

Development & Heritage Standing Committee Meeting Agenda

Date: Monday, July 7, 2025

Time: 4:30 o'clock p.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 By-law 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:

Ward 1 – Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Member Anthony Arbour

Member Joseph Fratangeli

Member Daniel Grenier

Member John Miller

Member Charles Pidgeon

Member Robert Polewski

Member Khassan Saka

Member William Tape

ORDER OF BUSINESS

Item #	Item Description
1.	CALL TO ORDER

READING OF LAND ACKNOWLEDGMENT

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.

2.	DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
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3.	REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
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4.	COMMUNICATIONS
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5.	ADOPTION OF THE <i>PLANNING ACT</i> MINUTES
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5.1.	Adoption of the Development & Heritage Standing Committee (<i>Planning Act</i>) minutes of its meeting held May 5, 2025 (SCM 166/2025)
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6.	PRESENTATION DELEGATIONS (<i>PLANNING ACT</i> MATTERS)
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7.	<i>PLANNING ACT</i> MATTERS
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7.1.	Rezoning – 3880 Matchett Road - Z-007/25 ZNG/7292 - Ward 2 (S 75/2025)
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7.2.	ZBA Application for 4641 Malden Road, Z-010/25 [ZNG-7301], Ward 1 (S 80/2025)
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7.3.	ZBA - 0 Randolph Ave - Z-008/25 ZNG/7297 - Ward 1 (S 78/2025)
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8. ADOPTION OF THE MINUTES

- 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held June 2, 2025 **(SCM 178/2025)**

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

10. HERITAGE ACT MATTERS

- 10.1. Notice of Intent to Partially Demolish a Heritage Listed Property – 711 Riverside Drive East, Commercial Building (Ward 4) **(S 83/2025)**

11. ADMINISTRATIVE ITEMS

- 11.1. Community Improvement Plans – Extension and Rescindment of Grant Approvals (City Wide) **(S 73/2025)**
- 11.2. Closure of east/west alley located between Olive Road and Norman Road, Ward 8, SAA-7296 **(S 76/2025)**
- 11.3. Ford City CIP Application - 998 Drouillard Road - Ward 5 **(S 84/2025)**

12. COMMITTEE MATTERS

- 12.1. Minutes of the Property Standards Committee of its meeting held May 20, 2025 **(SCM 196/2025)**

13. QUESTION PERIOD

14. ADJOURNMENT



Committee Matters: SCM 166/2025

Subject: Adoption of the Development & Heritage Standing Committee (Planning Act) minutes of its meeting held May 5, 2025

**Development & Heritage Standing Committee Meeting
(*Planning Act* Matters)**

Date: Monday, May 5, 2025

Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 1 - Councillor Fred Francis
Ward 4 - Councillor Mark McKenzie
Ward 7 - Councillor Angelo Marignani
Ward 9 - Councillor Kieran McKenzie
Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Charles Pidgeon
Member John Miller
Member Robert Polewski

**PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM
ADMINISTRATION:**

Robert Martini, Municipal Gaming Analyst
Sandra Gebauer, Council Assistant

**ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM
ADMINISTRATION:**

Neil Robertson, City Planner
Greg Atkinson, Deputy City Planner – Development
Jason Campigotto, Deputy City Planner - Growth
Lorie Gregg, Deputy Treasurer, Taxation, Treasury and Financial Projects
Ian Day, Senior Manager Traffic Operations/Parking
Aaron Farough, Senior Legal Council
Patrick Winters, Manager, Development
Tracy Tang – Planner III - Heritage
Sophia Di Blasi, Planner III – Senior Urban Designer

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Adam Szymczak, Planner III - Development
Kevin Alexander, Planner III - Special Projects
Laura Strahl, Planner III - Special Projects
Frank Garardo, Planner III - Policy & Special Studies
Simona Simion, Planner III - Economic Development
Brian Nagata, Planner II, Development Review
Juan Paramo, Development Engineer
Elara Mehrilou, Transportation Planner I
Natasha McMullin, Senior Clerk Steno
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1— Tracey Pillon-Abbs, RPP Principal Planner
Item 7.3 – Robert Brown, Oakview Land Use Planning
Item 10.1 – Marcus Letourneau, Project Consultant.
Item 10.1 – Carl Bray, Project Consultant
Item 11.1 – Theresa O’Neil, Dillon Consulting Ltd.
Item 11.7 – Jackie Roy, Owner

Delegations—participating in person

Item 7.1— Yousif Yako, Area Resident
Item 7.1 – Linda Salim, Area Resident
Item 7.2 – Terrence Kennedy, Area Resident
Item 10.1 – Don Wilson, Area Resident
Item 10.1 – Yolanda Sutts, Area Resident
Item 10.3 – Arun Rattan, Property Owner
Item 11.1 – Judy Bornais, Associate Vice President, University of Windsor
Item 11.1 – Charlie Simpkins, Director, Strategic Initiatives & Business Enterprise, University of Windsor

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o’clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

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4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee (Planning Act) minutes of its meeting held April 7, 2025

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held April 7, 2025, **BE ADOPTED** as presented.

Carried.

Report Number: SCM 120/2025

7. *PLANNING ACT* MATTERS

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

Adam Szymczak (author), Senior Planner – Development, presents application.

Tracey Pillon-Abbs (agent), is available for questions.

Yousif Yako (area resident) states that he and other area residents had attended the Open House where a petition was signed in objection to the project. Mr. Yako has concerns of aluminum cutting associated with health hazards and increased traffic and parking on Hanna Street.

Linda Salim (area resident) has concerns of safety for children and the elderly in the community, lack of notice of development presented at the Development and Heritage Standing Committee (DHSC) and that health concerns are associated with living near an aluminum factory.

Councillor Angelo Marignani inquires about the building's ventilation system, safety issues and health concerns based on the materials used and its impact on surrounding sensitive areas. Tracey Pillon-Abbs states that the applicant may need to install ventilation and filters which would be a requirement under the Ontario Building Code. Ms. Pillon-Abbs states use of the property will not be manufacturing rather for customization of aluminum products, all work will remain within the building minimizing health concerns and exterior parking will remain the same and will not impact the community.

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Councillor Marignani inquires about the children in the neighbourhood and nearby daycare being affected by formaldehyde fumes, whether it will be use and safety concerns addressed. Ms. Pillon-Abbs states she cannot specifically comment on the materials or solutions being used but construction will remain inside and protected with regards to health and safety concerns and regulated by the Ontario Building Code.

Councillor Marignani inquires the risk for combustion due to wood dust in the air and whether this is a concern. Mr. Szymczak states that he expects for that to be covered by the Building Code.

Councillor Marignani inquires if these concerns will be dealt with appropriately by the Building Code. Mr. Szymczak states this is not his area of expertise.

Councillor Marignani inquires if these safety concerns would be address appropriately. Ms. Pillon-Abbs states that she cannot address the Ontario Building Code requirements but notes that the applicant is committed to build the development properly with all the required approvals needed.

Councillor Fred Francis inquires why Site Plan Control is not required. Mr. Szymczak states that there are no changes to the building currently. This is just a change of use.

Councillor Fred Francis inquires why there is a need for rezoning when site plan control is not needed. Mr. Szymczak states that the use is not permitted by the existing zoning. Mr. Szymczak states that it's a change of use of the property with no change happening on the site then site plan control does not apply to this typically.

Councillor Francis clarifies that it does not apply to renovations within the building even with alterations such as adding filters how can we ensure they are installed. Neil Robertson states that the Building Department would require building permits for any construction and will be completed based on the use of the building and based off the Ontario Building Code. Mr. Robertson states that the site plan control doesn't meet the threshold of definition of development and the useability of the building is like before.

Councillor Francis states that the use of the building is like other areas within residential portions of the city. Mr. Robertson agrees, and this instance is not a change in terms of the impact to the community. Mr. Szymczak states that there are other industrial uses along the former ETR corridor.

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

Decision Number: **DHSC 727**

1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; 960 Hanna Street East; Roll No. 030-440-04700), situated at the northwest corner of Hanna Street E and Langlois Street as a Special Policy Area.

2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

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1.X 960 HANNA STREET EAST

LOCATION 1.X.1 The property described as Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; situated at the northwest corner of Hanna Street East and Langlois Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.

ADDITIONAL PERMITTED MAIN USES 1.X.2 Notwithstanding the Residential designation of these lands on Schedule D: Land Use in Volume I: The Primary Plan, the uses and activities listed below shall be an additional permitted main use:

Business Office, Contractor's Office, Warehouse, Workshop
An industrial facility for the following activities:

- Assembling of laminate countertops including cutting, finishing, and repair.
- Cutting and forming of kitchen tools, gadgets and other related accessories.
- Display and storage of flooring, plumbing fixtures, and other related materials.
- Display of construction and other similar materials.
- Packaging and shipping of any of the above goods and materials.

All activities and uses shall take place entirely within a fully enclosed building and the outdoor storage and display of goods and materials is prohibited

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; known municipally as 960 Hanna Street East; Roll No. 030-440-04700), situated at the northwest corner of Hanna Street E & Langlois Street by adding a zoning exception to Section 20(1) as follows:

530. NORTHWEST CORNER OF HANNA STREET EAST AND LANGLOIS STREET

For the lands consisting of Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313), the following additional provisions shall apply:

a) Additional permitted *Main Uses*:

Contractor's Office

Warehouse

Workshop

An industrial facility for the following activities:

- Assembling of laminate countertops including cutting, finishing, and repair.
- Cutting and forming of kitchen tools, gadgets and other related accessories.

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- Display and storage of flooring, plumbing fixtures, and other related materials.
- Display of construction and other similar materials.
- Packaging and shipping of any of the above goods and materials.

b) For any additional permitted *main use*:

1. The outdoor storage and display of goods and materials is prohibited.
2. All activities and uses shall take place entirely within a fully enclosed *building*.
3. Notwithstanding Section 24.20.5, a minimum of 7 *parking spaces* shall be provided.

(ZDM 7; ZNG/7276)

Carried.

Report Number: S 44/2025
Clerk's File: Z/14940

7.2. Proposed Official Plan Residential Corridor Land Use Designation - CityWide

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 728DHSC 705**

1. THAT Official Plan Amendment 194 **BE APPROVED** and Volume 1: The Primary Plan of the City of Windsor Official Plan ("Official Plan") **BE AMENDED** as follows:

- Chapter 6: Land Use of the Official Plan **IS AMENDED** by adding section 6.3.3 Residential Corridors as shown on Appendix A of this Report.

2. THAT administration **BE DIRECTED** to hold further public consultation on the candidate areas for Residential Corridor designations.

3. THAT administration **BRING BACK** Official Plan amendments to designate the candidate areas as Residential Corridors.

Carried

Councillor Kieran McKenzie voting nay.

Report Number: S 15/2025 AI 10/2025
Clerk's File: Z2025

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 5:28 o'clock p.m.

Minutes

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Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services

Subject: Rezoning – 3880 Matchett Road - Z-007/25 ZNG/7292 - Ward 2

Reference:

Date to Council: July 7, 2025
Author: Adam Szymczak, MCIP, RPP
Senior Planner - Development
519-255-6543 x6250
aszymczak@citywindsor.ca
Planning & Building Services
Report Date: 5/20/2025
Clerk's File #: Z/14570

To: Mayor and Members of City Council

Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

3. **WEST SIDE OF MATCHETT ROAD, NORTH OF CHAPPELL AVENUE**

For the land comprising PLAN 656 LOT 53 N PT LOT 54 (PIN 01259-0411), the following additional provisions shall apply:

- a) *Gross Floor Area: maximum 480 m²*
 - b) *Gross Floor Area* of more than 480 m² is prohibited
 - c) Notwithstanding Section 11.1.5.5 and Section 5.65.1, the *maximum front yard* depth shall be 6.0 m.

(ZDM 4; ZNG/7292)

2. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 656 LOT 53 N PT LOT 54, (PIN 01259-0411), situated on the west side of Matchett Road, north of Chappell Avenue (3880 Matchett Road; Roll No. 050-480-04200) from RD1.2 to RD2.2x3.

Executive Summary:

N/A

Background:

Application Information

Location: 3880 Matchett Road (west side of Matchett Road, north of Chappell Avenue); PIN 01259-0411; Roll No. 050-480-04200

Ward: 2 **Planning District:** Sandwich **Zoning District Map:** 4

Applicant: Luigi Vozza **Owner:** Luigi Vozza

Agent: Pillon Abbs Inc. (Tracey Pillon-Abbs, RPP)

Proposal: Rezone from RD1.2 to RD2.2 and a Zoning Exception to construct one semi-detached dwelling with a building height of 8.5 m over two floors and a basement and containing a total of two dwelling units and two parking spaces located within the front yard. The Applicant is requesting relief from the maximum gross floor area of 400 m² to 480 m² and proposes to demolish the existing dwelling and sever the semi-detached dwelling into two separate semi-detached dwelling units / lots.

Submissions: All documents are available **online** or aszymczak@citywindsor.ca.

Attached to Report S 75/2025 as an Appendix: Conceptual Plans (Appendix A), Revised Conceptual Site Plan (Appendix B)

Not attached to Report S 75/2025 but available **online**:

Application - Zoning By-law Amendment

Archaeological Assessment Stage 1-2 Report

Ontario Public Register of Archaeological Reports Confirmation

Planning Rationale Report (PRR) Revised

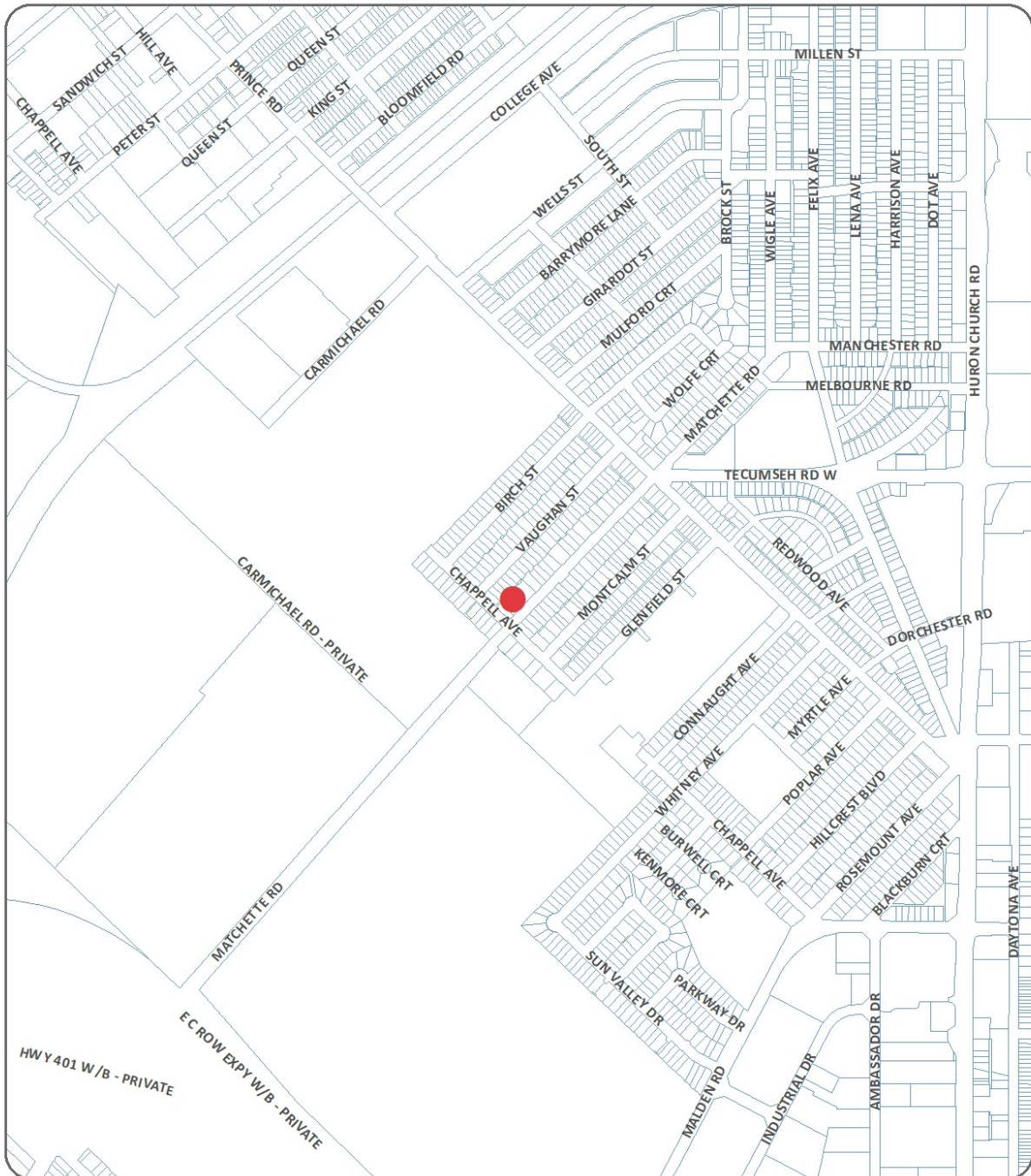
Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.2 (RD1.2)	Single Unit Dwelling	Unknown
LOT WIDTH	LOT DEPTH	LOT AREA	LOT SHAPE
15.8 m	36.3 m	574.8 m ²	Rectangular

Neighbourhood: Section 2.0 in the PRR provides an overview and photos of the site and the surrounding land uses. The area bounded by Birch Street, Prince Road, Glenfield Street and Chappell Avenue is a low profile small-scale residential area. Nearby parks include Mic Mac Park and Malden. Major institutional uses include the John McGivney Children's Centre and Hotel Dieu Grace Healthcare located to the south and east. Nearby schools include Marlborough Public School & St. James Catholic Elementary School.

Matchett Road is a Class I Collector Road with a two-lane cross-section and parking on one side and sidewalks on both sides. Transit is available via the South Windsor 7 with direct service along Matchett with a peak weekday frequency of 30 minutes. Transit Windsor's City Council approved 2025 service plan, replaces the South Windsor 7 with a new secondary route. This route will have the same frequency but with service on Sundays and be extended later into the weekdays and Saturday. This is proposed to be implemented in September 2025. The closest existing bus stop to this property is located on Matchett at Chappell Southeast Corner. This bus stop is approximately 70 m from this property falling within Transit Windsor's 400 m walking distance to a bus stop.

Figure 1: Key Map



KEY MAP - Z-007/25, ZNG-7292



● SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning

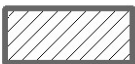


PART OF ZONING DISTRICT MAP 4

N.T.S.

REZONING

Applicant: Luigi Vozza



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : APRIL, 2025
FILE NO. : Z-007/25, ZNG/7292

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-007/25, ZNG-7292



SUBJECT LANDS

Discussion:

Planning Rationale Report (PRR) (Pillon Abbs Inc., February 13, 2025)

Section 6.1 in the PRR states that the site *“is ideally suited for residential development”, “will be able to accommodate municipal water, storm and sewer”, and can accommodate “the proposed development in terms of scale, massing, height and siting”*. The PRR further states that the proposed Semi-Detached Dwelling *“is a compatible density for the Site”, will “provide a new housing choice in an existing built-up area” and “represents an efficient development pattern that optimizes the use of land”*. The PRR concludes in Section 6.2 that the proposed development is *“consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning”*. City of Windsor Planning and Development Services concurs with the analysis, summary, and conclusions in the PRR.

Stage 1-2 Archaeological Assessment (AMICK Consultants Limited, Feb 6, 2025)

The assessment notes that no archeological resources were found during the Stage 2 survey of the study area. The report concludes that *“no further archeological assessment of the study area is warranted”, the “Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed”, and the “proposed undertaking is clear of any archaeological concern”*. The City of Windsor Heritage Planner concurs with the assessment. The Minister of Citizenship and Multiculturalism confirms the assessment was entered into the Ontario Public Register of Archaeological Reports without technical review.

Provincial Planning Statement 2024 (PPS 2024):

The PPS 2024 provides policy direction on matters of provincial interest related to land use planning in Ontario. All advice, comments, submissions, and municipal decisions shall be consistent with the PPS 2024. Section 5.1.1 in the PRR provides an analysis of the relevant PPS 2024 policies. The PRR states that the proposed development *“will provide a new housing option for the area”, “has access to transportation options, public service facilities, other institutional uses, and parks”, “supports the City’s housing targets”, “the proposed density is appropriate for the site” and “offers an opportunity for intensification and infilling”*. The PRR concludes that the proposed development is consistent with the PPS 2024. City of Windsor Planning and Development Services concurs with this analysis and that the proposed amendment to Zoning By-law 8600 is consistent with the PPS 2024.

Official Plan (OP):

The parcel has a designation of “Residential” on Schedule D: Land Use in the Official Plan. Section 5.1.2 in the PRR submitted by the Applicant has a review and analysis of appropriate Official Plan policies. The PRR states that the proposed development *“will provide for infilling and intensification”, is “permitted”, “is close to major roadways, has access to full municipal services, is close to nearby amenities and is close to transit”*. The PRR concludes that the *“proposed development will conform with the purpose and intent of the City of Windsor OP”*. City of Windsor Planning and Development Services concurs with the analysis in the PRR and that the proposed amendment to Zoning By-law 8600 conforms to the general policy direction of the OP.

Zoning By-Law:

The RD1.2 zone allows a Single Unit Dwelling, an existing Duplex Dwelling and an existing Semi-Detached Dwelling. The Applicant is not proposing any Additional Dwelling Units. The RD2.2 zoning and the zoning exception are appropriate.

Clause a) of the zoning exception allows for a building with a larger gross floor area (GFA) from 400 m² to 480 m² to maximize the use or efficiency of the parcel and allow flexibility in the design of the dwelling. Clause b) prohibits a GFA of more than 480m² which prevents anyone from requesting a minor variance to the maximum GFA. Clause c) sets a maximum front yard depth of 6.0 m which is more than that required by the recently revised Section 5.65.1 which now requires a reduced average front yard setback. The maximum of 6.0 m allows for compliant front yard parking spaces. These exceptions will have no adverse impact on adjacent uses. The proposed development must comply with all other zoning provisions such as maximum lot coverage and maximum building height.

Site Plan Control (SPC):

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

Risk Analysis:

N/A

Climate Change Risks**Climate Change Mitigation:**

The proposed semi-detached dwelling implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. Residential infill intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers and public transit.

Climate Change Adaptation:

The proposed semi-detached dwelling offers an opportunity to increase resiliency for the development and surrounding area by supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options. New construction is required to meet the current provisions of the Building Code, which will be implemented through the building permit process. Incorporation of storm water management best practices is required.

Financial Matters:

N/A

Consultations:

A virtual Public Open House was held on February 12, 2025, from 6 pm to 7 pm. Section 3.2 in the PRR summarizes comments received at the public open house and the Applicant's response to them. See Appendix C for comments received from municipal departments and external agencies. Per the Planning Act, statutory notice was advertised in the Windsor Star, a local newspaper.

Conclusion:

Based on the documents submitted by the Applicant and the analysis in this report, it is my opinion that the recommended amendment to Zoning By-law 8600 is consistent with the PPS 2024 and is in conformity with the Official Plan.

The proposed amendment will permit a use, a semi-detached dwelling with a total of 2 dwelling units, which is compatible with existing and permitted uses in the surrounding area, represents an appropriate increase in density, provides an opportunity for the construction of modern housing stock, and supports a complementary form of housing located near various transportation options. The recommendation to amend Zoning By-law 8600 constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Deputy City Planner - Development

Neil Robertson, MCIP, RPP
City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

RM

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

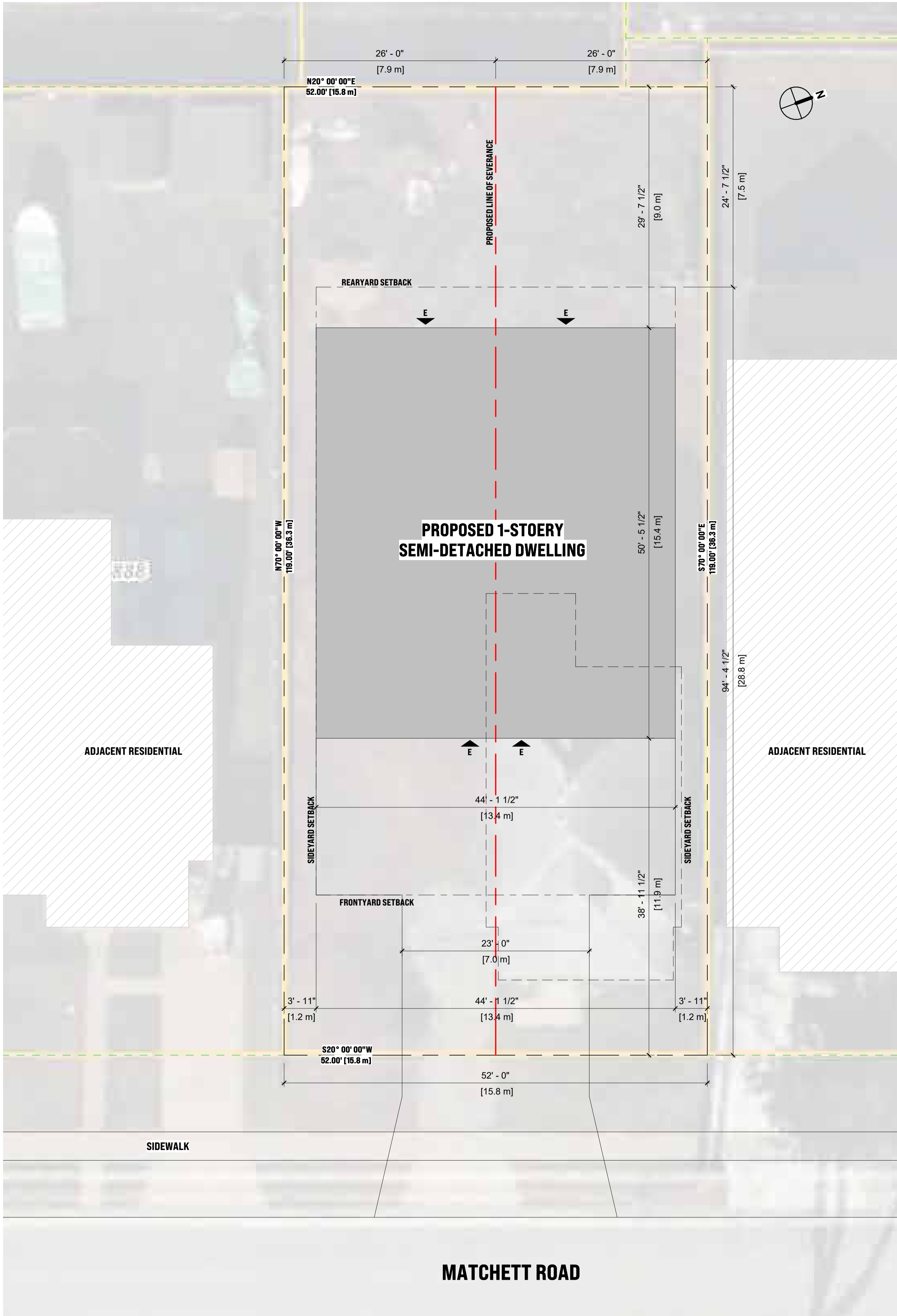
Name	Address	Email

Appendices:

- 1 Appendix A - Conceptual Plans
- 2 Appendix B - Revised Conceptual Site Plan
- 3 Appendix C - Consultations



1 AERIAL VIEW
A-0 NOT TO SCALE



3 SITE PLAN
A-0 1/8" = 1'-0"

NAME OF PROJECT: PROPOSED SEMI-DETACH DWELLING FOR ZBA APPLICATION			
PROJECT NUMBER: 24-003			
SITE LOCATION: 3880 Matchett Rd, Windsor, ON N9C 2A2			
ITEM	ONTARIO BUILDING CODE DATA MATRIX PART 3 or 9	OBC Reference	
1	PROJECT DESCRIPTION: <div><div><div><input checked="" type="checkbox"/> New</div><div><input type="checkbox"/> Addition</div><div><input type="checkbox"/> Change of Use</div></div><div><div><input type="checkbox"/> Residential</div><div><input type="checkbox"/> Alteration</div></div></div> <div><div>Part 11</div><div>11.1 to 11.4</div></div>	<input type="checkbox"/> Part 3	<input checked="" type="checkbox"/> Part 9
2	MAJOR OCCUPANCY(S) Residential	2.1.1	2.1.1 9.10.1.3
3	BUILDING AREA (m²) Existing -- m² New 257.7 m² Total 257.7 m² (ft²) -- ft² 2,773 ft² 2,773 ft²	3.1.2.1.(1)	9.10.2
4	GROSS AREA (m²) Existing -- m² New 315.4 m² Total 315.4 m² (ft²) -- ft² 5,546 ft² 5,546 ft²	1.1.3.2	1.1.3.2
5	NUMBER OF STOREYS Above Grade 1 Below Grade 1	1.1.3.2	2.1.1.3
6	HEIGHT OF BUILDING (m) 6.0 m [19'-8"]		2.1.1.3
7	NUMBER OF STREET(S) / ACCESS ROUTE(S) 1	3.2.1 & 3.2.5.5	
8	BUILDING CLASSIFICATION 3.2.2.47. Group C, up to 3 Storeys	3.2.2.20 - .83	9.10.4
9	SPRINKLER SYSTEM PROPOSED <div><input type="checkbox"/> Entire Building <input type="checkbox"/> Basement Only <input type="checkbox"/> In Lieu of Roof Rating <input checked="" type="checkbox"/> Not Required</div>	3.2.2.20 - .83 3.2.1.5 3.2.2.17	9.10.8
10	STANDPIPE REQUIRED <div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div>	3.2.9	9.10.4
11	FIRE ALARM REQUIRED <div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div>	3.2.4	9.10.7.2
12	WATER SERVICE / SUPPLY IS ADEQUATE <div><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</div>		
13	HIGH BUILDING <div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div>	3.2.6	
14	PERMITTED CONSTRUCTION <div><input type="checkbox"/> Combustible <input type="checkbox"/> Non-Combustible <input checked="" type="checkbox"/> Both</div>	3.2.2.20 - .83	9.10.6
15	ACTUAL CONSTRUCTION <div><input type="checkbox"/> Combustible <input type="checkbox"/> Non-Combustible <input checked="" type="checkbox"/> Both</div>		
16	MEZZANINE(S) AREA (m²) m²	3.2.1.1.(3) - (8)	9.10.4.1
16	OCCUPANT LOAD BASED ON <div><input type="checkbox"/> m² / person <input checked="" type="checkbox"/> Design of Building</div> <div>2 PER BEDROOM x 4 = 8</div>	3.1.17	9.9.1.3
17	BARRIER-FREE DESIGN <div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Explain): RESIDENTIAL</div>	3.1.17	
18	HAZARDOUS SUBSTANCES <div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div>	3.2.1.1 & 3.2.1.19	9.10.1.3.(4)
19	REQUIRED FIRE RESISTANCE RATING (F.R.R.)	3.2.2.20 - .83 & 3.2.1.4	9.10.8 9.10.9
	HORIZONTAL ASSEMBLIES F.R.R. (HOURS)	LISTED DESIGN NO. or DESCRIPTION (S6-8)	
	Floors 1 Hours	UL Des U419, F.R.R. (1hr)	
	Roof 1 Hours	UL Des L510, F.R.R. (1hr)	
	Mezzanine -- Hours		
	F.R.R. OF SUPPORTING MEMBERS	COMPONENT UTILIZED	
	Floors -- Hours		
	Roof -- Hours		
	Mezzanine -- Hours		

2 DATA MATRIX
A-0 NOT TO SCALE

ZONING + SITE DATA

PROJECT ADDRESS	3880 MATCHETT RD., WINDSOR, ON N9C 2A2		
ROLL NUMBER	3739-050-480-04200-0000		
LEGAL DESCRIPTION	PLAN 656; LOT 53; N PT LOT 54		
CURRENT ZONING	RD1.2 - RESIDENTIAL DISTRICT 1.2		
PROPOSED ZONING	RD2.2 - RESIDENTIAL DISTRICT 2.2		
PROPOSED USE	SEMI-DETACHED DWELLING		
LOT FRONTAGE	MINIMUM 15 m	PROPOSED 15.8 m [52'-0"]	
LOT DEPTH	36.3 m [119'-0"]		
SITE AREA	MINIMUM 450.0 m²	PROPOSED 574.8 m² [6,187 ft²]	
SETBACKS		REQUIRED	PROPOSED
	MIN. FRONT YARD	6.0 m	11.9 m
	MIN. REAR YARD	7.5 m	9.0 m
	MIN. SIDE YARD	1.2 m	1.2 m
FOOTPRINT	257.7 m² [2,773 ft²]		
LOT COVERAGE			
GROSS FLOOR AREA	1 st LEVEL	206.8 m² [2,226 ft²]	
	2 nd LEVEL	206.8 m² [2,226 ft²]	
	TOTAL	413.6 m² [4,432 ft²]	
NUMBER OF FLOORS	1 FLOORS		
HEIGHT OF BUILDING	MAXIMUM	PROPOSED	
	9.0 m [29'-6"]	6.0 m [19'-8"]	
PARKING	REQUIRED PARKING SPACES:		
	1 PER DWELLING UNIT	REQUIRED	PROPOSED
		2	2

4 ZONING + SITE MATRIX
A-0 NOT TO SCALE

NOTES

1. DO NOT SCALE DRAWINGS
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5. ALL WORK SHALL COMPLY OR EXCEED THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, FIRE CODE, PLUMBING CODE, ELECTRICAL CODE, AND LOCAL BY-LAWS.

PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

AERIAL VIEW, DATA MATRIX, SITE PLAN

DISCIPLINE SEAL

The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's BC20.

PRIMARY CONSULTANT

AVANT/GROUP

AVANT GROUP INC.
5980 TECUMSEH RD. E., WINDSOR, ON, N8T 1E3
PHONE: 519-300-9839 EMAIL: info@avantgroupincorp.com
www.avantgroupincorp.com

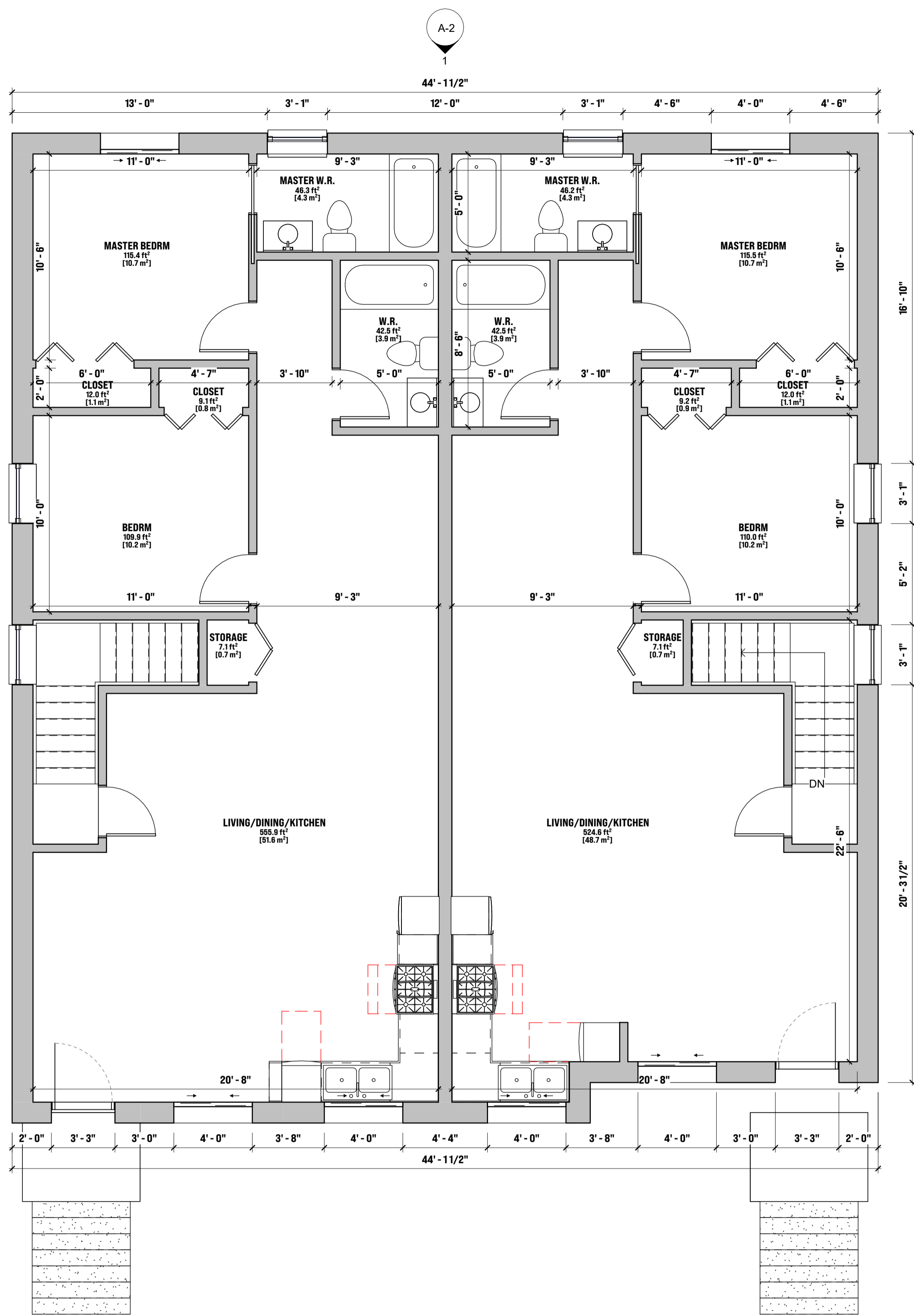
SUB-CONSULTANT

SUBMISSION RECORDS

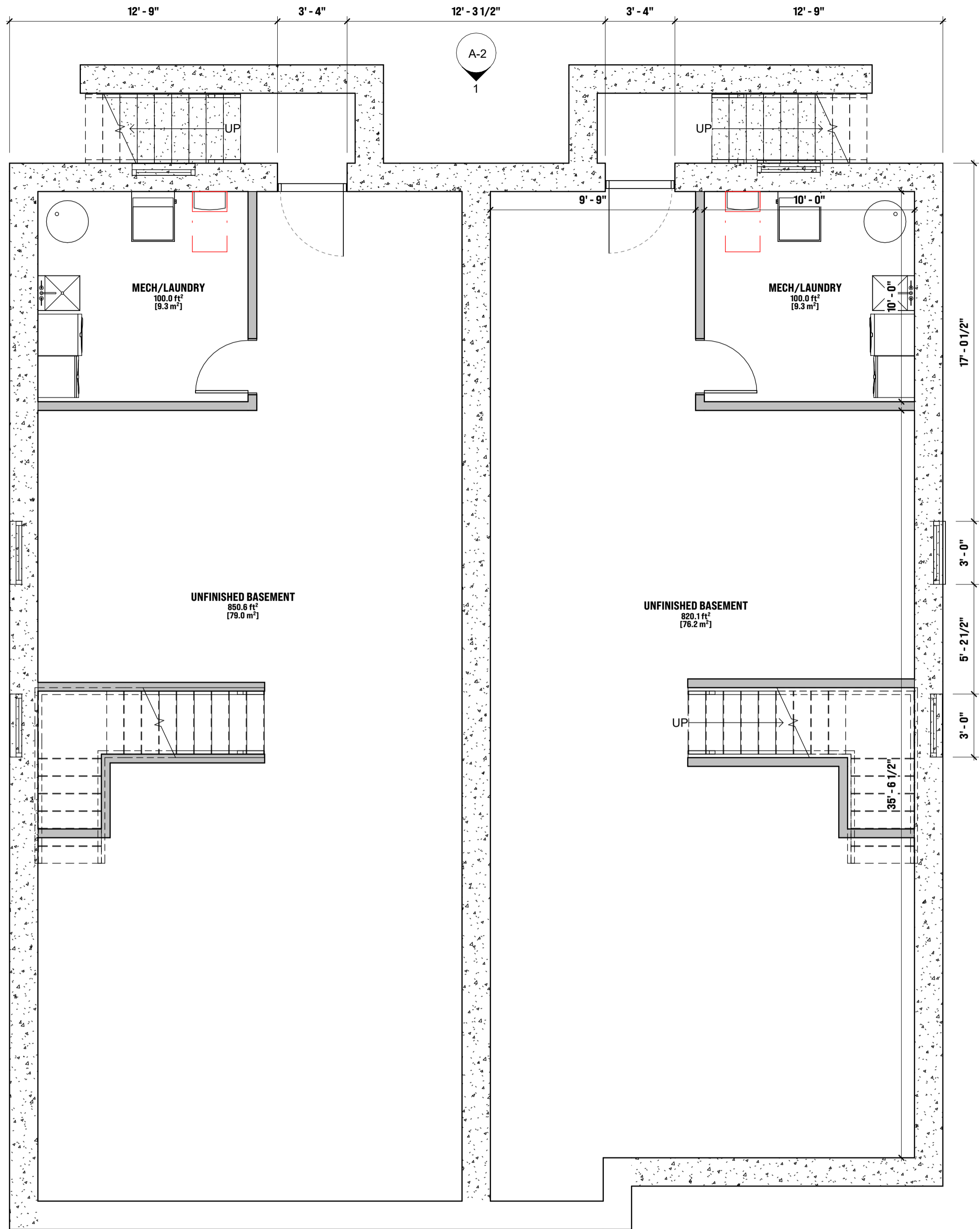
NO.	DESCRIPTION	DATE
1	Site Plan Agreement	23-11-02

PROJECT NOTES

SHEET SIZE ARCH D (24" x 36")	
PROJECT ID	23-007
DATE	2023-07-17
DRAWN BY	J.N.
CHECKED BY	J.N.
APPROVED BY	M.H.
SCALE	AS NOTED



1 1ST LEVEL
A-1 1/4" = 1'-0"



2 BASEMENT
A-1 1/4" = 1'-0"

NOTES

1. DO NOT SCALE DRAWINGS
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3. COORDINATE ARCHITECTURAL, STRUCTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS PRIOR TO COMMENCEMENT OF WORK.
4. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE, NOTIFY THE ARCHITECT/ENGINEER IMMEDIATELY, IN WRITING PRIOR TO PROCEEDING WITH ANY WORK.
5. ALL WORK SHALL COMPLY OR EXCEED THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, FIRE CODE, PLUMBING CODE, ELECTRICAL CODE, AND LOCAL BY-LAWS.

PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

FIRST LEVEL & BASEMENT

DESCIPLINE SEAL

The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's BC20N.

PRIMARY CONSULTANT

AVANT/GROUP

AVANT GROUP INC.
5980 TECUMSEH RD. E., WINDSOR, ON, N6T 1E3
PHONE: 519-300-9839 EMAIL: info@avantgroupincorp.com
www.avantgroupincorp.com

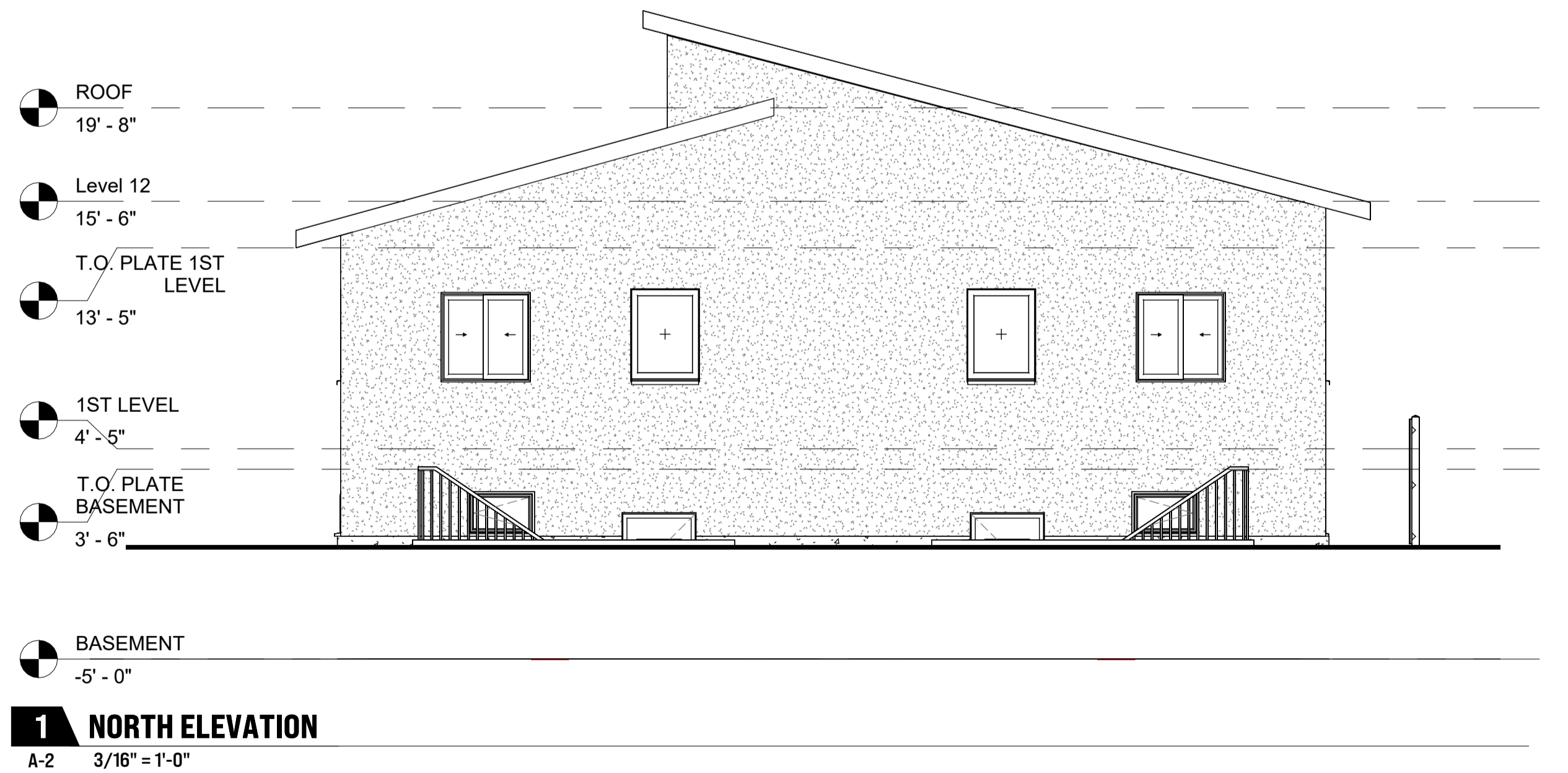
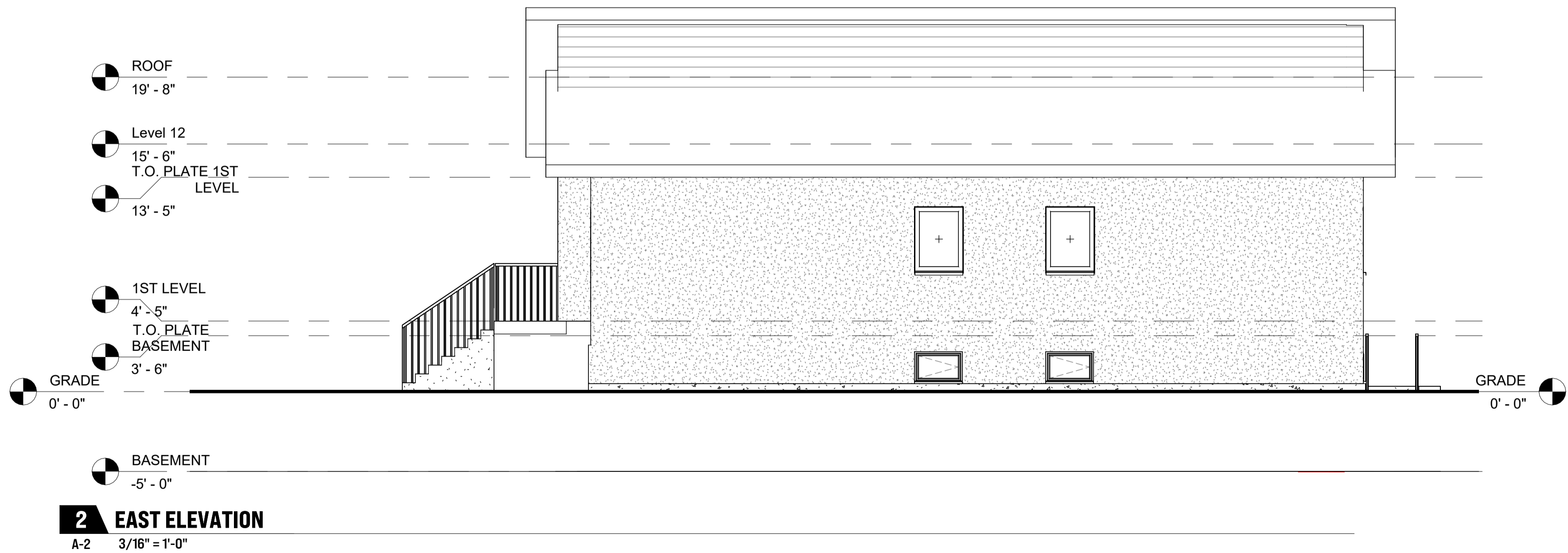
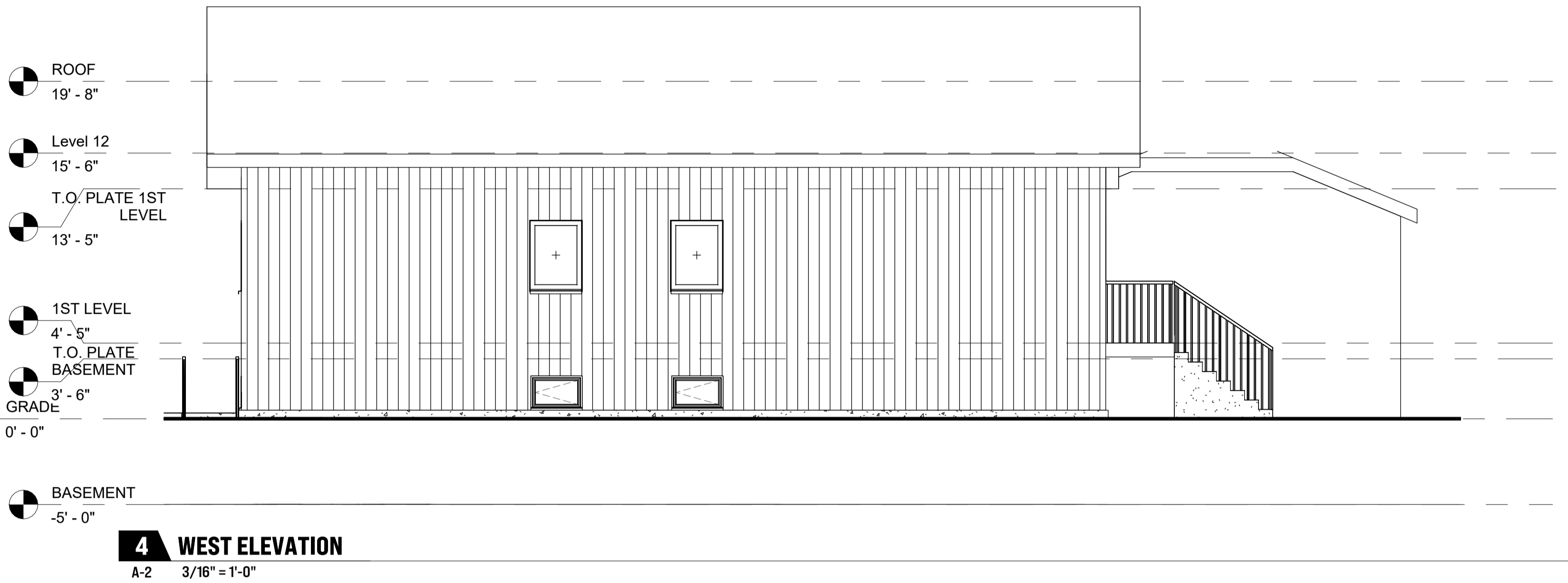
SUB-CONSULTANT

SUBMISSION RECORDS

NO.	DESCRIPTION	DATE

PROJECT NOTES

SHEET SIZE
ARCH D (24" x 36")
PROJECT ID
DATE
DRAWN BY
CHECKED BY
APPROVED BY
SCALE
23-007
2023-07-17
J.N.
J.N.
M.H.
AS NOTED



NOTES	PROJECT INFORMATION	DRAWING TITLE	DISCIPLINE SEAL	PRIMARY CONSULTANT	SUB-CONSULTANT	SUBMISSION RECORDS	PROJECT NOTES																		
1. DO NOT SCALE DRAWINGS 2. VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AS REQUIRED PRIOR TO BIDDING AND COMMENCEMENT OF WORK. 3. COORDINATE ARCHITECTURAL, STRUCTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS PRIOR TO COMMENCEMENT OF WORK. 4. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE, NOTIFY THE ARCHITECT/ENGINEER IMMEDIATELY, IN WRITING PRIOR TO PROCEEDING WITH ANY WORK. 5. ALL WORK SHALL COMPLY OR EXCEED THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, FIRE CODE, PLUMBING CODE, ELECTRICAL CODE, AND LOCAL BY-LAWS.	3880 MATCHETT RD. ZBA SITE PLAN 3880 Matchett Rd, Windsor, ON N9C 2A2	ELEVATIONS	<div>The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's BC20N.</div>	<div>AVANTGROUP</div> <div>AVANT GROUP INC.</div> <div>5980 TECUMSEH RD. E., WINDSOR, ON, N8T 1E3</div> <div>PHONE: 519-300-9839 EMAIL: info@avantgroupincorp.com</div> <div>www.avantgroupincorp.com</div>		<table><tr><th>NO.</th><th>DESCRIPTION</th><th>DATE</th></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	NO.	DESCRIPTION	DATE																<div>SHEET SIZE ARCH D (24" x 36")</div> <div>PROJECT ID 23-007</div> <div>DATE 2023-07-17</div> <div>DRAWN BY J.N.</div> <div>CHECKED BY J.N.</div> <div>APPROVED BY M.H.</div> <div>SCALE AS NOTED</div>
NO.	DESCRIPTION	DATE																							

A-2.



