.

SECTION 9 OFFENCES

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

SECTION 10: NON-COMPLIANCE WITH ORDER

- 10.1 If an *owner* or *person*, as the case may be, fails to comply with an Order issued under section 8.1, the *City Clerk* may take action to do the thing(s) required to be done as specified in the Order at the expense of the *owner* or *person* directed or required to comply with the Order.
- 10.2 Recovery of Expense
If the *City* takes action to do the thing(s) required to be done as specified in the Order, the costs of such action may be added to the tax roll and collected in the same manner as property taxes.

- 10.3 No *person* shall hinder or obstruct, or attempt to hinder or obstruct;
- a) Any *Officer* in the performance of a duty under this By-Law, or
 - b) Employees or Agents authorized to take action to do the thing(s) required to be done as specified in the Order.

SECTION 11 VALIDITY AND SEVERABILITY

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

SECTION 12 REPEAL AND TRANSITION

- 12.1 Except as provided by Section 12.2 hereof, By-law Number 170-2012 and all amendments thereto are hereby repealed.
- 12.2 Notwithstanding Section 12.1 hereof, the provisions of By-law Number 170-2012, shall continue to apply to any properties in respect of which an Order has been issued under the said by-law until such Order has been concluded.

SECTION 13 EFFECTIVE DATE

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

DREW DILKENS, MAYOR

CITY CLERK

By signing this by-law on September 28, 2026, 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 – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

BY-LAW NUMBER 152-2026

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 SEPTEMBER, 2026

Passed the 28th day of September, 2026.

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 September 28, 2026, 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 - September 28, 2026
Second Reading - September 28, 2026
Third Reading - September 28, 2026