1 CONCEPTUAL RENDERING LOOKING FROM SOUTHEAST
A-3 NOT TO SCALE

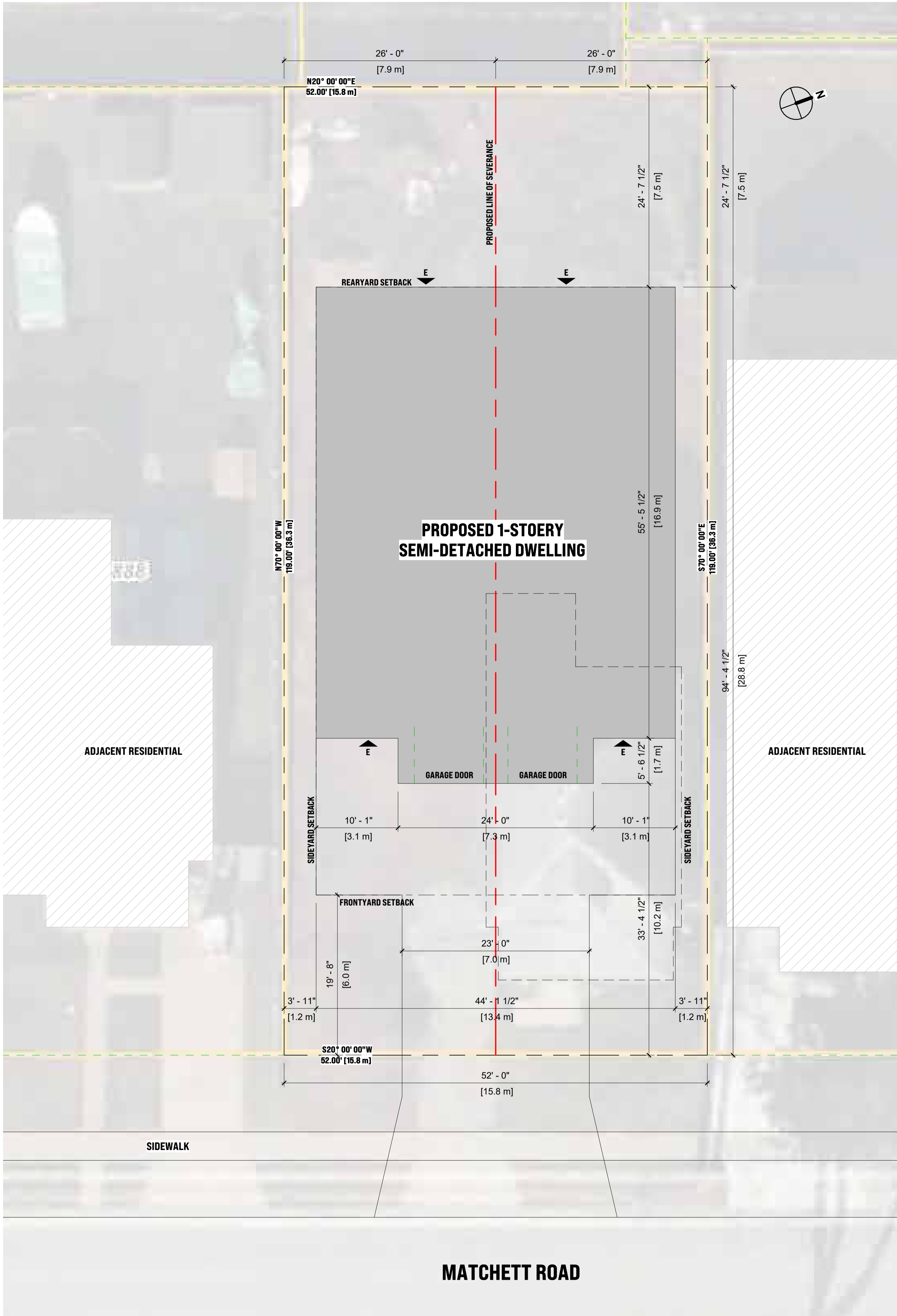


2 CONCEPTUAL RENDERING LOOKING FROM NORTHEAST

NOTES	PROJECT INFORMATION	DRAWING TITLE	DISCIPLINE SEAL	PRIMARY CONSULTANT	SUB-CONSULTANT	SUBMISSION RECORDS	PROJECT NOTES
1. DO NOT SCALE DRAWINGS 2. VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AS REQUIRED PRIOR TO BIDDING AND COMMENCEMENT OF WORK. 3. COORDINATE ARCHITECTURAL, STRUCTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS PRIOR TO COMMENCEMENT OF WORK. 4. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE, NOTIFY THE ARCHITECT/ENGINEER IMMEDIATELY, IN WRITING PRIOR TO PROCEEDING WITH ANY WORK. 5. ALL WORK SHALL COMPLY OR EXCEED THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, FIRE CODE, PLUMBING CODE, ELECTRICAL CODE, AND LOCAL BY-LAWS.	3880 MATCHETT RD. ZBA SITE PLAN 3880 Matchett Rd, Windsor, ON N9C 2A2	CONCEPTUAL RENDERING	The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's SIGN.	 AVANT GROUP INC. 5980 TECUMSEH RD. E., WINDSOR, ON, N8T 1E3 PHONE : 519-300-9839 EMAIL : info@avantgroupinc.com Development & Heritage Services Ltd. January 7, 2025 www.avantgroupinc.com			SHEET SIZE ARCH D (24" x 36") PROJECT ID 23-007 DATE 2023-07-17 DRAWN BY J.N. CHECKED BY J.N. APPROVED BY M.H. SCALE AS NOTED



1 AERIAL VIEW
A-0 NOT TO SCALE



3 SITE PLAN
A-0 1/8" = 1'-0"

	NAME OF PROJECT: PROPOSED SEMI-DETACH DWELLING FOR ZBA APPLICATION										
	PROJECT NUMBER: 24-003										
	SITE LOCATION: 3880 Matchett Rd, Windsor, ON N9C 2A2										
ITEM	ONTARIO BUILDING CODE DATA MATRIX PART 3 or 9						OBC Reference				
1	PROJECT DESCRIPTION:			<input checked="" type="checkbox"/> New	<input type="checkbox"/> Part 11	<input type="checkbox"/> Part 3	<input checked="" type="checkbox"/> Part 9				
<input type="checkbox"/> Addition				11.1 to 11.4	2.1.1	2.1.1					
	<input type="checkbox"/> Change of Use			<input type="checkbox"/> Alteration			9.10.1.3				
2	MAJOR OCCUPANCY(S) Residential						3.1.2.1.(1)		9.10.2		
3	BUILDING AREA (m ²)	Existing	-- m ²	New	257.7 m ²	Total	257.7 m ²	1.1.3.2	1.1.3.2		
			-- ft ²		2,773 ft ²		2,773 ft ²				
4	GROSS AREA (m ²)	Existing	-- m ²	New	315.4 m ²	Total	315.4 m ²	1.1.3.2	1.1.3.2		
			-- ft ²		5,546 ft ²		5,546 ft ²				
5	NUMBER OF STOREYS	Above Grade	1	Below Grade	1			3.2.1.1 & 1.1.3.2	2.1.1.3		
6	HEIGHT OF BUILDING (m)	6.0 m [19'-8"]							2.1.1.3		
7	NUMBER OF STREET(S) / ACCESS ROUTE(S)			1			3.2.2.10 & 3.2.5.5				
8	BUILDING CLASSIFICATION			3.2.2.47. Group C, up to 3 Storeys			3.2.2.20 - .83		9.10.4		
9	SPRINKLER SYSTEM PROPOSED			<input type="checkbox"/> Entire Building							
<input type="checkbox"/> Basement Only				3.2.1.5		9.10.8					
<input type="checkbox"/> In Lieu of Roof Rating				3.2.2.17							
<input checked="" type="checkbox"/> Not Required											
10	STANDPIPE REQUIRED			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			3.2.9		9.10.4		
11	FIRE ALARM REQUIRED			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			3.2.4		9.10.7.2		
12	WATER SERVICE / SUPPLY IS ADEQUATE			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
13	HIGH BUILDING			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			3.2.6				
14	PERMITTED CONSTRUCTION			<input type="checkbox"/> Combustible <input type="checkbox"/> Non-Combustible <input checked="" type="checkbox"/> Both			3.2.2.20 - .83		9.10.6		
	ACTUAL CONSTRUCTION			<input type="checkbox"/> Combustible <input type="checkbox"/> Non-Combustible <input checked="" type="checkbox"/> Both							
15	MEZZANINE(S) AREA (m ²)			m ²			3.2.1.1.(3) - (8)		9.10.4.1		
16	OCCUPANT LOAD BASED ON			<input type="checkbox"/> m ² / person <input checked="" type="checkbox"/> Design of Building			3.1.17		9.9.1.3		
				2 PER BEDROOM x 4 = 8							
17	BARRIER-FREE DESIGN			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Explain): RESIDENTIAL			3.8		9.5.2		
18	HAZARDOUS SUBSTANCES			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			3.3.1.2 & 3.3.1.19		9.10.1.3.(4)		
19	REQUIRED FIRE RESISTANCE RATING (F.R.R.)	HORIZONTAL ASSEMBLIES F.R.R. (HOURS)			LISTED DESIGN NO. or DESCRIPTION (S6-8)			3.2.2.20 - .83 & 3.2.1.4		9.10.8	
		Floors	1 Hours		UL Des U419, F.R.R. (1 hr)			9.10.8			
		Roof	1 Hours		UL Des L510, F.R.R. (1 hr)			9.10.9			
		Mezzanine	-- Hours								
		F.R.R. OF SUPPORTING MEMBERS			COMPONENT UTILIZED						
		Floors	-- Hours								
		Roof	-- Hours								
	Mezzanine	-- Hours									

2 DATA MATRIX
A-0 NOT TO SCALE

ZONING + SITE DATA

PROJECT ADDRESS	3880 MATCHETT RD., WINDSOR, ON N9C 2A2		
ROLL NUMBER	3739-050-480-04200-0000		
LEGAL DESCRIPTION	PLAN 656; LOT 53; N PT LOT 54		
CURRENT ZONING	RD1.2 - RESIDENTIAL DISTRICT 1.2		
PROPOSED ZONING	RD2.2 - RESIDENTIAL DISTRICT 2.2		
PROPOSED USE	SEMI-DETACHED DWELLING		
LOT FRONTAGE	MINIMUM 15 m	PROPOSED 15.8 m [52'-0"]	
LOT DEPTH	36.3 m [119'-0"]		
SITE AREA	MINIMUM 450.0 m ²	PROPOSED 574.8 m ² [6,187 ft ²]	
SETBACKS	MIN. FRONT YARD MIN. REAR YARD MIN. SIDE YARD	REQUIRED 6.0 m 7.5 m 1.2 m	PROPOSED 11.9 m 9.0 m 1.2 m
FOOTPRINT	239.9 m ² [2,583 ft ²]		
LOT COVERAGE	MAXIMUM 45%	PROPOSED 41.7%	
GROSS FLOOR AREA	1 st LEVEL 2 nd LEVEL TOTAL	239.9 m ² [2,583 ft ²] 239.9 m ² [2,583 ft ²] 479.8 m ² [5,166 ft ²]	
HEIGHT OF BUILDING	MAXIMUM 9.0 m [29'-6"]	PROPOSED 8.5 m [27'-10"]	
PARKING	REQUIRED PARKING SPACES: 1 PER DWELLING UNIT	REQUIRED 2	PROPOSED 2

4 ZONING + SITE MATRIX
A-0 NOT TO SCALE

NOTES

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5. ALL WORK SHALL COMPLY OR EXCEED THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, FIRE CODE, PLUMBING CODE, ELECTRICAL CODE, AND LOCAL BY-LAWS.

PROJECT INFORMATION

3880 MATCHETT RD. ZBA SITE PLAN
3880 Matchett Rd, Windsor, ON N9C 2A2

DRAWING TITLE

AERIAL VIEW, DATA MATRIX, SITE PLAN

DISCIPLINE SEAL

The Architect noted above has exercised responsible control with respect to design activities. The Architect's Seal Number is the Architect's BCIN.

PRIMARY CONSULTANT

AVANT/GROUP

AVANT GROUP INC.
5980 TECUMSEH RD. E., WINDSOR, ON, N8T 1E3
PHONE: 519-300-9839 EMAIL: info@avantgroupincorp.com
www.avantgroupincorp.com

SUB-CONSULTANT

SUBMISSION RECORDS

1	Site Plan Agreement	23-11-02
NO.	DESCRIPTION	DATE

PROJECT NOTES

SHEET SIZE	ARCH D (24" x 36")
PROJECT ID	23-007
DATE	2023-07-17
DRAWN BY	J.N.
CHECKED BY	J.N.
APPROVED BY	M.H.
SCALE	AS NOTED

APPENDIX C – CONSULTATIONS

CITY OF WINDSOR - BUILDING ENGINEER – MIRELLA ALLISON

If the intention is to create additional dwelling units in the basements, then 9.9.4.4. OBC applies: **9.9.4.4. Openings Near Unenclosed Exit Stairs and Ramps**

- (1) Where an unenclosed exterior *exit* stair or ramp provides the only *means of egress* from a *suite* and is exposed to fire from openings in the exterior walls of another *fire compartment*, the openings in the exterior walls of the *building* shall be protected with wired glass in fixed steel frames or glass block conforming to Articles 9.10.13.5. and 9.10.13.7. when the openings in the exterior walls of the *building* are within 3 m horizontally and less than 10 m below or less than 5 m above the *exit* stair or ramp.

CITY OF WINDSOR – DEVELOPMENT ENGINEERING – JUAN PARAMO

Sewers: The site may be serviced by a 250mm combined sewer located within the Matchett Road right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3. The level of service for the sewer system in this neighborhood is not expected to experience any significant degradation because of this development.

Right-of-Way: Matchett Road is classified as Class 1 Collector according to the Official Plan requiring a right-of-way width of 28 metres. The current right-of-way width is deficient; however, a conveyance is not required currently.

In summary we have no objection to the proposed development. If you have any further questions or concerns, please contact Juan Paramo at jparamo@citywindsor.ca

CITY OF WINDSOR – ENVIRONMENTAL POLICY & NATURAL AREAS – KAREN ALEXANDER & CONNOR WILSON

Natural Areas has reviewed the Planning Rationale Report and advises that the development proposal is anticipated to have no negative impact on ecological features, areas, and functions. To maintain high regard for Natural Heritage in the City during development, the following applies:

1. Should Species at Risk or their habitat be found at any time on or adjacent to the site, cease activity immediately and contact MECP at SAROntario@ontario.ca for recommendations on next steps to prevent contravention of the Endangered Species Act (2007). The City of Windsor SAR hotline (519-816-5352) can also be used for relevant questions and concerns. For a list of Species at Risk and other provincially tracked species with potential to be around the site, use the Natural Heritage Information Centre (NHIC) Make A Map tool, found at <https://www.ontario.ca/page/make-natural-heritage-area-map>
2. If trees or other vegetation (i.e., shrubs and unmaintained grasses) on/adjacent to the site are to be removed, damaged, or disturbed during the breeding bird season (April 1 – August 31), then sweeps for nesting birds should be conducted to prevent contravention of Migratory Bird Regulations (2022), the Migratory Birds Convention Act (1992), and section 7 of the Fish and Wildlife Conservation Act (1997). Visit <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html> for more information.

APPENDIX C – CONSULTATIONS

3. Beaver dams and dens of fur-bearing mammals are protected under section 8 of the Fish and Wildlife Conservation Act (1997) and are not to be damaged or destroyed without the proper authorization and/or license.
4. The City of Windsor is a Bird Friendly City. Bird Friendly Design is encouraged, particularly window collision mitigation. Options for integrating bird friendly design can be found here: www.birdsafe.ca and bird friendly guidelines can be found here: [Bird-Friendly Guidelines – City of Toronto](#).

CITY OF WINDSOR – FORESTRY – MARC EDWARDS

There are no City owned, or private trees located on this property. Forestry has no issues with this Zoning By-law Amendment Application.

CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - HERITAGE PLANNING – TRACY TANG

Built Heritage: There is no apparent built heritage concern with this property.

Archaeology: Archaeological Assessment Report Entitled "Stage 1-2 Archaeological Assessment 3880 Matchett Road, Lot 5, Concession N/A (Geographical Township of Sandwich), City of Windsor, County of Essex (AMICK Corporate Project #2024-760/MCM File #P038-1556-2024)", has been entered into the Ontario Public Register of Archaeological Reports. Though the report recommends no further archaeological assessment of the property, note the following archaeological precautions.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Development Services, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. If human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Windsor Police Service: 911

Windsor Planning & Development Services, 519-255-6543 x6179, ttang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A), Michelle 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

Ontario Ministry of Government & Consumer Services, A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

APPENDIX C – CONSULTATIONS

CITY OF WINDSOR - RIGHT-OF-WAY – MARK SCHAFFHAUSER

Required Drawing Revisions:

1. **Driveway Approaches** – Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.
 - Residential driveway as per Standard Engineering Drawing AS-221 or AS-222.
 - Redundant curb cuts to be reinstated as per Engineering Standard S-5 and AS-208.
2. **Sewer Connections** – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.
 - Modify drawings to include all sewer connections and water services.
 - Identify redundant connections to be abandoned per Engineering Best Practice BP1.3.3.

Right-of-Way Permit Requirements:

CCTV Sewer Inspection – The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

Driveway Approaches – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Residential Property
 - a. Asphalt in accordance with City of Windsor Standard Drawing AS-221; or
 - b. Concrete in accordance with City of Windsor Standard Drawing AS-222

Sewer Connections – The site is serviced by a 250mm combined sewer located within the Matchett Road right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
- Follow Best Practice BP1.1.1 for wye connections to combined sewers.

If you have any further questions or concerns, please contact Karen Kong, of this department at kkong@citywindsor.ca.

APPENDIX C – CONSULTATIONS

CITY OF WINDSOR - TRANSPORTATION PLANNING – ELARA MEHRILLOU

Land Conveyance: A land conveyance along frontage of Matchette Rd is required but not requested at this time.

Corner Cut-Off: Not Applicable.

Sidewalk: Not Applicable.

Parking: All parking must comply with ZBL 8600.

Transportation Impact Study: Not Applicable.

Access: All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

- All proposed driveways must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane).

Exterior Path: All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Should you have any further questions or concerns, please contact Ellie MehriLou, of this department at EMehrilou@citywindsor.ca.

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development.

The closest existing transit route to this property is with the South Windsor 7 with direct service along Matchett. The South Windsor 7 has a peak weekday frequency of 30 minutes. As part of Transit Windsor's City Council approved 2025 service plan, the South Windsor 7 will be replaced by a new secondary route. This route will have the same frequency but will now on Sundays and be extended later into the weekdays and Saturday. This is proposed to be implemented in September 2025.

The closest existing bus stop to this property is located on Matchett at Chappell Southeast Corner. This bus stop is approximately 70 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

Subject: Zoning By-law Amendment Application for 4641 Malden Road, Z-010/25 [ZNG-7301], Ward 1

Reference:

Date to Council: July 7, 2025
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: June 3, 2025
Clerk's File #: Z/14980

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:
 1. **NORTHEAST CORNER OF HALLIDAY AVENUE AND MALDEN ROAD**
For the lands comprising of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), the following additional provision shall apply:
 - a) For a *Single Unit Dwelling*, a central air conditioning system shall be provided.
[ZDM 5; ZNG/7301]
- II. THAT that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:
 - (14) a) Submission of an Erosion and Sediment Control Plan and a Relocation and Monitoring Plan in accordance with the Environmental Evaluation Report prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, to the satisfaction of the City Planner.
[ZNG/7301]
- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), situated at the northeast corner of Halliday Avenue and Malden Road from DRD1.1 to H(14)RD1.3x(1).

Executive Summary:

N/A

Background:

Application Information:

Location: 4641 Malden Road
(Lots 88 to 92, Plan 972; Roll No. 080-670-08900; PIN No. 01262-1355 LT)

Ward: 1

Planning District: Malden

Zoning District Map: 5

Owner: Marshall Harrison Paton

Applicant: Marshall Harrison Paton (Jonathan Seguin)

Authorized Agent: Oakview Land Use Planning (Robert Brown)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the northeast corner of Halliday Avenue and Malden Road, known municipally as 4641 Malden Road (the “Subject Property”), from Development Reserve District 1.1 (DRD1.1) to Residential District 1.3 (RD1.3) to allow for the construction of three (3) Single Unit Dwellings in addition to the existing Single Unit Dwelling.

The applicant has submitted a concurrent Part-Lot Control Exemption Application to allow for the creation of three (3) new lots for the proposed Single Unit Dwellings. The new lots are proposed to have a lot width of 9.1 metres, lot depth of 30.5 metres and lot area of 278.7 m². The retained portion of the Subject Property, having a lot width of 9.8 metres, lot depth of 30.5 metres and lot area of 297.8 m² will contain the existing Single Unit Dwelling.

A subsequent by-law exempting the Subject Property from Part-Lot Control will be brought to Council if this amendment is approved, as compliance with Zoning By-law 8600 is a prerequisite.

Submitted Information: Deed, Environmental Evaluation Report (See Appendix G), Natural Site Features Inventory & Preservation Study (See Appendix H), Noise Assessment (See Appendix I), Phase I Environmental Site Assessment (ESA) (See Appendix J), Planning Justification Report (See Appendix K) and Zoning By-law Amendment Application Form

Site Information:

Official Plan & Spring Garden Secondary Plan	Zoning	Current Use	Previous Use
Residential	Development Reserve District 1.1 (DRD1.1)	Single Dwelling Unit	Agricultural (Pre circa 1940)
Lot Width	Lot Depth	Lot Area	Lot Shape
37.2 m	30.5 m	1,133.6 m ²	Rectangular
<i>All measurements are based on the Plan of Survey, prepared by Verhaegen Land Surveyors, dated November 24, 2024.</i>			



KEY MAP - Z-010-25 [ZNG-7301]

● SUBJECT LANDS





PART OF ZONING DISTRICT MAP 5

N.T.S.

REZONING

Applicant: Marshall Paton



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MAY, 2025
FILE NO. : Z-010/25, ZNG/7301



NEIGHBOURHOOD MAP - Z-010-25 [ZNG-7301]



SUBJECT LANDS

Neighbourhood Characteristics:

The Subject Property is located within the northeastern portion of the Malden neighbourhood. The Malden neighbourhood constitutes the area north of the Town of LaSalle, east of Ojibway Parkway, south of E. C. Row Expressway and west of Huron Church Road.

Surrounding Land Uses:

North:

- E. C. Row Expressway
- Herb Gray Parkway
- King's Highway 401
- Low density residential

East:

- Natural vegetation

South:

- Low density residential

West:

- Natural vegetation

Municipal Infrastructure:

- Halliday Avenue is classified as a local road, which has a one-lane grass and gravel rural cross section with no streetlights.
- Malden Road is classified as a Class II Arterial Road, which has a two-lane rural cross section with a signed bike route and streetlights on the west side.
- Sanitary sewer, roadside ditch and water main are located within the Malden Road right-of-way.

Discussion:

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The following policies of the PPS are considered relevant in discussing provincial interests related to this amendment:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

Policy 2.1.6 states:

Planning authorities should support the achievement of complete communities by:

- a) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*
 - a. This amendment will allow for another housing option for individuals who wish to live or remain within the Malden neighbourhood.

2.2 Housing

Policy 2.2.1 states:

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
 - a. This amendment will allow for the redevelopment of the Subject Property at a higher density (intensification), optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
 - i. The Subject Property is serviced by municipal electrical, roadside ditches, sanitary and water services.
 - ii. There is a community centre, public libraries and schools within general proximity to the Subject Property.
 - iii. Malden Road is a signed bike route providing connections to the nearby Herb Gray Parkway multi-use trail system and the Town of LaSalle.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

Policy 4.1.5 states:

Development and site alteration shall not be permitted in:

- *d) significant wildlife habitat;*
 - Refer to the response provided to PPS Policy 4.1.7 herein.

Policy 4.1.7 states:

Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

- The Subject Property is within proximity to a Provincially Significant Wetland (Ojibway Prairie Wetland Complex).
- An Environmental Evaluation Report (EER) prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, was completed to evaluate the ecological function of the Subject Property and adjacent lands, and determine any resulting negative impacts of the proposed development thereon and necessary mitigation measures.
- The EER concluded that the proposed development will not result in any negative impacts to the ecological function of the Subject Property and adjacent lands if the mitigation measures recommended therein are implemented in full.
 - The EER was deemed acceptable by the City's Naturalist and Outreach Coordinator via March 27, 2025, email subject to the recommended Erosion and Sediment Control Plan and Relocation and Monitoring Plan being completed prior to the issuance of any building permits.
 - The Planning Department is recommending that a site-specific holding provision be added to require the owner, prior to the issuance of a building permit, to submit an Erosion and Sediment Control Plan and a Relocation and Monitoring Plan to the satisfaction of the City Planner.
 - The City's Naturalist and Outreach Coordinator is available to assist the owner with the preparation of the Erosion and Sediment Control Plan and a Relocation and Monitoring Plan.
 - The mitigation measures also include compliance with the Ministry of the Environment, Conservation and Parks (MECP) recommendations from their review of the Information Gathering Form and additional information submitted by Terrastory Environmental Consulting Inc. to assess the impacts of the project on species at risk.
 - The recommendations, documentation and correspondence are included as Appendix 7 to the EER.
 - It is the owner's responsibility to adhere to MECP's recommendations.
- A Natural Site Features Inventory & Preservation Study (NSFPS) prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, was completed to determine preservation methods and limits, as well as compensation for loss to the urban tree canopy.

- The NSFPS concluded that five (5) trees on the Subject Property need to be removed to support the proposed development.
- The NSFPS further concluded that potential and anticipated impacts to the trees to remain on the Subject Property and trees within the municipal right-of-way will be adequately addressed if the mitigation measures recommended therein are implemented in full.
 - The Natural Site Features Inventory & Preservation Study was deemed acceptable by the Parks & Facilities Department via March 11, 2025, email.
 - The recommended mitigation measures for tree protection under the NSFPS shall only apply to those trees within the municipal right-of-way.
 - It is the owner's responsibility to adhere to the recommendations of the NSFPS.

Policy 4.1.8 states:

Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

- Refer to the response provided to PPS Policy 4.1.7 herein.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

Policy 5.1.1 states:

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

- Refer to the response provided to Official Plan policy 5.4.9.2 herein.

5.3 Human-Made Hazards

Policy 5.3.2 states:

Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

- Refer to the response provided to Official Plan policy 5.4.9.2 herein.

One or more of the responses provided to the policies of PPS Chapter 2 and/or the Official Plan referenced herein also speak to the following relevant PPS Policies:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities	
2.2 Housing	
Policy 2.2.1 - <i>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:</i>	Sub Policy b) <i>permitting and facilitating:</i> <ol style="list-style-type: none"> <i>all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and</i> <i>all types of residential intensification, including the introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;</i>
2.3 Settlement Areas and Settlement Area Boundary Expansions	
2.3.1 General Policies for Settlement Areas	
Policy 2.3.1.1 - <i>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.</i>	
Policy 2.3.1.2 - <i>Land use patterns within settlement areas should be based on densities and a mix of land uses which:</i>	Sub Policies a) <i>efficiently use land and resources, b)</i> <i>optimize existing and planned infrastructure and public service facilities, c)</i> <i>support active transportation</i>
Policy 2.3.1.3 - <i>Planning authorities shall support general intensification</i>	

<p><i>and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning....</i></p>	
Chapter 3: Infrastructure and Facilities	
3.6 Sewage, Water and Stormwater	
<p>Policy 3.6.2 - <i>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</i></p>	

Official Plan

Relevant excerpts from Volume I and Volume II of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

Table 1 - Volume I Schedules

Schedule	Designation
Schedule A - Planning Districts & Policy Areas	Malden Spring Garden Secondary Plan
Schedule A-1 - Special Policy Areas	Spring Garden Secondary Plan
Schedule B - Greenway System	Refer to Schedule SG-3 - Greenway System Components of Spring Garden Secondary Plan
Schedule C - Development Constraints	500.0 metres of Known or Suspected Former Waste Disposal Site
Schedule C-1 - Archaeological Potential	Archaeological Potential Zone (Identified as Low Archaeological Potential prior to the adoption of OPA No. 181 - Windsor Archaeological Management Plan in October 2024)
Schedule D - Land Use	Residential Refer to Schedule SG-1 - Land Use of Spring Garden Secondary Plan
Schedule E - City Centre Planning District	N/A
Schedule F - Roads & Bikeways	Class II Arterial Road (Malden Road)
Schedule F-1 - Railways	N/A
Schedule G - Civic Image	N/A
Schedule H - Baseplan Development Phasing	N/A
Schedule J - Urban Structure Plan	Regional Open Space System
Schedule K - Source Water Protection Areas	Significant Groundwater Recharge Area

Table 2 - Volume II - Spring Garden Secondary Plan

Schedule	Designation
Schedule SG-1 - Land Use	Residential
Schedule SG-2 - Development Constraints	Lands Subject to Noise Attenuation Measures ANSI consolidated boundary

Schedule SG-3 - Greenway System Components	Natural Heritage (proximity)
Schedule SG-4 - Transportation Network	Class II Arterial Road (Malden Road) Local Road (Halliday Avenue)
Schedule SG-5 - Concept Plan	Low Density Residential Development Priority Development Area (ii) Proposed Cul-De-Sac (Halliday Avenue) Proposed New Roads (Land Consolidation Req'd) (Halliday Avenue)

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2 - Growth Concept

3.2.1 - Safe, Caring and Diverse Communities

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

Chapter 5 - Environment:

5.1 - Goals

This amendment complies with the following applicable Environment goals:

- *A healthy and sustainable natural environment. (Goal 5.1.1)*
- *Cooperation and coordination among all stakeholders to maintain a flourishing natural environment. (Goal 5.1.2)*
- *Development that is compatible with environmental functions and features. (Goal 5.1.4)*

5.3 - Environmental Quality

5.3.1 - Objectives

The amendment complies with the following applicable Environmental Quality objectives:

- *To protect, conserve and improve the quality and quantity of Windsor's natural features and functions.* (Objective 5.3.1.2)
- *To protect biological diversity and the habitats of endangered, threatened and vulnerable species.* (Objective 5.3.1.3)
 - Refer to the response provided to PPS Policy 4.1.7 herein.

5.4 - Environmental Management

5.4.9 Waste Disposal Sites Policies

Disposal Site Report

Council shall require proponents of development within 500 metres of a Known or Suspected Waste Disposal Site to prepare a report in accordance with provincial legislation, policy and appropriate guidelines to demonstrate the site is suitable for development. (Policy 5.4.9.2)

- The Subject Property is located within 500.0 metres of the following two former Known Waste Disposal Sites identified within the Ministry of the Environment's [Waste Disposal Site Inventory \(June 1991\)](#) document:
 - Malden Road & Albert Road - Circa 1962 (Site No. A010103, Class A1, Closed in 1979)
 - Class A1 represents urban waste disposal sites that handled industrial liquid/hazardous wastes with the potential for impact on humans.
 - Matchette & Malden Road - Circa 1962 (Site No. A010103, Class A4, Closed in 1992)
 - Class A4 represents rural waste disposal sites closed less than 10 years that handled municipal/domestic wastes with the potential for impact on humans.
- A Phase I Environmental Site Assessment (ESA) prepared by Fisher Engineering, dated May 28, 2025, was completed in accordance with Canadian Standard Association (CSA) Standard Z768-01 (reaffirmed 2022) to demonstrate that the subject property is suitable for development.
 - The Phase I ESA determined that there is no evidence of actual and/or potential surface or sub-surface contamination associated with the Subject Property or other properties within the study area.
 - The Phase I ESA concluded that no further investigation is recommended at this time.

Restrict Development

Council shall prohibit residential, commercial, employment, mixed use and institutional development within 30 metres of a known waste disposal site and restrict development within 500 metres of a known or suspected waste disposal site if the site has any adverse environmental effects or poses a risk to public health and safety. (Policy 5.4.9.3)

- Refer to the response provided to Official Plan policy 5.4.9.2 herein.

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- *Safe, caring and diverse neighbourhoods. (Goal 6.1.1)*
- *Housing suited to the needs of Windsor's residents. (Goal 6.1.3)*
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available. (Goal 6.1.14)*

6.3 Residential

6.3.1 Objectives

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods. (Objective 6.3.1.1)*
- *To promote compact neighbourhoods which encourage a balanced transportation system. (Objective 6.3.1.2)*

6.3.2 Policies

Permitted Uses

Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. (Policy 6.3.2.1)

- A Single Unit Dwelling is classified as a Low-Profile dwelling.

Types of Low-Profile Housing

For the purposes of this Plan, Low Profile housing development is further classified as follows: (Policy 6.3.2.3)

- *(a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and*
- *(b) large scale forms: buildings with more than 8 units. e*

Locational Criteria

Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where: (Policy 6.3.2.4)

- *(a) There is access to a collector or arterial road;*
 - The subject property has frontage on Malden Road, a Class II Arterial Road.
- *(b) Full municipal physical services can be provided;*
 - Refer to the response provided to PPS Policy 2.2.1.c) herein.
- *(c) Adequate community services and open spaces are available or are planned; and*
 - Refer to the response provided to PPS Policy 2.2.1.c) herein and the Surrounding Land Uses section herein.
- *(d) Public transportation service can be provided.*
 - The Subject Property is located just east of one of three areas identified for Alternative Service Delivery (ASD) within Transit Windsor's 2019 Transit Master Plan (TMP).
 - ASDs are intended to provide on-demand transit options for low-density and emerging development areas.
 - The TMP provides a timeframe of 2026 to 2028 for the implementation of the ASDs.

Evaluation Criteria for a Neighbourhood Development Pattern

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (Policy 6.3.2.5)

- *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
 - *(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
 - The Subject Property is located within 500.0 metres of two former Known Waste Disposal Sites.

- Refer to the response provided to Official Plan Policy 5.4.9.2 herein.
- *(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;*
 - Refer to the response provided to Spring Garden Secondary Plan Policy 5.7.1.11 herein.
- *(iii) within a site of potential or known contamination;*
 - Refer to the response provided to Official Plan Policy 5.4.9.2 herein.
- *(iv) where traffic generation and distribution is a provincial or municipal concern; and*
 - The Transportation Planning Department, through their comments to this application, did not identify any concerns with traffic generation and distribution associated with this amendment.
- *(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;*
 - The Subject Property is located within the Spring Garden Secondary Plan Planning Area.
 - Refer to the responses provided to the applicable Spring Garden Secondary Plan policies listed under Volume II hereafter.
- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
 - This amendment will allow for a development that is compatible with the established residential built environment found within the surrounding neighbourhood.
 - The established residential built environment includes Single Unit Dwellings of various sizes and architectural styles, reflective of their time of construction ranging from 1919 to 2020.
 - The residential lots found within the surrounding neighbourhood vary in size with a wide range of lot widths and areas.
 - The residential zoning found within the surrounding neighbourhood includes DRD1.1, Residential District 1.1 (RD1.1) and Residential District 1.4 (RD1.4).
 - The aforesaid zoning districts and the requested RD1.3 zoning district have the same building setback and lot coverage provisions.

- The applicant is not requesting relief from any of the RD1.3 zoning provisions.
- *(d) provided with adequate off street parking;*
 - The proposed development will accommodate the required number of parking spaces onsite.
- *(e) capable of being provided with full municipal physical services and emergency services; and*
 - Refer to the response provided to PPS Policy 2.2.1.c) herein for details on the municipal physical services available to the subject property.
 - The Subject Property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 5) & Windsor Police Service.

Chapter 7 - Infrastructure:

Class II Arterial Roads

Council will provide for Class II Arterial Roads as follows: (Policy 7.2.6.5).

- *(b) Operational and design characteristics:*
 - *(vii) Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways, and where appropriate the City may require support studies and additional information to demonstrate the need for additional access.*
 - The Subject Property is comprised of five (5) lots on a Registered Plan of Subdivision (Lots 88 to 92, Plan 972), all having frontage on Malden Road.
 - The *Planning Act* permits whole lots on a Registered Plan of Subdivision to be conveyed without the granting of a Consent from the Committee of Adjustment.
 - The City cannot deny access to a lot(s) on a Registered Plan of Subdivision.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
 - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
 - *(b) Relevant support studies;*
 - *(c) The comments and recommendations from municipal staff and circularized agencies;*
 - *(d) Relevant provincial legislation, policies and appropriate guidelines; and*
 - *(e) The ramifications of the decision on the use of adjacent or similar lands.*
- This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

Volume II

Chapter 5 - Spring Garden Planning Area:

5.6 Objectives

The amendment complies with the following applicable Spring Garden Planning Area objective:

- *To determine appropriate noise attenuation measures for residential development areas adjacent to the E.C. Row Expressway, Huron Church Road, and Malden Road. (Objective 5.6.3)*

5.7.1 Residential

Low Profile Residential

Low Profile residential development will be permitted in the designated areas shown on Schedule SG-1 to this Plan. (Policy 5.7.1.1)

- A Single Unit Dwelling is classified as a Low-Profile residential development.

Low Profile Description

In accordance with the Official Plan of the City of Windsor, Low Profile residential development shall be comprised of single detached, semi-detached, duplex and multiple units up to 8 units. (Policy 5.7.1.2)

Maximum Density

The maximum residential density permitted is 30.0 units per gross hectare. (Policy 5.7.1.3)

- This amendment will result in a residential density of approximately 4.2 units per gross hectare.
 - 450 dwellings (approximate) / 106.8 ha (approximate gross residential area)

Encourage Single Detached

Single detached residences will be encouraged as the primary residential land use type. (Policy 5.7.1.4)

Noise Control

Noise control measures shall apply to areas affected by noise pollution from E.C. Row Expressway, Malden Road and Huron Church Road (refer to Schedule SG-2). Development in these areas may require site plan approval pursuant to the Planning Act. (Policy 5.7.1.11)

- A Noise Assessment prepared by Akoustik Engineering Limited, dated November 26, 2024, was completed to determine if the existing noise emissions from E. C. Row Expressway and Malden Road will impact the proposed residential development and propose any necessary mitigation measures.
- The Noise Assessment determined that the measured and predicted noise levels exceed the limits set by the Ministry of the Environment, Conservation and Parks' (MECP) *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)*.
- The Noise Assessment concluded that the noise impacts can be mitigated with the installation of central air conditioning and inclusion of warning clauses.
 - The Planning Department is recommending that a site-specific provision be added to require each Single Unit Dwelling to be provided with central air conditioning.
 - Warning clauses are no longer permitted to be registered on title.

5.7.9 Noise Mitigation

Noise Study Required

The following minimum setbacks from the centreline of the respective roadway as shown on Schedule SG-2 of this Plan require that a noise study be undertaken: (Policy 5.7.9.1)

- (a) *the E.C. Row Expressway - 245 metres;*
 - The Subject Property is located within 245 metres of E. C. Row Expressway
- (c) *Malden Road - 70 metres.*
 - The Subject Property fronts on Malden Road

5.8.5 Zoning By-law Amendments

Regard for the Policies of this Plan

Amendments to the Zoning By-law will be considered having regard to the development policies for the Spring Garden Planning Area established by this Plan. (Policy 5.8.5.1)

Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix D.

The Subject Property is within a DRD1.1 zone of Zoning By-law 8600, which does not permit a Single Unit Dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning of the Subject Property to a Residential District 1.3 (RD1.3) zone to allow for the construction of three (3) Single Unit Dwellings in addition to the existing Single Unit Dwelling.

The applicant has submitted a Planning Justification Report (PJR) in support of the requested amendment. The PJR has been considered and is supported in this report.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix F. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The proposed dwelling units implement *Environmental Master Plan* Objective C1: Encourage in-fill and higher density in existing built areas. Intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduces the amount of greenhouse gas emissions within the City of Windsor.

Climate Change Adaptation:

The new buildings may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject

of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.

Financial Matters:

N/A

Consultations:

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

The applicant hosted an in-person public open house on January 24, 2025, at the Holiday Inn & Suites Windsor (Ambassador Bridge). Notice of the open house was issued to owners of properties within 200.0 metres of the Subject Property. The open house was attended by seven (7) people.

The Public Open House section of the PJR summarizes the comments and questions raised by the attendees.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 200 metres of the subject property.

Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “shall be consistent with the” *Provincial Planning Statement 2024*. The recommended zoning amendment has been evaluated for consistency with the *Provincial Planning Statement 2024* and conformity with the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent with the PPS, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Deputy City Planner- Development

Neil Robertson, MCIP, RPP
City Planner

I am not a Registered Professional Planner and have reviewed as a Corporate Team Leader

JP

RM

Approvals:

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administration Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Conceptual Plan
- 2 Appendix B - Site Images
- 3 Appendix C - Excerpts from Official Plan Volumes I & II
- 4 Appendix D - Excerpts from Zoning By-law 8600
- 5 Appendix E - Consultations
- 6 Appendix F - Draft Amending By-law7
- 7 Appendix G - Environmental Evaluation Report
- 8 Appendix H - Natural Site Features Inventory & Preservation Study
- 9 Appendix I - Noise Assessment
- 10 Appendix J - Phase I Environmental Site Assessment
- 11 Appendix K - Planning Justification Report

APPENDIX “A”
Conceptual Plans

REFER TO APPENDIX K - PLANNING JUSTIFICATION REPORT

APPENDIX “B”
Site Photos

REFER TO APPENDIX K - PLANNING JUSTIFICATION REPORT

APPENDIX “C”

Excerpts from Official Plan Volumes I & II

Volume I

3. Development Strategy

3.2 Growth Concept

3.2.1 Safe, Caring and Diverse Community

*NEIGHBOURHOOD
HOUSING VARIETY*

3.2.1.2 Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

5. Environment

5.1 Goals

In keeping with the Strategic Directions, Council’s environment goals are to achieve:

*HEALTHY &
SUSTAINABLE*

5.1.1 A healthy and sustainable natural environment.

*COOPERATION
&
COORDINATION*

5.1.2 Cooperation and coordination among all stakeholders to maintain a flourishing natural environment.

<i>COMPATIBLE DEVELOPMENT</i>	5.1.4	Development that is compatible with environmental functions and features.
-----------------------------------	-------	---------------------------------------------------------------------------

5.3

Environmental Quality

5.3.1

Objectives

<i>NATURAL RESOURCES</i>	5.3.1.2	To protect, conserve and improve the quality and quantity of Windsor's natural features and functions.
------------------------------	---------	--------------------------------------------------------------------------------------------------------

<i>PROTECT BIOLOGICAL DIVERSITY</i>	5.3.1.3	To protect biological diversity and the habitats of endangered, threatened and vulnerable species.
---------------------------------------------	---------	----------------------------------------------------------------------------------------------------

5.4

Environmental Management

5.4.9

Waste Disposal Sites Policies

<i>DISPOSAL SITE REPORT</i>	5.4.9.2	Council shall require proponents of development within 500 metres of a Known or Suspected Waste Disposal Site to prepare a report in accordance with provincial legislation, policy and appropriate guidelines to demonstrate the site is suitable for development.
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<i>RESTRICT DEVELOPMENT</i>	5.4.9.3	Council shall prohibit residential, commercial, employment, mixed use and institutional development within 30 metres of a known waste disposal site and restrict development within 500 metres of a known or suspected waste disposal site if the site has any adverse environmental effects or poses a risk to public health and safety.
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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 and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)

6.3 Residential

6.3.1 Objectives

<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***PERMITTED
USES***6.3.2.1**

Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.

*TYPES OF
DEVELOPMENT
PROFILE***6.3.2.3**

For the purposes of this Plan, Low Profile housing development is further classified as follows:

- (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and
- (b) large scale forms: buildings with more than 8 units.

*LOCATIONAL
CRITERIA***6.3.2.4**

Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where:

- (a) There is access to a collector or arterial road;
- (b) Full municipal physical services can be provided;
- (c) Adequate community services and open spaces are available or are planned; and

- (d) Public transportation service can be provided.
(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

*EVALUATION
CRITERIA FOR A
NEIGHBOURHOOD
DEVELOPMENT
PATTERN*

6.3.2.5

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
 - (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;
 - (iii) within a site of potential or known contamination;
 - (iv) where traffic generation and distribution is a provincial or municipal concern; and
- (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and

7. Infrastructure

7.2 Transportation System

7.2.6 Road Network Policies

CLASS II
ARTERIAL
ROADS

7.2.6.5 The following guidelines shall be considered when evaluating the proposed design of a Mixed Use Corridor development:

- (b) Operational and design characteristics:
 - (vii) Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways, and where appropriate the City may require support studies and additional information to demonstrate the need for additional access.

11. Tools

11.6 Zoning

11.6.1 Objectives*COMPATIBLE
USES*

11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies*EVALUATION
CRITERIA*

11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II:
- (b) Relevant support studies;
- (c) The comments and recommendations from municipal staff and circularized agencies;
- (d) Relevant provincial legislation, policies and appropriate guidelines; and
- (e) The ramifications of the decision on the use of adjacent or similar lands.

Volume II**5. Spring Garden Planning Area**

(Secondary Plan added by OPA #05 – 11/29/2002)

5.6 Objectives

Based on the background analysis and input received at the public meetings, the following development objectives are established.

*ATTENUATE
NOISE*

- 5.6.3 To determine appropriate noise attenuation measures for residential development areas adjacent to the E.C. Row Expressway, Huron Church Road, and Malden Road.

5.7 Policies

Based upon the background analysis, public input, and consultants' studies, a land use plan was prepared (refer to Schedule SG-1: Land Use). The intent of this secondary plan is to achieve the previously described goals and objectives, establish a land use pattern and set out policies to guide future development.

5.7.1 Residential

This secondary plan provides primarily for future residential development which complements the development that has already occurred within this planning area. In this regard, residential development will be primarily low profile with limited provision for multiple unit residences.

Residential areas have been allocated to allow safe and convenient access to community and commercial facilities, employment areas, open space and parks, schools and major roads. Due to the presence of the Spring Garden Natural Area Complex, the following special detailed policies for the area shall apply:

*LOW PROFILE
RESIDENTIAL*

- 5.7.1.1 Low Profile residential development will be permitted in the designated areas shown on Schedule SG-1 to this Plan.

*LOW PROFILE
DESCRIPTION*

- 5.7.1.2 In accordance with the Official Plan of the City of Windsor, Low Profile residential development shall be comprised of single detached, semi-detached, duplex and multiple units up to 8 units.

<i>MAXIMUM DENSITY</i>	5.7.1.3	The maximum residential density permitted is 30.0 units per gross hectare.
<i>ENCOURAGE SINGLE DETACHED</i>	5.7.1.4	Single detached residences will be encouraged as the primary residential land use type.
<i>NOISE CONTROL</i>	5.7.1.11	Low Profile residential development will be permitted in the designated areas shown on Schedule SG-1 to this Plan.

5.7.9 Noise Mitigation

<i>NOISE STUDY REQUIRED</i>	5.7.9.1	<p>The following minimum setbacks from the centreline of the respective roadway as shown on Schedule SG-2 of this Plan require that a noise study be undertaken:</p> <ul style="list-style-type: none"> (a) the E.C. Row Expressway - 245 metres; (b) Huron Church Road - 295 metres; and (c) Malden Road - 70 metres.
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5.8 Implementation

5.8.5 Zoning By-law Amendments

<i>REGARD FOR THE POLICIES OF THIS PLAN</i>	5.8.5.1	Amendments to the Zoning By-law will be considered having regard to the development policies for the Spring Garden Planning Area established by this Plan.
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APPENDIX “D”

Excerpts from Zoning By-law 8600

SECTION 8 - DEVELOPMENT RESERVE DISTRICTS 1. (DRD1.)

([ZNG/5270])

(B/L 370-2001 Nov 15/2001; B/L 168-2002 Jul 18/2002; B/L 164-2010 Nov 17/2010;
B/L 164-2017 Dec 7/2017; B/L 95-2018 Aug 21/2018)

8.1 DEVELOPMENT RESERVE DISTRICT 1.1

8.1.1 PERMITTED USES

Existing Dwelling

Any use accessory to an *Existing Dwelling*

8.1.5 PROVISIONS

.1 Lot Width – minimum	As Existing
.2 Lot Area – minimum	As Existing
.3 Lot Coverage – Total – maximum	45.0%
.4 Main Building Height – maximum	10.0 m
.5 Front Yard Depth – minimum	6.0 m
.6 Rear Yard Depth – minimum	7.50 m
.7 Side Yard Width – minimum	1.20 m

(B/L 95-2018 Aug 21/2018)

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003;
B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005
B/L 114-2016 Sep 19/2016; B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019; B/L 101-2022 Jul 11/2022; B/L 52-2024 Apr 22/2024)

10.3 RESIDENTIAL DISTRICT 1.3 (RD1.3)

10.3.1 PERMITTED USES

Existing Duplex Dwelling

Existing Semi-Detached Dwelling

One Single Unit Dwelling

Any use accessory to the preceding uses

10.3.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	9.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	270.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m
.8 Gross Floor Area – main building – maximum	400 m ²	400 m ²	400 m ²

(B/L 101-2022 Jul 11/2022; B/L 52-2024 Apr 22/2024)

APPENDIX “E” Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

Comments to Stage 1: Planning Consultation Application (PC-067/23)

No supporting studies required

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.

Comments to Stage 2: Planning Consultation Application (PC-017/25)

No comments provided

[Adam Pillon - Manager of Right-of-Way]

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

Comments to Stage 1: Planning Consultation Application (PC-067/23)

No Objection.

Please be advised of the overhead 120/240 Volt secondary service connected to the south-east corner of property 4615 Malden Rd.

Please be advised of the overhead 120/240 Volt secondary service connected to the south-east corner of property 4641 Malden Rd.

Prior to working in these areas, we suggest notifying your contractor and referring to the *Occupational Health and Safety Act* and Regulations for Construction Projects to confirm clearance requirements during construction and demolition. Also, we suggest referring to the *Ontario Building Code* for required clearances for New Building Construction.

[Nillavon Balachandran - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. - WATER ENGINEERING

Comments to Stage 1: Planning Consultation Application (PC-067/23)

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

ESSEX REGION CONSERVATION AREA (ERCA)**Comments to Stage 1: Planning Consultation Application (PC-067/23)**

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Basin Drain. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

Our office has reviewed the proposal and has no concerns relating to the quantity and quality of runoff in the downstream watercourse due to the proposed development on this site. Our office does not require a stormwater management plan for this proposal.

[Alicia Good - Watershed Planner]

FORESTRY**Comments to Stage 2: Planning Consultation Application (PC-017/25)**

March 11, 2025

The existing natural site feature report is acceptable.

My understanding is that no work is being undertaken on the Part 4 section of the lot that holds the existing house. If that holds true, then both of the City owned trees are safe. If any development work will be undertaken on the PART 4 section of this property, then my statement regarding larger Tree Protection Zone (TPZ) requirements stands. City Forestry requires a TPZ 12 times then diameter of the CITY tree to protect. We recommend, but cannot enforce, similar protections for private trees. A modified site plan indicating the larger TPZ would be required if there is work on Part 4.

A note acknowledging activities planned on Part 4 would suffice.

February 24, 2025

Forestry has reviewed the submitted *Natural Site Features Inventory and Preservation Report*.

The Tree Root Protection zone (TPZ) must be expanded for City trees to 12x the DBH or Drip line distance +1meter, as opposed to the proposed 6x DBH recommendation. Similar recommendations are made for private trees to be protected to ensure maintenance of future health.

Will the proposal include compensation for loss of Tree Canopy with new plantings on site? Forestry suggests that new landscaping may include a minimum one new front yard tree per new residence to be established along Malden Rd frontage.

Forestry will require detailed site plans prior to construction that show adequate Tree Root protection zones for each individual tree if they are to be preserved on-site and those in proximity on adjacent lots through the development process. Basic Tree protection includes exclusion fencing at the 'dripline +1 meter' distance for each tree. Full details regarding the size of protection area required the permitted activity within the protection zone and the type of fencing for protection zones can be provided by Forestry. City Trees are protected from damages and removal under City by-law 135-2004 and 131-2019.

If the trees are not to be preserved or cannot be adequately protected through the development process a request must be made that specific trees be removed. A Removal & Canopy Replacement costs may be calculated based on cost-to-remove and a Diameter-for-Diameter replacement ratio for both City owned trees.

If individual trees are initially identified to be preserved and provided with Protection zones but are damaged or encroached upon during construction, then Removal and Replacement costs will apply.

Forestry requests the opportunity to review future landscaping plans in order to provide comment and suggestion regarding new tree species selection, stock types and long-term tree care that would enhance tree survival, performance and aesthetics on-site and would maximize future on-site Tree Canopy and City-wide Tree Canopy Resilience.

Please let us know if you have any further questions regarding Tree Protection and Replacement issues. Forestry will continue to monitor the progress of this construction work.

[Gaspar Horvath - Supervisor Parks]

Comments to Stage 1: Planning Consultation Application (PC-067/23)

Forestry has following comments on this property.

It was determined there are only two city owned trees that will need to be preserved.

Both the Freeman maple 62dbh and the Red maple are located along Halliday.

I would recommend the developer follow the tree preservation methods outlined in the City of Windsor Landscape Manual under section 3.1 Existing trees.

There were some private mature trees located on this property, and I would request an inventory done on these trees.

This is a requirement under the City of Windsor's Official Plan under section 5.3.6.7, section 10.2.1.7 and section 10.2.14.

[Yemi Adeyeye- City Forester / Manager Forestry & Natural Areas]

MINISTRY OF TRANSPORTATION (MTO)**Comments to Stage 1: Planning Consultation Application (PC-067/23)**

MTO does not object to the proposed zoning by-law amendment. The subject property is located within MTO's Permit Control Area, and as such, MTO review, approval and permits are required before any demolition, grading, construction or alteration to the site(s) commences.

As a condition of permits, the Proponent shall submit an acceptable Site Plan, Grading Plan, Drainage Plan and Site Servicing Plan for MTO review and approval. MTO permits will be required for each individual lot/dwelling.

MTO may have additional comments/requirements upon review of the above documents.

[Ryan Mentley - Corridor Management Planner]

PARKS DESIGN & DEVELOPMENT (NATURAL AREAS)**Comments to Stage 2: Planning Consultation Application (PC-017/25)**

Natural Areas comments:

- ERCA Permit may be required due to proximity to Provincially Significant Wetland and the parcel is partially within the Limit of Regulated Area.

For Site Plan Control:

- Include MECP understandings and mitigation recommendations with the following adjustments:
 - Require the installation of a permanent fence along the east boundary to protect the natural area from encroachment.
 - Offer that the Ojibway Nature Centre is available for education and outreach for new owners
 - Offer that Ojibway Nature Centre is available for SAR training for on-site personnel
 - Include the SAR Hotline for assistance with retrieval/drop off services for SAR snakes or other wildlife species on site (519) 816-5352

Comments to Stage 1: Planning Consultation Application (PC-067/23)

From what I can tell, the application aligns to the Spring Garden Planning Area policies. No comment from Natural Areas on the re-zoning.

Noteworthy at this time: a development proposal will have to give proper regard to natural heritage under the PPS. We have multiple occurrences of Species at Risk within 1 km of the property.

[Karen Alexander - Naturalist & Outreach Coordinator]

PLANNING DEPARTMENT - HERITAGE

Comments to Stage 1: Planning Consultation Application (PC-067/23)

I looked closer at the EIS mapping, what is in the OP schedule C.1, and the 2005 WAMP modelling, and I think what might have happened was it was “loosely interpreted” to be in the high potential area since there are no local roads drawn on the map, it’s more so large blobs of areas (see snippet).



I think the cutoff is about around the rear lot line of the north side properties along Spring Garden Rd? So I would interpret as this property not falling within the high potential area.

Nevertheless, I have included the standard archaeological precaution in case anything is discovered during ground disturbances.

There is no apparent built heritage concern with this property, and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

- 519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

- Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

- Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

- A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

[Tracy Tang - Heritage Planner]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

Comments to Stage 1: Planning Consultation Application (PC-067/23)

The proposed development lies with the Spring Garden Natural Area and is within the buffer of an ERCA controlled wetland area. Therefore, the required studies previously requested (attached) as well as ERCA approval are required.

[Stefan Fediuk - Landscape Architect / Acting Senior Urban Designer]

TRANSPORTATION PLANNING

Comments to Stage 1: Planning Consultation Application (PC-067/23)

No supporting studies required

[Chris Gerardi - Policy Analyst]

WALPOLE ISLAND FIRST NATION

No comments provided

APPENDIX "F"

Draft Amending By-law

B Y - L A W N U M B E R -2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2025.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 91.10 of Section 91, of said by-law, is amended by adding the following clause:

1. NORTHEAST CORNER OF HALLIDAY AVENUE AND MALDEN ROAD

For the lands comprising of Lots 88 to 92, Plan 972 (PIN 01262-1355 LT), the following additional provision shall apply:

- a) For a *Single Unit Dwelling*, a central air conditioning system shall be provided.

[ZDM 5; ZNG/7301]

2. That subsection 95.20 of Section 95, of said by-law, is amended by adding the following clause:

- a) Submission of an Erosion and Sediment Control Plan and a Relocation and Monitoring Plan in accordance with the Environmental Evaluation Report prepared by Terrastory Environmental Consulting Inc., dated January 2, 2025, to the satisfaction of the City Planner.

3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Zoning Symbol	5. New Zoning Symbol
1	5	Lots 88 to 92, Plan 972 PIN 01262-1355 LT (located on the northeast corner of Halliday Avenue and Malden Road)	DRD1.1	H(14)RD1.3x(1)

4. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the condition referred to in Section 2 fulfilled to the satisfaction of the City Planner.

DREW DILKENS, MAYOR

CLERK

First Reading - , 2025

Second Reading - , 2025

Third Reading - , 2025

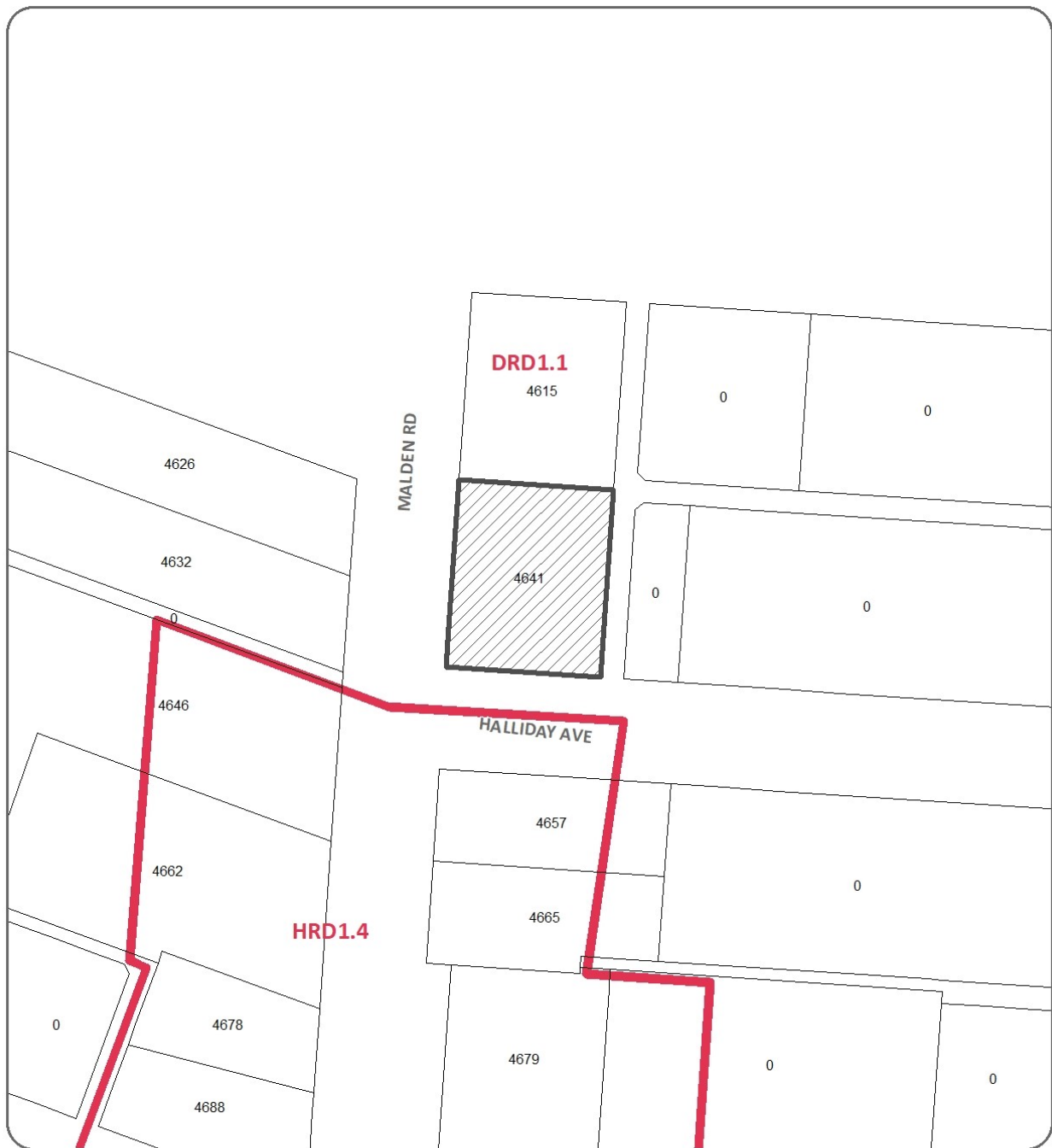
SCHEDULE 2

1. By-law _____ has the following purpose and effect:

To amend the zoning of the lands located on the northeast corner of Halliday Avenue and Malden Road, legally described as Lots 88 to 92, Plan 972, PIN 01262-1355 LT, so as to permit the development of three (3) single unit dwellings in addition to the existing single unit dwelling on the subject land.

The amending by-law changes the zoning on the subject land from Development Reserve District 1.1 (DRD1.1) to Residential District 1.3 (RD1.3) and adds a zoning exception requiring a central air conditioning system to be provided for a single unit dwelling.

2. Key map showing the location of the lands to which By-law _____ applies.



PART OF ZONING DISTRICT MAP 5

N.T.S.

SCHEDULE 2

Applicant: Marshall Paton

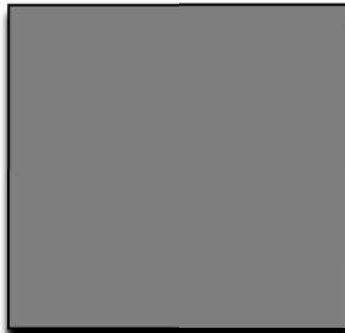


SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

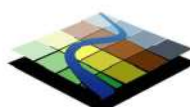


DATE : MAY, 2025
FILE NO. : Z-010/25, ZNG/7301



ENVIRONMENTAL EVALUATION REPORT

Consent and Zoning By-law Amendment
4641 Malden Road, City of Windsor
2 January 2025



TERRASTORY
environmental consulting inc.

ENVIRONMENTAL EVALUATION REPORT

Consent and Zoning By-law Amendment

4641 Malden Road, City of Windsor


Prepared for:

Jonathan Seguin
Lead Consultant
Skyscape Consulting
jon.s@skyscapeconsulting.ca

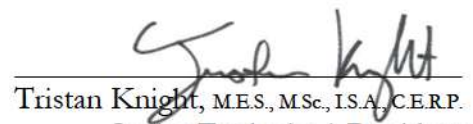
Prepared by:

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Project No.: 24044
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1 INTRODUCTION

1.1 Study Background

Terrastory Environmental Consulting Inc. (hereinafter “Terrastory”) was retained by Skyscape Consulting (hereinafter “the Applicant”) to prepare this Environmental Evaluation Report (EER) in support of a severance (Consent to Sever) and Zoning By-law Amendment (ZBA) applications at 4641 Malden Road (hereinafter “Subject Property”) in the City of Windsor. The Subject Property is an approximately 0.11-hectare (0.28 acre) parcel on the east side of Malden Road between Herb Gray Parkway/Highway 401 and Chappus Street. The Subject Property consists of an existing residence surrounded by manicured amenity space (lawn) with a few scattered specimen trees. Natural features are absent from the Subject Property but occur to the east. The location of the Subject Property within its broader landscape setting is shown in **Figure 1**.

The Subject Property falls within the Spring Garden Secondary Plan area per Volume II of the City’s Official Plan (OP). The lands are designated “Low Density Residential” per Schedule SG-5 (Concept Plan) and are further zoned Development Research District 1.1 (DRD 1.1) under Zoning By-law 8600.

It is understood that the Applicant wishes to create three (3) new residential lots, each to contain a single dwelling, while the existing two-storey residential dwelling is to remain. The proposed development must be facilitated by consent (severance) and rezoning applications, as confirmed through a 13 February 2024 pre-consultation letter (i.e., Stage 1 Planning Consultation) received from the City. To support the severance/rezoning applications, the City has requested a supporting EER and Natural Site Features Inventory and Preservation Study (authored by Terrastory under separate cover). A Terms of Reference (ToR) was submitted to the City on 28 April 2024 to guide the work described herein and is provided in **Appendix 1**.

1.2 Study Purpose

The purpose of this study is to present a biophysical characterization of the Subject Property and Adjacent Lands (i.e., those within 120 m of the Subject Property) as a means to assess the potential for adverse effects on the natural environment and natural heritage features stemming from the proposed application. The scope and approach of this study address the general reporting requirements of the ToR (see **Appendix 1**), Section 5.3.5.3 (EER standards), and Clause 10.2.5(f) (EIS standards) under the City’s OP. It is understood that this report will form part of the consent/rezoning application package to be submitted for consideration by the City.

2 APPROACH AND METHODS

This study is composed of five (5) discrete components which are bulleted below and further described in the following sections.

1. **Acquire background biophysical information and mapping** available for the local landscape surrounding the Subject Property (see **Section 2.1**).
2. **Conduct a site assessment and ecological surveys** to field-verify the accuracy of the acquired background biophysical information and collect additional biophysical information as necessary (see **Section 2.2**).

3. **Assess the significance** of the biophysical information collected and natural features identified within the context of applicable natural heritage and environmental policies (see **Section 2.3**).
4. **Predict the effects** of the application on the identified significant natural features and natural environment, particularly the net effects once mitigation measures and technical recommendations are implemented (see **Section 2.4**).
5. **Determine whether the proposed application addresses applicable natural heritage and environmental policies** at municipal, provincial, and federal levels (see **Section 2.5**).

2.1 Background Biophysical Information Assessment

This study is supported by background biophysical information and mapping acquired and reviewed from a variety of sources which are listed below in **Table 1**.

Table 1. Background Biophysical Information Acquired and Reviewed.

Type of Information Acquired	Description
Ortho-rectified Aerial Photographs	<ul style="list-style-type: none"> • 1999, 2004, 2005, 2007, 2009 to 2011, 2015 to 2024.
Natural Feature Mapping	<ul style="list-style-type: none"> • City of Windsor Official Plan (2013) Schedules A, B, C, D, SG-1, SG-3, and SG-5. • Land Information Ontario (LIO) accessed via the “Make a Map: Natural Heritage Areas” web-based platform (last accessed 22 May 2024). • Essex Region Conservation Authority (ERCA) regulation mapping (last accessed 30 October 2024).
Physiographic Resource Mapping and Datasets	<ul style="list-style-type: none"> • Ontario Base Mapping produced by MNR (1:10,000) with 5 m contours. • Ontario Well Records (publicly-available). • Location and Extent of the Soils of Southern Ontario (Jarvis et al. 1998). • Agricultural Information Atlas (last accessed 30 October 2024). • Surficial Geology of Southern Ontario (Ontario Geological Survey 2010). • Physiography of Southern Ontario (Chapman and Putnam 1984).
Ecological Resource Mapping and Datasets	<ul style="list-style-type: none"> • Natural Heritage Information Centre (NHIC) database accessed via the “Make a Map: Natural Heritage Areas” web-based platform (squares: 17LG3081, 17LG2981, 17LG2982, 17LG3082; last accessed 22 May 2024). • Critical Habitat for SAR National Dataset (last accessed 22 May 2024). • iNaturalist “(NHIC) Rare species of Ontario” project (last accessed 22 May 2024). • Ontario Breeding Bird Atlas (OBBA) database and the Atlas of the Breeding Birds of Ontario, 2001–2005 (Cadman et al. 2007), along with OBBA 3 (2021–2023) existing data from the Birds Canada-NatureCounts database (square: 17LG38). • iNaturalist “Herps of Ontario” project and Ontario Reptile & Amphibian Atlas (last accessed 22 May 2024). • Ontario Butterfly Atlas database (square: 17LG38; last accessed 22 May 2024). • iNaturalist “Ontario Odonata” project (last accessed 22 May 2024). • Bumble Bee species distribution maps from iNaturalist and Bumble Bee Watch. • Aquatic Species at Risk Maps produced by Fisheries and Oceans Canada (last accessed 22 May 2024). • Atlas of the Mammals of Ontario (Dobbyn 2005).

2.2 Site Assessments and Surveys

The acquired background information per **Table 1** helped direct site assessment and surveys carried out by Terrastory staff. **Table 2** below indicates the primary assessments/surveys performed during each site visit, weather conditions, and time on-site.

Table 2. Site Assessments and Ecological Surveys performed on the Subject Property.

Date of Site Assessment	Assessments/Surveys Performed	Terrastory Staff	Weather Conditions	Time On-site
15 April 2024	SAR Snake Visual Encounter Survey #1	T. Knight	Air temperature 19°C; Beaufort Wind Scale 1; cloud cover 0%; no precipitation.	14:20-14:50
25 April 2024	SAR Snake Visual Encounter Survey #2	J. Consiglio	Air temperature 10-11°C; Beaufort Wind Scale 0; cloud cover 25-50%; no precipitation.	15:45-16:00
26 April 2024	SAR Snake Visual Encounter Survey #3	J. Consiglio	Air temperature 14-16°C; Beaufort Wind Scale 1; cloud cover 0-25%; no precipitation.	12:45-13:00
10 May 2024	SAR Snake Visual Encounter Survey #4	T. Knight	Air temperature 18°C; Beaufort Wind Scale 1; cloud cover 75-100%; no precipitation.	14:30-14:55
09 June 2024	SAR Snake Visual Encounter Survey #5	T. Knight	Air temperature 22°C; Beaufort Wind Scale 3; cloud cover 50-75%; no precipitation.	14:10-14:50
10 June 2024	Breeding Bird Survey #1	T. Knight	Air temperature 13-14°C; Beaufort Wind Scale 3; cloud cover 75-100%; no precipitation.	07:30-07:55
07 July 2024	SAR Snake Visual Encounter Survey #6	T. Knight	Air temperature 24-25°C; Beaufort Wind Scale 0; cloud cover 0-25%; no precipitation.	11:10-11:35
08 July 2024	Breeding Bird Survey #2	T. Knight	Air temperature 22°C; Beaufort Wind Scale 0; cloud cover 25-50%; no precipitation.	07:55-08:30
30 July 2024	SAR Snake Visual Encounter Survey #7	J. Consiglio	Air temperature 26-28°C; Beaufort Wind Scale 0-1; cloud cover 0-25%; no precipitation.	18:55-19:10
31 July 2024	Tree Inventory, Summer Botanical Survey, SAR Snake Visual Encounter Survey #8	J. Consiglio	Air temperature 28°C; Beaufort Wind Scale 1; cloud cover 0%; no precipitation.	10:40-12:10
12 September 2024	SAR Snake Visual Encounter Survey #9	J. Consiglio	Air temperature 24-26°C; Beaufort Wind Scale 1-2; cloud cover 0-25%; no precipitation.	18:50-19:10

Date of Site Assessment	Assessments/Surveys Performed	Terrastory Staff	Weather Conditions	Time On-site
13 September 2024	Vegetation Community Classification, Fall Botanical Survey, SAR Snake Visual Encounter Survey #10	J. Consiglio	Air temperature 26°C; Beaufort Wind Scale 1; cloud cover 0%; no precipitation.	11:35-12:35

The site assessments and surveys centred on characterizing the land use (e.g., historical development patterns, existing built features, land maintenance, etc.), physiographic (e.g., topography, drainage, surface water features, etc.), and ecological (e.g., vegetation, wildlife, habitats, etc.) conditions and features of the Subject Property and (where appropriate) Adjacent Lands (i.e., lands within 120 m of the Subject Property). In addition to assessing natural areas, the exterior surfaces of existing built structures were visually inspected for their potential to provide wildlife habitat (e.g., nesting sites for birds, egress for potential snake overwintering sites within the foundation). All land-use, physiographic, and ecological information described for Adjacent Lands was collected from either current aerial photographs or observations from inside the Subject Property and/or publicly-accessible areas (e.g., rights-of-way, etc.). The locations and boundaries of significant natural features and/or habitats were recorded on-site with a high-accuracy GPS supported by representative photographs.

In addition to collecting general biophysical information, the following targeted assessments (i.e., feature- or species-specific surveys) were undertaken:

- **Vegetation Mapping according to Ecological Land Classification (ELC):** Vegetation communities on the Subject Property were characterized and mapped according to Ecological Land Classification (Lee et al. 1998) and the 2008 update to the Vegetation Type List (Lee 2008). Vegetation communities were initially identified based on current aerial photographs and then verified and refined (as necessary) on-site. ELC mapping was scaled to the finest level of resolution deemed appropriate (i.e., either Ecosite or Vegetation Type). Vegetation communities mapped on Adjacent Lands were delineated predominantly via aerial photograph interpretation.
- **Wetland Boundaries:** Where wetlands were identified via ELC, their boundaries were delineated consistent with the “50% wetland vegetation rule” and presence of hydric soils per the procedures of the Ontario Wetland Evaluation System (OWES) (OMNRF 2014). Wetlands occurring on Adjacent Lands outside the Subject Property were characterized and mapped based on observations from within the Subject Property and/or road allowance, in combination with aerial photograph interpretation.
- **Vascular Plant Survey:** Vascular plants were recorded based on a comprehensive area search (“wandering transects”) within manicured, naturally-occurring (i.e., non-planted) or naturalizing areas of vegetation. Particular effort was paid to areas with the greatest potential to support significant vascular plants (i.e., designated Species at Risk, provincially rare, etc.) and areas with the greatest potential for impact based on the proposed development plan. Nomenclature and common names for the recorded vascular plant species are generally consistent with the Southern Ontario Vascular Plant Species List (Bradley 2013) except where a name change has more recently been adopted by NHIC.
- **Breeding Bird Surveys according to the Ontario Breeding Bird Atlas Protocol:** Two rounds of breeding bird surveys were conducted in accordance with the Ontario Breeding Bird Atlas (OBBA) protocol (Bird Studies Canada et al. 2001). Surveys occurred within the appropriate season (May 24–July

10), time of day (between dawn and approximately 5 hours after dawn), and weather conditions (no rain, wind speed ≤ 3 on the Beaufort Wind Scale). Surveys occurred for a minimum duration of 10 minutes at each station. Species were also recorded during comprehensive area searches (“wandering transects”) that were completed while traveling between each station.

- **Survey Protocol for Ontario’s Species at Risk Snakes:** Ten visual encounter surveys occurred in accordance with the *Survey Protocol for Ontario’s Species at Risk Snakes* (OMNRF 2016). Surveys occurred within the appropriate season (April to September), time of day (09:00 – 5:00 pm in spring, and 08:00 – 12:00 or 17:00 – 20:00 in summer), and weather conditions (air temperature between 10°C and 25°C when sunny, or between 15 °C – 30°C when overcast, no rain, wind speed lower than 24 km/hr). Two surveys were scheduled early in the season (i.e., April) with the intent of detecting recent snake emergence from hibernacula. Where present, cover objects (e.g., rocks, debris, etc.) were overturned to detect individuals beneath.

2.3 Significance Assessment

2.3.1 Definitions and Criteria

“Significant natural features” as described herein represent natural features and habitats that have recognized status (and therefore policy significance) within the planning jurisdiction in which an application is proposed. Significant natural features are defined herein to include those referenced in section 2.1 of the 2024 Provincial Planning Statement (PPS), namely:

- Significant Wetlands;
- Significant Woodlands;
- Significant Valleylands;
- Significant Wildlife Habitat (SWH);
- Significant Areas of Natural and Scientific Interest (ANSIs);
- Habitat of Endangered and Threatened Species; and
- Fish Habitat.

Defining “significant natural features” pursuant to the PPS is considered warranted herein as such features form part of the City’s Greenway System and are shown on Schedule B (and SG-3) of the City’s OP.

Criteria used to determine the presence or absence of the above significant natural features within the Subject Property and Adjacent Lands were considered from a variety of sources including the City’s OP, Natural Heritage Reference Manual (MNR 2010), and (for Significant Wildlife Habitat) the Ecoregion 7E Criteria Schedule (MNR 2015a).

Apart from PPS-derived significant natural features, this study also seeks to determine whether any natural features or hazards regulated by ERCA pursuant to O. Reg. 41/24 occur within the Subject Property and/or Adjacent Lands. ERCA regulated features and hazard lands include:

- Wetlands (significant, evaluated, or identified);
- Watercourses and their associated meanderbelts and floodplains;

- Valleylands;
- Steep slopes and other hazard lands; and
- Shorelines.

Like significant natural features, “significant species” represent individuals of wild species which have recognized status (and therefore policy significance) within the planning jurisdiction in which an application is proposed. Significant species are defined herein to include:

- Species designated Endangered, Threatened, or Special Concern under O. Reg. 230/08 pursuant to the provincial *Endangered Species Act, 2007*.
- Species designated Provincially Rare (i.e., S1, S2, or S3) by NHIC.
- Species considered Regionally Rare in Essex pursuant to the *List of the Vascular Plants of Ontario's Carolinian Zone* (Oldham 2017).

2.3.2 Determination

After collecting the background biophysical information and conducting the site assessments and surveys, the data was interpreted to determine whether any significant natural features, natural features/hazards regulated by ERCA, and/or significant species occur within the Subject Property and/or Adjacent Lands. If a natural feature or species met the significance criteria, it is considered “confirmed”. If a natural feature or species may be present on the Subject Property and/or Adjacent Lands given the prevailing biophysical or habitat conditions but was not confirmed based on either background or site-specific biophysical data, it is considered potential or “candidate”. Candidate significant natural features and species are treated as confirmed where no additional information is available.

2.4 Effects Assessment and Mitigation

The potential ecological effects of an application can be understood spatially as zones that radiate outward from the direct project footprint (e.g., building envelope, etc.) and associated areas of site alteration (e.g., grading, etc.). While the greatest potential for effects typically occurs within areas directly subject to development or disturbance, surrounding areas may also be affected indirectly. Such indirect effects can include light or noise pollution that affects wildlife communities on Adjacent Lands, or degradation of water quality within a downstream receptor resulting from sediment runoff during construction.

The following five-pronged approach is employed herein to assess the effects of an application on significant natural features and species and (where warranted) the natural environment in general:

1. **Scope** the effects assessment to environmental components that warrant consideration. The effects assessment herein centres principally on significant natural features and species (i.e., those that have policy significance within the planning jurisdiction, as defined in **Section 2.3**) but may also consider general environmental effects where warranted.
2. **Identify the predicted direct and indirect effects** of the application on each significant natural feature or species during all project stages (i.e., pre- to -post-development) in the absence of mitigation. Direct effects are those where there is a cause-effect relationship between a proposed activity and an

effect on a natural feature or species (e.g., tree clearance within a building footprint, etc.). Indirect effects result when an activity is linked to a direct effect through a chain of foreseeable interactions or steps.

3. **Evaluate the significance** of the predicted effects for each environmental component based on their attributes (i.e., spatial extent, magnitude, timing, frequency, and duration) and likelihood (i.e., high, medium, low).
4. Where the potential for negative effects are anticipated, **recommend ecologically-meaningful mitigation measures** to avoid such impacts first (where possible), and where impacts cannot be avoided to minimize, compensate, and/or enhance as appropriate.
5. **Identify the predicted residual or net effects** of the application assuming implementation of all recommended mitigation measures.

Per step 4, mitigation measures are offered where the potential for negative effects are anticipated to a degree that cannot be supported given the prevailing policy context. Whenever possible, Terrastory works iteratively with the project team as a means to identify development plan options that avoid negative effects first; options that would minimize or mitigate such negative effects are less preferred and considered secondarily. In general, avoidance measures that have already been incorporated into the application or project design are not duplicated as technical recommendations herein. The effects assessment and any recommended mitigation measures are provided in **Section 5**.

2.5 Natural Heritage Policy Context

There is an overlapping municipal, provincial, and federal policy framework respecting the protection of natural heritage features and areas across southwestern Ontario. These requirements include objectives, policies, and directives which are principally contained in federal and provincial statutes, regulations, policy statements, Official Plans, and guidance documents. The overarching natural heritage policy framework directing development activities within the Subject Property is outlined below in **Table 3**. A determination of whether the application considered herein addresses such policies is provided in **Section 6**.

Table 3. Applicable Natural Heritage Policies.

Level of Government	Natural Heritage or Environmental Policy Requirements
Municipal	City of Windsor Official Plan (2013).
Provincial	<p>Provincial Planning Statement 2024, pursuant to the <i>Planning Act</i>, R.S.O. 1990, c. P.13, including:</p> <ul style="list-style-type: none"> Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005 (MNR 2010). Significant Wildlife Habitat Technical Guide (MNR 2000). Significant Wildlife Habitat Criteria Schedules for Ecoregion 7E (MNR 2015a). Significant Wildlife Habitat Mitigation Support Tool (MNR 2014). <p><i>Conservation Authorities Act</i>, R.S.O. 1990, c. C.27, including:</p> <ul style="list-style-type: none"> Ontario Regulation 41/24 – Prohibited Activities, Exemptions, and Permits. <p><i>Endangered Species Act</i> (ESA), S.O. 2007, c. 6, including:</p> <ul style="list-style-type: none"> Ontario Regulation 230/08 – Species at Risk in Ontario List Ontario Regulation 242/08 – General

Level of Government	Natural Heritage or Environmental Policy Requirements
	<ul style="list-style-type: none"> Ontario Regulation 832/21 – Habitat <i>Fish and Wildlife Conservation Act</i> , S.O. 1997, c. 41.
Federal	<i>Fisheries Act</i> , R.S.C. 1985, c. F-14, including: <ul style="list-style-type: none"> Fish and Fish Habitat Protection Policy Statement (DFO 2019). <i>Migratory Birds Convention Act</i> , S.C. 1994, c. 22, including: <ul style="list-style-type: none"> Migratory Birds Regulations, C.R.C., c. 1035.

3 EXISTING BIOPHYSICAL CONDITIONS

The following is a description of the biophysical features and conditions of the Subject Property, which are shown spatially on **Figure 2**. Representative photographs are provided in **Appendix 2**.

3.1 Land-use and Landscape Setting

The Subject Property is situated within the Spring Garden neighbourhood, on the east side of Malden Road between the Herb Gray Parkway/Highway 401 and Chappus Street. Parcels immediately adjacent the Subject Property primarily contain single family residences and amenity space, with natural features (i.e., woodland and wetland) to the southeast.

3.2 Physical Setting

3.2.1 Surficial Geology and Soils

The St. Clair Clay Plains underlay much of the surrounding region, typified by relatively flat expanses of uniform clay (Chapman and Putnam 1984). The very gently undulating and finely textured Brookston series clay loam hold moisture well, producing areas with poor drainage conditions (Jarvis et al. 1998).

3.2.2 Topography and Drainage

As described in **Section 3.2.1**, the Subject Property topography (as well as that of the surrounding area) is predominantly flat, grading to very gently sloping. Overall, surface water within the Subject Property appears to be shed in a predominantly western direction towards a drainage ditch along the east side of Malden Road. Herbaceous vegetation observed within the drainage ditch is limited to introduced species, such as non-native cold-season grasses (e.g., *Dactylis glomerata*, *Poa pratensis* ssp. *pratensis*), Common Dandelion (*Taraxacum officinale*), and several stalks of European Reed (*Phragmites australis* ssp. *australis*).

3.3 Ecological Setting

3.3.1 Vegetation Communities

The Subject Property consists entirely of manicured amenity space, specimen/amenity trees, and an existing dwelling (CVR_3) fronting onto Malden Road (CVI_1) (see **Figure 2**). Slender Paspalum (*Paspalum setaceum*), a Provincially Rare (S2) vascular plant was observed growing within the mowed grass area adjacent to the existing dwelling.

East of the Subject Property is a rectangular patch of meadow (MEGM3) comprised of Orchard Grass (*Dactylis glomerata*), Lance-leaved Plantain (*Plantago lanceolata*), Kentucky Bluegrass (*Poa pratensis* ssp. *pratensis*), Allegheny Blackberry (*Rubus allegheniensis*), and young Autumn Olive (*Elaeagnus umbellata*). A narrow band of woodland (WODM4) exists to the north of the meadow, comprised of Freeman's Maple (*Acer* × *freemanii*), Manitoba Maple (*Acer negundo*), and Autumn Olive.

Following the meadow's southern edge is a deciduous swamp (SWDM3-3) comprised of Freeman's Maple, with scattered Eastern Cottonwood (*Populus deltoides* ssp. *deltoides*), Shagbark Hickory (*Carya ovata*), and Swamp Pin Oak (*Quercus palustris*) throughout the canopy and subcanopy (as observed from the Subject Property) extending to the southeast on Adjacent Lands. This vegetation community forms part of the Provincially Significant Ojibway Prairie Wetland Complex (hereinafter "PSW").

Bordering the western edge of Malden Road, directly opposite the Subject Property, is a meadow (MEFM1-1) dominated by Tall Goldenrod (*Solidago altissima* var. *altissima*) with smaller pockets of Queen Anne's Lace (*Daucus carota*), Orchard Grass, and Riverbank Grape (*Vitis riparia*), as observed from Malden Road.

3.3.2 Vascular Plants

A total of 50 vascular plant species were recorded within the Subject Property and adjoining publicly accessible rights-of-way (see **Appendix 3**). Of these, 22 (44%) are considered native to Ontario and 28 (56%) are exotic.

Slender Paspalum (*Paspalum setaceum*), a Provincially Rare (S2) grass, was documented growing in manicured lawn within the Subject Property.

3.3.3 Breeding Birds

Breeding bird surveys were undertaken on 10 June and 08 July 2024. A total of 21 bird species were recorded during the breeding bird surveys (with two additional bird species recorded incidentally during the course of other field activities). The assemblage and abundance of birds recorded generally reflects the prevailing structure and composition of on-site vegetation communities and variable habitats of the Subject Property and Adjacent Lands (e.g., forest, woodland, meadows, residential areas). The survey station location is shown on **Figure 2** while the full survey results indicating each species' breeding status can be found in **Appendix 4**. The locations of significant bird species recorded are shown on **Figure 3**. A general summary of the breeding bird communities present within the Study Area is provided below.

Manicured amenity space within the Study Area supports generalist species, including American Robin (*Turdus migratorius*), Brown-headed Cowbird (*Molothrus ater*), European Starling (*Sturnus vulgaris*), Northern Cardinal (*Cardinalis cardinalis*), Red-winged Blackbird (*Agelaius phoeniceus*), Tree Swallow (*Tachycineta bicolor*), and Song Sparrow (*Melospiza melodia*).

Commonly recorded species within treed vegetation communities (including edge habitat) on Adjacent Lands include Black-capped Chickadee (*Parus atricapillus*), Blue Jay (*Cyanocitta cristata*), Carolina Wren (*Thryothorus ludovicianus*), Cedar Waxwing (*Bombycilla cedrorum*), Common Grackle (*Quiscalus quiscula*), Downy Woodpecker (*Picoides pubescens*), Eastern Wood-pewee (*Contopus virens*),

House Wren (*Troglodytes aedon*), Red-bellied Woodpecker (*Melanerpes carolinus*), Warbling Vireo (*Vireo gilvus*), and White-breasted Nuthatch (*Sitta carolinensis*).

One (1) significant bird species was recorded on Adjacent Lands during the targeted breeding bird surveys:

- Eastern Wood-pewee (Special Concern).

All documented locations of Eastern Wood-pewee within the Study Area along with its habitat requirements are described in **Section 4.3**.

3.3.4 Snakes

Ten (10) visual encounter surveys were undertaken within the Subject Property during the 2024 fieldwork season. Surveyors walked transects through the Subject Property, as well as inspected the existing residence, woody vegetation, and debris.

Several Eastern Gartersnake (*Thamnophis sirtalis sirtalis*) were documented moving across the Subject Property during surveys, suggesting that conditions were suitable for detecting other snake species, if present. No other snake species were documented.

3.3.5 Incidental Wildlife Recorded

Efforts to incidentally document wildlife were made during all site visits by Terrastory in 2024. Two additional bird species were recorded on Adjacent Lands to the west: Chimney Swift (*Chaetura pelagica*) and Gray Catbird (*Dumetella carolinensis*). Eastern Cottontail (*Sylvilagus floridanus*), Eastern Gray Squirrel (*Sciurus carolinensis*), and Virginia Opossum (*Didelphis virginiana*) were also incidentally observed on Adjacent Lands.

One (1) significant bird species was recorded incidentally on Adjacent Lands and was not observed to interact with the Subject Property:

- Chimney Swift (Threatened).

4 SIGNIFICANCE ASSESSMENT

Based on the biophysical information collected during background information gathering (per **Table 1**) and the results of Terrastory's site assessments and surveys performed through the 2024 fieldwork program (per **Sections 2.2** and **3**), **Table 4** below provides a determination of the presence (or potential presence) of each significant natural feature considered herein. Shaded rows denote features which were confirmed or may be present within the Subject Property or Adjacent Lands and are considered further as part of the effects assessment in **Section 5**. Significant natural feature mapping is provided in **Figure 3**.

Table 4. Summary of the Assessment of Significant Natural Features on the Subject Property and Adjacent Lands.

Significant Natural Feature	Status on the Subject Property	Status on Adjacent Lands (i.e., < 120 m from the Subject Property)
PPS Significant Natural Features		

Significant Natural Feature	Status on the Subject Property	Status on Adjacent Lands (i.e., < 120 m from the Subject Property)
Significant Wetlands	Absent. See Section 4.1.	Confirmed. See Section 4.1.
Significant Woodlands	Absent. See Section 4.2.	Confirmed. See Section 4.2.
Significant Valleylands	Absent.	Absent.
Significant Wildlife Habitat	Confirmed. See Section 4.3.	Candidate/Confirmed. See Section 4.3.
Areas of Natural and Scientific Interest	Absent.	Absent.
Habitat of Endangered and Threatened Species (per ESA)	Candidate. See Section 4.4.	Candidate. See Section 4.4.
Fish Habitat (per <i>Fisheries Act</i>)	Absent.	Absent.
Conservation Authority Regulated Features and Hazard Lands		
Wetlands, watercourses, valleylands, meanderbelts, floodplains, steep slopes, and shorelines.	Absent. See Section 4.5.	Confirmed. See Section 4.5.

4.1 Significant Wetlands

Deciduous swamp forming part of PSW is present on Adjacent Lands to the southeast of the Subject Property based on MNR mapping and confirmed through fieldwork (as observed from the Subject Property and public rights-of-way). An assessment of potential effects to the PSW associated with the proposed development plan is provided in **Section 5.2.1**.

4.2 Significant Woodlands

Woodlands have been identified on Adjacent Lands within 120 m of the Subject Property through aerial interpretation and field confirmation (as observed from publicly accessible rights-of-way). This woodland extends eastward along the southern edge of the Herb Gray Parkway/Hwy 401 corridor and is around 4.5 ha in size based on desktop analysis.

The City's OP does not provide criteria and/or a definition for Significant Woodland. Per the 2024 PPS, "significant" in regard to woodlands is defined as:

"An area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province."

The NHRM(MNR 2010) provides recommended criteria for the identification of Significant Woodlands, with thresholds being dependent on (among other factors) the percentage of land cover occupied by woodlands within the respective planning area. The City's Urban Forest Management Plan FAQ webpage states that tree canopy comprises 19% of total area within the City; however, the reported canopy coverage appears to include amenity and street trees associated with anthropogenic land-uses (rather than "woodlands"). Alternatively, based on the MNR's provincial wooded area dataset, Terrastory has calculated woodland cover within the City of Windsor to slightly exceed 4.4

ha. While the MNR's provincial wooded area dataset contains a degree of known errors (e.g., missed woodlands, narrow linear treed areas such as hedgerows which should not be mapped as woodlands), the provincial wooded area dataset can generally be employed as a rough approximation of woodland cover within municipalities in Ecoregion 7E. The NHRM directs that in municipalities or planning areas with less than about 5% woodland, woodlands 2 ha in size or larger should be considered significant. On this basis, and given that the City of Windsor appears to contain less than 5% wooded area cover, the ~4.5 ha woodland on Adjacent Lands would represent a Significant Woodland based on the information available at this time.

An assessment of potential effects to the Significant Woodland associated with the proposed development plan is provided in **Section 5.2.2**.

4.3 Significant Wildlife Habitat

An assessment of the likelihood that any candidate or confirmed SWH types occur within the Subject Property or Adjacent Lands is provided in **Appendix 5**. Based on the results of this assessment, four (4) SWH types are considered further through this study:

- Seasonal Concentration Areas of Animals
 1. Bat Maternity Colonies
 2. Reptile Hibernaculum
- Rare Vegetation Communities or Specialized Habitats for Wildlife
 3. Amphibian Breeding Habitat (Woodlands)
- Habitat of Species of Conservation Concern
 4. Special Concern and Rare Wildlife Species

Also based on this assessment, a total of seven (7) Special Concern or provincially rare species are considered to have at least a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southwestern Ontario (or were confirmed based on the site assessment):

- 1) Eastern Wood-pewee (*Contopus virens*) (**Confirmed**)
- 2) American Bumblebee (*Bombus pensylvanicus*) (Possible)
- 3) Differential Grasshopper (*Melanoplus differentialis*) (Possible)
- 4) Northern Bush Katydid (*Scudderia septentrionalis*) (Possible)
- 5) Skiff Moth (*Prolimacodes badia*) (Possible)
- 6) Two-spotted Cobweb Spider (*Asagena americana*) (Possible)
- 7) Slender Paspalum (*Paspalum setaceum*) (**Confirmed**)

An assessment of potential effects to the identified candidate SWH types and Special Concern/provincially rare species associated with the proposed development plan is provided in **Section 5.2.3**.

4.4 Habitat of Endangered and Threatened Species

An assessment of the likelihood that any Endangered and Threatened species or their habitats occur within the Subject Property or Adjacent Lands is provided in **Appendix 6**. A total of four (4) Endangered or Threatened species are considered to have a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southwestern Ontario:

- 1) Little Brown Myotis (*Myotis lucifugus*)
- 2) Northern Myotis (*Myotis septentrionalis*)
- 3) Tri-colored Bat (*Perimyotis subflavus*)
- 4) Eastern Foxsnake (*Pantherophis vulpinus*)

A general description of each Endangered/Threatened species and their habitat is offered below. An assessment of potential effects to these Endangered/Threatened species associated with the proposed development plan is provided in **Section 5.2.4**.

Terrastory previously submitted an Information Gathering Form (IGF) to MECP on 23 May 2024 and further engaged with MECP staff (J. Cameron) in September/October 2024. Carriage of the application was then transferred to another MECP Management Biologist (K. Markham), who confirmed via email on 11 December 2024 that the proposed development was not expected to impact Endangered/Threatened species subject to implementation of their recommendations (see **Appendix 7**).

4.4.1 Bats

Per the assessment in **Appendix 6**, Little Brown Myotis, Northern Myotis, and Tri-colored Bat have the potential to roost and forage on the Subject Property. Each of these bat species are designated Endangered in Ontario per O. Reg. 230/08 pursuant to the *Endangered Species Act* (ESA) and are federally designated Endangered under the *Species at Risk Act* (SARA). Little Brown Myotis and Northern Myotis form maternity colonies that roost in large-diameter trees with cracks, crevices, and/or exfoliating bark; Little Brown Myotis will also frequently roost in buildings (e.g., attics, barns, etc.). Roosting sites for Tri-colored Bat maternity colonies are less understood but have been documented in dead or dying leaf clusters of oaks (*Quercus* spp.) and maples (*Acer* spp.), along with live foliage and buildings (Humphrey and Fotherby 2019). Individuals (i.e., non-reproductive females and males) of all three bat species may roost in smaller diameter trees and other spaces (e.g., beneath house siding, etc.) which are not occupied by maternity colonies. Overwintering habitat includes caves and mines that maintain temperatures above 0°C. White Nose Syndrome (a fungal disease caused by an introduced pathogen) has devastated populations of each species across their ranges. The fungus causes hibernating individuals to become dehydrated, leading to excessive arousal, depleted fat reserves, and ultimately emaciation and/or death.

Targeted bat roosting habitat assessments and/or acoustic monitoring were not undertaken as part of this study, as no development or site alteration activities are proposed within any woodland or discrete treed area. While the existing residence was searched externally for potential use by wildlife, the current site plan indicates that the residence will be retained. Suitable maternity roosting habitat for Little Brown Myotis and/or Northern Myotis may occur within the woodland/swamp to the southeast, where snags and/or trees with sufficiently-sized cracks or crevices are present. Similarly, oaks and/or maples within the treed community may theoretically support roosting by Tri-colored Bat, though this species is generally rare in southern Ontario. Other trees within or outside the on-site woodlands (i.e., within the proposed development area) could support “day roosts” for individual bats (e.g., males or non-reproductive females).

4.4.2 Eastern Foxsnake

The Carolinian population of Eastern Foxsnake is designated Endangered in Ontario per O. Reg. 230/08 pursuant to the ESA and federally designated Endangered under Schedule 1 of SARA.

Regulated habitat for the Carolinian population of Eastern Foxsnake is described under O. Reg. 832/21 as follows:

1. An eastern foxsnake (Carolinian population) hibernaculum.
2. The area within 100 metres of the area described in paragraph 1.
3. A naturally occurring eastern foxsnake (Carolinian population) egg laying site that is being used, or has been used at any time in the previous three years, by an eastern foxsnake (Carolinian population).
4. An eastern foxsnake (Carolinian population) egg laying site, other than a naturally occurring egg laying site, being used by an eastern foxsnake (Carolinian population) from the time it is used until the following November 30.
5. A naturally occurring eastern foxsnake (Carolinian population) shedding or basking site that is being used, or has been used at any time in the previous three years, by two or more eastern foxsnakes (Carolinian population).
6. An eastern foxsnake (Carolinian population) shedding or basking site, other than a naturally occurring shedding or basking site, that is being used by two or more eastern foxsnakes (Carolinian population) from the time it is used until the following November 30.
7. The area within 30 metres of an area described in paragraph 3, 4, 5 or 6.
8. Any part of a prairie, savannah, hedge row, shoreline, marsh, old field, forest, sand dune or similar area that is being used by an eastern foxsnake (Carolinian population) or on which an eastern foxsnake (Carolinian population) directly depends to carry on its life processes.
9. An area that provides suitable foraging, thermoregulation, or hibernation conditions for eastern foxsnake (Carolinian population) that is within 1,500 metres of any area described in paragraph 8.
10. An area that provides suitable conditions for an eastern foxsnake (Carolinian population) to move between areas described in paragraphs 1 through 9.

No Eastern Foxsnakes were documented within the Subject Property despite extensive searching by Terrastory staff consistent with the provincial Survey Protocol for SAR Snakes (OMNRF 2016), and MECP has further confirmed that the proposed development will not impact Eastern Foxsnake habitat (subject to implementation of their recommendations; see **Appendix 7**).

4.5 Conservation Authority Regulated Areas

ERCA regulates development and site alteration (including fill placement and grade changes) within 30 m of wetlands pursuant to Subsection 2(3) under O. Reg. 41/24. No natural features regulated by ERCA were identified within the Subject Property based on desktop analysis and 2024 fieldwork program. The Subject Property is greater than 30 m from the limit of the PSW as currently mapped. On this basis, there is an absence of ERCA regulated areas within the Subject Property.

5 EFFECTS ASSESSMENT AND MITIGATION

The purpose of this EER is to present a biophysical characterization of the Subject Property and Adjacent Lands as a means to identify the potential for adverse effects on the natural environment and natural heritage features stemming from the proposed lot severance and subsequent construction of three new residential dwellings. Several significant natural features and species were documented (or may occur) within the Subject Property pursuant to the assessments presented in

Section 4. The following effects assessment provides an evaluation of the potential for the proposed application to result in negative effects to such environmental components and offers technical recommendations to mitigate such effects where warranted. Certain technical recommendations offered herein apply to several natural features and/or species simultaneously; as such, all technical recommendations should be read and considered in their entirety. The baseline or existing conditions against which the application is assessed are treated as the state of the Subject Property at the time of the site assessments and surveys. The effects assessment herein is based on the severance sketch and conceptual site plan provided in **Appendix 8**.

5.1 Proposed Development Plan

The proposed development and site alteration activities consist of the following elements:

- Retention of the existing single-detached dwelling within the proposed retained lot;
- Creation of three (3) new residential lots through consent (severance) ; and
- Construction of three (3) single-detached dwellings fronting onto Malden Road on municipal servicing.

5.2 Feature-based Effects Assessment and Technical Recommendations

5.2.1 Significant Wetlands

Where development and/or site alteration activities are proposed adjacent to wetlands, adverse effects may occur via the following pathways:

- Alterations to surface water and/or groundwater contributions to the wetland from construction (e.g., dewatering, etc.), grading that modifies the existing topography or drainage, and/or increased coverage of impervious surfaces (e.g., roads, roofs, etc.);
- Increased sediment loadings and/or nutrient enrichment within the wetland via runoff exiting from development areas during and post construction. This may alter wetland water quality and vegetation communities via increased turbidity, eutrophication, contamination by toxic substances, changes in pH, etc.
- Noise and/or light pollution that may adversely affect the ability of wetland wildlife to successfully carry out their life processes (e.g., breeding, feeding, etc.); and
- Increased human activity (i.e., encroachment) within the wetland which may result in soil compaction, dumping, etc.
- Potential for fuel spills during the construction phase of development.
- Increased potential for introducing invasive species including both animals and plants during and post construction.

There is no development or site alteration proposed within 30 m of the PSW. The limit of development (i.e., new lot line) associated with the nearest severed lot is 40 m from the PSW. This extent of setback is sufficient to protect the PSW from negative impacts during and post construction.

During construction it is anticipated that the proposed development areas will contain exposed soils, which are inherently unstable and have a greater potential for runoff into adjacent areas (including adjacent wetlands) during rainfall events. The most effective erosion and sediment control system emphasizes the prevention of erosion first, minimizes sediment transport off-site through a multi-

barrier approach, and involves regular inspection and maintenance. To protect adjacent wetlands from construction-related impacts, the following measures are recommended:

- **An Erosion and Sediment Control Plan will be prepared and implemented prior to construction.**

5.2.2 Significant Woodlands

Where development and/or site alteration activities are proposed adjacent to forests or woodlands, adverse effects may occur via the following pathways:

- Mechanical injury to the trunk, roots, branches, and/or foliage of retained woody vegetation.
- Smothering or exposure of roots due to changes in grade.
- Soil compaction from the use of heavy machinery.
- Noise and/or light pollution that may adversely affect the ability of woodland wildlife to successfully carry out their life processes (e.g., breeding, feeding, etc.).
- Increased human activity (i.e., encroachment) within or adjacent to the woodland which may result in soil compaction, dumping, etc.
- Increased susceptibility to establishment by invasive species either directly or indirectly and including both animals and plants.

A Significant Woodland occurs on Adjacent Lands to the east of the Subject Property. The boundaries of all wooded areas are shown approximately as these features were neither staked with agency staff nor precisely delineated (i.e., at the dripline) as they occur exclusively on Adjacent Lands. The limit of the Significant Woodland is no closer than 30 m from the nearest proposed severed parcel; this extent of setback is sufficient to protect the woodland and its functions. Other overlapping technical recommendations made herein (e.g., preparation of an ESC Plan) will also further serve to protect the Significant Woodland and its ecological functions.

5.2.3 Significant Wildlife Habitat

Per the assessment in **Section 4.3**, a total of four (4) candidate SWH types were considered further through this study:

- Seasonal Concentration Areas of Animals
 1. Bat Maternity Colonies
 2. Reptile Hibernaculum
- Rare Vegetation Communities or Specialized Habitats for Wildlife
 3. Amphibian Breeding Habitat (Woodlands)
- Habitat of Species of Conservation Concern
 4. Special Concern and Rare Wildlife Species

Also based on this assessment, a total of seven (7) Special Concern or provincially rare species have at least a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southern Ontario (or were confirmed based on the site assessment):

- 1) Eastern Wood-pewee (*Contopus virens*) (**Confirmed**)
- 2) American Bumblebee (*Bombus pensylvanicus*) (Possible)
- 3) Differential Grasshopper (*Melanoplus differentialis*) (Possible)

- 4) Northern Bush Katydid (*Scudderia septentrionalis*) (Possible)
- 5) Skiff Moth (*Prolimacodes badia*) (Possible)
- 6) Two-spotted Cobweb Spider (*Asagena americana*) (Possible)
- 7) Slender Paspalum (*Paspalum setaceum*) (**Confirmed**)

Based on the assessment provided above, no development or site alteration is proposed within 30 m of the deciduous swamp (SWDM3-3) on Adjacent Lands which has the greatest potential to support three of the four Candidate SWH types (i.e., Bat Maternity Colonies, Reptile Hibernaculum, Amphibian Breeding Habitat).

In terms of habitat for provincially rare species, no specific recommendations are offered herein to minimize impacts to potential foraging habitat for American Bumblebee, Differential Grasshopper, Northern Bush Katydid, Skiff Moth, or Two-spotted Cobweb Spider. These species are habitat generalists, and habitat exists within the wider landscape surrounding the Subject Property (which consists of manicured amenity space).

Slender Paspalum (a Provincially rare grass species) was documented within the proposed severance areas. This species appears to be persisting on-site despite repeated mowing (i.e., grass species possess basal meristems). The following measure is recommended to protect this species.

- **A Relocation and Monitoring Plan for Slender Paspalum will be prepared and implemented prior to construction.**

It is expected that Slender Paspalum will need to be relocated off-site. Suitable habitat is present in the local landscape (i.e., Spring Garden Natural Area), although transplantation to such areas will require approval from City staff and/or other landowners.

5.2.4 Habitat of Endangered and Threatened Species

Per the assessment in **Appendix 6** a total of four (4) Endangered or Threatened species are considered to have a possible likelihood of occurrence on the Subject Property given their habitat associations and current distribution in southwestern Ontario:

- 1) Little Brown Myotis (*Myotis lucifugus*)
- 2) Northern Myotis (*Myotis septentrionalis*)
- 3) Tri-colored Bat (*Perimyotis subflavus*)
- 4) Eastern Foxsnake (*Pantherophis vulpinus*)

As noted in **Section 4.4**, discussions with MECP staff have confirmed that the proposed development is not expected to impact Endangered/Threatened species subject to implementation of their recommendations (see **Appendix 7**). On this basis, Terrastory recommends as follows:

- **All recommendations offered by MECP in Appendix 7 are to be implemented.**

5.2.4.1 Endangered Bat Roosting Habitat (Maternity Colonies and Individuals)

As described in **Section 4.4.1**, while the broader Study Area (i.e., within 120 m of the Subject Property) provides suitable maternity roosting habitat for Little Brown Myotis and Northern Myotis (and suitable roosting habitat for Tri-colored Bat), trees within the Subject Property itself do not

form part of a woodland and may only support “day roosts”. On this basis, the following recommendations to protect Endangered bats are offered:

- **All necessary tree removals will be completed outside the primary bat activity period (i.e., to be completed between October 1 and March 31). If limited tree removal is required during the restricted timing window, consult a qualified ecologist and/or MECP for further direction.**
- **If construction activities occur during the active bat season (i.e., April 1 and September 30), work will be restricted to daylight hours only and the use of artificial lighting will be avoided.**
- **Any lighting incorporated into the final building designs should be directed downward (i.e., towards the ground) and/or away from the adjacent woodlot (i.e., directed eastward) to the extent practicable.**

5.2.4.2 Eastern Foxsnake

Although the Subject Property is within 1.5 km of known occurrences of this species, the entire Subject Property is manicured lawn (or consists of a residence) and is not considered to be habitat. The following recommendations (consistent with and not to supersede those provided in **Appendix 7**) are offered to avoid harm to Eastern Foxsnake individuals and/or other SAR snakes which are known from the broader landscape including Butler’s Gartersnake (*Thamnophis butleri*):

- **The proposed development area will be isolated by reptile exclusion fencing at construction, which may be represented by silt fencing if it meets the minimum criteria for exclusion fencing outlined in the MECP *Reptile and amphibian exclusion fencing guidelines* for the above species (MECP 2021b).**
- **During the active season for herpetofauna (i.e., March 15 to November 30) an inspection will be conducted each morning by construction personnel prior to the commencement of construction activities to ensure that no Endangered or Threatened snakes have breached the reptile exclusion fencing and entered the work zone.**
- **If an Endangered or Threatened snake is encountered during construction, all construction activities must cease within 30 m of the individual. A qualified Ecologist and/or MECP should then be contacted for direction on how to proceed. The location of the snake will be monitored while awaiting direction.**

5.2.5 Other Natural Environment Considerations

While the recommendations offered herein restrict development activities from all significant natural heritage features, some vegetation removal (i.e., woody and herbaceous vegetation) is required to facilitate development. To further minimize potential adverse effects to the natural environment and wildlife during construction, the following measures are recommended:

- The removal of trees will generally be restricted to areas in direct conflict with the footprints of the proposed development features (e.g., residences, driveways, etc.) and grading, along with any hazardous trees in the immediate vicinity that pose an unacceptable risk to human life or property.
- All necessary vegetation removal (e.g., trees) will be completed outside the primary bird nesting period (i.e., to be completed between September 1 and March 31). Should minor vegetation removal be proposed during the restricted timing window within readily searchable habitat types, a bird nesting survey will be undertaken to confirm the presence or absence of nesting birds or bird nests within or adjacent to the areas subject to vegetation clearance. The bird nesting survey is to take place within 48 hours of vegetation removal.
- Incorporation of Bird-Friendly Guidelines into the residence designs such as those published in City of Toronto's "Best Practices for Bird-Friendly Glass" and "Best Practices for Effective Lighting" should be considered at detailed design.

5.2.6 Summary of Technical Recommendations

All technical recommendations provided in Section 5.2 are reiterated in Appendix 9.

6 APPLICABLE NATURAL HERITAGE AND ENVIRONMENTAL POLICIES

The following sections summarize the various municipal, provincial, and federal environmental policies that may apply to the proposed development plan and describe how the recommendations provided in this EER will address these policies (where applicable).

6.1 City of Windsor Official Plan (August 2013)

The City's OP is a legal document prepared as required under section 14.7(3) of the *Planning Act*. An OP sets out goals, objectives, and policies that direct and manage land-use and future development activities and their effects on the social and natural environment of a municipality. Provincial plans that offer direction on matters of provincial interest are implemented principally through the City's OP. Provided herein is a description of relevant environmental and natural heritage policies contained within the City's OP and an assessment of whether the application addresses such policies.

The Subject Property falls within the Spring Garden Secondary Plan area per Volume II of the City's OP. The lands are designated "Low Density Residential" per Schedule SG-5 (Concept Plan) and are further zoned Development Research District 1.1 (DRD 1.1) under Zoning By-law 8600.

There are no natural environment related designations or zones overlapping with Subject Property or in the immediate vicinity of the Subject Property, such as "Natural Heritage", "Environmental Policy Area A and B", and "Candidate Natural Heritage Site" designated lands per Schedule C, or "Natural Heritage" designated lands per Schedule SG-5. Notwithstanding this, the City requested

the submission of a supporting EER as stemming from the protection of significant natural heritage features on Adjacent Lands pursuant to the PPS.

Certain relevant natural heritage policies within the City's OP are listed below.

- **Natural Heritage Evaluation Criteria (Section 6.8.2.3)** At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Natural Heritage site is:
 - (a) not environmental significant and/or sensitive based on an evaluation of the area's:
 - (i) ecological function;
 - (ii) biological diversity;
 - (iii) natural communities;
 - (iv) vulnerable, threatened or endangered species;
 - (v) physical size;
 - (vi) representation;
 - (vii) level of disturbance;
 - (viii) earth science features; and
 - (ix) cultural significance.
 - (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the area.
- **EER Required for Adjacent Lands (Section 6.8.2.4)** Council shall protect lands designated as Natural Heritage from incompatible development. Accordingly any proponent of development adjacent to lands designated as Natural Heritage may be required to complete an Environmental Evaluation Report or other suitable study in accordance with the Procedures chapter of this Plan. The identification of adjacent lands subject to this requirement will be determined on a site-specific basis by the Municipality, in consultation with the province and/or the Essex Region Conservation Authority, and in accordance with policy 10.2.5.4 of this Plan.

Note per above that that the Subject Property does not overlap with a significant natural feature (e.g., Natural Heritage, Environmental Policy Area A and B, Candidate Natural Heritage Site) and thus there is no clear trigger for an EER under the City's OP. Regardless, the Subject Property is adjacent to a number of known significant natural heritage features including a PSW and various habitats for Endangered/Threatened species.

Terrastory reviewed potential impacts to the identified significant natural features – including the PSW, candidate SWH, and potential habitat of Endangered and Threatened species – in **Section 5.2** of this EER. Provided that Terrastory's recommended mitigation measures (summarized in **Appendix 9**) are carried out in full, no negative impacts are anticipated to the PSW, candidate SWH, or Significant Woodland. Based on the preceding discussion, Terrastory can conclude that the proposed site plan appropriately addresses the natural heritage protection provisions of the City's OP.

6.2 Provincial Planning Statement 2024, pursuant to the *Planning Act*, R.S.O. 1990, c. P. 13

The Provincial Planning Statement (PPS) is promulgated under the authority of the *Planning Act* and came into effect on 20 October 2024, replacing the previous PPS that came into effect on 1 May

2020. The PPS provides direction to municipalities on land-use matters of provincial interest and sets the policy framework for regulating the use and development of land. Municipal OP's must be consistent with the PPS. Per its preamble, the PPS *provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.*

The principal PPS policies that apply to natural heritage protection are outlined in section 2.1. While recognizing that the natural heritage protection framework is not intended to limit the ability of agricultural uses to continue (Policy 2.1.9), the PPS instructs that *natural features and areas shall be protected for the long term* (Policy 2.1.1) and that their diversity and connectivity be *maintained, restored or, where possible, improved* (Policy 2.1.2). In Ecoregions 6E and 7E the PPS separates significant features into three categories:

- 1) Those in which development and site alteration are not permitted, including 1) Provincially Significant Wetlands and 2) Significant Coastal Wetlands (Policy 2.1.4);
- 2) Those in which development and site alteration are not permitted unless it can be demonstrated that no negative impacts on the significant natural feature and/or its functions will occur, including: 1) Significant Woodlands, 2) Significant Valleylands, 3) Significant Wildlife Habitat, 4) Significant Areas of Natural and Scientific Interest, 5) Non-significant Coastal wetlands, and 6) Adjacent Lands (Policy 2.1.5 and 2.1.8).
- 3) Those in which development and site alteration are not permitted except in accordance with federal/provincial requirements, including: 1) fish habitat (Policy 2.1.6) and 2) habitat of Endangered and Threatened Species (Policy 2.1.7).

In considering the aforementioned PPS policies, it has been determined that the proposed development plan addresses relevant natural heritage provisions of the PPS for the following reasons:

- Per **Table 4** of this report, no Significant Areas of Natural or Scientific Interest, Significant Valleylands, Significant Wetlands, Significant Woodlands, or Fish Habitat are present within the Subject Property.
- Per **Section 5.2** of this report, no negative impacts to the Provincially Significant Wetland, Significant Woodlands, or Significant Wildlife Habitat on Adjacent Lands are anticipated, given implementation of the proposed development plan provided that the recommended mitigation measures are implemented in full.
- Per **Section 5.2** of this report, no negative impacts to Endangered/Threatened species are anticipated (confirmed by MECP per **Appendix 7**).

6.3 O. Reg. 41/24, pursuant to the *Conservation Authorities Act*, R.S.O. 1990, c. C.27

ERCA's regulatory jurisdiction includes areas within and adjacent to valley and stream corridors, hazard lands (e.g., floodplains, steep slopes, etc.), watercourses, and wetlands as provided under O. Reg. 41/24 of the *Conservation Authorities Act*.

Activities that constitute development (as defined in the *Conservation Authorities Act*, which includes grading) within 30 metres of a wetland are regulated by ERCA. Owing to recent changes to the *Conservation Authorities Act* which reduced the spatial extent of regulated area from 120 m to 30 m, there are no ERCA regulated areas within the Subject Property.

6.4 Provincial *Endangered Species Act*, S.O. 2007, c. 6

The *Endangered Species Act* (ESA) is administered by MECP and protects designated Endangered and Threatened species in Ontario from being killed, harmed, or harassed (s. 9) or having their habitat damaged or destroyed (s. 10). The protection afforded to Endangered and Threatened species “habitat” is either prescribed by O. Reg. 832/21, or (for those species that lack regulated habitat) is defined as *an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding*. Development activities that constitute habitat damage and/or destruction typically require permitting under section 17 of the ESA, or proceed through registration of the activity as a conditional exemption under O. Reg. 242/08 or O. Reg. 830/21 (where applicable).

A detailed assessment of potential Endangered and Threatened habitat within the Subject Property is provided in **Appendix 6**. As stated throughout this EIS, no negative impacts to Endangered/Threatened species are anticipated (confirmed by MECP per **Appendix 7**).

6.5 Federal *Migratory Birds Convention Act*, S.C. 1994, c. 22

Subsection 5(1) of the Migratory Birds Regulations under the *Migratory Birds Convention Act, 1994* (MBCA) prohibits the disturbance or destruction of nests, eggs, or nest shelters of a migratory bird without authorization. Subsection 5(2) of the Migratory Birds Regulations allows for damage or destruction of nests which lack a live bird or viable egg with the exception of inactive nests associated with species listed under Schedule 1. In Ontario, the nests of Schedule 1 species are afforded year-round protection (i.e., regardless of the presence or absence of a live bird or viable egg), inclusive of the following species:

- Black-crowned Night Heron (*Nycticorax nycticorax*)
- Cattle Egret (*Bubulcus ibis*)
- Great Blue Heron (*Ardea herodias*)
- Great Egret (*Ardea alba*)
- Green Heron (*Butorides virescens*)
- Pileated Woodpecker (*Dryocopus pileatus*)
- Snowy Egret (*Egretta thula*)

The provincial *Fish and Wildlife Conservation Act, 1997* (FWCA) extends the protection of bird nests and eggs to certain non-migratory species not listed under the Migratory Birds Regulations (e.g., Corvids, Strigids, Accipitrids). Section 7(1) of the FWCA prohibits a person from destroying, taking, or possessing the nest or eggs of a bird that belongs to a species that is wild by nature. Section 7(3) identifies that section 7(1) of the FWCA does not apply to a person who destroys, takes, or possesses the nest or eggs of a bird described in subsection (a) in accordance with the authorization of the Minister, or subsection (b) in the circumstances prescribed by the regulations. The nests of certain non-migratory bird species are not protected under the FWCA (e.g., Red-winged Blackbird).

Provided that the recommendations outlined in **Section 5.2.5** are implemented in full (i.e., prohibition on vegetation removal during the bird breeding season), no impacts to breeding birds or bird nests protected by the MBCA or FWCA are anticipated.

7 CONCLUSIONS

In accordance with the Terms of Reference for this study (**Appendix 1**) and relevant environmental policies, the preceding report provides a detailed characterization of the natural environment occurring within and adjacent to 4641 Malden Road, City of Windsor. This EER has been prepared in support of a Consent to Sever and Zoning By-law Amendment applications submitted to support the creation of three (3) new developable lots. Included herein is a comprehensive approach to identifying the presence or absence of several significant natural features afforded varying degrees of protection by applicable environmental policies. Potential negative impacts to the identified significant natural features are described with mitigation measures and technical recommendations offered to avoid or minimize such impacts as appropriate.

Based on the findings presented in this report, the following natural features with ecological and/or policy significance have been identified:

- **Provincially Significant Wetlands (PSW)** forming part of the Provincially Significant Ojibway Prairie Wetland Complex on Adjacent Lands.
- **Confirmed Significant Wildlife Habitat** within the Subject Property for the provincially rare grass Slender Paspalum and **Candidate Significant Wildlife Habitat** on Adjacent Lands for bat maternity colonies, reptile hibernaculum, amphibian breeding habitat (woodlands), and other species of conservation interest.
- **Significant Woodland** occurring on Adjacent Lands to the east.
- Generalized roosting habitat for three **Endangered bats** (Little Brown Myotis, Northern Myotis, and Tri-colored Bats) within the Subject Property.

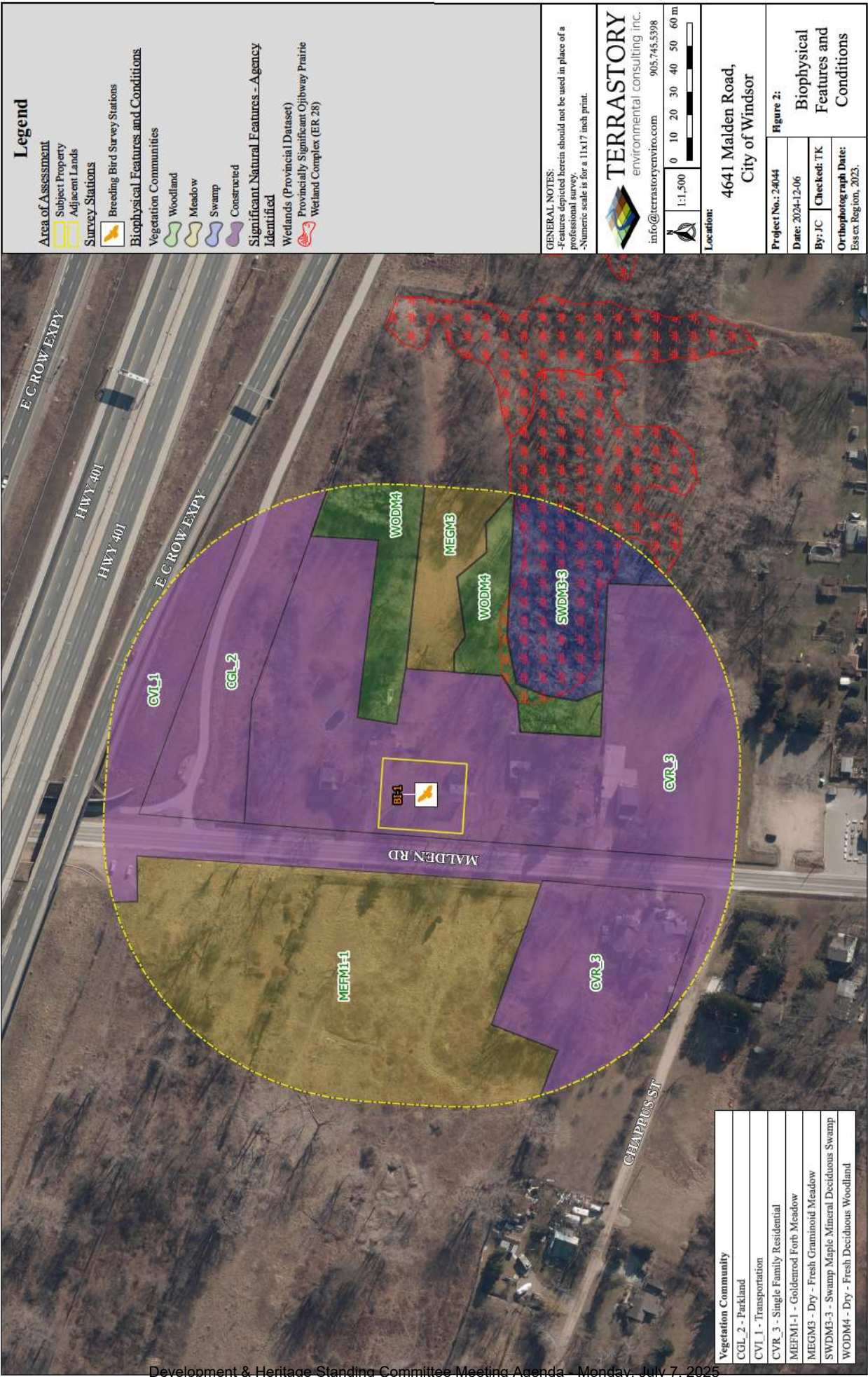
Based on the presence of the above-mentioned significant natural heritage features, a comprehensive set of recommendations and mitigation measures are offered in **Section 5.2** to achieve “no negative impact” and address applicable municipal, provincial, and federal policies outlined in **Section 6**. This includes (among other technical recommendations) the need to relocate a provincially rare grass species (Slender Paspalum) outside the proposed development area, preparation and implementation of an Erosion and Sediment Control Plan for construction, and timing restrictions on vegetation removal (to protect nesting birds and roosting bats).

It has been determined that no negative impacts to the above-noted features will occur and that the application appropriately addresses applicable natural heritage policies provided that all technical mitigation measures recommended herein (summarized in **Appendix 9**) are implemented in full. MECP has further confirmed that no impacts to Endangered/Threatened species are anticipated provided that their recommendations are implemented (see **Appendix 7**). It is advised that such technical recommendations be incorporated into any necessary development approvals that permit the consent and rezoning applications.

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Legend

- Area of Assessment
- Subject Property
- Built Structures and Infrastructure
- Existing Residence
- Proposed Activities
- Proposed Dwelling Envelope
- Proposed Lot Configuration
- Significant Natural Features - Terrastory
- Endangered and Threatened Species
- Chimney Swift (*Chaetura pelagica*)
- Threatened
- Special Concern and Provincially Rare Species
- Eastern Wood-pewee (*Contopus virens*)
- Special Concern
- Slender Paspalum (*Paspalum setaceum*)
- Provincially Rare (S2)
- Significant Natural Features - Agency Identified
- Wetlands (Provincial Dataset)
- Provincially Significant Oldway Prairie Wetland Complex (ER 28)
- Natural Feature Setbacks
- 30 m from PSW (as currently mapped)

GENERAL NOTES:
 -Features depicted herein should not be used in place of a professional survey.
 -Numeric scale is for a 11x17 inch print.

TERRASTORY
 environmental consulting inc.
 info@terrastoryenviro.com 905.745.5398

1:500 0 5 10 15 20 m

Location:

4641 Malden Road,
 City of Windsor

Project No.: 24044

Date: 2024-12-06

By: JC Checked: TK

Orthophotograph Date:
 Essex Region, 2023.

Figure 3:

Significant Natural
 Features with
 Proposed Development
 Overlay

Note:
 -The 30 m buffer has been applied from the extent of the PSW as identified in the provincial dataset, as the extent of the wetland identified during Terrastory's 2024 fieldwork program was interpreted through aerial imagery and as viewed from the Subject Property (owing to a lack of access onto Adjacent Lands).

Appendix 1. Terms of Reference

April 27, 2024
Project No.: 24044



TERRASTORY
environmental consulting inc.

Stefan Fediuk
Planner III – Senior Urban Designer
City of Windsor
255-6543 x6025
sfedruk@citywindsor.ca

**SUBJECT: Terms of Reference for Environmental Evaluation Report
4641 Malden Road
City of Windsor**

Terrastory Environmental Consulting Inc. (hereinafter “Terrastory”) has been retained to prepare an Environmental Evaluation Report (EER) in support of a development application at the above-captioned location in Windsor. Outlined herein is our proposed Terms of Reference (ToR) for the EER. Terrastory has also been retained to complete the necessary Natural Site Features Inventory & Preservation Study and will be completing that study concurrently.

Should you have any questions or require further clarification regarding the contents of this letter, I would be pleased to discuss them further and can be reached by phone (905.745.5398) or email (tristan@terrastoryenviro.com).

Regards,

Terrastory Environmental Consulting Inc.

Tristan Knight, M.E.S., M.Sc., I.S.A., C.E.R.P.
Senior Ecologist | President

STUDY BACKGROUND

The Subject Property is an approximately 0.11 hectare (0.28 acre) parcel on the east side of Malden Road between Herb Gray Parkway/Hwy. 401 and Chappus Street. The Subject Property contains an existing residence surrounded by manicured amenity space (grass) with a few scattered trees. Natural lands occur to the east (and west of Malden Road)

The Subject Property falls within the Spring Garden Secondary Plan area per Volume II of the City's OP. The lands are designated Low Density Residential per Schedule SG-5 and are further zoned Development Research District 1.1 (DRD 1.1) under Zoning By-law 8600.

The applicant wishes to construct three (3) additional single unit dwellings while the existing two-storey residential dwelling is to remain. The proposed development must be facilitated by a Zoning By-law Amendment (ZBA) and Consent to Sever (severance) applications, as confirmed through a 13 February 2024 pre-consultation letter (i.e., Stage 1 Planning Consultation) received from the City. To support the rezoning/severance applications, the City has requested a supporting EER.

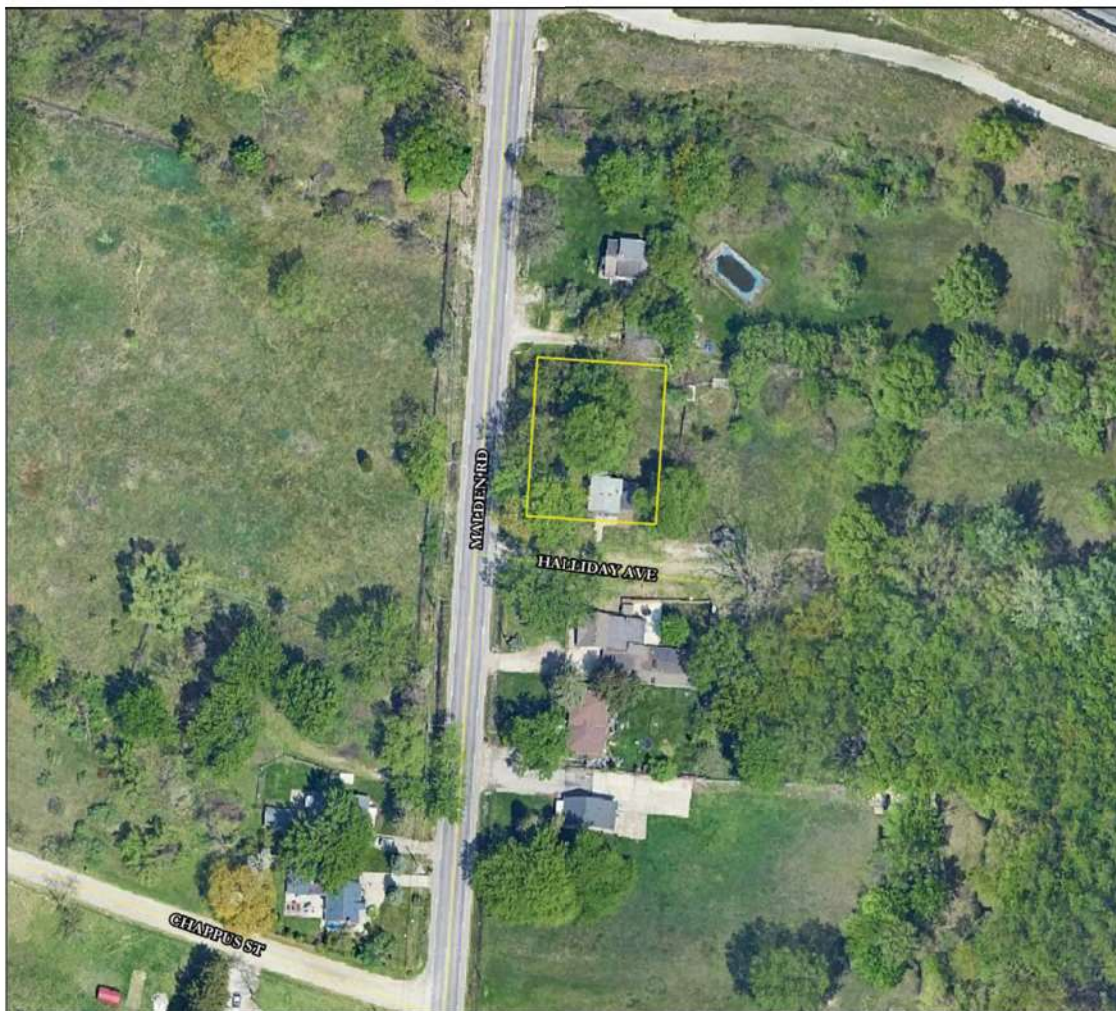


Figure 1. Location of the Subject Property.

TERMS OF REFERENCE FOR EER

- **Overall Approach and Methodology**
 - EER will be undertaken consistent with Section 10.2.5 of the City's OP.
 - Study Area will include the Subject Property and Adjacent Lands (natural lands) to a distance of 120 m from the limit of proposed development.
 - Information for Adjacent Lands will be collected from background sources and areas where permission to enter has been granted.
- **Background Information Gathering**
 - Background biophysical information will be gathered from the following sources (minimum) to support the biophysical characterization and significance assessments for Significant Wildlife Habitat and Species at Risk:
 - Current and historical aerial photographs
 - Existing natural feature mapping (Spring Garden Planning Areas Schedules, NHIC, etc.).
 - Ontario Base Mapping and other sources of topographic information (e.g., LiDAR), where available.
 - Ontario well records from the local landscape.
 - Soils mapping for the local landscape.
 - Paleozoic and surficial geology mapping for the local landscape.
 - Physiographic mapping for the local landscape.
 - NHIC element occurrences.
 - iNaturalist element occurrences, including rare species records retrieved through the "(NHIC) Rare Species of Ontario" project.
 - eBird.
 - Ontario Breeding Bird Atlas database.
 - Ontario Butterfly Atlas.
 - iNaturalist "Ontario Odonata" project
 - Bumble Bee species distribution maps from iNaturalist and Bumble Bee Watch.
 - DFO Aquatic Species at Risk Maps.
 - Aquatic resource area data.
 - Atlas of the Mammals of Ontario.
 - Flowing Waters Information System (FWIS) Database.
- **Site Assessment and Ecological Surveys (i.e., 2024 Fieldwork)**
 - General biophysical description of the Study Area (i.e., direction of drainage, land management, etc.).
 - **Ecological Land Classification (ELC)** for the Subject Property and Adjacent Lands.
 - *Note, Adjacent Lands will be characterized and mapped based on observations from publicly-accessible locations and aerial photograph interpretation.
 - Two (2) rounds of early spring **Snake Emergence Surveys**, plus an additional eight (8) rounds of snake surveys in accordance with the Survey Protocol for Ontario's Species at Risk Snakes (Dec. 2016).
 - Two (2) rounds of **Breeding Bird Surveys** according to the OBBA
 - First survey to be completed between May 24 and June 15
 - Second survey to be completed between June 16 and July 10.

- Two (2) season **Vascular Plant Inventory**.
 - Spring survey to be completed between early May and late June
 - Summer survey to be completed between July and August
- **Tree Inventory** covering all trees > 10 cm DBH (through the Natural Site Features Inventory & Preservation Plan).
- Raw digital data forms (e.g., excel and/or shapefile format) will be provided summarizing the field data (e.g., anuran calling surveys, etc.) upon request.
- Characterization and delineation of all significant natural features identified.
- Incidental wildlife (including butterflies, odonates, and bumblebees) to be recorded during all site visits.
- **Significance Assessment**
 - Determination of whether any confirmed or potential significant natural heritage features and/or natural hazards are present within the Subject Property (or Adjacent Lands), particularly (among others) SWH, SAR, Significant Woodland, etc.
 - Mapping of significant natural heritage feature boundaries (e.g., staked and approved dripline for the Significant Woodland).
 - Full screening for SWH (based on the Ecoregion 7E Criteria Schedule).
 - Full screening for Species at Risk (SAR).
 - If any Endangered/Threatened species are documented, their locations will be mapped and the extent of their habitat will be delineated. Correspondence with MECP will be appended to the EER.
 - Due to known presence of several SAR snakes in the general area (e.g., Eastern Foxsnake, Butlers Gartersnake), MECP will be engaged through submission of an Information Gathering Form (IGF).
 - A list of all species documented will be provided including their relevant local, provincial, and federal rankings.
 - If any S1 to S3 species are found on site, their locations and habitat extent will be mapped and considered through the impact assessment.
- **Impact Assessment and Recommendations**
 - Description of the proposed development plan and any related technical plans/documents where available.
 - Mapping which indicates the proposed development plan overlaid with the significant natural feature mapping on a current airphoto base.
 - Impact assessment for all natural heritage/hazard features identified and their functions from an ecological perspective, including direct, indirect, and cumulative effects.
 - Recommendations for an ecologically and policy-appropriate buffer/setback/VPZ to the Significant Woodland on the data collected, impact assessment, and conformity with applicable policies and legislation.
 - Mitigation measures to avoid/minimize impacts (e.g., tree removal timing window, ESC measures, etc.).
 - Inclusion of a Tree Protection Plan including relevant details and specifications.
- **Policy Conformity Assessment**
 - An overall assessment of whether the proposed consent application, combined with any design changes and mitigation measures, conforms to relevant natural heritage policies in the City's OP, Spring Garden Secondary Plan, Provincial Policy Statement, *Endangered Species Act*, *Migratory Birds Convention Act*, and any other applicable natural heritage policies/legislation.

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Appendix 2. Representative Photographs



Photo 1. Existing residence facing eastward (15 April 2024).



Photo 2. Subject Property facing southward (15 April 2024).



Photo 3. Subject Property facing northward (15 April 2024).



Photo 4. Subject Property facing eastward (15 April 2024).

Appendix 3. Vascular Plant List

Scientific Name	Common Name	Family	S-Rank (per NHIC)	Local Rank (per Oldham 2017)	Coefficient of Conservatism	Coefficient of Wetness
<i>Acer negundo</i>	Manitoba Maple	Aceraceae	S5	X	0	0
<i>Acer saccharum</i>	Sugar Maple	Aceraceae	S5	X	4	3
<i>Abutilon millefolium</i>	Common Yarrow	Asteraceae	SNA	-	n/a	3
<i>Actaea pachypoda</i>	White Baneberry	Ranunculaceae	S5	X	6	5
<i>Agralinia altissima</i>	Common White Snakeroot	Asteraceae	S5	X	5	3
<i>Agrimonia eupatoria</i>	Hooked Agrimony	Rosaceae	S5	X	2	3
<i>Ambrosia artemisiifolia</i>	Common Ragweed	Asteraceae	S5	X	0	3
<i>Ambrosia trifida</i>	Great Ragweed	Asteraceae	S5	X	0	0
<i>Andropogon gerardii</i>	Big Bluestem	Poaceae	S4	X	7	3
<i>Artium minus</i>	Common Burdock	Asteraceae	SNA	IX	n/a	3
<i>Asclepias syriaca</i>	Common Milkweed	Asclepiadaceae	S5	X	0	5
<i>Axys amaranthoides</i>	Russian Pigweed	Chenopodiaceae	SNA	-	n/a	0
<i>Berberis thunbergii</i>	Japanese Barberry	Berberidaceae	SNA	IX	n/a	3
<i>Botrypus virginianus</i>	Rattlesnake Fern	Ophioglossaceae	S5	X	5	3
<i>Bromus inermis</i>	Smooth Brome	Poaceae	SNA	IX	n/a	5
<i>Bromus latiglomis</i>	Broad-glumed Brome	Poaceae	S4	R	7	-3
<i>Calyptegia sepium</i>	Hedge False Bindweed	Convolvulaceae	S5	X	2	0
<i>Carex rostrata</i>	Rosy Sedge	Cyperaceae	S5	C	2	5
<i>Carya cordiformis</i>	Bitternut Hickory	Juglandaceae	S5	X	6	0
<i>Celastrus scandens</i>	Climbing Bittersweet	Celastraceae	S5	X	3	3
<i>Celtis occidentalis</i>	Common Hackberry	Ulmaceae	S4	X	8	0
<i>Chenopodium album</i>	White Goosefoot	Chenopodiaceae	SNA	IX	n/a	3
<i>Cirsium canadensis</i>	Broad-leaved Enchanter's Nightshade	Onagraceae	S5	X	2	3
<i>Cirsium arvense</i>	Canada Thistle	Asteraceae	SNA	IX	n/a	3
<i>Cirsium vulgare</i>	Bull Thistle	Asteraceae	SNA	IX	n/a	3
<i>Convolvulus arvensis</i>	Field Bindweed	Convolvulaceae	SNA	IX	n/a	5
<i>Cornus alternifolia</i>	Alternate-leaved Dogwood	Comaceae	S5	X	6	3
<i>Cornus racemosa</i>	Gray Dogwood	Comaceae	S5	X	2	0
<i>Cornus sericea</i>	Red-osier Dogwood	Comaceae	S5	X	2	-3
<i>Dactylis glomerata</i>	Orchard Grass	Poaceae	SNA	IX	n/a	3
<i>Daucus carota</i>	Wild Carrot	Apiaceae	SNA	IX	n/a	5
<i>Echinocloa crus-galli</i>	Large Barnyard Grass	Poaceae	SNA	IX	n/a	-3
<i>Echinocystis lobata</i>	Wild Mock-cucumber	Cucurbitaceae	S5	X	3	-3
<i>Elaeagnus umbellata</i>	Autumn Olive	Elaeagnaceae	SNA	IR	n/a	3
<i>Elymus hystrix</i>	Bottlebrush Grass	Poaceae	S5	C	5	5
<i>Elymus virginicus</i>	Virginia Wildrye	Poaceae	S5	X	5	-3
<i>Eriogon canadensis</i>	Canada Horseweed	Asteraceae	S5	X	0	3
<i>Eriogon strigosus</i>	Rough Fleabane	Asteraceae	S5	X	4	3
<i>Fagus grandifolia</i>	American Beech	Fagaceae	S4	X	6	3
<i>Fallopia dumetorum</i>	Hedge Bindweed	Polygonaceae	SNA	-	n/a	0
<i>Festuca subverticillata</i>	Nodding Fescue	Poaceae	S4	X	6	3
<i>Fracinus americana</i>	White Ash	Oleaceae	S4	X	4	3

Scientific Name	Common Name	Family	S-Rank (per NHIC)	Local Rank (per Oldham 2017)	Coefficient of Conservation	Coefficient of Wetness
<i>Galium circaeans</i>	Wild Licorice	Rubiaceae	S5	X	7	3
<i>Gum canadense</i>	White Avenis	Rosaceae	S5	C	3	0
<i>Glechoma hederacea</i>	Ground Ivy	Lamiaceae	SNA	IX	n/a	3
<i>Heliopsis giganteus</i>	Tall Sunflower	Asteraceae	S5	X	6	-3
<i>Heliopsis helianthoides</i>	False Sunflower	Asteraceae	S4S5	R	3	3
<i>Hesperis matronalis</i>	Dame's Rocket	Brassicaceae	SNA	IX	n/a	3
<i>Juglans nigra</i>	Black Walnut	Juglandaceae	S4?	X	5	3
<i>Lactuca scariola</i>	Prickly Lettuce	Asteraceae	SNA	IX	n/a	3
<i>Laersia virginica</i>	Virginia Cutgrass	Poaceae	S4	X	6	-3
<i>Lindera borealis</i>	Spicebush	Lauraceae	S4	C	6	-3
<i>Lotus corniculatus</i>	Garden Bird's-foot Trefoil	Fabaceae	SNA	IX	n/a	3
<i>Maianthemum canadense</i>	Wild Lily-of-the-valley	Liliaceae	S5	X	5	3
<i>Medicago sativa</i>	Alfalfa	Fabaceae	SNA	IX	n/a	5
<i>Meibomia albus</i>	White Sweet-clover	Fabaceae	SNA	IX	n/a	3
<i>Menispermum canadense</i>	Canada Moonseed	Menispermaceae	S4	X	7	0
<i>Monarda fistulosa</i>	Wild Bergamot	Lamiaceae	S5	X	6	3
<i>Morus alba</i>	White Mulberry	Moraceae	SNA	IX	n/a	0
<i>Nepeta cataria</i>	Catnip	Lamiaceae	SNA	IX	n/a	3
<i>Nepeta cataria</i>	Hairy Sweet Cicely	Apiaceae	S5	X	5	0
<i>Osmorhiza claytonii</i>	Eastern Hop-hornbeam	Betulaceae	S5	C	4	3
<i>Ostrya virginiana</i>	Thicket Creeper	Viraceae	S5	X	4	3
<i>Parthenocissus vitacea</i>	Virginia Smartweed	Polygonaceae	S4	C	6	0
<i>Persicaria virginiana</i>	Lopseed	Verbenaceae	S4S5	X	6	3
<i>Phytolacca americana</i>	English Plantain	Plantaginaceae	SNA	IX	n/a	3
<i>Plantago lanceolata</i>	Canada Bluegrass	Poaceae	SNA	IX	n/a	3
<i>Poa compressa</i>	May-apple	Berberidaceae	S5	C	5	3
<i>Podophyllum peltatum</i>	Hairy Solomon's Seal	Liliaceae	S5	X	5	5
<i>Polygonatum pubescens</i>	Eastern Cottonwood	Salicaceae	S5	X	4	0
<i>Populus deltoides</i>	Black Cherry	Rosaceae	S5	X	3	3
<i>Prunus serotina</i>	Chinquapin Oak	Fagaceae	S4	X	7	3
<i>Quercus muehlenbergii</i>	Gray-headed Prairie Coneflower	Asteraceae	S3	R	9	5
<i>Ratibida pinnata</i>	Common Buckthorn	Rhamnaceae	SNA	IC	n/a	0
<i>Rhamnus cathartica</i>	Staghorn Sumac	Anacardiaceae	S5	X	1	3
<i>Rhus typhina</i>	Black Raspberry	Rosaceae	S5	C	2	5
<i>Rubus occidentalis</i>	Cut-leaved Coneflower	Asteraceae	S5	X	7	-3
<i>Rudbeckia laciniata</i>	Curly Dock	Polygonaceae	SNA	IX	n/a	0
<i>Rumex crispus</i>	Bloodroot	Papaveraceae	S5	X	5	3
<i>Sanguinaria canadensis</i>	Green Foxtail	Poaceae	SNA	IX	n/a	5
<i>Setaria viridis</i>	Herbaceous Cornflower	Smilacaceae	S4?	R	5	0
<i>Smilax herbacea</i>	Hispid Greenbrier	Smilacaceae	S5	X	6	0
<i>Smilax latifolia</i>	Tall Goldenrod	Asteraceae	S5	X	1	3
<i>Solidago altissima</i>	Yellow Indiangrass	Poaceae	S4	X	8	3

Scientific Name	Common Name	Family	S-Rank (per NHIC)	Local Rank (per Oldham 2017)	Coefficient of Conservation	Coefficient of Wetness
<i>Symphoricarichum ericoides</i>	White Heath Aster	Asteraceae	S5	X	4	3
<i>Symphoricarichum pilosum</i>	White Heath Aster	Asteraceae	S5	X	0	3
<i>Tilia americana</i>	American Basswood	Tiliaceae	S5	C	4	3
<i>Trifolium pratense</i>	Red Clover	Fabaceae	SNA	IX	n/a	3
<i>Trifolium repens</i>	White Clover	Fabaceae	SNA	IX	n/a	3
<i>Urtica dioica</i>	Stinging Nettle	Urticaceae	S5	-	2	0
<i>Urtica gracilis</i>	Slender Stinging Nettle	Urticaceae	S5	X	2	0
<i>Verbascum thapsus</i>	Common Mullein	Scrophulariaceae	SNA	IX	n/a	5
<i>Xanthium strumarium</i>	Rough Cocklebur	Asteraceae	S5	X	2	0

Appendix 4. Breeding Bird Survey Results

1 BREEDING BIRD SURVEY METHODOLOGY

Two breeding bird surveys were conducted following Ontario Breeding Bird Atlas (OBBA) protocols (Bird Studies Canada et al. 2001). Surveys occurred within the appropriate season (May 24–July 10), time of day (between dawn and five hours after dawn), and weather conditions (no rain, wind speed ≤ 3 on the Beaufort Wind Scale). The station was surveyed for a minimum duration of ten (10) minutes.

One (1) survey station was established and situated to cover the variety of bird habitats on-site, particularly habitats with a high potential to support significant bird species and those that occur within or adjacent to proposed areas of disturbance. The locations of point count stations and significant bird species were recorded in the field with a high-accuracy GPS.

Signs of breeding activity accompanied each bird record (e.g., singing male, probable pair, agitation, carrying nest material, etc.). The OBBA provides four (4) breeding categories to accompany each observation:

Observed: Species observed during its breeding season (no evidence of breeding).

Possible Breeding: Includes any of the following observation types: 1) species observed in its breeding season in suitable nesting habitat, and 2) singing male present, or breeding calls heard, in its breeding season in suitable nesting habitat.

Probable Breeding: Includes any of the following observation types: 1) pair observed in their breeding season in suitable nesting habitat, 2) permanent territory presumed through registration of territorial song on at least 2 days, a week or more apart, at the same place, 3) courtship or display between a male and a female or 2 males, including courtship feeding or copulation, 4) visiting probable nest site, 5) agitated behaviour or anxiety calls of an adult, 6) brood patch on adult female or cloacal protuberance on adult male, and 7) nest-building or excavation of nest hole.

Confirmed Breeding: Includes any of the following observation types: 1) distraction display or injury feigning, 2) used nest or egg shell found (occupied or laid within the period of the study), 3) recently fledged young or downy young, including young incapable of sustained flight, 4) adults leaving or entering nest site in circumstances indicating occupied nest, 5) adult carrying faecal sac, 6) adult carrying food for young, 7) nest containing eggs, and 8) nest with young seen or heard.

2 RESULTS

Table 1. Results of Breeding Bird Surveys.

Common Name	Scientific Name	Breeding Status within the Study Area	General Location of Observation
American Robin	<i>Turdus migratorius</i>	Co	Throughout survey area.
Black-capped Chickadee	<i>Parus atricapillus</i>	Po	Deciduous swamp on Adjacent Lands.
Blue Jay	<i>Cyanocitta cristata</i>	Pr	Woodland on Adjacent Lands.
Brown-headed Cowbird	<i>Molothrus ater</i>	Po	Manicured area adjacent existing dwelling.
Carolina Wren	<i>Thryothorus ludovicianus</i>	Po	Deciduous swamp on Adjacent Lands.
Cedar Waxwing	<i>Bombicilla cedrorum</i>	Po	Deciduous swamp edge on Adjacent Lands.
Common Grackle	<i>Quiscalus quiscula</i>	Po	Deciduous swamp on Adjacent Lands.
Downy Woodpecker	<i>Picoides pubescens</i>	Pr	Manicured areas and forest on Adjacent Lands.
Eastern Kingbird	<i>Tyrannus tyrannus</i>	Po	Manicured area adjacent existing dwelling.
Eastern Wood-pewee	<i>Contopus virens</i>	Po	Deciduous swamp on Adjacent Lands.
European Starling	<i>Sturnus vulgaris</i>	Co	Manicured area adjacent existing dwelling.
House Wren	<i>Troglodytes aedon</i>	Pr	Deciduous swamp edge on Adjacent Lands.
Mourning Dove	<i>Zenaidura macroura</i>	Po	Meadow on Adjacent Lands to the west.
Northern Cardinal	<i>Cardinalis cardinalis</i>	Po	Manicured area on Adjacent Lands.
Ring-billed Gull	<i>Larus delawarensis</i>	O	Flyover.
Red-bellied Woodpecker	<i>Melanerpes carolinus</i>	Pr	Deciduous swamp and woodland on Adjacent Lands.
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	Po	Manicured areas on Subject Property and Adjacent Lands to the west.
Song Sparrow	<i>Melospiza melodia</i>	Pr	Manicured areas within and adjacent the Subject Property.
Tree Swallow	<i>Iridoprocne bicolor</i>	Co	Manicured areas on Adjacent Lands.
Warbling Vireo	<i>Vireo gilvus</i>	Pr	Deciduous swamp edge on Adjacent Lands.
White-breasted Nuthatch	<i>Sitta carolinensis</i>	Po	Deciduous swamp edge on Adjacent Lands.

1 Location of breeding bird survey station is indicated on Figure 2.

2 Co = Confirmed Breeder; Pr = Probable Breeder; Po = Possible Breeder; O = Observed (no evidence of breeding). Breeding status determined based on the results of the formal breeding bird surveys; where a higher level of breeding status was documented incidentally (i.e., during other field surveys), this is noted in within the main body of the report (where applicable).

Appendix 5. Significant Wildlife Habitat Assessment

1 SIGNIFICANT WILDLIFE HABITAT ASSESSMENT METHODOLOGY

The PPS protects Significant Wildlife Habitat (SWH) from development and site alteration unless it can be demonstrated that no negative impacts on the feature or its function will occur. As outlined in the SWH Technical Guide (OMNR 2000) and supporting Ecoregion Criteria Schedules (OMNRF 2015), SWH is composed of four (4) principal components:

- Seasonal Concentration Areas of Animals;
- Rare Vegetation Communities or Specialized Habitats;
- Habitat of Species of Conservation Concern; and
- Animal Movement Corridors.

The process for identifying SWH is outlined in s. 9.2.3 of the Natural Heritage Reference Manual (OMNR 2010). Step 1 considers the nature of the development application proposed and involves the assembly of background ecological information for the Study Area and Adjacent Lands. If the application triggers a need to protect SWH (e.g., change in land-use that requires approval under the Planning Act, etc.), a more thorough investigation of potential SWH features within the Study Area or Adjacent Lands must occur. Any confirmed SWH for the Study Area and Adjacent Lands as identified in relevant planning documents or by the MNRF should be noted at this stage. Where a need to protect SWH is triggered, step 2 involves undertaking a more thorough analysis of features, functions, and habitats within the Study Area via Ecological Land Classification (see Section 2.8). The list of ELC Ecosite codes generated for the Study Area is compared to those codes considered candidate SWH in the relevant Ecoregion Criterion Schedule (i.e., 5E, 6E, or 7E) in step 3. Where a positive match between an ELC Ecosite and candidate SWH exists, the area is considered candidate SWH.

Two options are available for candidate SWH: 1) the area may be protected without further study, or 2) the area may be evaluated to ascertain whether confirmed SWH is present. Evaluation may involve generating more detailed maps of vegetation cover, or conducting surveys of the wildlife population within the candidate SWH including reproductive, feeding, and movement patterns. If the area is confirmed SWH, the final step in the process is the completion of an impact assessment to demonstrate that no negative impacts to the confirmed SWH or its function will occur. The impact assessment process is assisted by SWH Mitigation Support Tool (OMNRF 2014).

2 RESULTS

Table 1. Results of the Significant Wildlife Habitat Assessment.

Ecoregion 7E	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Candidate SWH?	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Confirmed SWH?	Likelihood that Negative Effects to SWH (i.e., "degradation that threatens the health and integrity" as defined in the 2020 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities.
Seasonal Concentration Areas of Animals			
Waterfowl Stopover and Saging Areas (Terrestrial)	No. Meadows, fields, and/or thickets that annually flood during spring and could support significant congregations of migrating waterfowl are absent.	--	--
Waterfowl Stopover and Saging Areas (Aquatic)	No. Large surface water features (e.g., ponds, lakes, bays, coastal inlets, large watercourses, etc.) and/or wetlands that annually flood during spring could support significant congregations of migrating waterfowl are absent.	--	--
Shorebird Migratory Stopover Areas	No. Unvegetated open areas adjacent to surface water features (e.g., shorelines, beaches, mudflats, etc.) and able to support significant congregations of migrating shorebirds are absent.	--	--
Raptor Wintering Areas	No. Treed and meadow habitats within the Study Area are too small to support significant congregations of wintering raptors.	--	--
Bat Hibernacula	No. Natural features and habitats that could support hibernating bats (e.g., caves, mine shafts, crevices, karsts, etc.) are absent.	--	--
Bat Maternity Colonies	Yes. Mature deciduous swamp with a high-density (i.e., >10/ha) of large-diameter (i.e., ≥25 cm DBH) trees containing cracks/cavities are present on Adjacent Lands.	Unknown. Targeted surveys were not undertaken on Adjacent Lands to assess presence/Absence of bats and/or suitable snags within the deciduous swamp.	Negligible. Development activities will be restricted to the Subject Property, and a timing window restriction will be applied to necessary individual tree removal activities within the Subject Property to avoid impacting roosting bats occupying "day roosts".
Turtle Wintering Areas	No. Surface water features and/or wetlands with soft muddy substrate which do not freeze to the bottom during winter are absent.	--	--
Reptile Hibernaculum	Yes. Features (e.g., small mammal burrows, rock crevices, etc.) and/or habitats (e.g., certain wetlands with a fluctuating water table, etc.) that could provide snakes with access below the frost line are present.	Unknown. Snake surveys undertaken during the 2024 fieldwork season did not identify any features being used by reptiles (i.e., snakes) for overwintering within the Subject Property and areas accessible by public ROW. Snake overwintering habitat may occur on Adjacent Lands.	Negligible. Development activities will be restricted to the Subject Property.
Colonially - Nesting Bird Breeding Habitat (Bank and Cliff)	No. Features that could support nesting by Cliff Swallow and Northern Rough-winged Swallow (e.g., eroding banks, sandy hills, borrow pits, steep slopes, cliff faces, etc.) are absent.	--	--
Colonially - Nesting Bird Breeding Habitat (Tree/Shrubs)	No. Swamp and treed fen communities of sufficient size are absent.	--	--
Colonially - Nesting Bird Breeding Habitat (Ground)	No. Rocky islands or peninsulas along lakes or large rivers are absent.	--	--

Ecoregion 7E	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Candidate SWH?	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Confirmed SWH?	Likelihood that Negative Effects to SWH (i.e., "degradation that threatens the health and integrity" as defined in the 2020 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities.
Migratory Butterfly Stopover Areas	No. A mixture of fields and forests within 5 km from the shoreline of Lake Erie or Lake Ontario are absent.	--	--
Landward Migratory Stopover Areas	No. While migrating landbirds may temporarily stopover to feed and rest, the Subject Property is unlikely to support significant congregations of migrating landbirds as it is greater than 5 km from the shoreline of Lake Erie.	--	--
Deer Winter Congregation Areas	No. The Subject Property and/or Adjacent Lands have not been identified as a deer wintering area by MNRF.	--	--
Rare Vegetation Communities or Specialized Habitats for Wildlife			
Cliffs and Talus Slopes	No. Cliffs and talus slope communities are absent.	--	--
Sand Barren	No. Sand barren communities are absent.	--	--
Alvar	No. Flora characteristic of alvars are absent.	--	--
Old Growth Forest	No. Based on a review of historic air photos, old growth forest is absent.	--	--
Savannah	No. Flora characteristic of savannahs are absent.	--	--
Tallgrass Prairie	No. Flora characteristic of tallgrass prairies are absent.	--	--
Other Rare Vegetation Community	No. Provincially rare vegetation communities are absent.	--	--
Waterfowl Nesting Area	No. Wetlands which may support nesting waterfowl are absent.	--	--
Bald Eagle and Osprey Nesting, Foraging and Perching Habitat	No. Forest communities adjacent to large surface water features are absent.	--	--
Woodland Raptor Nesting Habitat	No. On-site forest communities which may support nesting raptors are absent.	--	--
Turtle Nesting Areas	No. Exposed mineral soils adjacent to surface water features (e.g., lakes, ponds, etc.) and/or wetlands that may support turtles are absent.	--	--
Seeps and Springs	No. Areas where groundwater emerges at the surface and may support specialized habitat for plants and wildlife are absent.	--	--
Amphibian Breeding Habitat (Woodland)	Yes. Forests with wetlands, ponds, and/or pools that may support significant congregations of breeding amphibians are present.	Unknown. No amphibian call surveys were conducted to assess the deciduous swamp on Adjacent Lands.	Needable. Proposed development and disturbance are restricted to the Subject Property, and is not anticipated to impact breeding amphibians.
Amphibian Breeding Habitat (Wetlands)	No. Wetlands and surface water features (e.g., ponds, lakes, etc.) that may support significant congregations of breeding amphibians are absent.	--	--

Ecoregion 7E	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Candidate SWH?	Do any Features, Habitats, or Areas within the Study Area meet relevant criteria (Ecoregion 7E Criteria Schedule) as Confirmed SWH?	Likelihood that Negative Effects to SWH (i.e., "degradation that threatens the health and integrity" as defined in the 2020 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities.
Woodland Area Sensitive Bird Breeding Habitat	No. Interior forest interior conditions (i.e., >200 m from edge) are absent.	--	--
Habitat for Species of Conservation Concern			
Marsh Bird Breeding Habitat	No. Wetlands with shallow water and emergent aquatic vegetation are absent.	--	--
Open Country Bird Breeding Habitat	No. Meadow habitats of sufficient size are absent.	--	--
Shrub/Early Successional Bird Breeding Habitat	No. Shrub/early-successional habitats of sufficient size are absent.	--	--
Terrestrial Cayfish	Yes. Swamp communities are present on Adjacent Lands.	No. Terrestrial Cayfish chimneys were not documented within the Subject Property.	--
Special Concern and Rare Wildlife Species	Yes. See Table 2 below.	Yes. See Table 2 below.	Possible. See Table 2 below.
Animal Movement Corridors			
Amphibian Movement Corridors	No. The Subject Property is not expected to act as a significant movement corridor between breeding and summer habitat for amphibians owing to the presence of Malden Road and Spring Garden Road as barriers to movement.	--	--

Table 2. Results of the Special Concern and Provincially Rare Species Assessment

Species	Status per O. Reg. 230/08 under the ESA and/or NHIC	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy or Use within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "degradation that threatens the health and integrity" as defined in the 2024 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Birds					
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	SC	OBBA; "NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Generally found feeding along waterbodies and shorelines, and adjacent deciduous and mixed forests. Super-canopy trees are used for nesting and roosting. <ul style="list-style-type: none"> Feeds largely on fish and carrion. 	Negligible. Suitable breeding habitat is absent from the Subject Property.	--
Barn Swallow (<i>Hirundo rustica</i>)	SC	OBBA; "NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Nests in barns, bridges/culvert undersides, awnings/overhangs on sides of buildings, and (historically) tree cavities. Forages in a variety of open areas including agricultural lands, meadows, prairies, woodland clearings, marshes, and above waterbodies. 	Negligible. While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	--
Black-crowned Night Heron (<i>Nycticorax nycticorax</i>)	S3	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Occupies a variety of wetlands including marshes, swamps, streams, rivers, lakes, ponds, lagoons, canals, reservoirs, and wet agricultural fields. Nests in trees or in cattails usually in a habitat safe from predators such as on an island, in a swamp, or over water. 	Negligible. Suitable breeding habitat is absent from the Subject Property.	--
Eastern Wood-pewee (<i>Contopus virens</i>)	SC	OBBA; "NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Breeds and forages in relatively open, deciduous and mixed forests of various sizes (including urban forest fragments) and along forest edges. 	Confirmed. Eastern Wood-pewee was recorded on one (1) occasion on Adjacent Lands during breeding bird surveys as a "Possible" breeder.	Negligible. Location of singing individual (and suitable breeding habitat) > 30 m from the proposed retained lot and > 40 m from the nearest proposed severed lot.
Purple Martin (<i>Progne subis</i>)	S3B	OBBA	<ul style="list-style-type: none"> Forages over towns, cities, parks, open fields, dunes, streams, wet meadows, beaver ponds, and other open areas. Nests in cavities (both artificial and natural), though is almost entirely dependent on human constructed nesting structures (martin houses) in Ontario. 	Negligible. While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	--
Rusty Blackbird (<i>Euphagus carolinus</i>)	SC	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Flooded woods, swamps, and edge of open water habitats. 	Negligible. Suitable breeding habitat is absent from the Subject Property.	--
Tufted Titmouse (<i>Baeolophus bicolor</i>)	S3B	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Breeds in deciduous woods or mixed evergreen-deciduous woods, typically in areas with a dense canopy and many tree species. May also occupy orchards, parks, and suburban areas. 	Negligible. Suitable breeding habitat is absent from the Subject Property.	--
Short-eared Owl (<i>Asio flammeus</i>)	SC	OBBA	<ul style="list-style-type: none"> Breeds and forages in a variety of open habitats. Overwinters in similar habitats as breeding and foraging areas. 	Negligible. Suitable breeding habitat is absent from the Subject Property.	--

Species	Status per O. Reg. 230/08 under the ESA and/or NHIC	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy or Use within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "degradation that threatens the health and integrity" as defined in the 2024 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Wood Thrush (<i>Hylocichla mustelina</i>)	SC	OBBA; "NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Breeds and forages in second-growth and mature deciduous and mixed forests with a well-developed understory. 	Negligible. The species was not detected during breeding bird surveys and suitable habitat is absent from the Subject Property.	--
Crayfish					
Digger Crayfish (<i>Creaserinus fodiens</i>)	S3	NHIC	<ul style="list-style-type: none"> Occupies seasonally flooded areas in lowlands. 	Negligible. The species (and/or burrows) was not documented within the Subject Property during the 2024 fieldwork program.	--
Paintedhand Mudbug (<i>Lacunicambarus polychromatus</i>)	S1S2	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Floodplains and other low-lying habitats near the water table, such as ditches, wetlands, and river banks. 	Negligible. The species (and/or burrows) was not documented within the Subject Property during the 2024 fieldwork program.	--
Insects					
A moth species (<i>Eucosma kneriata</i>)	SS4	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Known from extreme southeastern Canada, little is known about habitat or foraging preferences although it has been recorded in open woodlands. 	Negligible. Suitable habitat is absent from the Subject Property.	--
A potter wasp species (<i>Parazumia symmorphea</i>)	S3	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Known to utilize existing nesting cavities. Although little is known about the species' habitat needs, the literature shows it has been reported near river edges. 	Negligible. Suitable habitat is absent from the Subject Property.	--
A red milkweed beetle (<i>Tetraopes quinqueaculatus</i>)	S1	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Larvae are known to feed on Milkweed (<i>Asclepias</i> spp.). 	Negligible. Suitable larval food sources are absent from the Subject Property.	--
American Bumble Bee (<i>Bombus pensylvanicus</i>)	SC	Species distribution	<ul style="list-style-type: none"> Occupies a range of open areas with nectaring sites. Nests above ground in dense mats of long grasses but has also been known to nest in abandoned rodent burrows and bird nests high above the ground. 	Possible. Species is a habitat generalist and occupies a wide range of areas.	Negligible. Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect nectaring opportunities for this species.
Black Dash (<i>Euphyes conspicua</i>)	S3	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Occupies sedgy marshes, fens, and wet meadows. Host plants are narrow-leaved sedges, predominantly Tussock Sedge (<i>Carex stricta</i>). 	Negligible. Suitable habitat is absent from the Study Area.	--
Black Diabrotica (<i>Diabrotica cristata</i>)	S1S2	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Generalist feeders known to feed on the roots of several plants including Big Bluestem (<i>Andropogon gerardii</i>), brome species (<i>Bromus</i> spp.), Panicgrass (<i>Panicum virgatum</i>), and plants in the aster family (Asteraceae). 	Negligible. Food sources are absent from the Subject Property.	--
Bold-feathered Grass Moth (<i>Herpetogramma pertextalis</i>)	SU	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Generalist feeders known to feed on Red Clover (<i>Trifolium pratense</i>), raspberries (<i>Rubus</i> spp.), burdock (<i>Arctium</i> spp.), ground cherries (<i>Physalis</i> spp.) and plants in the aster family (Asteraceae). 	Negligible. Food sources are absent from the Subject Property.	--
Differential Grasshopper (<i>Melanopterus differentialis</i>)	S3	"NHIC Rare Species" iNaturalist project	<ul style="list-style-type: none"> Generalist known to occupy grasslands, disturbed weedy areas, and urban areas. 	Possible. Species is a habitat generalist and occupies a wide range of areas.	Negligible. Proposed development is restricted to areas consisting of manicured lawn. Proposed development and

Species	Status per O. Reg. 230/08 under the ESA and/or NHIC	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy or Use within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "degradation that threatens the health and integrity" as defined in the 2024 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Double-striped Bluet (<i>Enallagma basidens</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Borders of lakes, ponds, and slow-moving streams. 	Negligible. Suitable habitat is absent from the Study Area.	--
Duke's Skipper (<i>Euphyes dukesi</i>)	SC	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Deciduous swamps, treed floodplain habitats, and roadside ditches containing dense growth of sedges (<i>Carex</i> spp.). 	Negligible. Suitable habitat is absent from the Subject Property.	--
Faint-spotted Pabbis Moth (<i>Pabbis aspidalis</i>)	SSS4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Known to feed on beggaricks (<i>Bidens</i> spp.), oak (<i>Quercus</i> spp.), and agricultural crops. 	Negligible. Suitable food sources are absent from the Subject Property.	--
Fraternal Potter Wasp (<i>Eumenes fraternus</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Woodland edges and shrub-dominated open areas. 	Negligible. Suitable habitat is absent from the Subject Property.	--
Giant Leopard Moth (<i>Hypercompe scabronia</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Woodland edges, meadows, and old fields. 	Negligible. Suitable habitat is absent from the Subject Property.	--
Gray Archips Moth (<i>Archips grisea</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Larvae are known to feed on hickory (<i>Carya</i> spp.). 	Negligible. Suitable habitat is absent from the Subject Property.	--
Gray Marvel Moth (<i>Anterastria tentatophom</i>)	SSS4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Larvae are known to feed on mint (<i>Mentha</i> spp.) and beebalm (<i>Monarda</i> spp.). 	Negligible. Suitable larval food sources are absent from the Study Area.	--
Great Blue Skimmer (<i>Libellula vibrans</i>)	S1	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Slow-moving streams, wet areas in swamps and bottomlands. 	Negligible. Suitable habitat is absent from the Subject Property.	--
Greater Spreadingwing (<i>Archilestes grandis</i>)	S1	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Streams and small, heavily vegetated ponds. 	Negligible. Suitable habitat is absent from the Study Area.	--
Hungerford's Scorpionfly (<i>Panopia hungerfordi</i>)	S1?	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Woodlands and riparian habitats. 	Negligible. Suitable habitat is absent from the Subject Property.	--
Jumping Bristletail (<i>Pedetonius saltator</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Crevices in limestone cliffs, leaf litter between boulders, and in old stone walls. 	Negligible. Suitable habitat is absent from the Study Area.	--
Locust Underwing (<i>Euparctenos nubilus</i>)	SSS4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Black Locust (<i>Robinia pseudoacacia</i>) is the larval host for this species. 	Negligible. Suitable larval hosts are absent from the Study Area.	--

disturbance will not adversely affect available habitat for this species.

Species	Status per O. Reg. 230/08 under the ESA and/or NHIC	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy or Use within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "degradation that threatens the health and integrity" as defined in the 2024 PPS) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Monarch (<i>Danaus plexippus</i>)	SC	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Oviposits on Milkweeds (<i>Asclepias</i> spp.). Generalist foraging that nectars in most areas with wildflowers. 	Negligible. Suitable oviposition sites (i.e., Milkweed species) are absent from the Subject Property.	--
Northern Bush Katydid (<i>Scudderia septentrionalis</i>)	S3?	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Occupies canopies of deciduous trees. 	Possible. Suitable habitat is present within the Study Area.	Negligible. Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect available habitat for this species.
Obnise Yellow (<i>Azenia obtusa</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Known to feed on dodder species (<i>Cuscuta</i> spp.). 	Negligible. Suitable food sources are absent from the Study Area.	--
Orange-tipped Oakworm Moth (<i>Anisota senatoria</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Oak species (<i>Quercus</i> spp.) are the primary food source for this species. 	Negligible. Suitable food sources are absent from the Subject Property.	--
Pink Hairstreak (<i>Dagida rubapennis</i>)	S2	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Switchgrass species (<i>Panicum</i> spp.) are the primary food source for this species. 	Negligible. Suitable food sources are absent from the Study Area.	--
Pink-legged Tiger Moth (<i>Spilosoma latipennis</i>)	S3/S4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Larval hosts include ash species (<i>Fraxinus</i> spp.), dandelions (<i>Taraxacum</i> spp.), jewelweed species (<i>Impatiens</i> spp.), and plantain species (<i>Plantago</i> spp.). 	Negligible. Suitable food sources are absent from the Subject Property.	--
Pecan Spittlebug (<i>Chistoptera achutina</i>)	S1	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Larval hosts include hickories (<i>Carya</i> spp.). 	Negligible. Suitable host species are absent from the Subject Property.	--
Pertinent Underwing (<i>Catocala pictus</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Hickories (<i>Carya</i> spp.) are the primary food source for this species. 	Negligible. Suitable host species are absent from the Subject Property.	--
Rabid Wolf Spider (<i>Rabidosia rabida</i>)	S3?	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Known to inhabit fields and wooded areas. 	Negligible. Suitable habitat is absent from the Subject Property.	--
Say's Mantidfly (<i>Dicromantispa sayi</i>)	SU	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Forest edges and prairies. 	Negligible. Suitable habitat is absent from the Study Area.	--
Scudder's Shortwing Grasshopper (<i>Melanophus scudderi</i>)	S1	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Open woodlands, forest edges, and areas with brush piles. 	Negligible. Suitable habitat is absent from the Subject Property.	--
Slitf Moth (<i>Prolimacodes badia</i>)	S3/S4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Larvae are known to feed on a wide variety of tree and shrub species. 	Possible. Suitable food sources are present within the Subject Property.	Negligible. Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect available food sources for this species.
Sleepy Duskywing (<i>Erymis brizo</i>)	S1	NHIC	<ul style="list-style-type: none"> Oviposits on oak (<i>Quercus</i> spp.). 	Negligible. Suitable oviposition sites are absent from the Subject Property.	--

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Slowpoke Moth (<i>Atheris tarda</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Restricted to three (3) areas within the Carolinian Zone (Pinery Provincial Park, St. Williams Area, Hamilton- Grimsby Area) with remnant oak woodlands. 	Negligible Suitable habitat is absent from the Study Area.	--
Smaller Sand Cricket (<i>Ellipes minutus</i>)	S3?	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Commonly found in oak woodlands. 	Negligible Suitable habitat is absent from the Study Area.	--
Southern Cloudwing (<i>Thorybes bathyllus</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Areas of sandy soil around waterbodies. 	Negligible Suitable habitat is absent from the Study Area.	--
Southern Cloudwing (<i>Thorybes bathyllus</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Areas along streams, meadows, savannahs, fields, and woodlands. 	Negligible Suitable habitat is absent from the Subject Property.	--
Spiny Oakworm Moth (<i>Aristota stigma</i>)	S2	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Known to feed on oak species (<i>Quercus</i> spp.), hazel species (<i>Corylus</i> spp.), and Basswood (<i>Tilia americana</i>). 	Negligible Suitable food sources are absent from the Subject Property.	--
Spotted Apatelodes Moth (<i>Apatelodes torrefacta</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> A generalist known to feed on a variety of native tree species. 	Negligible Suitable food sources are absent from the Subject Property.	--
Swamp Darter (<i>Epiplatys heros</i>)	SS4	NHIC	<ul style="list-style-type: none"> Occupies shaded ponds, streams, swamps, and temporary ponds. 	Negligible Suitable habitat is absent from the Study Area.	--
Texas Moccis Moth (<i>Mocis texana</i>)	SIS2	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Savannahs, prairies, and grasslands. 	Negligible Suitable habitat is absent from the Study Area.	--
Thinker Moth (<i>Lactinipolia mediana</i>)	SS4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Moist forest and grassland habitats. 	Negligible Suitable habitat is absent from the Subject Property.	--
Turbulent Phosphila Moth (<i>Phosphila turbulenta</i>)	S2S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Wet forested areas, including floodplains, ponds, and lakeshores. 	Negligible Suitable habitat is absent from the Subject Property.	--
Two-spotted Cobweb Spider (<i>Asiagena americana</i>)	S2S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Known to occupy rotting logs, leaf litter, and moss. 	Possible Suitable habitat is present within the Study Area.	Negligible Proposed development is restricted to areas consisting of manicured lawn. Proposed development and disturbance will not adversely affect a valuable habitat for this species.
Walnut Caterpillar Moth (<i>Datana integerana</i>)	SS4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> This species occupies deciduous forests and is known to feed on hickories and pecans (<i>Carya</i> spp.) and walnut species (<i>Juglans</i> spp.). 	Negligible Suitable habitat is absent from the Subject Property.	--
Wavy Mudsnicker (<i>Orthonovera nitida</i>)	S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Wetlands and marshes. 	Negligible Suitable habitat is absent from the Subject Property.	--

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White-banded Crab Spider (<i>Misumenoides formigipes</i>)	S2S3	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Known to occupy fields and pastures, hiding within members of the aster family (<i>Asteraceae</i>) to ambush prey. 	Negligible Suitable habitat is absent from the Subject Property.	--
Yellow-Gray Underwing (<i>Catocala recta</i>)	S3S4	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Known to feed on hickories (<i>Carya</i> spp.) and walnuts (<i>Juglans</i> spp.). 	Negligible Suitable food sources are absent from the Subject Property.	--
Zabulon Skipper (<i>Lon zabulon</i>)	S1	"NHIC Rare Species" iNaturalist Project	<ul style="list-style-type: none"> Woodland edges, woodland openings, parks, and grasslands. 	Negligible Suitable habitat is absent from the Subject Property.	--
Plants					
American Lotus (<i>Nelumbo lutea</i>)	S2S3	NHIC	<ul style="list-style-type: none"> Areas of moderately still water within lacustrine or riverine systems. 	Negligible Suitable habitat is absent from Subject Property.	--
Arrowfeather Threecawn Grass (<i>Aristida purpurascens</i>)	S1	NHIC	<ul style="list-style-type: none"> Dry to seasonally dry open habitats such as sand plains, prairies, and savannahs. 	Negligible Suitable habitat is absent from Subject Property.	--
Bicknell's Sedge (<i>Carex bicknellii</i>)	S2	NHIC	<ul style="list-style-type: none"> Dry to moist prairies, woodlands, and other sunny areas with rocky soils. 	Negligible Suitable habitat is absent from Subject Property.	--
Biennial Gaura (<i>Oenothera gaura</i>)	S3	NHIC	<ul style="list-style-type: none"> Open fields, roadsides, and prairies. 	Negligible Species was not documented during site visits undertaken throughout the growing season.	--
Black Tupelo (<i>Nyssa sylvatica</i>)	S3	NHIC	<ul style="list-style-type: none"> Occupies moist or dry woods and savannas; restricted to the Carolinian Zone. 	Negligible Suitable habitat is absent from Subject Property.	--
Blood Milkwort (<i>Polygala sanguinea</i>)	S3	NHIC	<ul style="list-style-type: none"> Savannahs, dry to mesic prairies, and woodland edges. Favours areas with recently disturbed soils. 	Negligible Suitable habitat is absent from Subject Property.	--
Bushy Aster (<i>Symphoricarpos dumosus</i>)	S2	NHIC	<ul style="list-style-type: none"> Sunny areas with dry to mesic soils, including prairies, old fields, and open woods. 	Negligible Suitable habitat is absent from Subject Property.	--
Bushy Seedbox (<i>Ludwigia alternifolia</i>)	S1	NHIC	<ul style="list-style-type: none"> Areas of full to partial sun in marshes, wet meadows, and swamps. 	Negligible Suitable habitat is absent from Subject Property.	--
Buttonbush Dodder (<i>Cuscuta cephalanthi</i>)	S2	NHIC	<ul style="list-style-type: none"> Mesic woodlands, marshes, and wet prairies. Commonly known to parasitize a variety of woody and herbaceous hosts. 	Negligible Suitable habitat is absent from Subject Property.	--
Clinton's Clubmoss (<i>Trichoporum clintonii</i>)	S2S3	NHIC	<ul style="list-style-type: none"> Open dry to mesic prairies and wet meadows. 	Negligible Suitable habitat is absent from Subject Property.	--
Climbing Prairie Rose (<i>Rosa setigera</i>)	SC	NHIC	<ul style="list-style-type: none"> Open habitats with moist clay soils, including old fields, thickets, and prairie remnants. 	Negligible Species was not documented during site visits undertaken throughout the growing season.	--
Culver's Root (<i>Veronicastrum virginicum</i>)	S2	NHIC	<ul style="list-style-type: none"> Wet meadows, mesic prairies, savannahs, and woodland edges. 	Negligible Suitable habitat is absent from Subject Property.	--

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Early-branching Panicgrass (<i>Dichanthelium praecox</i>)	S3	NHIC	<ul style="list-style-type: none"> Dry, open, sandy or rocky woodlands, woodland edges, and prairies. 	Negligible . Suitable habitat is absent from Subject Property.	--
Eastern Stiff Goldenrod (<i>Solidago rigida</i> ssp. <i>rigida</i>)	S3	NHIC	<ul style="list-style-type: none"> Tallgrass prairies, mix prairies, old fields, and roadsides. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Eastern Yellow Saurgrass (<i>Hyopsis hirsuta</i>)	S2S3	NHIC	<ul style="list-style-type: none"> Dry prairies, savannahs, and open woodlands. 	Negligible . Suitable habitat is absent from Subject Property.	--
Fall Witchgrass (<i>Digitaria cognata</i>)	S1?	NHIC	<ul style="list-style-type: none"> Occupies dry sandy open ground in southwestern Ontario and locally east to Northumberland County 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Field Sedge (<i>Carex canadensis</i>)	S3	NHIC	<ul style="list-style-type: none"> Moist prairies and meadows. 	Negligible . Suitable habitat is absent from Subject Property.	--
Field Thistle (<i>Cirsium discolor</i>)	S3	NHIC	<ul style="list-style-type: none"> Areas with moist soils, including fields, open woodlands, and woodland edges. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Gentian-leaved St. John's-wort (<i>Hypericum gentianoides</i>)	S1	NHIC	<ul style="list-style-type: none"> Open dry to mesic, sandy areas, including prairies, dry fields, and roadsides. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Giant Ironweed (<i>Vernonia gigantea</i>)	S1?	NHIC	<ul style="list-style-type: none"> Grasslands, prairies, old fields, roadsides, savannahs, and woodlands. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Grass-leaved Rush (<i>Juncus marginatus</i>)	S3	NHIC	<ul style="list-style-type: none"> Habitats with wet, sandy soils. 	Negligible . Suitable habitat is absent from Subject Property.	--
Great Plains Ladies'-tresses (<i>Spiranthes magnicamporum</i>)	S3	NHIC	<ul style="list-style-type: none"> Dry to wet meadows, prairies, and fens. 	Negligible . Suitable habitat is absent from Subject Property.	--
Greater Poverty Rush (<i>Juncus antheratus</i>)	S1	NHIC	<ul style="list-style-type: none"> Wet fields, swamp edges, and areas where vegetation clearing activities are ongoing. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Greene's Rush (<i>Juncus Greenei</i>)	S3	NHIC	<ul style="list-style-type: none"> Dry to moist areas receiving full sun, such as prairies, meadows, and swales. 	Negligible . Suitable habitat is absent from Subject Property.	--
Grey-headed Prairie Coneflower (<i>Ratibida pinnata</i>)	S3	NHIC	<ul style="list-style-type: none"> Prairies, roadsides, thickets, and woodland edges. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Hairy Mountain-mint (<i>Pycnanthemum verticillatum</i> var. <i>pilosum</i>)	S1	NHIC	<ul style="list-style-type: none"> Prairies, rocky slopes, woodlands, and roadsides. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--
Hairy Pinweed (<i>Lechea mucronata</i>)	S3	NHIC	<ul style="list-style-type: none"> Dry sandy or rocky sites, including prairies and savannah edges. 	Negligible . Suitable habitat is absent from Subject Property.	--
Heart-leaved Groundsel (<i>Packera pseudonera</i> var. <i>semicordata</i>)	S2	NHIC	<ul style="list-style-type: none"> Moist prairies, fens, and moist meadows. 	Negligible . Suitable habitat is absent from Subject Property.	--
Hoary Frostweed (<i>Crocianthemum bicknellii</i>)	S3	NHIC	<ul style="list-style-type: none"> Open areas with sandy soils, including old fields, meadows, prairies, and roadsides. 	Negligible . Species was not documented during site visits undertaken throughout the growing season.	--

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Hoary Puccoon (<i>Lithospermum canescens</i>)	S3	NHIC	<ul style="list-style-type: none"> Dry prairies, savannahs, and open woodlands. 	Negligible Suitable habitat is absent from Subject Property.	--
Illinois Carnationflower (<i>Smilax illinoensis</i>)	S2?	NHIC	<ul style="list-style-type: none"> Partially shaded areas with dry to moist soils, including deciduous woodlands, thickets, and floodplains. 	Negligible Suitable habitat is absent from Subject Property.	--
Large-flowered Purple False Foxglove (<i>Agalinis purpurea</i> var. <i>purpurea</i>)	S1	NHIC	<ul style="list-style-type: none"> Wet meadows, woodlands, roadsides, and open habitats. 	Negligible Species was not documented during site visits undertaken throughout the growing season.	--
Leggett's Pinweed (<i>Lechea pulchella</i>)	S1	NHIC	<ul style="list-style-type: none"> Areas with sandy soils in prairies and savannahs. 	Negligible Suitable habitat is absent from Subject Property.	--
Many-fruited Seedbox (<i>Ludwigia polycarpa</i>)	S2	NHIC	<ul style="list-style-type: none"> Moist prairies, wet meadows, marshes, and at the edge of lakes and rivers. 	Negligible Suitable habitat is absent from Subject Property.	--
Matted Panicgrass (<i>Dichanthium meridionale</i>)	S1	NHIC	<ul style="list-style-type: none"> Fields and sandy, oak-dominated forests. 	Negligible Suitable habitat is absent from Subject Property.	--
Mead's Sedge (<i>Carex meadii</i>)	S2	NHIC	<ul style="list-style-type: none"> Dry to mesic prairies, wet meadows, and woodland edges. 	Negligible Suitable habitat is absent from Subject Property.	--
Missouri Ironweed (<i>Vernonia missouriensis</i>)	S3	NHIC	<ul style="list-style-type: none"> Moist prairies, woodland edges, and wet meadows. 	Negligible Suitable habitat is absent from Subject Property.	--
Muskingum Sedge (<i>Carex muskingumensis</i>)	S3	NHIC	<ul style="list-style-type: none"> Treed swamps, vernal pools, and floodplains with clay soils. 	Negligible Suitable habitat is absent from Subject Property.	--
Northern Pin Oak (<i>Quercus ellipsoidalis</i>)	S3	NHIC	<ul style="list-style-type: none"> Occupies dry, sandy or rocky woods, roadsides, and fencerows in southwestern Ontario and northwestern Ontario. 	Negligible Species was not documented during site visits undertaken throughout the growing season.	--
Pignut Hickory (<i>Carya glabra</i>)	S3	NHIC	<ul style="list-style-type: none"> Occupies dry deciduous woods and savannahs, often on sandy soil with oaks, in the Carolinian Zone of southwestern Ontario. 	Negligible Suitable habitat is absent from Subject Property.	--
Prairie Dock (<i>Silphium terebinthinaceum</i>)	S1	NHIC	<ul style="list-style-type: none"> Prairies, meadows, and railway right of ways with dry soils. 	Negligible Suitable habitat is absent from Subject Property.	--
Prairie Milkweed (<i>Asclepias sullivantii</i>)	S2/S3	NHIC	<ul style="list-style-type: none"> Moist prairies, ditches, and along railroad right of ways. 	Negligible Species was not documented during site visits undertaken throughout the growing season.	--
Prairie Straw Sedge (<i>Carex suberecta</i>)	S2	NHIC	<ul style="list-style-type: none"> Moist to wet calcareous meadows and prairies, fens. 	Negligible Suitable habitat is absent from Subject Property.	--
Purple Milkweed (<i>Asclepias purpurascens</i>)	S1	NHIC	<ul style="list-style-type: none"> Dry fields, prairies, and oak-dominated open woodlands 	Negligible Suitable habitat is absent from Subject Property.	--
Riddell's Goldenrod (<i>Solidago rigida</i>)	SC	NHIC	<ul style="list-style-type: none"> Moist to wet tallgrass prairies. 	Negligible Suitable habitat is absent from Subject Property.	--

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Round-fruited Panicgrass (<i>Dichanthium spheerocarpon</i>)	S3	NHIC	<ul style="list-style-type: none"> Dry, open woods and roadsides. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Rough Blazing-star (<i>Liatris aspera</i>)	S2	NHIC	<ul style="list-style-type: none"> Dry to mesic prairies, meadows, utility corridors, and roadsides. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Sharp-fruited Rush (<i>Juncus acuminatus</i>)	S3	NHIC	<ul style="list-style-type: none"> Swamps, wet meadows, ditches, and shorelines. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Short-fruited Rush (<i>Juncus brachycarpus</i>)	S1	NHIC	<ul style="list-style-type: none"> Wet and wet-mesic prairies. 	Negligible. Suitable habitat is absent from Subject Property.	--
Skunk Meadow-rue (<i>Thalictrum amphibolum</i>)	S3	NHIC	<ul style="list-style-type: none"> Dry, open woods, thickets, and prairies. 	Negligible. Suitable habitat is absent from Subject Property.	--
Slender Fragrant Goldenrod (<i>Euthamia caroliniana</i>)	S1	NHIC	<ul style="list-style-type: none"> Moist forests, savannahs, ditches, and disturbed areas. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Slender Knotweed (<i>Polygonum tenue</i>)	S2	NHIC	<ul style="list-style-type: none"> Dry sandy soils, meadows, prairies, and woodland edges. 	Negligible. Suitable habitat is absent from Subject Property.	--
Slender Paspalum (<i>Paspalum setaceum</i>)	S2	NHIC	<ul style="list-style-type: none"> Areas with open, sandy soil including savannahs, roadsides, woodland edges, and areas with disturbed soils. 	Confirmed within the Subject Property through 2024 fieldwork program.	Unlikely. Species is to be relocated. See report for further details.
Slim-spine Thriceawn Grass (<i>Aristida longispica</i> var. <i>longispica</i>)	S2	NHIC	<ul style="list-style-type: none"> Moist fields, prairie remnants, meadows, and open woods. 	Negligible. Suitable habitat is absent from Subject Property.	--
Stiff Cowbane (<i>Oxypolis rigidior</i>)	S2	NHIC	<ul style="list-style-type: none"> Wet prairies, marshes, swamps, and fens. 	Negligible. Suitable habitat is absent from Subject Property.	--
Stiff Goldenrod (<i>Solidago rigida</i>)	S3	NHIC	<ul style="list-style-type: none"> Tallgrass prairies, mix prairies, old fields, and roadsides. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Sundial Lupine (<i>Lupinus perennis</i>)	S2S3	NHIC	<ul style="list-style-type: none"> Dry, sandy clearings in open woods, prairies, and roadsides. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Tall Tickseed (<i>Coreopsis tripteris</i>)	S1S2	NHIC	<ul style="list-style-type: none"> Prairies, savannahs, open woods, old fields, roadsides, and railroad right of ways. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Two-flowered Dwarf Dandelion (<i>Krigia biflora</i>)	S2	NHIC	<ul style="list-style-type: none"> Prairies, open woods, meadows, old fields, and anthropogenic habitats. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Two-flowered Rush (<i>Juncus biflorus</i>)	S1	NHIC	<ul style="list-style-type: none"> Interdunal swales, wet meadows, low fields, ditches, and moist clay soils in open areas. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Whip Nutsrush (<i>Scirpus triglomerata</i>)	S1	NHIC	<ul style="list-style-type: none"> Prairies, savannahs, and marsh edges in sandy ground. 	Negligible. Suitable habitat is absent from Subject Property.	--
White Blue-eyed Grass (<i>Sisyrinchium albidum</i>)	S1	NHIC	<ul style="list-style-type: none"> Mesic prairies, savannahs, open woodlands, and railroad right of ways. 	Negligible. Suitable habitat is absent from Subject Property.	--

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Winged Loosestrife (<i>Lythrum alatum</i>)	S3	NHIC	<ul style="list-style-type: none"> • Prairies, wet thickets, ditches, and marshes. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Yellow-fruited Sedge (<i>Carex annexens</i>)	S2	NHIC	<ul style="list-style-type: none"> • Meadows, prairie swales, marshes, fields, and roadside ditches. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Yellow Wild Indigo (<i>Baptisia tinctora</i>)	S1S2	NHIC	<ul style="list-style-type: none"> • Dry meadows, open woods, and clearings. 	Negligible. Species was not documented during site visits undertaken throughout the growing season.	--
Reptiles					
Northern Map Turtle (<i>Graptemys geographica</i>)	SC	NHIC	<ul style="list-style-type: none"> • Occupies lakes and large rivers with slow moving currents. • Nests in exposed, usually coarse, friable substrate. 	Negligible. Suitable habitat is absent from the Subject Property.	--
Snapping Turtle (<i>Chelydra serpentina</i>)	SC	NHIC	<ul style="list-style-type: none"> • Occupies a variety of aquatic habitats with slow moving water. • Nests in exposed, usually coarse, friable substrate. • Known to make long-distance overland movements (i.e., several kilometers) between habitats. 	Negligible. Suitable habitat is absent from the Subject Property.	--

¹ Likelihood categories should be interpreted as follows:

Negligible: so limited that the assessed species can be assumed absent.

Unlikely: while theoretically conceivable, species presence very improbable or temporary based on available information (e.g., habitat conditions, range, abundance in local landscape, etc.).

Possible: species presence plausible based on available information; no convincing evidence suggesting species could not occur on-site.

Probable: while not confirmed, available information suggests species has a high likelihood of being present.

Confirmed: species observed and/or evidence of occupation (e.g., tracks, etc.) documented.

Appendix 6. Endangered and Threatened Species Assessment

Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Birds					
Bank Swallow (<i>Riparia riparia</i>)	THR	OBBA	<ul style="list-style-type: none"> Nests in natural or anthropogenically derived exposed, sandy substrates on vertical or steep surfaces. Forages in a variety of open areas including agricultural lands, meadows, prairies, woodland clearings, marshes, and above waterbodies. 	Negligible. While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	—
Bobolink (<i>Dolichonyx oryzivorus</i>)	THR	OBBA	<ul style="list-style-type: none"> Breeds and forages in hayfields, pastures, meadows, grasslands, and prairies which are often (but not always) greater 4 ha. May be found in more marginal habitats (e.g., shrubby fields, smaller fields, etc.) during migration or following disturbance to breeding habitats (e.g., hay cutting). 	Negligible. Suitable habitat is absent from the Subject Property.	—
Chimney Swift (<i>Chaetum pelagica</i>)	THR	OBBA	<ul style="list-style-type: none"> Nests in large, uncapped chimneys and (historically) tree cavities. May forage above a wide variety of anthropogenic (e.g., cities, towns) and natural (e.g., fields, forests) areas. 	Negligible. While this species may forage over open areas on the Subject Property for brief periods during migration or forays from adjacent breeding sites, suitable breeding sites within the Subject Property are absent.	—
Eastern Meadowlark (<i>Sturnella magna</i>)	THR	OBBA	<ul style="list-style-type: none"> Breeds and forages in hayfields, savannahs, pastures, meadows, grasslands, prairies, and shrubby fields. 	Negligible. Suitable breeding habitat is absent from the Subject Property.	—
Least Bittern (<i>Ixobrychus exilis</i>)	THR	Species distribution and on-site habitats	<ul style="list-style-type: none"> Breeds and forages in marshes dominated by robust emergent vegetation containing areas of open water (i.e., interspersed). 	Negligible. Suitable breeding habitat is absent from the Subject Property.	—
Prothonotary Warbler (<i>Protonotaria citrea</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Breeds and forages in mature deciduous swamps with areas of open water, and deciduous and mixed forests. 	Negligible. Species was not documented during breeding bird surveys.	—
Red-headed Woodpecker (<i>Melanerpes erythrocephalus</i>)	END	OBBA	<ul style="list-style-type: none"> Breeds and forages in open forests, savannahs, and forest edges that tend to contain large, mature trees. 	Negligible. Species was not documented during breeding bird surveys and Subject Property lacks suitable breeding habitat. Adjacent Lands (> 30 m) could support nesting by this species.	—
Yellow-breasted Chat (<i>Icteria virens</i>)	END	OBBA	<ul style="list-style-type: none"> Breeds and forages in prefer dense thickets around woodland edges, riparian areas, and in overgrown clearings 	Negligible. Species was not documented during breeding bird surveys.	—
Insects					
Rusty-patched Bumble Bee (<i>Bombus affinis</i>)	END	NHIC	<ul style="list-style-type: none"> Occupies a range of open areas with nectaring sites. Nests underground in abandoned rodent burrows or decomposing logs. 	Negligible. Most records in Ontario are historical (before 1970). The species was last observed from Pinery Provincial Park in 2009 (Colla and Taylor-Pindar 2011).	—
Northern Oak Hairstreak (<i>Satyrus faunus ontario</i>)	THR	Ont. Butterfly Atlas	<ul style="list-style-type: none"> Inhabits oak forests with a closed canopy. White Oak (<i>Quercus alba</i>) is the preferred tree species of the Northern Oak Hairstreak. Adults visit meadows close to oak forest edges for nectar. 	Negligible. Suitable habitat is absent from the Subject Property.	—
False-foxglove Sun Moth (<i>Pyrrhia aurantiago</i>)	END	NHIC	<ul style="list-style-type: none"> Inhabits oak-dominated savannas and open woodlands. Host plants in Ontario include false foxgloves (<i>Aureolaria</i> spp.) 	Unlikely. While species may occur nearby, host plant is absent from the Study Area.	—

Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Reversed Haploa Moth (<i>Haploa reversa</i>)	THR	NHIC	<ul style="list-style-type: none"> Inhabits Oak savanna, Oak woodland and dune habitats. Moth larvae in the <i>Haploa</i> genus are polyphagous, meaning they are able to feed on plants of many species. Moths in the <i>Haploa</i> genus are commonly associated with <i>Eupatorium</i>, as well as plants in the sunflower (Asteraceae) and borage (Boraginaceae) families. Reversed Haploa Moth larvae have been observed feeding on Hairy Puccoon (<i>Lithospermum carolinense</i>) in Canada. 	Unlikely. While species may occur nearby, host plants are absent from the Study Area.	—
Mammals					
Eastern Small-footed Myotis (<i>Myotis fedtii</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Maternal roosting sites include exposed rock outcrops, crevices, and cliffs. Overwinters in caves and mines that maintain temperatures above 0°C. 	Unlikely. While species may forage above open habitats on the Subject Property or Adjacent Lands, potential maternal roosting habitat (e.g., rock outcrops, cliffs, etc.) is absent.	—
Little Brown Myotis (<i>Myotis lucifugus</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Maternity roosts sites most often include buildings and large diameter trees with cracks, crevices, and/or exfoliating bark. Overwinters in caves and mines that maintain temperatures above 0°C. 	Possible. Forest/woodland communities that could provide roosting opportunities for maternity colonies of this species within larger-diameter snags, cavity trees, or trees with cracks/crevices/loose bark are absent from the Subject Property. Other trees within or outside forest/woodland communities (including smaller-diameter trees) may offer non-specific roosting habitat (i.e., "day roosts") for individual bats (males or non-reproductive females). Bats may occasionally forage within the Subject Property.	Negligible. A timing window restriction will be applied to necessary individual tree removal activities to avoid impacting roosting bats occupying "day roosts".
Northern Myotis (<i>Myotis septentrionalis</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Maternity roosts most often include large diameter trees with cracks, crevices, and/or exfoliating bark (buildings rarely used). Overwinters in caves and mines that maintain temperatures above 0°C. 	Possible. Forest/woodland communities that could provide roosting opportunities for maternity colonies of this species within larger-diameter snags, cavity trees, or trees with cracks/crevices/loose bark are absent from the Subject Property. Other trees within or outside forest/woodland communities (including smaller-diameter trees) may offer non-specific roosting habitat (i.e., "day roosts") for individual bats (males or non-reproductive females). Bats may occasionally forage within the Subject Property.	Negligible. A timing window restriction will be applied to necessary individual tree removal activities to avoid impacting roosting bats occupying "day roosts".
Tri-colored Bat (<i>Pteronotis subflavus</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Maternal roosting sites include Maple (<i>Acer</i> spp.) and Oak (<i>Quercus</i> spp.) with dead/dying leaf clusters. Overwinters in caves and mines that maintain temperatures above 0°C. 	Possible. Silver Maple anemity trees are present within the Subject Property.	Negligible. A timing window restriction will be applied to necessary individual tree removal activities.
Plants					
American Chestnut (<i>Castanea dentata</i>)	END	NHIC	<ul style="list-style-type: none"> Occupies dry deciduous forests. 	Negligible. Species is absent.	—
Black Ash (<i>Fraxinus nigra</i>)	END	"NHIC Rare Species" Naturalist Project	<ul style="list-style-type: none"> Occupies deciduous swamps (often peaty), floodplains, and wet woods. 	Negligible. Species is absent.	—

Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Butternut (<i>Juglans cinerea</i>)	END	"NHIC Rare Species" Naturalist Project	<ul style="list-style-type: none"> Occupies a variety of treed habitats including mature forests, early-successional forests, and hedgerows. 	<u>Negligible</u> . Species is absent.	—
Dense Blazing-star (<i>Liatris spicata</i>)	THR	NHIC	<ul style="list-style-type: none"> Occupies moist prairies, grassland savannahs, wet areas between sand dunes, and abandoned fields. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Fem-leaved Yellow False Foxglove (<i>Aureolaria pedicularia</i>)	THR	NHIC	<ul style="list-style-type: none"> Inhabits open savanna and woodland habitats along with Black Oak (<i>Quercus rubra</i>), its preferred host tree. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Goldensal (<i>Hydrastis canadensis</i>)	THR	Critical Habitat for Species at Risk National Dataset - Canada	<ul style="list-style-type: none"> Occupies rich deciduous forests. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Heart-leaved Plantain (<i>Plantago cordata</i>)	END	NHIC	<ul style="list-style-type: none"> Occupies undisturbed wet woods, often along the rocky or gravelly limestone beds of shallow, slow-moving clear streams. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Pink Milkwort (<i>Polygala incarnata</i>)	END	NHIC	<ul style="list-style-type: none"> Occupies moist to dry, sandy, prairie habitats, where it is often found growing with Little Bluestem grass (<i>Schizanthrum capillare</i>). Periodic fire is important to maintain open prairie conditions. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Pumpkin Ash (<i>Fraxinus profunda</i>)	END	NHIC	<ul style="list-style-type: none"> Occupies intermediate-mature deciduous swamps often dominated by Silver Maple and floodplain forest. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Purple Twayblade (<i>Liparis liliifolia</i>)	THR	NHIC	<ul style="list-style-type: none"> Occupies a variety of habitats including open oak woodland and savannah, mixed deciduous forest, shrub thicket, shrub alvar, deciduous swamp, and even conifer plantations. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Red Mulberry (<i>Morus rubra</i>)	END	NHIC	<ul style="list-style-type: none"> Occupies moist, forested habitats on both sandy and limestone-based loamy soils. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Slender Bush-clover (<i>Lespedeza virginica</i>)	END	NHIC	<ul style="list-style-type: none"> Occupies dry, sandy soil in tallgrass prairies. This plant does not do well in the shade and can be harmed by other plants that compete for light and space. The open and sunny prairie habitat it prefers is maintained by natural disturbances, such as fire and drought, which naturally remove many unwanted trees and shrubs. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Smooth Yellow False Foxglove (<i>Aureolaria flava</i>)	THR	NHIC	<ul style="list-style-type: none"> Occupies dry, open to semi-open upland oak forests typically with White Oak (<i>Quercus alba</i>) present, on well-drained soils. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Spoon-leaved Moss (<i>Bryandersonia illecebra</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Occupies moist or low-lying areas that are seasonally flooded under trees or shrub thickets. May be found in a variety of vegetation communities including disturbed open woodlands, cultural thicket, savannah, and meadow. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—
Spotted Wintergreen (<i>Chimaphila maculata</i>)	THR	NHIC	<ul style="list-style-type: none"> Occupies oak-pine woodland habitats with sandy soils. 	<u>Negligible</u> . Suitable habitat is absent from the Subject Property.	—

Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
White Colicroot (<i>Aletris fatinosa</i>)	END	NHIC	<ul style="list-style-type: none"> Typically, dominant tree species include White Pine, Red Oak, Black Oak, and American Beech. The species does best in semi-open habitats. Occupies open, sunny, and moist habitats with sandy or mucky soil, such as prairies and old abandoned fields. 	Negligible. Suitable habitat is absent from the Subject Property.	–
White Prairie Gentian (<i>Gentiana alba</i>)	END	"NHIC Rare Species" Naturalist Project	<ul style="list-style-type: none"> Occupies open and sunny oak-hickory savannah, a rare type of habitat with grassland prairie growing between scattered mature trees. 	Negligible. Suitable habitat is absent from the Subject Property.	–
Willowleaf Aster (<i>Symphotichum pascaltum</i>)	THR	"NHIC Rare Species" Naturalist Project	<ul style="list-style-type: none"> Occupies openings of oak savannahs, a very rare type of vegetation community containing many tallgrass prairie herbs and oak trees. It has also been found along railways, roadsides and in abandoned farm fields. 	Negligible. Suitable habitat is absent from the Subject Property.	–
Reptiles					
Common Five-lined Skink (<i>Plestiodon fasciatus</i>)	END (Carolinian pop.)	Critical Habitat for Species at Risk National Dataset - Canada	<ul style="list-style-type: none"> Occupies forests, rock barrens, grasslands, and shorelines. 	Negligible. Suitable habitat is absent from the Subject Property.	–
Eastern Foxsnake (Carolinian) (<i>Pantherophis gloydi</i>)	END	Ont. Reptile and Amph. Atlas	<ul style="list-style-type: none"> Occupies old fields, marshes, along hedgerows, drainage canals and shorelines. 	Possible. While this species was not documented over the course of 10 surveys per the Survey Protocol for Ontario's Species at Risk Snakes and suitable habitat is deemed absent, species is known to occur in the local landscape.	Negligible. MECP has confirmed no impacts are anticipated to this species or its habitat; see Appendix 7 .
Blanding's Turtle (<i>Emydoidea blandingii</i>)	THR	Species distribution and on-site habitats	<ul style="list-style-type: none"> Occupies freshwater lakes, permanent or temporary pools, slow-flowing streams, marshes, and swamps. Nests in exposed, usually coarse, friable substrate. Known to make long-distance overland movements (i.e., several kilometers) between habitats. 	Negligible. Suitable habitat is absent from the Subject Property.	–
Butler's Gartersnake (<i>Thamnophis butleri</i>)	THR	Ont. Reptile and Amph. Atlas	<ul style="list-style-type: none"> Prefers open, moist habitats, such as dense grasslands and old fields, with small wetlands where it can feed on leeches and earthworms. Burrows made by small mammals and even crayfish are sometimes used as hibernacula. This species is also commonly found in rock piles or old stone walls. 	Negligible. Species was not documented over the course of 10 surveys per the Survey Protocol for Ontario's Species at Risk Snakes. Subject Property consists of mowed grass, a small number of amenity trees, and a residence/driveway. Suitable habitat is deemed absent.	–
Massasauga (<i>Sistrurus catenatus</i>)	THR	Ont. Reptile and Amph. Atlas	<ul style="list-style-type: none"> Occupies generally open habitats including tallgrass prairies, peatlands, and shorelines. Two (2) extant populations in Ecoregion 7 (Ojibway Prairie and Wainfleet Bog). 	Unlikely. Suitable habitat is absent from the Subject Property. Species is only known from a small number of locations in LaSalle (e.g., Brunet Park).	–
Spiny Softshell (<i>Aplodone spinifera</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Occupies larger waterbodies (i.e., lakes and rivers) but may be found in smaller creeks and ponds near rivers. Nests in exposed, usually coarse, friable substrate. 	Negligible. Suitable habitat is absent from the Subject Property.	–

Species	Status per O. Reg. 230/08 of the ESA	Rationale for Consideration in this Study	General Description of Habitats and Features which the Species is Known to Occupy within the Ecoregion in which this Study is Located	Likelihood that the Species Occupies the Study Area	Likelihood that Negative Effects to the Species or its Habitat (i.e., "Damage" or "Destruction" as defined in the ESA) will occur based on the Proposed Development Plan and any related Site Alteration Activities
Spotted Turtle (<i>Chemmys guttata</i>)	END	Species distribution and on-site habitats	<ul style="list-style-type: none"> Occupies ponds, marshes, bogs and ditches with slow-moving water. Nests in exposed, usually coarse, friable substrate. 	Negligible. Suitable habitat is absent from the Subject Property.	-
Terrestrial Snails					
Striped Whitlep (<i>Webbhelix multilineata</i>)	END	"NHIC Rare Species" Naturalist Project	<ul style="list-style-type: none"> Wet, lowland forests at the margins of periodically flooded areas. 	Negligible. Suitable habitat is absent from the Subject Property.	-

¹ Likelihood categories are to be interpreted as follows:

Negligible: so limited that the assessed species can be assumed absent.

Unlikely: while theoretically conceivable, species presence very improbable or temporary based on available information (e.g., habitat conditions, range, abundance in local landscape, etc.).

Possible: species presence plausible based on available information; no convincing evidence suggesting species could not occur on-site.

Probable: while not confirmed, available information suggests species has a high likelihood of being present.

Confirmed: species observed and/or evidence of occupation (e.g. tracks, etc.) documented.

Appendix 7. MECP Correspondence

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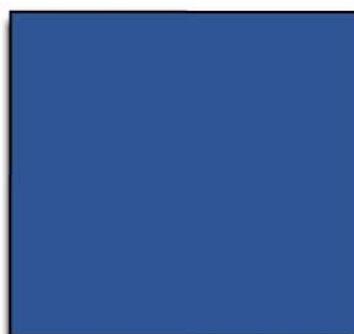
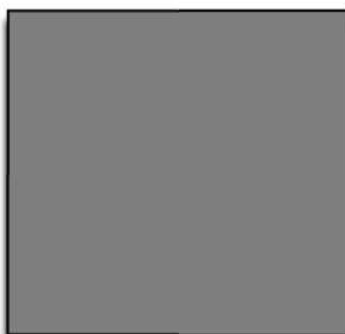
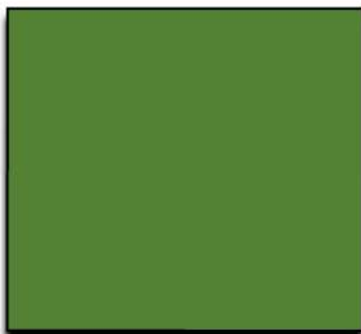
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Appendix 8. Proposed Development Plan.

Appendix 9. Summary of Technical Recommendations

Natural Feature	Technical Recommendations (per Section 5 of report)
Provincially Significant Wetland	<ul style="list-style-type: none"> ● An Erosion and Sediment Control Plan will be prepared and implemented prior to construction.
Significant Wildlife Habitat	<ul style="list-style-type: none"> ● A Relocation and Monitoring Plan for Slender Paspalum will be prepared and implemented prior to construction.
Habitat of Endangered and Threatened Species	<ul style="list-style-type: none"> ● All recommendations offered by MECP in Appendix 7 are to be implemented. ● All necessary tree removals will be completed outside the primary bat activity period (i.e., to be completed between October 1 and March 31). If limited tree removal is required during the restricted timing window, consult a qualified ecologist and/or MECP for further direction. ● If construction activities occur during the active bat season (i.e., April 1 and September 30), work will be restricted to daylight hours only and the use of artificial lighting will be avoided. ● Any lighting incorporated into the final building designs should be directed downward (i.e., towards the ground) and/or away from the adjacent woodlot (i.e., directed eastward) to the extent practicable. ● The proposed development area will be isolated by reptile exclusion fencing at construction, which may be represented by silt fencing. ● During the active season for herpetofauna (i.e., March 15 to November 30) an inspection will be conducted each morning by construction personnel prior to the commencement of construction activities to ensure that no Endangered or Threatened snakes have breached the reptile exclusion fencing and entered the work zone. ● If an Endangered or Threatened snake is encountered during construction, all construction activities must cease within 30 m of the individual. A qualified Ecologist and/or MECP should then be contacted for direction on how to proceed. The location of the snake will be monitored while awaiting direction.
Other Natural Environment Considerations	<ul style="list-style-type: none"> ● The removal of trees will generally be restricted to areas in direct conflict with the footprints of the proposed development features (e.g., residences, driveways, etc.) and grading, along with any hazardous trees in the immediate vicinity that pose an unacceptable risk to human life or property. ● All necessary vegetation removal (e.g., trees) will be completed outside the primary bird nesting period (i.e., to be completed between September 1 and March 31). Should minor vegetation removal be proposed during the restricted timing window within readily searchable habitat types, a bird nesting survey will be undertaken to confirm the presence or absence of nesting birds or bird nests within or adjacent to the areas subject to vegetation clearance. The bird nesting survey is to take place within 48 hours of vegetation removal. ● Incorporation of Bird-Friendly Guidelines into the residence designs such as those published in City of Toronto's "Best Practices for Bird-Friendly Glass" and "Best Practices for Effective Lighting" should be considered at detailed design.



NATURAL SITE FEATURES INVENTORY AND PRESERVATION STUDY

Consent and Zoning By-law Amendment
4641 Malden Road, City of Windsor
2 January 2025



TERRASTORY
environmental consulting inc.

Natural Site Features Inventory and Preservation Study

Consent and Zoning By-law Amendment

4641 Malden Road, City of Windsor


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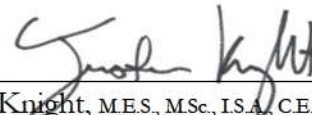
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ISA Tree Risk Assessment Qualified

Project No.: 24044
2 January 2025

This report has been prepared by Terrastory Environmental Consulting Inc. (hereinafter "Terrastory") for the client. All information, conclusions, and recommendations contained in this report are subject to the scope and limitations set out in the agreement between Terrastory and the client and qualifications contained in this report. This report shall not be relied upon by any third parties without the prior written consent of Terrastory. Terrastory is not responsible for any injury, loss, or damages arising from improper use of this report by third parties. Excerpts of this report or alterations to this report taken without the authorization of Terrastory invalidates the report and any conclusions therein.

Notwithstanding the determinations of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress. The overall tree condition assessment(s) as reported herein is valid at the time of the site inspection only and may not reflect current conditions.

Notwithstanding any recommendations concerning tree preservation or removal made herein, this report does not supersede or expunge any civil or common law property rights as they pertain to shared/boundary trees or trees occurring on adjacent properties. This report does not confirm tree ownership nor authorize the client to encroach or enter onto adjacent properties to destroy or injure trees situated on adjacent properties without the owner's consent.

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Appendices

Appendix 1. Tree Inventory and Condition Assessment

Appendix 2. Representative Photographs

Appendix 3. Site Plan

1 INTRODUCTION

Terrastory Environmental Consulting Inc. (hereinafter “Terrastory”) was retained by Skyscape Consulting to prepare this Natural Site Features Inventory and Preservation Study in support of Consent (severance) and Zoning By-law Amendment (ZBA) applications at 4641 Malden Road (hereinafter “Subject Property”) in the City of Windsor. The Subject Property is an approximately 0.11-hectare (0.28 acre) parcel on the east side of Malden Road between Herb Gray Parkway/Highway 401 and Chappus Street. The Subject Property consists of an existing residence surrounded by manicured amenity space (grass) with a few scattered amenity trees.

It is understood that the Applicant wishes to create three (3) new residential lots, each to contain a single dwelling, while the existing two-storey residential dwelling is to remain. The proposed development must be facilitated by consent (severance) and rezoning applications, as confirmed through a 13 February 2024 pre-consultation letter (i.e., Stage 1 Planning Consultation) received from the City. To support the severance/rezoning applications, the City has requested a supporting Natural Site Features Inventory and Preservation Study (provided herein) and Environmental Evaluation Report (authored by Terrastory under separate cover).

Several private trees occur within or adjacent to the proposed development area. The purpose of this study is to inventory and characterize trees with the potential to be adversely affected by the proposed development plan (over the short- or long-term), and to provide mitigation measures and other recommendations to address relevant tree protection requirements. It is understood that this report will form part of the consent and ZBA package to be submitted for consideration by the City.

2 APPROACH AND METHODS

This Study is composed of three discrete components which are outlined briefly below and further described in the following sections.

- **Conduct a tree inventory and condition assessment** for trees that may be impacted by the proposed development plan (see **Section 2.1**).
- **Predict the effects** of the application on the assessed trees and ascertain the net effects once mitigation measures and other technical recommendations are implemented (see **Section 2.2**).
- **Determine whether the application considered herein addresses applicable tree protection and related policies** (see **Section 2.3**).

2.1 Tree Inventory and Condition Assessment

A tree inventory and condition assessment was carried out by a Terrastory ISA-certified Arborist (J. Consiglio) on 31 July 2024. All private trees 10 cm diameter at breast height (DBH) or greater and all municipal trees regardless of size (where present), located within or immediately adjacent to the proposed area of disturbance (e.g., building envelopes, grading, servicing), were inventoried and assessed from the ground. Trees situated on adjacent private properties within 6 m and those with driplines overlapping or near the proposed areas of disturbance were reviewed as necessary and to the extent possible from areas in which access was granted, with DBH estimated within a 10 cm range.

Unless otherwise specified all assessed trees were: (1) labeled using metal number-stamped tags, (2) identified to species, (3) measured at breast-height (approximately 1.37 metres above ground) with

calipers and/or DBH tape, (4) assessed for crown diameter, and (5) assessed for risk features, indicators of decline, and growth constraints (e.g., open wounds, live crown ratio, disease). Trees assessed on private properties to which access was not granted were not tagged; where possible tags were affixed to the nearest fence. The tree health and structural assessment was undertaken consistent with accepted arboricultural techniques and is reflective of a “Level 1 (Limited Visual Assessment)” as defined by the ISA. None of the assessed trees were cored, probed, or climbed, nor were their roots exposed for detailed assessment.

Based on the information collected an overall visual assessment of tree health and structural integrity as viewed from the ground is provided, supported by preservation/removal direction based on each tree’s characteristics (e.g., health, location, ecological value, cultural value) and the nature of the proposed development plan. Locations of the assessed trees were recorded on-site with a high-accuracy GPS supported by representative photographs. Where access was restricted, the location of trees on adjacent private properties was approximated using current orthorectified aerial photographs.

Notwithstanding the determinations of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress.

2.2 Effects Assessment and Mitigation

Trees may be negatively impacted during construction, grading, and/or other activities associated with implementation of the proposed development plan via the following pathways:

- Direct tree removal in areas where trees conflict with the development envelopes or areas of site alteration (e.g., grading).
- Physical injury to the trunk, roots, branches, and/or foliage during construction, excavation, or grading.
- Soil compaction within the rooting zone.
- Smothering or exposure of roots due to changes in grade.
- Alterations to any biophysical condition or parameter (e.g., light regime, soil moisture regime) in which a tree was previously accustomed.

An assessment of the potential for tree impacts associated with implementation of the proposed development plan is provided in **Section 4.2**.

2.3 Tree Protection Policy Context

There is no private tree protection by-law in force within the City of Windsor. Where appropriate, private tree protection is effectuated through the planning approvals process. Development activities which may impact public trees occurring on City-owned land (including road allowances) are regulated through By-law #135-2004.

This Study has been prepared in accordance with the following by-laws, policies, and guidelines in force within the City of Windsor:

- *City of Windsor OP Section 5.3.6.7* – may require proponents of development and infrastructure undertakings to submit an inventory of trees on site and prepare and implement a tree conservation and replacement plan.
- *City of Windsor OP Section 10.2.14* – may require mitigation measures to be included as a condition of approval.
- *City of Windsor By-law 135-2004* – restricts the planting of certain trees on City rights-of-way and protects trees on all City properties.
- *City of Windsor Terms of Reference for Tree Inventory and Preservation Study.*
- *City of Windsor Landscape Manual Section 3.1 (Existing Trees)*

Provincial/federal legislative requirements related to the protection of breeding birds and bird nests apply to on-site trees (and vegetation of any size) pursuant to the *Migratory Birds Convention Act* (for designated migratory birds) and *Fish and Wildlife Conservation Act* (for certain Corvids and other designated non-migratory birds). Several bat species may roost in cracks/crevices and/or foliage of the larger-diameter on-site trees, some of which (particularly *Myotis* species and Tri-colored Bat) are afforded protection under the provincial *Endangered Species Act*.

Subsection 10(3) of the provincial *Forestry Act* prohibits the injury or destruction of a tree growing on the boundary of an adjoining property without the neighbouring landowners' consent. Per case law in Ontario a tree is considered shared if any portion of its trunk (i.e., area between the root collar and lowest canopy branch) extends across a property line.

The mitigation measures and technical recommendations offered herein are aimed at demonstrating consistency of the application with the aforementioned municipal, provincial, and federal requirements.

3 TREE INVENTORY AND CONDITION ASSESSMENT

A total of 14 trees situated within or adjacent to the potential area of disturbance were inventoried and assessed. The full results of the tree inventory and condition assessment are provided in **Appendix 1**. The locations of all trees assessed are shown in **Figure 1**. Select photographs of the assessed trees and Subject Property are provided in **Appendix 2**. A brief description of the overall tree composition and conditions observed is provided below and in **Table 1**.

Table 1. Composition and Abundance of Trees within and/or adjacent to the proposed Areas of Development and Disturbance.

Species	Total Assessed	Percentage of Total (%)
Apicot (<i>Prunus armeniaca</i>)	1	7.1
Cherry Species (<i>Prunus</i> sp.)	2	14.3
Common Apple (<i>Malus domestica</i>)	1	7.1
Eastern Cottonwood (<i>Populus deltoides</i> ssp. <i>deltoides</i>)	1	7.1
Freeman's Maple (<i>Acer</i> × <i>freemanii</i>)	7	50.0
Manitoba Maple (<i>Acer negundo</i>)	1	7.1
White Mulberry (<i>Morus alba</i>)	1	7.1

Species	Total Assessed	Percentage of Total (%)
TOTAL	14	~100

4 TREE EFFECTS ASSESSMENT AND MITIGATION

4.1 Proposed Development Plan

The following tree effects assessment provides an evaluation of the potential for the proposed development plan to result in negative effects to regulated trees and offers several technical recommendations to mitigate such effects. The effects assessment herein is based on the site plan provided in **Appendix 3** which are overlaid with the assessed tree locations on the TPP in **Figure 1**.

The proposed development and site alteration activities consist of the following elements:

- Retention of the existing single-detached dwelling within the proposed retained lot;
- Creation of three (3) new residential lots through consent (severance) ; and
- Construction of three (3) single-detached dwellings fronting onto Malden Road on municipal servicing.

The major project phases for which effects on trees are assessed include site preparation (e.g., clearing/grubbing, grading), construction, and servicing.

4.2 Tree Effects Assessment and Technical Recommendations

4.2.1 Trees to be Removed

Based on the proposed site plan shown in **Figure 1**, a total of five (5) (35.7%) assessed trees require removal to implement the proposed development plan. A rationale for the removal of each individual tree is provided in **Appendix 1**. Tree removals are required to construct the dwellings, install servicing, and/or grade the proposed lots.

As noted in **Section 4.1**, no detailed development plans have been received at this time. The determination of tree preservation potential made herein is based on our understanding of the extent of disturbance (through discussions with the project team) and each tree's location as determined via the property survey corroborated by Terrastory field exercise.

Given the possibility that nesting birds or roosting bats may occupy on-site trees during their activity periods, the following measures are recommended to guide the necessary tree removals:

- **All necessary tree removals will be completed outside the primary bird nesting and bat activity periods (i.e., to be completed between October 1 and March 31). If limited tree removal is required during this period, a survey will be conducted by a qualified Ecologist within two (2) days of the commencement of tree removal activities to determine habitat suitability and/or confirm the presence/absence of nesting birds and roosting bats.**

- **Should a nesting bird or roosting bat be identified, a mitigation plan must be developed (which may include discussions with relevant agencies) to address regulatory requirements.**

4.2.2 Trees to be Retained

In general, tree protection on development sites is effectuated by restricting development and/or site alteration from the prescribed minimum Tree Protection Zone (TPZ). A minimum TPZ is generally accepted to be the minimum setback distance required to maintain the structural integrity of a tree's anchor roots (i.e., "root plate"). In Ontario, minimum TPZs are often established by multiplying a tree's diameter at breast height (DBH) by a factor of 6. Trees with a similar diameter (e.g., 41 to 50 cm DBH) are lumped into a single size class, with the minimum TPZ established by the largest diameter tree in that particular size class. For example, all trees which are 41 to 50 cm DBH would be afforded a minimum 3 m setback as 50 cm represents the largest tree in that size class ($50 \text{ cm} \times 6 = 300 \text{ cm}$ or 3 m). It follows that trees on the smaller end of their respective size class would be afforded a slightly greater minimum setback than trees on the higher end. The calculated TPZ represents the radius of a circle that extends from a tree's base to the specified distance (or up to existing hard surfaces, where applicable). Minimum TPZs for each tree inventoried are shown on **Figure 1**.

Protection of the remaining 9 assessed trees (64.3%) can be accommodated by the proposed development plan.

The most effective approach to protecting retainable trees situated in proximity to development and/or site alteration activities is the installation of a tree protection barrier (e.g., hoarding, fencing) consistent with specifications outlined in Section 3.1 of the City of Windsor *Landscape Manual*. The following measures are recommended to protect retainable trees situated near the proposed development limit:

- **Construction activities will treat all trees recommended for retention on Figure 1 as constraints.**
- **Tree protection fence will be installed per Figure 1 prior to the commencement of site preparation and other construction activities.**
- **A qualified Arborist will inspect the tree protection fence following installation and prior to the commencement of site preparation or other construction activities.**
- **No development, site alteration (e.g., grading, excavation, soil stockpiling), machinery movement, or storage of equipment or materials will occur within any area isolated by tree protection fence.**
- **Tree protection fence will remain in place and be in good condition during implementation of the proposed development plan. Tree protection fence will not be removed until all site disturbances associated with the proposed development plan have concluded.**

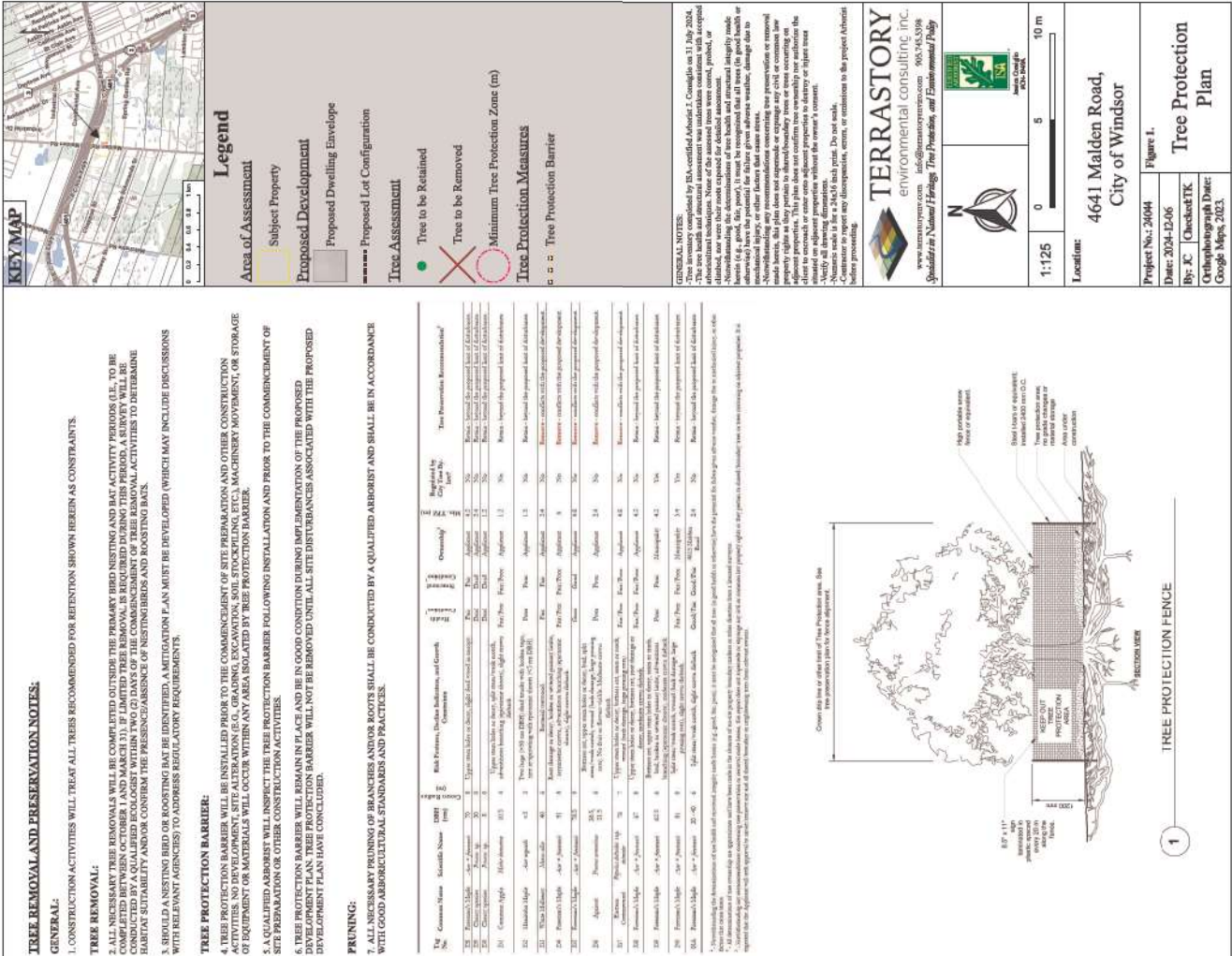
Trees to be retained may require minor pruning to facilitate clearance (e.g., for construction vehicles), improve crown structure, or eliminate deadwood. Should pruning be deemed necessary, the following measure is recommended.

- **All necessary pruning of branches and/or roots shall be conducted by a qualified Arborist and shall be in accordance with good arboricultural standards and practices.**

5 CONCLUSIONS

A total of 14 trees were inventoried and assessed at 4641 Malden Road in the City of Windsor. Of these, a total of five (5) assessed trees require removal to support the proposed development plan, which involves the creation of three new residential dwellings.

Provided that the technical recommendations offered herein are implemented in full, Terrastory is satisfied that anticipated and potential tree impacts will be adequately addressed and that the application meets relevant tree protection policies. As part of the application review process, all technical recommendations offered herein should be incorporated into any necessary planning approvals that facilitate implementation of the proposed development plan.



TREE REMOVAL AND PRESERVATION NOTES:

GENERAL:
1. CONSTRUCTION ACTIVITIES WILL TREAT ALL TREES RECOMMENDED FOR RETENTION SHOWN HEREIN AS CONSTRAINTS.

TREE REMOVAL:

2. ALL NECESSARY TREE REMOVALS WILL BE COMPLETED OUTSIDE THE PRIMARY BIRD NESTING AND BAT ACTIVITY PERIODS (I.E. TO BE COMPLETED BETWEEN OCTOBER 1 AND MARCH 31). IF LIMITED TREE REMOVAL IS REQUIRED DURING THIS PERIOD, A SURVEY WILL BE CONDUCTED BY A QUALIFIED ECOLOGIST WITHIN TWO (2) DAYS OF THE COMMENCEMENT OF TREE REMOVAL ACTIVITIES TO DETERMINE HABITAT SUITABILITY AND/OR CONFIRM THE PRESENCE/Absence OF NESTING BIRDS AND ROOSTING BATS.
3. SHOULD A NESTING BIRD OR ROOSTING BAT BE IDENTIFIED, A MITIGATION PLAN MUST BE DEVELOPED (WHICH MAY INCLUDE DISCUSSIONS WITH RELEVANT AGENCIES) TO ADDRESS REGULATORY REQUIREMENTS.

TREE PROTECTION BARRIER:

4. TREE PROTECTION BARRIER WILL BE INSTALLED PRIOR TO THE COMMENCEMENT OF SITE PREPARATION AND OTHER CONSTRUCTION ACTIVITIES. THE BARRIER SHALL BE MAINTAINED THROUGHOUT THE PROJECT AND SHALL BE REMOVED UPON COMPLETION OF THE PROJECT.
5. A QUALIFIED ARBORIST WILL INSPECT THE TREE PROTECTION BARRIER FOLLOWING INSTALLATION AND PRIOR TO THE COMMENCEMENT OF SITE PREPARATION OR OTHER CONSTRUCTION ACTIVITIES.
6. THE PROTECTION BARRIER WILL REMAIN IN PLACE AND BE IN GOOD CONDITION DURING IMPLEMENTATION OF THE PROPOSED DEVELOPMENT. THE BARRIER WILL NOT BE REMOVED UNTIL ALL SITE DISTURBANCES ASSOCIATED WITH THE PROPOSED DEVELOPMENT PLAN HAVE CONCLUDED.

PRUNING:

7. ALL NECESSARY PRUNING OF BRANCHES AND/OR ROOTS SHALL BE CONDUCTED BY A QUALIFIED ARBORIST AND SHALL BE IN ACCORDANCE WITH GOOD ARBORICULTURAL STANDARDS AND PRACTICES.

TID	Common Name	Scientific Name	DBH (in)	Height (ft)	Risk Factors, Decline Indicators, and Growth	Health	Condition	Comments	Proposed by Date	Tree Protection Recommendations
101	Redwood	<i>Sequoia sempervirens</i>	12	80	Upright tree, healthy, slight decline in growth rate	Good	Good	Redwood	10/1/2024	Retain. Inspect the proposed limit of disturbance.
102	Redwood	<i>Sequoia sempervirens</i>	12	80	Upright tree, healthy, slight decline in growth rate	Good	Good	Redwood	10/1/2024	Retain. Inspect the proposed limit of disturbance.
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176	Redwood	<i>Sequoia sempervirens</i>	12	80	Upright tree, healthy, slight decline in growth rate	Good	Good	Redwood	10/1/2024	Retain. Inspect the proposed limit of disturbance.

Appendix 1. Tree Inventory and Condition Assessment

Tag No.	Common Name	Scientific Name	DBH (cm)	Crown Radius (m)	Risk Features, Decline Indicators, and Growth Constraints	Health ¹ Condition	Structural ¹ Condition	Ownership ²	Min. TPZ (m)	Regulated by City Tree By-law?	Tree Preservation Recommendation ³
228	Freeman's Maple	<i>Acer x freemanii</i>	70	8	Upper stem holes or decay, slight dead wood in canopy.	Fair	Fair	Applicant	4.2	No	Retain - beyond the proposed limit of disturbance.
229	Cherry species	<i>Prunus</i> sp.	30	0		Dead	Dead	Applicant	2.4	No	Retain - beyond the proposed limit of disturbance.
230	Cherry species	<i>Prunus</i> sp.	8	0		Dead	Dead	Applicant	1.2	No	Retain - beyond the proposed limit of disturbance.
231	Common Apple	<i>Malus domestica</i>	10.5	4	Upper stem holes or decay, split stem/weak crotch, adventitious branching (epicormic shoots), slight crown dieback.	Fair/Poor	Fair/Poor	Applicant	1.2	No	Retain - beyond the proposed limit of disturbance.
232	Manitoba Maple	<i>Acer negundo</i>	<5	3	Two large (>50 cm DBH) dead trunks with broken tops, tree re-sprouting with epicormic shoots (<5 cm DBH).	Poor	Poor	Applicant	1.5	No	Retain - beyond the proposed limit of disturbance.
233	White Mulberry	<i>Morus alba</i>	40	6	Bacterial wetwood.	Fair	Fair	Applicant	2.4	No	Remove - conflicts with the proposed development.
234	Freeman's Maple	<i>Acer x freemanii</i>	91	8	Root damage or decay, broken or severed primary limbs, asymmetric crown, adventitious branching (epicormic shoots), slight crown dieback.	Fair/Poor	Fair/Poor	Applicant	6	No	Remove - conflicts with the proposed development.
235	Freeman's Maple	<i>Acer x freemanii</i>	78.5	9		Good	Good	Applicant	4.8	No	Remove - conflicts with the proposed development.
236	Apricot	<i>Prunus armeniaca</i>	30.5, 31.5	6	Buttress rot, upper stem holes or decay, burl, split stem/weak crotch, wound (bark damage, large pruning cus). No fruit or flowers visible. Moderate crown dieback.	Poor	Poor	Applicant	2.4	No	Remove - conflicts with the proposed development.
237	Eastern Cottonwood	<i>Populus deltoides</i> ssp. <i>deltoides</i>	78	7	Upper stem holes or decay, buttress rot, seam or crack, wound (bark damage, large pruning cus).	Fair/Poor	Fair/Poor	Applicant	4.8	No	Remove - conflicts with the proposed development.
238	Freeman's Maple	<i>Acer x freemanii</i>	67	8	Upper stem holes or decay, buttress rot, root damage or decay, moderate crown dieback.	Fair/Poor	Fair/Poor	Applicant	4.2	No	Retain - beyond the proposed limit of disturbance.
239	Freeman's Maple	<i>Acer x freemanii</i>	62.5	6	Buttress rot, upper stem holes or decay, seam or crack, burl, broken or severed primary limbs, adventitious branching (epicormic shoots), moderate crown dieback.	Poor	Poor	Municipality	4.2	Yes	Retain - beyond the proposed limit of disturbance.
240	Freeman's Maple	<i>Acer x freemanii</i>	81	8	Split stem/weak crotch, wound (bark damage, large pruning cus), slight crown dieback.	Fair/Poor	Fair/Poor	Municipality	5.4	Yes	Retain - beyond the proposed limit of disturbance.
00A	Freeman's Maple	<i>Acer x freemanii</i>	30 - 40	6	Split stem/weak crotch, slight crown dieback.	Good/Fair	Good/Fair	4615 Malden Road	2.4	No	Retain - beyond the proposed limit of disturbance.

¹ - Notwithstanding the determinations of tree health and structural integrity made herein (e.g., good, fair, poor), it must be recognized that all trees (in good health or otherwise) have the potential for failure given adverse weather, damage due to mechanical injury, or other factors that cause stress.

² - All determinations of tree ownership are approximate and have been made in the absence of on-site property boundary markers or other direction from a licensed surveyor.

³ - Notwithstanding any recommendations concerning tree preservation or removal made herein, this report does not supersede or expunge any civil or common law property rights as they pertain to shared/boundary trees or trees occurring on adjacent properties. It is expected that the Applicant will seek approval to injure/remove any and all shared/boundary or neighbouring trees from relevant owners.

Appendix 2. Representative Photographs



Photo 1. Existing residence facing eastward (15 April 2024).



Photo 2. Subject Property facing southward (15 April 2024).



Photo 3. Subject Property facing northward (15 April 2024).



Photo 4. Subject Property facing eastward (15 April 2024).

Appendix 3. Proposed Site Plan

November 26, 2024

Attention: Mr. Jonathan Seguin
Poirier Seguin Holdings Ltd.
T: 519-980-5667

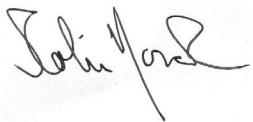
Re: Environmental Noise Assessment in support of Zoning By-Law Amendment Application, 4641
Malden Road, City of Windsor.

Dear Mr. Seguin,

Please find enclosed a noise assessment report in support of a severance and rezoning application for 4641 Malden Road, in the City of Windsor. This assessment pertains to the noise impacts from the nearby roadways which impact the subject site.

I trust that the enclosed information meets your requirements. Please do not hesitate to contact me if you have any questions.

Sincerely,



Colin Novak PhD, PEng

**Noise Assessment in support of Zoning By-Law
Amendment Application, 4641 Malden Road, City of
Windsor**



Attention: Mr. Jonathan Seguin
Poirier Seguin Holdings Ltd.
T: 519-980-5667

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Statement of Liability

Akoustik Engineering Limited prepared this report for Poirier Seguin Holdings Ltd.. The material in it reflects Dr. Helen Ule's and Dr. Colin Novak's judgement considering the information available to them and Akoustik Engineering Limited at the time of the measurements and report preparation, under the stated test conditions. Any use that a Third Party makes of this report, or any reliance on decisions made based on it, is the responsibility of such Third Parties. Akoustik Engineering Limited accepts no responsibility for damages, if any, suffered by any Third Party resulting from decisions made or actions based on this report.

Introduction

This report is a noise assessment in support of a land severance and rezoning application for 4641 Malen Road, in the City of Windsor. The application proposes to divide the existing property into four lots by adding three new lots and retaining the existing home on a fourth lot. Each added lot is proposed to have lot areas of 278.7 m² with frontage of 9.14 m and a depth of 30.48 m. The retained lot would thus have a lot area of 297.2 m² with a frontage of 9.75 m and a depth of 30.48 m. There were no proposed site plans that show the location and orientation of future houses on the divided lots available at the time of this report, other than details detailing the proposed lot sizes and orientation. It is assumed that a future single residential home is to be constructed on each of the new lots.

This assessment pertains to the environmental noise impact from the nearby roadways. An illustration of the geographical area of the proposed development location is given in Appendix A. A zoning map of the area is given in Appendix B. The expected noise impacts from the roads have been predicted using the Ministry of the Environment, Conservation and Parks (MECP) prediction software STAMSON and are based on the available road traffic volumes, which have been projected 10 years forward. Given that the road traffic occurs during all periods of a 24-hour day, as defined by the applicable Noise Pollution Control document NPC-300, the assessment has been carried out for the entire 24-hour period. All assumptions used for the calculations given in this report are detailed in Appendix C. Any recommended abatement measures, if required to control noise, are included in this report.

Identification of Noise Sources

The proposed development is bordered by residential lands to the north, west and east. The current zoning of the land is DRD1.1, Development Reserve District. The rezoning application is to rezone the property to RD1.3, Low Density Residential District. The Ministry of the Environment (MECP) typical specifications for the identification of existing or future major sources of noise impact on a development is whether they are within 500 metres of the site. The transportation noise sources which could possibly produce an impact on the proposed development are Malden Road and the E.C. Row Expressway. The E.C. Row Expressway will be considered as two sources: Eastbound and Westbound. It should be noted that the proposed lots are protected from the expressway noise by a substantial noise barrier wall located along the expressway. There are no sources of stationary noise or vibration which may impact this property.

Given that the land of the proposed development falls outside the Windsor International Airport's NEF/NEP 25 contours, no consideration for aircraft noise is warranted. There are no other significant sources of noise which are expected to have an impact on the proposed development.

Ministry of the Environment and Climate Change Noise Criteria

Transportation Sources

In accordance with the MECP Guideline NPC-300, the following sound level limits for residential developments of Class 2 have been set and are shown for roadway noise in Table 1 below. Select pages from the NPC-300 guideline have been included in Appendix D: NPC-300 Reference Pages for reference. The proposed development is classified as a Class 2 area, given that the region exhibits features of both a Class 1 and a Class 3 area, based on the environmental noise characteristics. It is worth noting that when the sound level limits presented in Table 1 are exceeded, noise control abatement is required.

Table 1: Ministry of the Environment, Conservation and Parks Noise Criteria for Roadway Noise

Location	Daytime L_{eq} [dBA]	Nighttime L_{eq} [dBA]
Outdoor Living Area (OLA)	55	--
Plane of Window (Indoor)	55 (45)	50 (40)

From Table 1, daytime refers to the period from 07:00 to 23:00 and nighttime refers to the period from 23:00 to 07:00 hours. An outdoor living area (OLA) refers to a location such as a patio, yard, or barbeque area. For this project it will be assumed that an OLA would be present at the rear of any proposed residential development.

The limits presented in Table 1 are the limits before noise control measures are required. The noise level limit in an OLA may be exceeded by up to 5 dBA if proper warning clauses are inserted in the titles, deeds, and any tenancy agreements relating to the property and only after barriers or other noise control measures have been found to be impractical or unfeasible. A noise attenuation barrier is required to protect and bring the sound level down to 55 dBA in the OLA if the noise level exceeds 60 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with the appropriate warning clause; in this situation, any excess above the noise limit will not be deemed acceptable if it exceeds 5 dB.

The guideline also recommends the provision for the installation of central air conditioning when the noise level outside the plane of a window exceeds 55 dBA for the daytime or 50 dBA for the nighttime. If the noise level exceeds 65 dBA for the daytime or 60 dBA for the nighttime, the installation of central air conditioning should be implemented. Further, building components including exterior walls, windows and doors should be designed to have sufficient Sound Transmission Class (STC) ratings to meet the indoor noise guidelines.

Noise Source Data

Prior to modelling the noise, road traffic volume data for Malden Road was obtained from the City of Windsor in the form of annual average daily traffic (AADT) volumes. The projected road traffic volumes along with the breakdown of vehicle types are given in Appendix E. Also, given in Appendix E are the distances used for the noise prediction model between the representative receptor locations and the roadway. The volume of commercial traffic for Malden Road was taken as 10 percent with an equal mix of heavy and medium trucks.

Road traffic volume data for the E.C. Row Expressway was obtained from the MTO's (Ministry of Transportation) iCorridor website in the form of annual average daily traffic (AADT) volumes. The

projected road traffic volumes along with the breakdown of vehicle types are given in Appendix E. Also, given in Appendix E are the distances used in the noise prediction model between the representative receptor locations and the Expressway. Data provided on iCorridor showed a vehicle distribution of 84% automobiles and 16% truck traffic with an assumed equal mix of heavy and medium trucks.

A conservative approach was taken to use the latest and most up to date traffic volume, which has been included in Appendix E. Based on historical data, a calculated growth rate of 0.37% was used for E.C. Row Expressway. Malden Road had a negative calculated growth rate, and it was therefore assumed that there is a 0% growth rate in order to be conservative in the calculation methodology. Day and night traffic volumes were calculated using an assumed 66% day and 33 % night for highways and 90%-day and 10%-night for municipal roadways.

Identification of the Representative Receptor Locations

Since no site plan is available for the proposed three new lots, a proposed worst-case footprint was used to calculate the noise impacts. Proposed Lot 1 (north most lot) is chosen as the worst-case residential development given that it is nearest to the E.C. Row Expressway. The front façade is taken to be located 6 metres from the west property line and the home is assumed to have a depth of 13 m. POR1A and POR1B are located on the north façade of this proposed home at a height of 1.5 m and 4.5 m. An OLA (outdoor living area) is located 3 m away from the rear (east) façade of the proposed home.

Assessment Approach

The predicted sound levels from the nearby road traffic have been determined through the application of the prediction noise modelling software STAMSON 5.0. All input data pertaining to the lot layout parameters was based on the severance plan provided at the time of the study, as shown in Appendix A: Site Location. The input data used to calculate the predicted sound level exposures for the proposed lot impacted by the road traffic noise, and the resulting outputs, are given in Appendix F: Noise Model Printout.

The acoustic propagation model used to predict the noise levels at the proposed lots was developed to determine the noise impacts and extent of the noise control measures required (if any). The MECP requires the calculation of the noise impacts at the outdoor living area (OLA) and plane of window of the dwellings, in this case the residential sleeping quarters.

Results and Noise Control Requirements

The following section is a summary and assessment of the modeled results for the proposed lot.

Road Noise

As specified by the MECP Environmental Noise Guideline NPC-300, the outdoor and indoor sound level limits (based on one-hour LA_{eq} values) at a residence for road traffic noise are categorized into three (3) limits, based on the type of space assessed. The document also specifies the recommended noise control measures, if required, that should be followed for the OLA, plane of a window (ventilation requirements) and the indoor living area (building components) noise assessments. Select pages from the NPC-300

guideline are given in Appendix D: NPC-300 Reference Pages, which includes the stated warning clauses and other requirements based on the predicted noise levels.

The predicted noise level impacts for the daytime and nighttime periods for the representative Points of Reception (POR)s with no control measures are given in Table 3.

Table 3: Predicted Noise Levels – Plane of Window and Outdoor Living Area

POR (height in metres)	Daytime Period LAeq (dBA) – plane of window	Nighttime Period LAeq (dBA) – plane of window
1 (1.5 m)	63	58
1 (4.5 m)	64	59
OLA (1.5 m)	55	N/A

- red text denotes exceedance

Notes taken from NPC-300 (where applicable):

Note A: Noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

Note B: Noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B.

Note C: The dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

Note D: Installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2.

Note E: Building components including windows, walls and doors, where applicable, need to be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) needs to be specified.

For all buildings and units that are applicable to Note E, it is recommended that the building plans be inspected and approved by a qualified acoustical engineer prior to the issuance of a building permit to ensure that the proposed building materials and design comply with the noise control requirements.

If required, the following warning clauses are to be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease of each dwelling unit:

Warning Clause(s) (where applicable):

Type A: “Purchasers/tenants are advised that sound levels due to increasing road traffic and rail traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

Type B: "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Type C: “This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

Type D: “This dwelling unit has been equipped with central air conditioning in order to allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks. Air conditioning units are to be installed in a noise insensitive area.”

Comparing the predicted road noise levels given in Table 3 to the MECP noise guidelines detailed in Table 1, it is concluded that the predicted worst-case impacts from transportation sources exceed the MECP guidelines during the daytime and nighttime periods. While no physical noise control measures are required for the transportation noise, warning clause(s) are needed for all three proposed lots. It should be noted that the sound level in the outdoor living area does not exceed the noise guideline limits, and as such, noise abatement to protect the OLA (noise barrier) is not required.

Results Summary



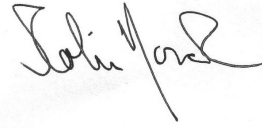
Table 5 summarizes the required warning clauses and building requirements, if any, for the three proposed lots. It is required that any necessary warning clauses be implemented in all future development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease for any future development. Given that this report is only in support of the severance and rezoning application, there is no proposed site plan available. As such, any future proposed development should be verified for noise control and warning clauses requirements based on the final orientation and position of the homes on the proposed lot.

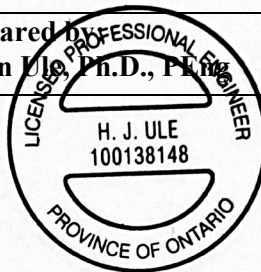
Table 5: Summary of Warning Clauses and Building Component Requirements

Lot(s)	Noise Barrier Requirement (Y/N)	Warning Clause(s)	Building Component Requirement(s)	Ventilation Requirement(s)
Proposed Lots #1, #2 and #3	N/A	Type A, C	Minimum Building Code	Provision for the installation of central air conditioning

Conclusion

A noise impact assessment was carried out for the proposed lots at 4641 Malden Road, in the City of Windsor, in support for a severance and rezoning application. For this, the nearby Malden Road and E.C. Row Expressway were considered as contributing transportation sources of noise. It is shown in this report that the measured and predicted levels exceed the limits set by the Ontario Ministry of the Environment, Conservation and Parks. However, given that the noise impacts can be mitigated with the installation of central air conditioning and inclusion of warning clauses, it is recommended that the severance and rezoning application be given approval for noise impacts with the understanding that any future development on the proposed new lots verify the stated warning clauses and conditions and that these warning clauses and conditions will be implemented.

For  akoustik engineering limited		
	Prepared by: Helen Ule, Ph.D., PEng	Reviewed by: Colin Novak, Ph.D., PEng



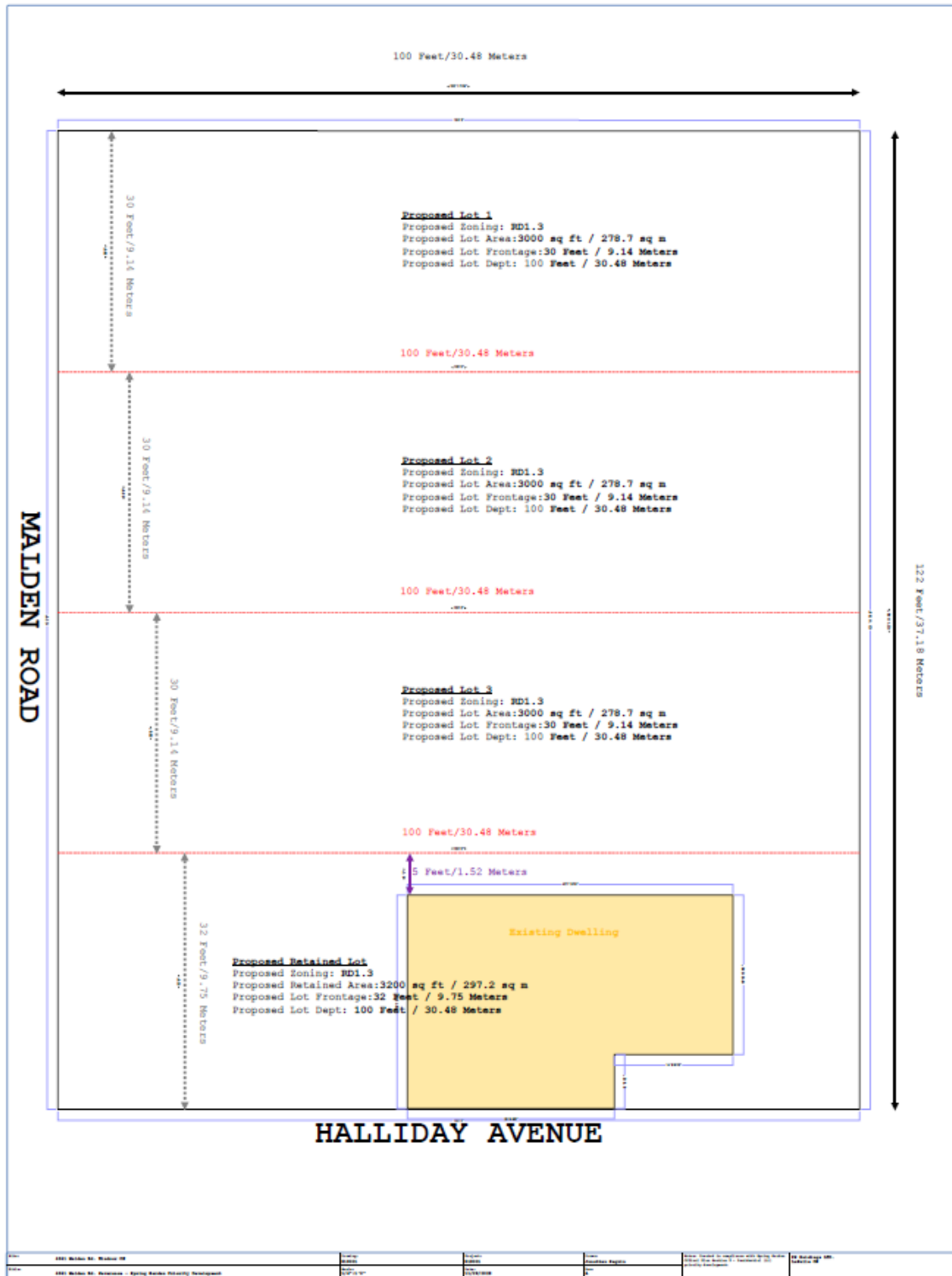
Appendix A: Site Location



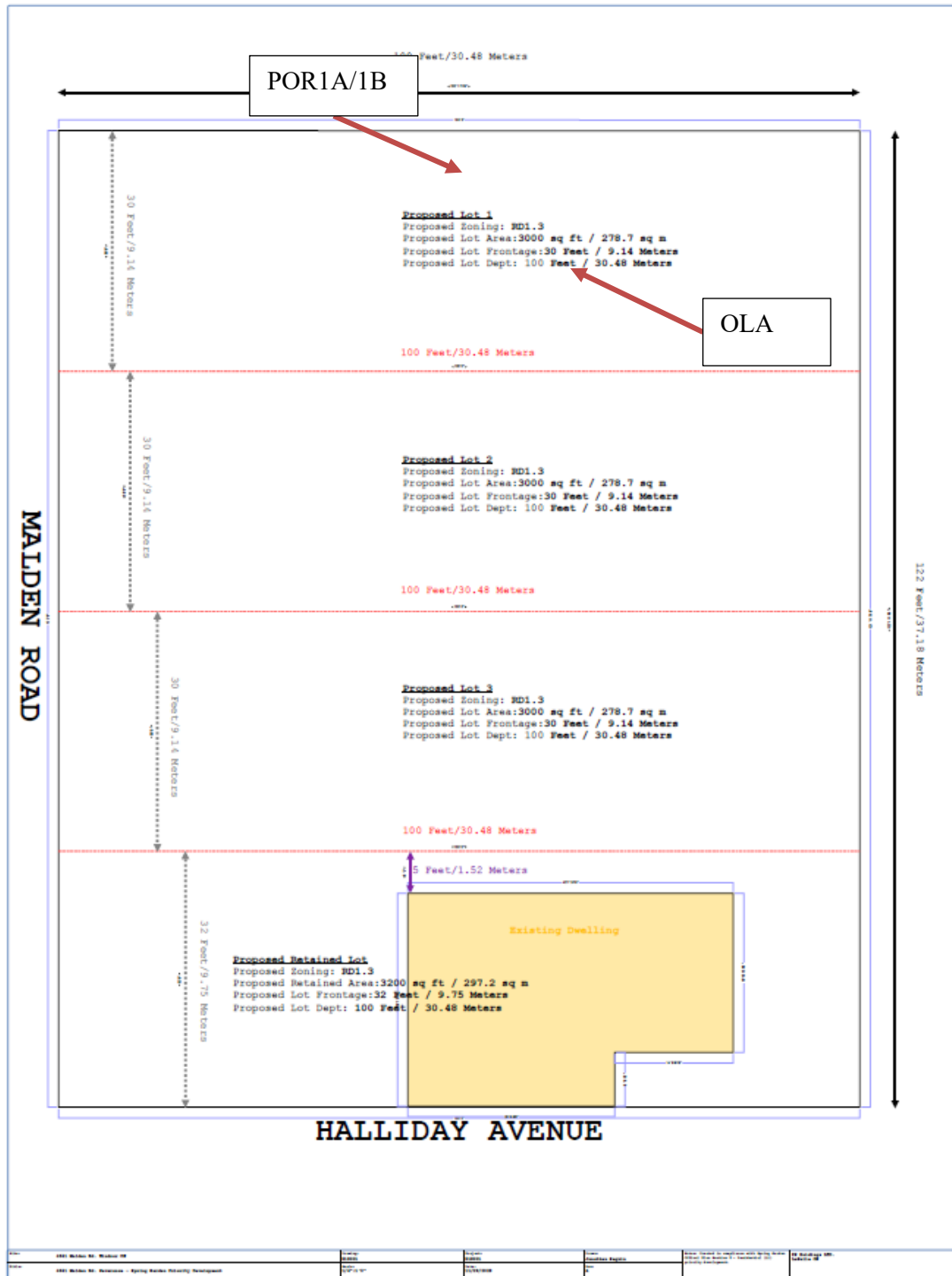
A 1: General Location of Proposed Development and Nearby Surrounding Area



A 2: Proposed Development Site showing detailed Surrounding Area Features

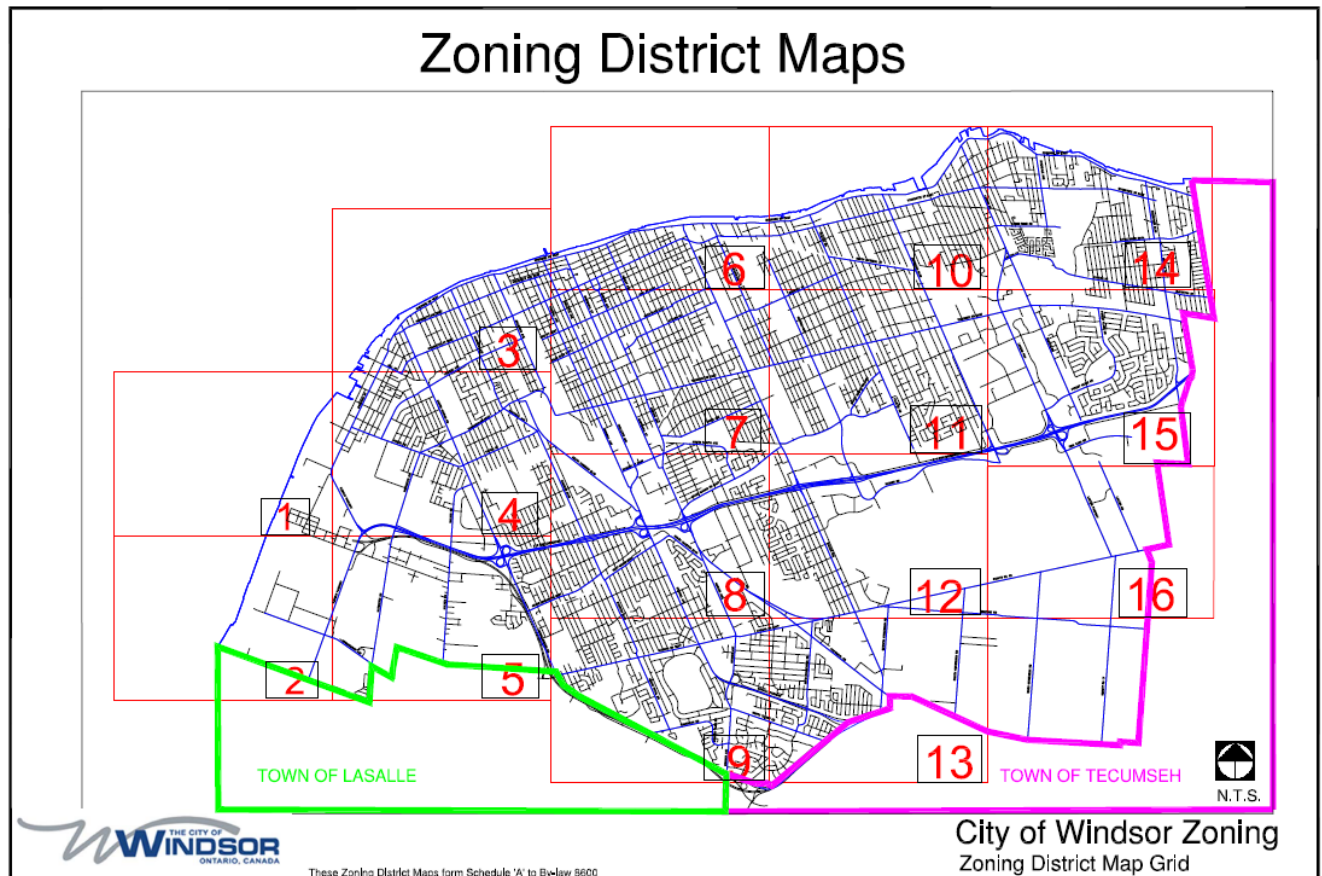


A 3: Proposed Severance Drawing (dated November 29, 2023)



A 4: Proposed Development with Representative PORs Identified

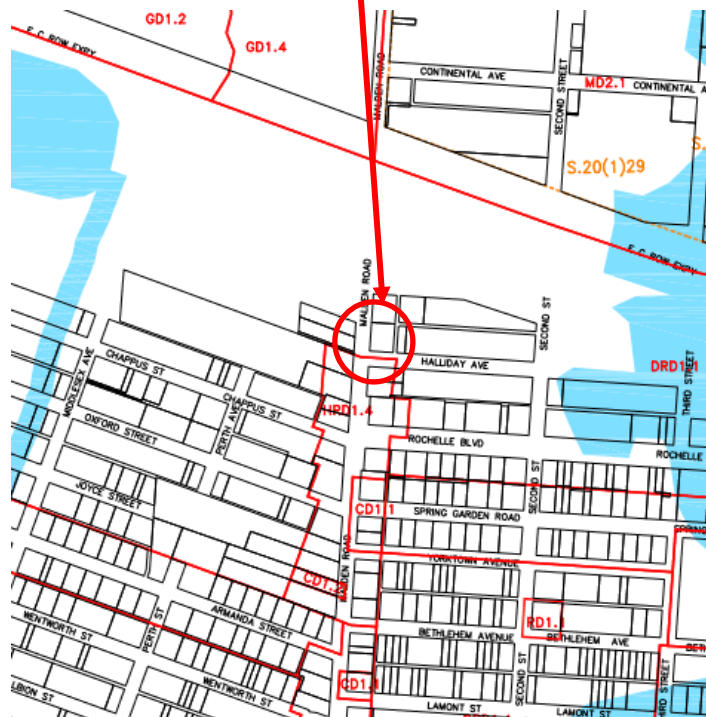
Appendix B: Land-use Zoning Map of Area



B 1: City of Windsor Zoning – Zoning District Map Grid



B 2: City of Windsor Zoning Map #5



B 3: City of Windsor Zoning Map #5, site location

Appendix C: Report and Model Assumptions

Malden Road:

- Traffic counts (AADT) provided by Dinesh Dhamotharan, City of Windsor
- Traffic volumes projected to 2034
- Historical roadway data:
 - Malden Road, North of Spring Garden Road:
 - 2013 7,100
 - 2017 6,400
 - 2034 6,400 (projected)
- 90% of traffic during day period and 10% during night period
- 90% cars, 5% medium trucks, 5% heavy trucks
- Growth rate of 0% assumed

POR	Floor	Height (m)	Malden	
			Angle	Distance (m)
1	1	1.5	-90-90	15
1	2	4.5	-90-90	15
OLA1	1	1.5	-90-90	22

- 2034 Road Volume
 - Malden Road, North of Spring Garden Road
 - Cars – 5,760 day, 640 night
 - Commercial –
 - Medium – 288 day, 32 night
 - Heavy – 288 day, 32 night
- Speed:
 - Malden Road – 50 km/h

E.C. Row Expressway:

- Traffic counts (AADT) provided by MTO's iCorridor webpage (<https://icorridor-mto-on-ca.hub.arcgis.com/apps/4f4b6a27ce0a4a4e86ab9a94597475f3/explore>)
- Traffic volumes projected to 2034
- Historical roadway data:
 - E.C. Row Expressway (EB and WB combined), Malden to Huron Church Road:
 - 2015 21,300
 - 2016 21,300
 - 2017 21,400
 - 2018 21,500
 - 2019 21,600
 - 2034 22,830 (projected)
- 66% of traffic during day period and 33% during night period
- 84% cars, 8% medium trucks, 8% heavy trucks
- Growth rate of 0.37% calculated

POR	Floor	Height (m)	ECRow (WB & EB)	
			Angle	Distance (m)
1	1	1.5	-90-90	204/128
1	2	4.5	-90-90	204/128
OLA1	1	1.5	-90-90	204/128

- 2034 Road Volume
 - E.C. Row Expressway (EB and WB, each), Malden to Huron Church Road
 - Cars – 6,328 day, 3,260 night
 - Commercial –
 - Medium – 603 day, 310 night
 - Heavy – 603 day, 310 night
- Speed:
 - Malden Road – 100 km/h

PROPERTY:

- Assume:
 - POR heights: 1.5m, 4.5m
 - POR1A and POR1B facing north
 - OLA behind home facing east

General:

- Model is 16 hour day, 8 hour night
- Height of E.C. Row Expressway is 5 m
- Barrier height on E.C. Row Expressway is 4.2 m
- 90% density of houses built on proposed three lots
- Maximum footprint of home to be built on proposed lot is 20'x44' with 5' side yards and 6 m to front property line

Appendix D: NPC-300 Reference Pages

L_{eq} (8). For complete description on assessing road traffic impacts, refer to ORNAMENT. Other traffic noise prediction models have been and are being developed by various authorities and may be adopted from time to time for use in Ontario by the MOE.

In order to be consistent with MOE guidelines, the sound level should be assessed in an OLA, such as a rear yard or a patio, and in indoor living areas, such as bedrooms and living rooms. Where the noise impact exceeds the applicable sound level limits, mitigation measures such as site planning, architectural design, noise barriers, building envelope elements (windows, exterior walls, doors) with upgraded sound isolation performance and/or central air conditioning may be required. Noise control measures are not required if the sound level estimated in the OLA is 55 dBA or less during the daytime and 50 dBA or less in the plane of bedroom windows during either daytime or nighttime.

C3.2.2 Daytime Outdoor Sound Level Limit

Table C-1 gives the equivalent sound level (L_{eq}) limit for designated OLAs. The limit applies to the entire daytime period from 07:00 to 23:00.

Table C-1
Sound Level Limit for Outdoor Living Areas
Road and Rail

Time Period	L_{eq} (16) (dBA)
16-hour, 07:00 – 23:00	55

C3.2.3 Indoor Sound Level Limits

Table C-2 gives the equivalent sound level (L_{eq}) limits and the applicable time periods for the indicated types of indoor spaces. The specified indoor sound level limits are maxima and apply to the indicated indoor spaces with windows and doors closed.

Table C-2
Indoor Sound Level Limits
Road and Rail

Type of Space	Time Period	L_{eq} (dBA)	
		Road	Rail
Living/dining, den areas of residences, hospitals, nursing homes, schools, daycare centres, etc.	07:00 – 23:00	45	40
Living/dining, den areas of residences, hospitals, nursing homes, etc. (except schools or daycare centres)	23:00 – 07:00	45	40
Sleeping quarters	07:00 – 23:00	45	40

D 1: Daytime Outdoor and Daytime/Nighttime Indoor Sound Level Limits

the emissions are not required to be included with the overall noise assessment of a stationary source facility.

In addition, sound level limits do not apply to emergency equipment operating in emergency situations.

C4.5.4 Sound Level Limits for Layover Sites

The sound level limit for noise from a layover site in any hour, expressed in terms of the One-Hour Equivalent Sound Level (L_{eq}) is the higher of either 55 dBA or the background sound level.

C5 Noise Impact Assessment – Multiple Sources

Impulse sources, non-impulse sources and emergency equipment are to be analyzed separately. Where there are multiple, non-impulse sources at a stationary source, the noise assessment should be based on the combined effect of all sources comprising the stationary source, added together on an energy basis.

C6 Noise Impact Assessment – Supplementary Noise Limits

Indoor limits for transportation sources applicable to noise sensitive land uses are specified in Table C-2 and Table C-4. Table C-9 and Table C-10 are expanded versions of Table C-2 and Table C-4, and present guidelines for acceptable indoor sound levels that are extended to land uses and developments which are not normally considered noise sensitive. The specified values are maximum sound levels and apply to the indicated indoor spaces with the windows and doors closed. The sound level limits in Table C-9 and Table C-10 are presented as information, for good-practice design objectives.

Table C-9
Supplementary Indoor Sound Level Limits
Road and Rail

Type of Space	Time Period	L_{eq} (Time Period) (dBA)	
		Road	Rail
General offices, reception areas, retail stores, etc.	16 hours between 07:00 – 23:00	50	45
Living/dining areas of residences, hospitals, schools, nursing/retirement homes, daycare centres, theatres, places of worship, libraries, individual or semi-private offices, conference rooms, reading rooms, etc.	16 hours between 07:00 – 23:00	45	40
Sleeping quarters of hotels/motels	8 hours between 23:00 – 07:00	45	40
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	8 hours between 23:00 – 07:00	40	35

D 2: Noise Impact Assessment – Supplementary Noise Limits

Table C-10
Supplementary Indoor Aircraft Noise Limits
(Applicable over 24-hour period)

Type of Space	Indoor NEF/NEP*
General offices, reception areas, retail stores, etc.	15
Individual or semi-private offices, conference rooms, etc.	10
Living/dining areas of residences, sleeping quarters of hotels/motels, theatres, libraries, schools, daycare centres, places of worship, etc.	5
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	0

* The indoor NEF/NEP values listed in Table C-10 are not obtained from NEF/NEP contour maps. The values are representative of the indoor sound levels and are used as assessment criteria for the evaluation of acoustical insulation requirements.

C7 Noise Control Measures

The following sections provide MOE guidance for appropriate noise control measures. These sections constitute requirements that are applied to MOE approvals for stationary sources. This information is also provided as guidance which land use planning authorities may consider adopting.

The definition in Part A describes the various types and application of noise control measures. All the noise control measures described in the definition are appropriate to address the impact of noise of transportation sources (road, rail and aircraft) on planned sensitive land uses. Only some of the noise control measures described in the definition are appropriate to address the noise impact of stationary sources on planned sensitive land uses.

C7.1 Road Noise Control Measures

C7.1.1 Outdoor Living Areas

If the 16-Hour Equivalent Sound Level, $L_{eq}(16)$ in the OLA is greater than 55 dBA and less than or equal to 60 dBA, noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

If the 16-Hour Equivalent Sound Level, $L_{eq}(16)$ in the OLA is greater than 60 dBA, noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B. In the above situations, any excess above the limit will not be acceptable if it exceeds 5 dBA.

D 3: Noise Control Measures – Road Noise Control Measures

C7.1.2 Plane of a Window – Ventilation Requirements

C7.1.2.1 Daytime Period, 07:00 – 23:00 Hours

Noise control measures may not be required if the L_{eq} (16) daytime sound level in the plane of a bedroom or living/dining room window is less than or equal to 55 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 55 dBA and less than or equal to 65 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the daytime sound level in the plane of a bedroom or living/dining room window is greater than 65 dBA, installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.2.2 Nighttime Period, 23:00 – 07:00 Hours

Noise control measures may not be required if the L_{eq} (8) nighttime sound level in the plane of a bedroom or living/dining room window is less than or equal to 50 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 50 dBA and less than or equal to 60 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the nighttime sound level in the plane of a bedroom or living/dining room window is greater than 60 dBA, installation of central air conditioning should be implemented, with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.3 Indoor Living Areas – Building Components

If the nighttime sound level outside the bedroom or living/dining room windows exceeds 60 dBA or the daytime sound level outside the bedroom or living/dining area windows exceeds 65 dBA, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the

D 4: Noise Control Measures – Road Noise Control Measures (Continued)

In Class 4 areas, where windows for noise sensitive spaces are assumed to be closed, the use of central air conditioning may be acceptable if it forms an essential part of the overall building designs.

C7.9 Verification of Noise Control Measures

It is recommended that the implementation of noise control measures be verified by qualified individuals with experience in environmental acoustics.

C8 Warning Clauses

The use of warning clauses or easements in respect of noise are recommended when circumstances warrant. Noise warning clauses may be used to warn of potential annoyance due to an existing source of noise and/or to warn of excesses above the sound level limits. Direction on the use of warning clauses should be included in agreements that are registered on title to the lands in question. The warning clauses would be included in agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations. Alternatively, the use of easements in respect of noise may be appropriate in some circumstances. Additional guidance on the use of noise warning clauses is provided in Section C7.1.1, Section C7.1.2.1, Section C7.1.2.2, Section C7.3 and Section C7.4.

C8.1 Transportation Sources

The following warning clauses may be used individually or in combination:

TYPE A: (see Section C7.1.1)

“Purchasers/tenants are advised that sound levels due to increasing road traffic (rail traffic) (air traffic) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

TYPE B: (see Section C7.1.1 and Section C7.4)

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic (rail traffic) (air traffic) may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

TYPE C: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

“This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of

D 5: Noise Control Measures – Warning Clauses

central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment.”

TYPE D: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

“This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment.”

C8.2 Stationary Sources

It is not acceptable to use warning clauses in place of physical noise control measures to identify an excess over the MOE sound level limits. Warning clause (Type E) for stationary sources may identify a potential concern due to the proximity of the facility but it is not acceptable to justify exceeding the sound level limits.

TYPE E: (see Section C7.6)

“Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible.”

C8.3 Class 4 Area Notification

TYPE F: (see Section B9.2 and Section C4.4.2)

“Purchasers/tenants are advised that sound levels due to the adjacent industry (facility) (utility) are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed.”

D 6: Noise Control Measures – Warning Clauses (Continued)

Appendix E: Road Traffic Volume Data

E 1: Predicted Road Traffic

Year	Road	Location	AADT
2034	Malden Road	North of Spring Garden Road	6,400
2034	E.C. Row Expressway Eastbound	Malden to Huron Church Road	11,415
2034	E.C. Row Expressway Westbound	Malden to Huron Church Road	11,415

E 2: Predicted Hourly Traffic Volumes per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks – Malden Road

Period	Hourly Traffic Volume (Vehicles/hr)	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day	360	324	18	18
Night	80	72	4	4

E 3: Predicted Hourly Traffic Volumes per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks – E.C. Row Expressway Eastbound

Period	Hourly Traffic Volume (Vehicles/hr)	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day	471	396	38	38
Night	485	408	38	38

E 4: Predicted Hourly Traffic Volumes per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks – E.C. Row Expressway Westbound

Period	Hourly Traffic Volume (Vehicles/hr)	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day	471	396	38	38
Night	485	408	38	38

Appendix F: Noise Model Printouts

POR5 (7.5m height)

STAMSON 5.0 NORMAL REPORT Date: 25-11-2024 15:08:06
MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: POR1a.te Time Period: Day/Night 16/8 hours
Description: Malden POR1A

Road data, segment # 1: Malden (day/night)

Car traffic volume : 5184/576 veh/TimePeriod
Medium truck volume : 288/32 veh/TimePeriod
Heavy truck volume : 288/32 veh/TimePeriod
Posted speed limit : 50 km/h
Road gradient : 0 %
Road pavement : 1 (Typical asphalt or concrete)

Data for Segment # 1: Malden (day/night)

Angle1 Angle2 : -90.00 deg 90.00 deg
Wood depth : 0 (No woods.)
No of house rows : 0 / 0
Surface : 1 (Absorptive ground surface)
Receiver source distance : 15.00 / 15.00 m
Receiver height : 1.50 / 1.50 m
Topography : 1 (Flat/gentle slope; no barrier)
Reference angle : 0.00

Road data, segment # 2: EC Row EB (day/night)

Car traffic volume : 6328/3260 veh/TimePeriod
Medium truck volume : 603/310 veh/TimePeriod
Heavy truck volume : 603/310 veh/TimePeriod
Posted speed limit : 100 km/h
Road gradient : 0 %
Road pavement : 1 (Typical asphalt or concrete)

Data for Segment # 2: EC Row EB (day/night)

Angle1 Angle2 : -90.00 deg 90.00 deg
Wood depth : 1 (Wood depth 30 to less than 60 metres)
No of house rows : 0 / 0
Surface : 1 (Absorptive ground surface)
Receiver source distance : 128.00 / 128.00 m
Receiver height : 1.50 / 1.50 m
Topography : 4 (Elevated; with barrier)
Barrier angle1 : -90.00 deg Angle2 : 90.00 deg
Barrier height : 4.20 m
Elevation : 5.00 m

Barrier receiver distance : 120.00 / 120.00 m
 Source elevation : 5.00 m
 Receiver elevation : 0.00 m
 Barrier elevation : 5.00 m
 Reference angle : 0.00

Road data, segment # 3: EC Row WB (day/night)

 Car traffic volume : 6328/3260 veh/TimePeriod
 Medium truck volume : 603/310 veh/TimePeriod
 Heavy truck volume : 603/310 veh/TimePeriod
 Posted speed limit : 100 km/h
 Road gradient : 0 %
 Road pavement : 1 (Typical asphalt or concrete)

Data for Segment # 3: EC Row WB (day/night)

 Angle1 Angle2 : -90.00 deg 90.00 deg
 Wood depth : 1 (Wood depth 30 to less than 60 metres)
 No of house rows : 0 / 0
 Surface : 1 (Absorptive ground surface)
 Receiver source distance : 204.00 / 204.00 m
 Receiver height : 1.50 / 1.50 m
 Topography : 4 (Elevated; with barrier)
 Barrier angle1 : -90.00 deg Angle2 : 90.00 deg
 Barrier height : 4.20 m
 Elevation : 5.00 m
 Barrier receiver distance : 120.00 / 120.00 m
 Source elevation : 5.00 m
 Receiver elevation : 0.00 m
 Barrier elevation : 5.00 m
 Reference angle : 0.00

Results segment # 1: Malden (day)

 Source height = 1.50 m

ROAD (0.00 + 62.99 + 0.00) = 62.99 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
SubLeq									

 --

-90	90	0.66	64.44	0.00	0.00	-1.46	0.00	0.00	0.00
-----	----	------	-------	------	------	-------	------	------	------

 62.99

 --

Segment Leq : 62.99 dBA

Results segment # 2: EC Row EB (day)

Source height = 1.68 m

Barrier height for grazing incidence

Source Height (m)	Receiver Height (m)	Barrier Height (m)	Elevation of Barrier Top (m)
1.68	1.50	1.36	6.36

ROAD (0.00 + 49.07 + 0.00) = 49.07 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
-90	90	0.20	72.95	0.00	-11.22	-0.55	-5.00	0.00	0.00
-90	90	0.25	72.95	0.00	-11.66	-0.66	0.00	0.00	-11.55

SubLeq

56.19

49.07

Segment Leq : 49.07 dBA

Results segment # 3: EC Row WB (day)

Source height = 1.68 m

Barrier height for grazing incidence

Source Height (m)	Receiver Height (m)	Barrier Height (m)	Elevation of Barrier Top (m)
1.68	1.50	-0.45	4.55

ROAD (0.00 + 48.99 + 0.00) = 48.99 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
-90	90	0.20	72.95	0.00	-13.65	-0.55	-5.00	0.00	0.00
-90	90	0.25	72.95	0.00	-14.20	-0.66	0.00	0.00	-9.10

SubLeq

53.75

48.99

Segment Leq : 48.99 dBA

Total Leq All Segments: 63.33 dBA

Results segment # 1: Malden (night)

Source height = 1.50 m

ROAD (0.00 + 56.45 + 0.00) = 56.45 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
SubLeq									

-90	90	0.66	57.91	0.00	0.00	-1.46	0.00	0.00	0.00
56.45									

Segment Leq : 56.45 dBA

Results segment # 2: EC Row EB (night)

Source height = 1.68 m

Barrier height for grazing incidence

Source Height (m)	Receiver Height (m)	Barrier Height (m)	Elevation of Barrier Top (m)
1.68	1.50	1.36	6.36

ROAD (0.00 + 49.19 + 0.00) = 49.19 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
SubLeq									

-90	90	0.20	73.07	0.00	-11.22	-0.55	-5.00	0.00	0.00
56.31									
-90	90	0.25	73.07	0.00	-11.66	-0.66	0.00	0.00	-11.56
49.19									

Segment Leq : 49.19 dBA

Results segment # 3: EC Row WB (night)

Source height = 1.68 m

Barrier height for grazing incidence

Source Height (m)	Receiver Height (m)	Barrier Height (m)	Elevation of Barrier Top (m)

```

-----+-----+-----+-----
          1.68 !          1.50 !          -0.45 !          4.55

ROAD (0.00 + 49.11 + 0.00) = 49.11 dBA
Angle1 Angle2  Alpha RefLeq  P.Adj  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj
SubLeq
-----
--
   -90      90    0.20  73.07    0.00 -13.65  -0.55  -5.00    0.00    0.00
53.87
   -90      90    0.25  73.07    0.00 -14.20  -0.66   0.00    0.00   -9.10
49.11
-----
--

```

Segment Leq : 49.11 dBA

Total Leq All Segments: 57.82 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 63.33
(NIGHT): 57.82



ENGINEERING



LABORATORY



PHASE I ENVIRONMENTAL SITE ASSESSMENT



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Project No. FE 25-14744
May 28, 2025

Issued to: Jonathan Sequin and Marshall Paton

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Project Name: Phase I Environmental Site Assessment

Project Address: 4641 Malden Road, Windsor, Ontario

Project Number: FE 25-14744

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GLOSSARY OF ACRONYMS

ACM	Asbestos-Containing Material
asl:	Above Sea Level
AST:	Aboveground Storage Tank
bgs:	Below Ground Surface
BTEX:	Benzene, Toluene, Ethylbenzene and Xylenes
CA:	Certificate of Approval
CPC:	Contaminant of Potential Concern
CSA:	Canadian Standards Association
EASR:	Environmental Activity and Sector Registry
EBR:	Environmental Registry
ECA:	Environmental Compliance Approval
EPA:	Environmental Protection Act
ESA:	Environmental Site Assessment
FIP:	Fire Insurance Plan
HVAC:	Heating, Ventilation, and Air Conditioning
MECP:	Ministry of the Environment, Conservation and Parks
MNR:	Ministry of Natural Resources and Forestry
MOE:	Ministry of the Environment
MOL:	Ministry of Labour
NPRI:	National Pollutant Release Inventory
NAD:	North American Datum
O. Reg.:	Ontario Regulation
ODS:	Ozone Depleting Substance
OHSA:	Occupational Health and Safety Act
PAHs:	Polycyclic Aromatic (Polyaromatic) Hydrocarbons
PCA:	Potentially Contaminating Activity
PCBs:	Polychlorinated Biphenyls
PHC (F1-F4):	Petroleum Hydrocarbons Fractions F1 to F4
RSC:	Record of Site Condition
TSSA:	Technical Standards and Safety Authority
UFFI:	Urea Formaldehyde Foam Insulation
UST:	Underground Storage Tank
VOCs:	Volatile Organic Compounds

1. EXECUTIVE SUMMARY

Fisher Engineering Limited (Fisher) was retained by Jonathan Sequin and Marshall Paton to conduct a Phase I Environmental Site Assessment (ESA) of the property located at 4641 Malden Road, Windsor, Ontario, herein referred to as the “Site”. The purpose of the Phase I ESA was to conduct an environmental due diligence and liability assessment in support of City of Windsor approval for redevelopment of the Site.

The Phase I ESA was conducted in general accordance with the Canadian Standards Association (CSA) Standard Z768-01 (reaffirmed 2022), *Phase I Environmental Site Assessment*.

The Site is located on the northeast corner of Malden Road and former Halliday Avenue. It has an area of approximately 1,500 m². The Site is bounded by residential properties to the north and south, undeveloped land to the east and Malden Road, followed by undeveloped land, to the west.

Historical records available for the Site and properties within 250 m surrounding the Site (the “phase I study area”) were reviewed. Findings from the records review indicated that the Site was undeveloped land, and was developed for the current residential use, prior to 1953.

Based on our Site reconnaissance on May 12, 2025, the southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement (the “subject building”). There is a concrete pad, south of the subject building, which leads to a dirt road (former Halliday Avenue). The remaining areas of the Site are covered with landscaped or overgrown grass and trees.

The potential presence of asbestos or lead containing building materials are not considered of concern provided they are not disturbed or properly managed and disposed of. However, a designated substance survey (DSS) should be conducted at the Site prior to any demolition or significant renovation of the building.

The findings of the current Phase I ESA have revealed no evidence of actual and/or potential surface or sub-surface contamination associated with the Site and other properties within the phase I study area. It is expected that the Site could continue to be used for residential purposes.

For the purpose of this Phase I ESA, no further investigation is recommended at this time.

2. INTRODUCTION

2.1. Objectives

Fisher Engineering Limited (Fisher) was retained by Jonathan Sequin and Marshall Paton (the “Client”) to conduct a Phase I Environmental Site Assessment (ESA) of the property located at 4641 Malden Road, Windsor, Ontario, herein referred to as the “Site”. The purpose of the Phase I ESA was to conduct an environmental due diligence and liability assessment in support of City of Windsor approval for redevelopment of the Site.

The Phase I ESA was conducted to develop a preliminary determination of the likelihood that one or more contaminants have affected any land or water on, in or under the Site, and to determine the need and provide the basis for carrying out any Phase II ESA, if required.

2.2. Regulatory Framework

The Phase I ESA carried out by Fisher on the Site was conducted in general accordance with the Canadian Standards Association (CSA) Standard Z768-01 (reaffirmed 2022), *Phase I Environmental Site Assessment*. A Phase I ESA is the systematic preliminary process by which an assessor seeks to determine whether a particular property is subject to actual or potential contamination. A Phase I ESA does not involve the investigative procedures of sampling, analyzing, and measuring, unless enhancements are agreed upon between the Client and the assessor.

The roles and powers of the Ministry of the Environment, Conservation and Parks (MECP) when dealing with contaminated sites are outlined primarily in the Environmental Protection Act (EPA), R.S.O. 1990. The MECP has a mandate to address conditions where there is an adverse effect, or the likelihood of an adverse effect, associated with the presence or discharge of a contaminant. Ontario Regulation (O. Reg.) 153/04 (Records of Site Condition – Part XV.1 of the EPA), as amended, provides roles and responsibilities to property owners and consultants to use when assessing the environmental condition of a property, when determining whether or not restoration is required, and in determining the kind of restoration needed to allow continued use or reuse of the property. The O. Reg. 153/04, as amended, also establishes a standard work program for conducting Phase I ESA in support of filing a Record of Site Condition (RSC) in the Environmental Site Registry for proposed changes in property use to more sensitive land use.

Since it is not the Client's intention to file a RSC for the Site, this Phase I ESA conducted for the Site does not meet all requirements of the O. Reg. 153/04, as amended, and cannot be used to support the filing of RSC.

2.3. Scope of Work

The scope of work for this Phase I ESA consisted of the following:

1. A records review;
2. Site reconnaissance;
3. Interviews;
4. Identification of recognized environmental conditions at the Site;
5. Evaluation of collected information;
6. Preparation of a written report; and
7. Submission of the report to the Client (Jonathan Sequin and Marshall Paton).

3. CURRENT SITE DESCRIPTION

The Site is located on the northeast corner of Malden Road and former Halliday Avenue. It has an area of approximately 1,500 m². The Site is bounded by residential properties to the north and south, undeveloped land to the east and Malden Road, followed by undeveloped land, to the west. Please refer to Appendix A for the Site Location Map (Figure A).

Based on our Site reconnaissance on May 12, 2025, the southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement (the "subject building"). There is a concrete pad, south of the subject building, which leads to a dirt road (former Halliday Avenue). The remaining areas of the Site are covered with landscaped or overgrown grass and trees.

A general description of the Site is presented in the following table:

TABLE 1: Site Information	
Municipal Address:	4641 Malden Road, Windsor, Ontario N9E 3T4
Legal Description:	Not provided
Geographical Coordinates of the Centroid of the Site:	Universal Transverse Mercator (UTM) Grid Coordinates, based on North American Datum of 1983 (NAD83): 17T 330230 m Easting 4681751 m Northing
Site Area:	Approximately 1,500 m ²

TABLE 1: Site Information	
Utility Providers:	Water: City of Windsor
	Sanitary Sewer: Private septic system
	Electricity: Enwin Utilities Ltd.
	Natural gas: Enbridge
Building Area:	Approximately 120 m ²
Number of Levels:	2
Basement:	Yes
Year Built:	Prior to 1953
General Construction:	Concrete block and metal siding, concrete foundation with basement, shingled roof
Building Use:	Residential

4. RECORDS REVIEW

The specific objectives of a records review are to obtain information on the current and past uses of, and activities at, or affecting the Site in order to determine if a recognized environmental condition exists at the Site and to interpret any recognized environmental condition at the Site. Additionally, a review of records that relate to neighbouring properties, determines if a recognized environmental condition exists at the Site and assists interpretation of any recognized environmental condition at the Site.

4.1 Documentation of Sources and Search Distances

The applicable search distance for records review included the Site, properties located, wholly or partly, within 250 m from the nearest point on a boundary of the Site (the “phase I study area”), and other neighbouring properties where activities considered to be potential sources of environmental contamination, were apparent.

4.1.1. Aerial Photographs

Aerial photographs of various years from 1962 to 2023 were obtained from Environmental Risk Information Services (ERIS). A copy of the aerial photographs (Figures E.1 to E.4) is included in Appendix A. The aerial photographs were examined stereoscopically to assess Site conditions and were described below:

TABLE 2: Description of Aerial Photographs		
Year	Site	Surrounding Area
1962	Developed with a residential building.	<u>North and South</u> : Developed with a residential building. <u>East</u> : Undeveloped land <u>West</u> : Developed with residential buildings and undeveloped land
1970	Same as in 1962	Same as in 1962
1992	Same as in 1970	Same as in 1970
2023	Same as in 1992	Same as in 1992, however only undeveloped land to the west

Based on a review of aerial photographs, no potential sources of environmental concern were noted at the Site or neighbouring properties within the phase I study area.

4.1.2. Fire Insurance Plans

Fire Insurance Plans (FIPs) were originally created to provide insurance companies with detailed information so that they could assess insurance risks as a fire hazard.

ERIS was contacted to obtain FIPs related to the Site and surrounding properties through a Verisk Enviroscan™ report. A 1953 FIP was available for review. Please refer to Appendix B for a copy of the FIP included in the Verisk Enviroscan™ report. The FIP was reviewed and described below:

TABLE 3: Description of FIPs		
Year	Site	Surrounding Area
1953	The Site is north of Halliday Avenue, and was developed with a two-storey residential dwelling.	Surrounding areas were mainly developed with residential dwellings. A store was located 165 m south of the Site, a gasoline station with two gasoline USTs was located 205 m south and a machine shop was a gasoline UST was located 205 m north of the Site.

Based on a review of the FIP, no potential sources of environmental concern were noted at the Site. Due to the nature of operations, intervening distances and downgradient locations from the Site, other properties within the phase I study area are considered unlikely to represent a source of contamination on and/or under the Site.

4.1.3. Municipal Directories

A review of municipal directories was conducted to obtain a listing of previous occupants for the Site and areas within 250 m surrounding the Site. This information is useful in determining the past and/or present uses and associated environmental risks in the phase I study area.

Since the Site and other properties within the phase I study area had always been predominantly used for residential purposes, a municipal directory search was determined not to be particularly useful nor necessary to meet the objective of this investigation, and therefore was not performed.

4.1.4. Title Search and Assessment Rolls

A title or assessment roll search was not performed as part of this assessment.

4.1.5. Previous Environmental, Geological and Geotechnical Reports

No previous reports were available for review.

4.1.6. Company Records

No company records were available for review.

4.1.7. Environmental Source Information

Reasonable accessible information and documents pertaining to the Site and other properties within the phase I study area have been searched by making inquiries to various Federal and Provincial environmental sources, including an ERIS Database Report that assists in the assessment and evaluation of environmental risks. Please refer to the ERIS Database Report attached in Appendix B. Relevant results from the search are presented as follows:

TABLE 4A: Environmental Sources of Information – Site	
Source	Relevant Findings
National Pollutant Release Inventory (NPRI) information maintained by Environment Canada	Based on the ERIS report, the Site was not listed in the database.
Ontario Inventory of PCB Storage Sites (OPCB), October 2004 and December 2013, and National Inventory of PCB in Use and PCB Wastes in Storage in Canada (NPCB), information maintained by Environmental Canada 2008	Based on the ERIS report, the Site was not listed in the databases.

TABLE 4A: Environmental Sources of Information – Site

Source	Relevant Findings
Certificates of Approval (CA), Environmental Bill of Rights Registry (EBR), Environmental Compliance Approval (ECA), Chemical Manufacturers and Distributors (CHEM), Chemical Register (CHM), Permit to Take Water (PTTW), Certificates of Property Use (CPU) or similar instruments	Based on the ERIS report, no records of any CA, EBR, ECA, CHEM, CHM, PTTW, CPU or similar instruments were listed for the Site.
Inventory of Coal Gasification Plant Waste Sites in Ontario, MOE, April 1987	The Site was not listed as a former coal gasification plant waste site.
Compliance and conviction records regarding environmental notices, orders, offences, spills and inspection reports of the Ministry, or submitted to the Ministry	Based on the ERIS report, no spill records were reported for the Site.
Private and retail fuel storage tanks and other information maintained by the Technical Standards and Safety Authority (TSSA) Fuels Safety Division of TSSA did not register private USTs or ASTs for fuel prior to January 1990 or furnace oil tanks prior to May 1, 2002.	Based on the ERIS report, no records of fuel tanks were reported for the Site. A reply to Fisher's electronic inquiry to TSSA, indicated that no records of fuel storage tanks were found for the Site. A copy of the TSSA response is provided in Appendix B.
MECP Regulation 347 Public Information Data Set and the MOE's Hazardous Waste Information Network (HWIN)	Based on the ERIS report, the Site was not listed in the HWIN database.
Waste Disposal Site Inventories, MOE, June 1991; Anderson's Waste Disposal Sites, O. Reg. 347 Waste Receiver.	Based on the ERIS Report, the Site was not listed as a waste disposal site.
Notices and instruments, including Record of Site Condition (RSC), posted in the Environmental Site Registry	Based on the ERIS Report, no RSC, under O. Reg. 153/04 (Part XV.1 of the EPA), had been registered for the Site.
Well head protection areas (WHPA) information from planning authorities	Based on the MECP - Source Protection Information Atlas, the Site and phase I study area is located within the vicinity of the Essex Source Protection Area. The Site is not located within a WHPA. Areas east and west of the Site are located within an event based area. A copy of the map is provided in Appendix B.
Information on areas of natural significance maintained by the Ministry of Natural Resources and Forestry (MNR)	The MNR Natural Heritage Areas online interface was used to identify any areas of natural significance in or around the phase I study area. Woodlands and provincially significant wetlands are situated southwest of the Site. A copy of the MNR Natural Heritage Area Map is provided in Appendix B.

Databases reported for other properties and the unplotable records were reviewed. Based on a review of records from the ERIS report and various environmental sources, no potential sources of environmental concern were noted at the Site or other properties within the phase I study area.

4.1.8. Topographical, Geological and Hydrogeological Sources

Regional Topographical, Geological and Hydrogeological Conditions are presented in the following table:

TABLE 5: Topographical, Geological and Hydrogeological Sources	
Topography and Drainage	
Source:	Natural Resources Canada – The Atlas of Canada online topography map; Google Earth.
Regional Conditions:	Grade elevation in all directions from the Site is relatively flat at approximately 181 m above sea level (asl).
Site Conditions:	The Site area is generally flat. Run-off drainage is expected to be directed towards ditches along the roadways or infiltration at unpaved areas.
Surficial Geology	
Source:	Surficial Geology of Southern Ontario, Ontario Geological Survey 2010; ERIS report MECP Water Well Records.
Regional Stratigraphic Conditions:	Coarse-textured Lacustrine Deposits: sand, gravel, minor silt and clay. A review of the well records listed within the phase I study area indicated that the local stratigraphy generally consists of brown sand fill and topsoil (0 – 0.61 m below ground surface, bgs) overlying clay till (0.31 – 31.08 m bgs) and limestone (31.08 – 36.57 m bgs).
Site Conditions:	It is expected that subsurface soil conditions at the Site approach regional stratigraphic conditions.
Bedrock Geology	
Source:	Bedrock Geology of Ontario, Ontario Geological Survey 2011; Bedrock Topography and Overburden Thickness Mapping, Southern Ontario, Figure A-6, Sediment Geoscience Section, Ontario Geological Survey, 2006; ERIS report MECP Water Well Records.
Regional Bedrock Conditions:	Limestone, dolostone, shale. Dundee Formation. Approximate depth to bedrock in the area is approximately 30 m bgs. A review of MECP Well Records available for the phase I study area indicated that the bedrock was encountered at 31.08 m bgs.
Site Conditions:	It is expected that bedrock conditions underlying the Site approach regional stratigraphic conditions.

TABLE 5: Topographical, Geological and Hydrogeological Sources	
Hydrogeology	
Source:	Freeze and Cheery 1979; Holtz and Kovacs 1981;
Regional Conditions:	The surficial deposits within the study area consist mainly of clay till, with a typical range of hydraulic conductivity of $10^{-7} - 10^{-10}$ cm/sec.
Site Conditions:	It is expected that hydrogeological conditions underlying the Site approach regional conditions.
Nearest Open Water Body:	A tributary of Turkey Creek, located approximately 380 m west of the Site. Detroit River is located 3.35 km west of the Site.
Inferred Groundwater Flow Direction:	West, based on proximity to nearest open water body.

Regional Topographical and Geological Maps (Figures B, C and D) that include the phase I study area are attached in Appendix A.

4.2 Other Available Records

No other records pertaining to the phase I study area were available for review.

5. SITE RECONNAISSANCE

A visit at the Site, and at remaining publicly accessible phase I study area, was conducted by Sean Fisher of Fisher on May 12, 2025. The assessor was not accompanied during the Site visit. Selected photographs taken at the phase I study area visit are included in Appendix C.

5.1. General

The objectives of the site reconnaissance are to determine if recognized environmental conditions exist on, in or under the Site, and to identify details of potential contaminants of concern, potential contaminant pathways and potential source areas of contamination on, in or under the Site.

5.1.1. Methodology

Methodology of the site reconnaissance is presented in the following table:

TABLE 6: Site Reconnaissance Methodology	
Date and Time of Investigation:	May 12, 2025, 1:00 p.m.
Weather Conditions:	Sunny, 10°C
Duration of the Investigation:	½ hour
Operational Industrial or Commercial Facility:	No, Residential
Observation Methods:	Visual assessment and photographs of the Site's features.
Name and Qualifications of Assessor:	Sean Fisher, M.Env.Sc.

5.1.2. Limitations

Fisher was permitted access to all exterior areas of the Site, but not within the subject building. The roof was not accessed, as it was not part of the scope of work for this investigation.

5.1.3. Current Property Use and Activities

The southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement. The remaining areas of the Site are covered with landscaped or overgrown grass and trees. No current Site activities representing a potential environmental concern to the Site were identified at the time of the Site visit.

5.1.4. Hazardous Materials Inventory

No hazardous materials were identified at the time of our visit.

5.1.5. Fuels and Chemicals

No fuels or chemicals were observed at the time of our visit.

5.1.6. Waste Generation and Storage

No waste materials, other than domestic wastes, are generated at the Site, which are collected in household garbage bins provided by the municipality.

5.1.7. Unidentified Substances

No unidentified substances or unidentified substances storage were noted at the time of our visit.

5.1.8. Air Discharges and Odours

No sources of air emissions that are suspected to result in residual contamination to the property were identified on the Site. Furthermore, no strong, pungent, or unusual odours were identified during the Site visit.

5.1.9. Potable Water Supply

Properties within the phase I study area rely on municipal water obtained from surface water bodies as a source of drinking water.

5.2. Exterior Observations

5.2.1. Exterior of Building and Structures

The Site has an area of approximately 1,500 m². The southeastern portion of the Site is occupied by a two-storey residential dwelling with a basement. There is a concrete pad, south of the subject building, which leads to a dirt road (former Halliday Avenue). The remaining areas of the Site are covered with landscaped or overgrown grass and trees.

The exterior concrete and metal siding walls, as well as shingled roof, were in good condition, with no evident signs of cracks, structural damage or staining.

5.2.2. Wells, Pits, Lagoons, Watercourses, Ditches or Standing Water

No evidence of abandoned or existing wells, pits, lagoons, watercourses, ditches or standing water was identified on the Site.

5.2.3. Sewage and Waste Water Disposal

Storm water accumulated on the paved areas is draining by overland flow towards ditches along Malden Road to the west. No wastewater discharges, other than domestic wastewater, were identified to be produced on the Site at the time of the visit. Domestic wastewater is inferred to be discharged into the on-site septic bed located east of the subject building.

5.2.4. Stained Materials, Stressed Vegetation and Fill Materials

No stained material or stressed vegetation was observed at the Site.

The grade of the Site is similar to adjacent properties. No evidence of imported fill materials was noted. Considering the on-site property use, it is unlikely that significant quantities of fill materials from uncontrolled sources were brought onto the Site prior to or during Site development.

5.3. Interior Observations

5.3.1. Interior of Building and Structures

The two-storey single-family residential building, has an area of approximately 120 m². Fisher had no access to the inside of the building during the Site visit, and therefore, the building materials were not observed, other than through a basement window.

5.3.2. Heating and Cooling

The building is provided with heating by a natural gas fired furnace and provided with cooling by an electric air conditioning unit.

5.3.3. Hydraulic Equipment

No hydraulic equipment related to building systems and/or on-site operations was identified.

5.3.4. Designated Substances and Other Special Attention Items

The Occupational Health and Safety Act, R.S.O. 1990 defines a toxic substance as a chemical, biological or physical agent whose presence or use in the workplace may endanger the health and safety of a worker. The parts of the Act that deals with toxic substances are intended to:

- 1) ensure that worker exposure to toxic substances is controlled;
- 2) ensure that toxic substances in the workplace are clearly identified and that workers receive enough information about them to be able to handle them safely; and
- 3) provide the general public with access to information about toxic substances used by industry in their communities.

The Act allows a toxic substance to be “designated”, and its use in the workplace to be either prohibited or strictly controlled. Designation is reserved for substances that are particularly hazardous. The assessment for potential presence of hazardous building materials was based on the age of the building. No sampling of materials was conducted.

TABLE 7: Designated Substances and Other Special Attention Items				
Designated Substances and Other Special Attention Items	Matrix/ Source	Present On-Site	Location On-Site	Source Condition
Friable Asbestos-Containing Materials (ACMs)	Drywall Joint Compound, Plaster	Potentially	Interior of building	Not observed
Non-friable ACMs	Vinyl Floor Tiles	Potentially	Interior of building	Not observed
Polychlorinated Biphenyls (PCBs)	Fluorescent Light Ballasts	No	Not Applicable	Not Applicable
Lead-Based Material	Interior Paint	Potentially	Interior of building	Not observed
Urea Formaldehyde Foam Insulation (UFFI)	Wall Insulation	No	Not Applicable	Not Applicable
Ozone-Depleting Substances (ODSs)	Air Conditioner	No	Not Applicable	Not Applicable
Mould	Interior Walls, Ceilings	No	Not Applicable	Not Applicable
Radon Gas	Uranium rich Black shale and/or granite bedrock	No	Not Applicable	Not tested
Noise and Vibration	Not Applicable	No	Not Applicable	Not Applicable

Potential concerns and recommendations related to potential designated substances are listed and described in the following table:

TABLE 8: Potential Concerns & Recommendations Associated with Designated Substances				
Matrix/ Source	Potentially Impacted Media	Potential Concern	Comments	Relative Degree of Environmental Risk and Recommendations
Plaster and Drywall Joint Compound in subject building	Air	Friable ACMs	All building materials installed prior to 1980 should be presumed to contain asbestos unless conclusive sampling and analysis reveals otherwise.	Moderate If tests are positive, and removal or disturbance of the any ACM is required, then prior asbestos abatement works should be undertaken in accordance to O. Reg. 278/05.

TABLE 8: Potential Concerns & Recommendations Associated with Designated Substances				
Matrix/ Source	Potentially Impacted Media	Potential Concern	Comments	Relative Degree of Environmental Risk and Recommendations
Vinyl floor tiles in subject building	Air	Non-friable ACMs	All vinyl tiles installed prior to the mid-1980's should be presumed to contain asbestos unless conclusive sampling and analysis reveals otherwise.	Low The removal of vinyl asbestos tile would require the use of Ontario MOL Type I or II procedures dependent upon removal practices undertaken.
Interior paint	Air	Lead-Based Materials	In 1976, the lead content in interior paint was limited to 0.5% by weight under the Federal Hazardous Products Act; however, exterior paint was not included in this legislative act.	Low If renovation/ demolition is planned, lead containing paint removal should be conducted in accordance to O. Reg. 843 made under the Ontario OHSA, and 2004 MOL Lead on Construction Projects.

The potential presence of asbestos or lead containing building materials are not considered of concern provided they are not disturbed or properly managed and disposed of. However, a designated substance survey (DSS) should be conducted at the Site prior to any demolition or significant renovation of the building.

5.4. Adjoining Properties Observation and Information

Surrounding properties to the Site observed at the time of the visit were identified as follows:

TABLE 9: Current Use of Neighbouring Properties			
Direction/Distance from/to Site	Address	Occupant	Across
North/ 0 m	4615 Malden Road	Dwelling	N/A
East/ 0 m	N/A	Undeveloped land	N/A
South / 0 m	4657 Malden Road	Dwelling	N/A
West / 15 m	4626 and 4632 Malden Road	Undeveloped land	Malden Road

Based on the nature of property use, operations on surrounding properties within the phase I study area are unlikely to represent a source of contamination on and/or under the Site.

6. INTERVIEWS

Interviews with persons relevant to the objectives of the Phase I ESA are conducted to obtain information determining if a recognized environmental condition exists at the Site, and to identify details of potentially contaminating activities or potential pathways in, on or under the Site.

6.1. *Methodology*

Fisher's Standard Questionnaire was used to conduct interviews with the Site owner. Interviews were conducted in writing by electronic mail.

6.2. *Limitations*

All interview participants answered the asked questions to the best of their knowledge.

6.3. *Interview Participants*

a. Property Owner: Marshall Paton

The date, time, duration, method and place of the interview, name of interviewed person and reason for person selection, key questions and answers for each of the topics of the interview are included in Documentation of Interview form in Appendix D.

7. CONCLUSIONS AND RECOMMENDATIONS

The findings of the current Phase I ESA have revealed no evidence of actual and/or potential surface or sub-surface contamination associated with the Site and other properties within the phase I study area. It is expected that the Site could continue to be used for residential purposes.

For the purpose of this Phase I ESA, no further investigation is recommended at this time.

8. LIMITATIONS

This report was prepared for use by Jonathan Sequin and Marshall Paton and is based on the work as described in the Scope of Work. The conclusions presented in this report reflect existing Site conditions within the scope of this assignment.

As conducted, the current investigation may lack information that are specific requirements for the purpose of filling a Record of Site Condition (RSC). Should a RSC be required, then complementary investigations should be undertaken under the RSC filing process.

There is no warranty, expressed or implied, by Fisher Engineering Limited that this environmental assessment has identified all potential sources of contaminants or contaminants at the Site or adjacent properties, or that the Site is free from any and all contamination from past or current practices other than that noted, nor that all issues of environmental compliance have been addressed.

It should be clearly understood that the scope of work of the Phase I ESA (CSA Standard), as well as the findings and conclusions of this report, will not fully satisfy all of the requirements related to characterization of site soils for the purpose of off-site relocation and/or disposal of such soils, whether as part of future site redevelopment or site remediation works. If such activities are planned or possible at the site, additional site characterization and reporting works are necessary, in accordance with the Rules for Soil Management and Excess Soil Quality Standards adopted by reference in O. Reg. 406/19 (On-Site and Excess Soil Management) made under the *Environmental Protection Act*. A separate cost estimate for conducting Excess Soil Characterization and Excess Soil Management works will be provided upon client's written request.

Some information presented in this report was provided through existing documents and interviews. Although attempts were made, whenever possible, to consult alternative sources of information, in certain cases Fisher Engineering Limited has been required to assume that the information provided is accurate. We accept no responsibility for any deficiency, misstatements or inaccuracies contained in this report as a result of omissions, misinterpretations or fraudulent acts of the persons contacted.

No investigation method can eliminate the possibility of obtaining partially imprecise or incomplete information; it can only reduce the possibility to an acceptable level. Professional judgment was exercised in gathering and analyzing the information obtained and the formulation of the conclusions and recommendations. Like all professional persons rendering advice, we do not act as absolute insurers of the conclusions reached, but commit ourselves to care and competence in reaching those conclusions. No warranty, whether expressed or implied, is included or intended in this report.

The scope of services performed may not be appropriate for the purposes of other users. This report should not be used in contexts other than pertaining to the evaluation of the property at the current time. Written authorization must be obtained from Fisher Engineering Limited prior to use by any other parties, or any future use of this document or its findings, conclusions, or recommendations represented herein. Any use that a third party makes of this report, or any reliance on or decisions made on the basis of it, are the responsibility of the third parties. Fisher Engineering Limited accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

9. QUALIFICATIONS OF THE ASSESSOR

The Site visit was conducted by Mr. Sean Fisher. The current investigation was conducted and managed by Mrs. Lena Johnston, CET, who has been trained and has 11 years of experience in conducting Phase I ESAs in accordance with the CSA Standard. Mrs. Johnston has conducted more than 400 Phase I ESAs for commercial/industrial/residential clients and government agencies and is routinely engaged in this field.

This report was reviewed by Ms. Yvonne Hoogeveen, P.Eng., who is a Professional Engineer with Professional Engineers of Ontario and has over 18 years of experience in conducting, management and supervision of Phase I ESAs.

As a Qualified Person who conducts and supervises Phase I ESAs, Mr. David Fisher, president of Fisher Engineering Limited, is a senior Managerial and Environmental Engineering Specialist with over 30 years of progressive, innovative experience in the Petrochemical and Environmental Engineering Industry. Mr. Fisher is responsible for the development and management of a progressive environmental consulting engineering company specializing in environmental site assessments and remediation, geotechnical and hydrogeological investigations, tank removals, PCB waste treatment, land reclamation, recycling, hazardous waste disposal, and associated laboratory analytical practices.

Fisher Engineering Limited has been established as a team of engineers and consultants since 1989, and continues to develop a strong, wide client base. The company is staffed with personnel holding graduate or postgraduate qualifications at the Toronto headquarters, as well as specialist associates offering a broad range of expertise and knowledge in environmental consulting. With a background in the petroleum industry, extensive experience has been gained in the prevention and cleanup of contamination in air, water and soil.

10. REFERENCES

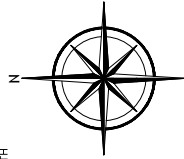
- Canadian Standards Association (CSA) Standard Z768-01 (reaffirmed in 2022), *Phase I Environmental Site Assessment*;
- Ontario Regulation 153/04 (Records of Site Condition – Part XV.1 of the EPA), as amended;
- Occupational Health and Safety Act (OHSA), R.S.O. 1990, Ministry of Labour;
- ERIS Aerial Photograph Database, Aerial Photographs 1962, 1970, 1992 and 2023;
- Google Earth Maps, Aerial Photographs 2024;
- Verisk Analytics (Verisk) – Enviroscan™ Report, Fire Insurance Plans;
- ERIS Database Report, Project No. 25050601097, dated May 9, 2025;
- Technical Standards and Safety Authority (TSSA);
- Ontario Environmental Site Registry;
- Ministry of Natural Resources and Forestry (MNRF) Natural Heritage Map;
- Natural Resources Canada – The Atlas of Canada online topography map;
- *Surficial Geology of Southern Ontario*, Ontario Geological Survey, 2010;
- *Bedrock Geology of Ontario*, Ontario Geological Survey 2011;
- *Groundwater*, Freeze and Cherry 1979; and
- *An Introduction to Geotechnical Engineering*, Holtz and Kovacs 1981.

APPENDIX A – FIGURES



400 Eina Park Dr. #15
Markham, Ontario
L3R 9K2
Tel 905 475-4755

NORTH



LEGEND

PROJECT NAME AND ADDRESS

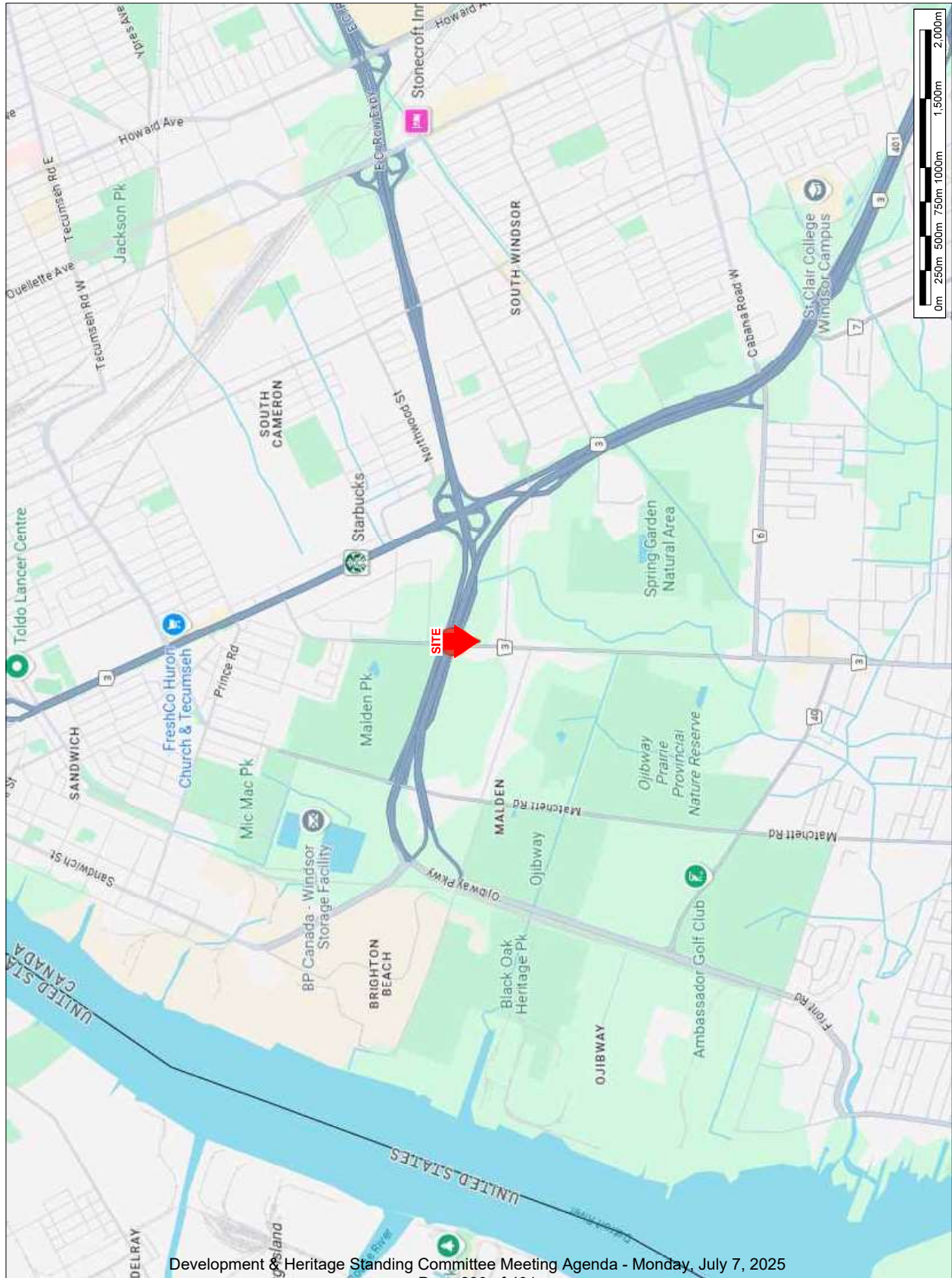
PHASE I ESA

4841 Malden Road,
Windsor, ON

FIGURE A:

SITE LOCATION MAP

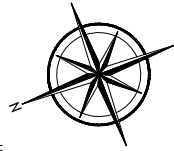
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FE 25-14744	A	
DATE	20 May, 2025	
SCALE	AS SHOWN	





400 Eina Park Dr., #15
Markham, Ontario
L3R 3K2
Tel 905 475-7755

NORTH



LEGEND
SITE BOUNDARY

PROJECT NAME AND ADDRESS

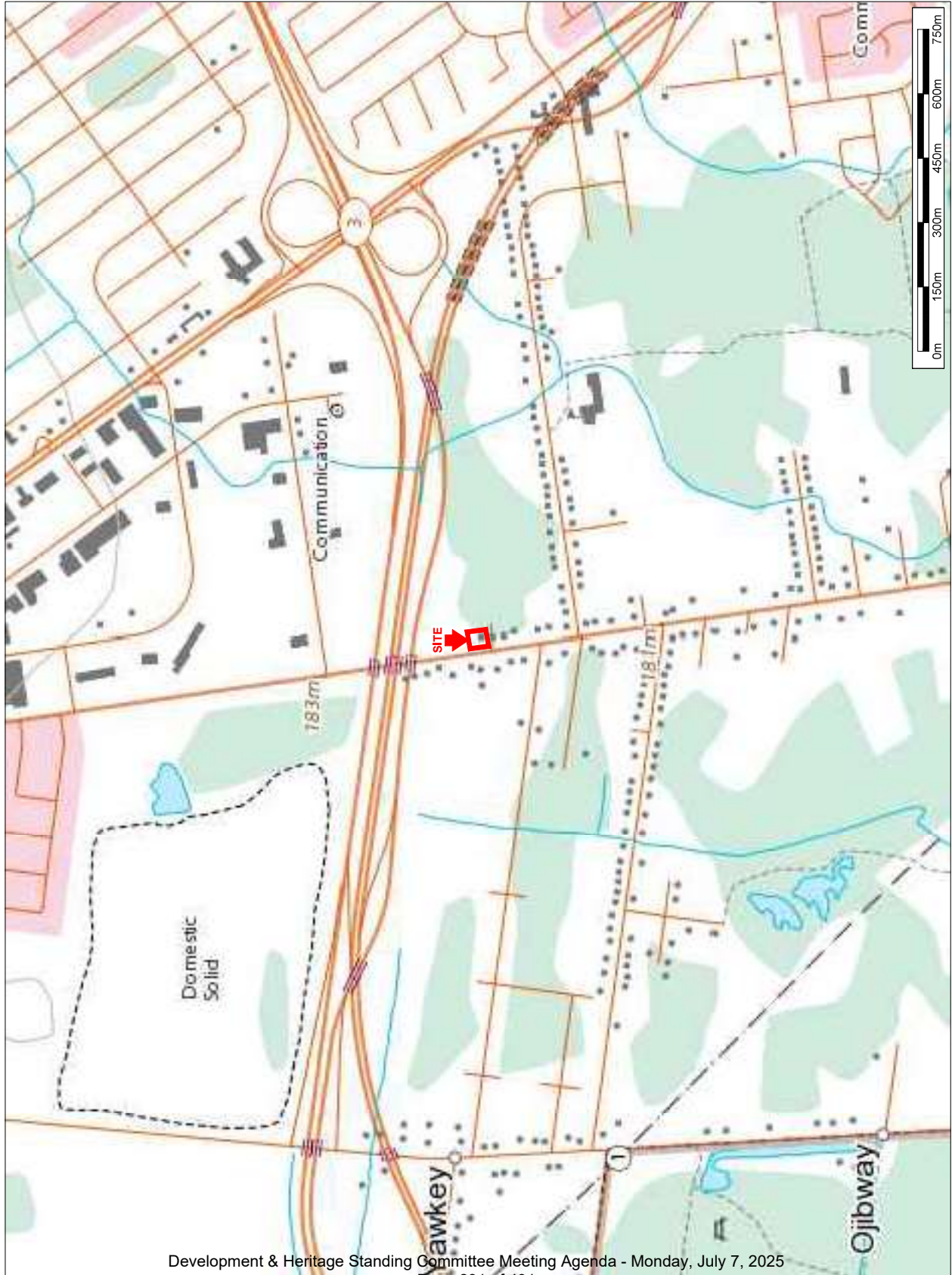
PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE B:

TOPOGRAPHICAL MAP

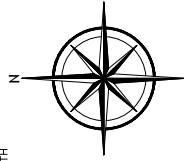
PROJECT NO.	SHEET NO.
FE 25-14744	B
DATE	SCALE
20 May, 2025	AS SHOWN





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L3R 3K2
Tel: 905-475-7755

NORTH



LEGEND

- 8A FINE-TEXTURED GLACIOLACUSTRINE DEPOSITS**
Silt, clay, minor sand and gravel
Massive to well laminated
- 4B COARSE-TEXTURED LACUSTRINE DEPOSITS**
Sand, gravel, minor silt and clay
Littoral deposits
- 21 MAN-MADE DEPOSITS**
Fill, sewage lagoon, landfill, urban development

PROJECT NAME AND ADDRESS

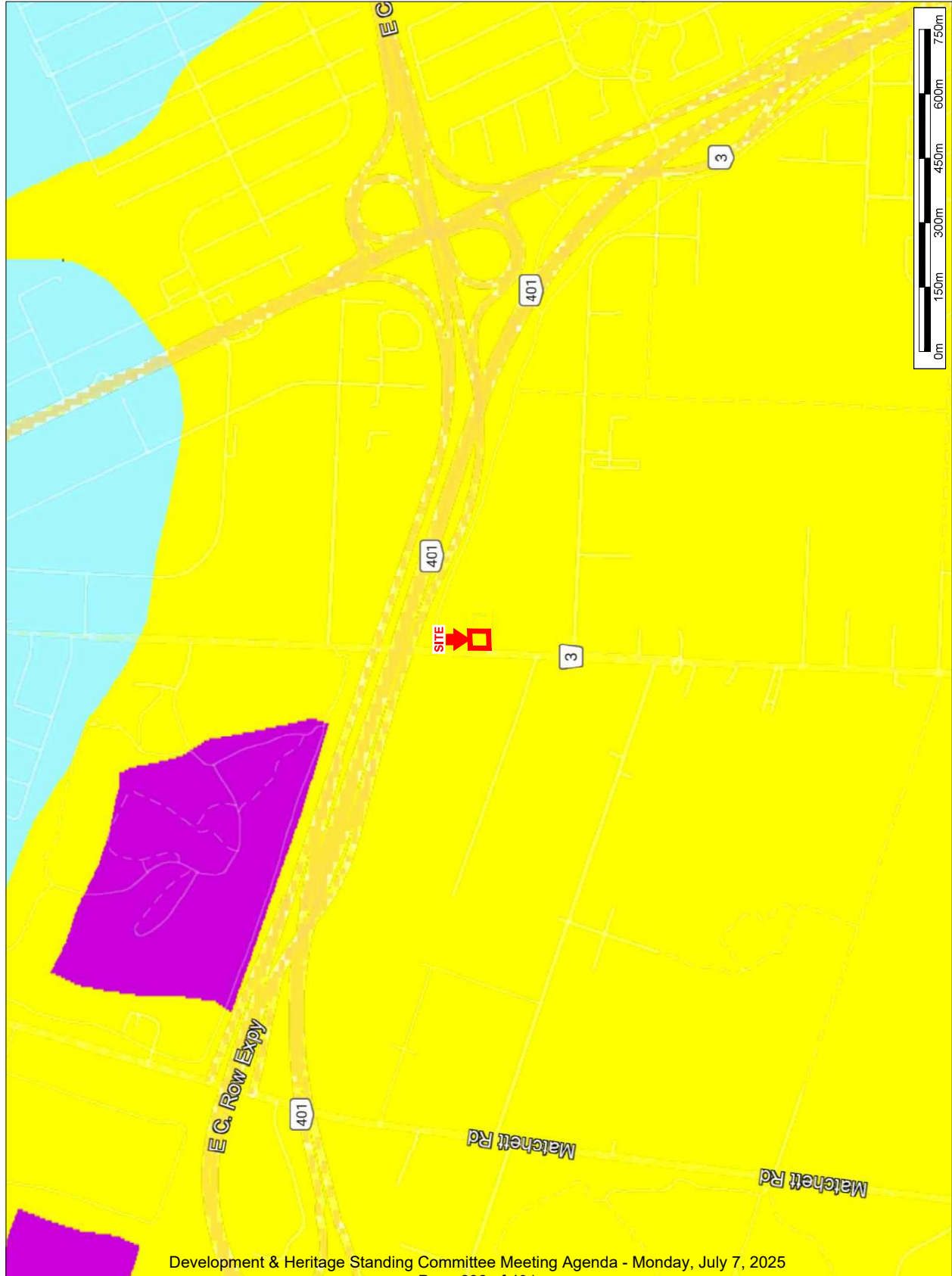
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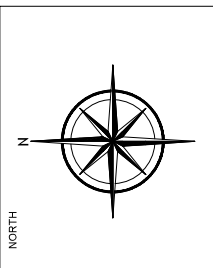
4641 Malden Road,
Windsor, ON

FIGURE C:

SURFICIAL GEOLOGY

PROJECT NO.	SHEET NO.
FE 25-14744	C
DATE	
20 May, 2025	
SCALE	AS SHOWN





LEGEND

- 59A:** Limestone, dolostone, shale
Hamilton Group
- 59C:** Limestone, dolostone, shale
Dundee Formation
- 59D:** Limestone, dolostone, shale
Detroit River Group; Onondaga Formation

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

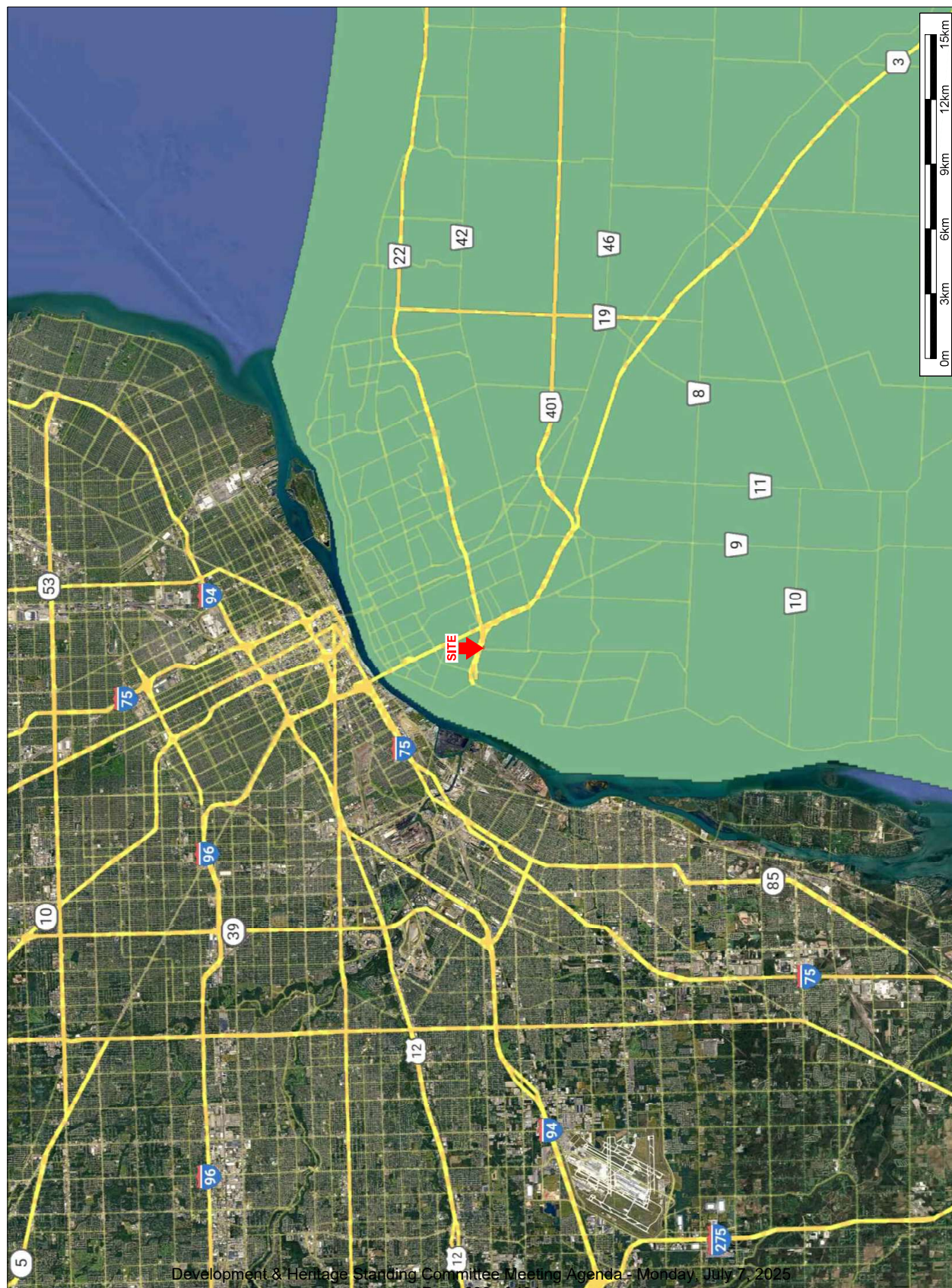
FIGURE D:

BEDROCK GEOLOGY

SHEET NO.

PROJECT NO.
FE 25-14744

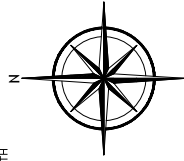
DATE 20 May, 2025

SCALE
AS SHOWN



400 Eina Park Dr., #15
Markham, Ontario
L3R 3K2
Tel: 905 475-7755

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LEGEND

— SITE BOUNDARY

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE E.1:

AERIAL PHOTOGRAPH 1962

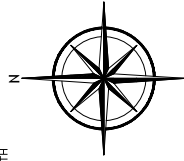
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FE 25-14744	E.1
DATE	SCALE
20 May, 2025	AS SHOWN





400 Eina Park Dr., #15
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Tel: 905 475-7755

NORTH



LEGEND

— SITE BOUNDARY

PROJECT NAME AND ADDRESS

PHASE I ESA

4641 Malden Road,
Windsor, ON

FIGURE E.2:

AERIAL PHOTOGRAPH 1970

SHEET NO.

E.2

PROJECT NO.
FE 25-14744

DATE
20 May, 2025

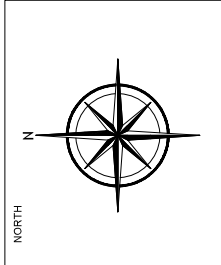
SCALE
AS SHOWN





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L3R 9K2

Tel: 905 475-7755



LEGEND


SITE BOUNDARY

PROJECT NAME AND ADDRESS

PHASE I ESA

4841 Malden Road,
Windsor, ON

FIGURE E.3:

AERIAL PHOTOGRAPH 1992

PROJECT NO. FE 25-14744		SHEET NO. E.3	
DATE 20 May, 2025		SCALE AS SHOWN	

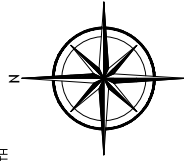




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NORTH



LEGEND

— SITE BOUNDARY

PROJECT NAME AND ADDRESS

PHASE I ESA

4841 Malden Road,
Windsor, ON

FIGURE E.4:

AERIAL PHOTOGRAPH 2024

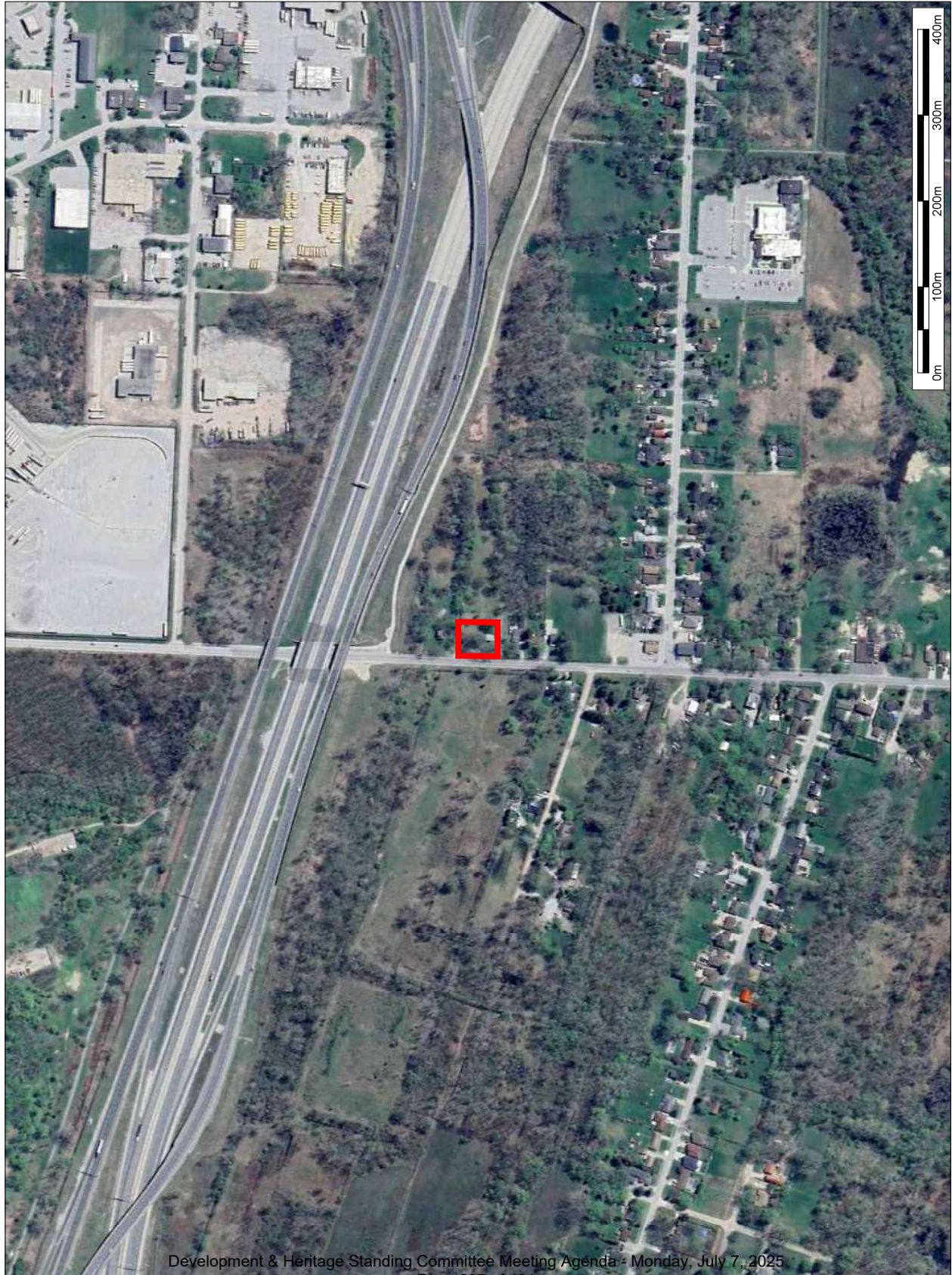
PROJECT NO.
FE 25-14744

DATE
20 May, 2025

SHEET NO.

E.4

SCALE
AS SHOWN



APPENDIX B – RECORDS REVIEW DOCUMENTS



DATABASE REPORT

Project Property: *Phase I ESA
4641 Malden Road
Windsor ON N9E 3T4*

Project No:

Report Type: *Standard Report*

Order No: *25050601097*

Requested by: *Fisher Engineering Limited*

Date Completed: *May 9, 2025*

Environmental Risk Information Services

A division of Glacier Media Inc.

1.866.517.5204 | info@erisinfo.com | erisinfo.com

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Executive Summary

Property Information:

Project Property: *Phase I ESA
4641 Malden Road Windsor ON N9E 3T4*

Project No:

Coordinates:

Latitude: 42.2698052
Longitude: -83.0591746
UTM Northing: 4,681,786.11
UTM Easting: 330,182.80
UTM Zone: 17T

Elevation: 600 FT
182.85 M

Order Information:

Order No: 25050601097
Date Requested: May 6, 2025
Requested by: Fisher Engineering Limited
Report Type: Standard Report

Historical/Products:

Aerial Photographs *Aerials - National Collection*
ERIS Xplorer [ERIS Xplorer](#)
Insurance Products *Fire Insurance Maps/Inspection Reports/Site Plans*

Executive Summary: Report Summary

Database	Name	Searched	Project Property	Within 0.25 km	Total
AAGR	Abandoned Aggregate Inventory	Y	0	0	0
AGR	Aggregate Inventory	Y	0	0	0
AMIS	Abandoned Mine Information System	Y	0	0	0
ANDR	Anderson's Waste Disposal Sites	Y	0	0	0
AST	Aboveground Storage Tanks	Y	0	0	0
AUWR	Automobile Wrecking & Supplies	Y	0	0	0
BORE	Borehole	Y	0	7	7
CA	Certificates of Approval	Y	0	0	0
CDRY	Dry Cleaning Facilities	Y	0	0	0
CFOT	Commercial Fuel Oil Tanks	Y	0	0	0
CHEM	Chemical Manufacturers and Distributors	Y	0	0	0
CHM	Chemical Register	Y	0	0	0
CNG	Compressed Natural Gas Stations	Y	0	0	0
COAL	Inventory of Coal Gasification Plants and Coal Tar Sites	Y	0	0	0
CONV	Compliance and Convictions	Y	0	0	0
CPU	Certificates of Property Use	Y	0	0	0
DRL	Drill Hole Database	Y	0	0	0
DTNK	Delisted Fuel Tanks	Y	0	0	0
EASR	Environmental Activity and Sector Registry	Y	0	0	0
EBR	Environmental Registry	Y	0	0	0
ECA	Environmental Compliance Approval	Y	0	0	0
EEM	Environmental Effects Monitoring	Y	0	0	0
EHS	ERIS Historical Searches	Y	0	0	0
EIIS	Environmental Issues Inventory System	Y	0	0	0
EMHE	Emergency Management Historical Event	Y	0	0	0
EPAR	Environmental Penalty Annual Report	Y	0	0	0
EXP	List of Expired Fuels Safety Facilities	Y	0	0	0
FCON	Federal Convictions	Y	0	0	0
FCS	Contaminated Sites on Federal Land	Y	0	0	0
FOFT	Fisheries & Oceans Fuel Tanks	Y	0	0	0
FRST	Federal Identification Registry for Storage Tank Systems (FIRSTS)	Y	0	0	0
FST	Fuel Storage Tank	Y	0	0	0
FSTH	Fuel Storage Tank - Historic	Y	0	0	0
GEN	Ontario Regulation 347 Waste Generators Summary	Y	0	0	0
GHG	Greenhouse Gas Emissions from Large Facilities	Y	0	0	0
HINC	TSSA Historic Incidents	Y	0	0	0
IAFT	Indian & Northern Affairs Fuel Tanks	Y	0	0	0

Database	Name	Searched	Project Property	Within 0.25 km	Total
INC	<i>Fuel Oil Spills and Leaks</i>	Y	0	0	0
LIMO	<i>Landfill Inventory Management Ontario</i>	Y	0	0	0
MINE	<i>Canadian Mine Locations</i>	Y	0	0	0
MNR	<i>Mineral Occurrences</i>	Y	0	0	0
NATE	<i>National Analysis of Trends in Emergencies System (NATES)</i>	Y	0	0	0
NCPL	<i>Non-Compliance Reports</i>	Y	0	0	0
NDFT	<i>National Defense & Canadian Forces Fuel Tanks</i>	Y	0	0	0
NDSP	<i>National Defense & Canadian Forces Spills</i>	Y	0	0	0
NDWD	<i>National Defence & Canadian Forces Waste Disposal Sites</i>	Y	0	0	0
NEBI	<i>National Energy Board Pipeline Incidents</i>	Y	0	0	0
NEBP	<i>National Energy Board Wells</i>	Y	0	0	0
NEES	<i>National Environmental Emergencies System (NEES)</i>	Y	0	0	0
NPCB	<i>National PCB Inventory</i>	Y	0	0	0
NPR2	<i>National Pollutant Release Inventory</i>	Y	0	0	0
NPRI	<i>National Pollutant Release Inventory - Historic</i>	Y	0	0	0
OGWE	<i>Oil and Gas Wells</i>	Y	0	0	0
OOGW	<i>Ontario Oil and Gas Wells</i>	Y	0	0	0
OPCB	<i>Inventory of PCB Storage Sites</i>	Y	0	0	0
ORD	<i>Orders</i>	Y	0	0	0
PAP	<i>Canadian Pulp and Paper</i>	Y	0	0	0
PCFT	<i>Parks Canada Fuel Storage Tanks</i>	Y	0	0	0
PES	<i>Pesticide Register</i>	Y	0	0	0
PFAS	<i>Ontario PFAS Spills</i>	Y	0	0	0
PFCH	<i>NPRI Reporters - PFAS Substances</i>	Y	0	0	0
PFHA	<i>Potential PFAS Handlers from NPRI</i>	Y	0	0	0
PINC	<i>Pipeline Incidents</i>	Y	0	0	0
PPHA	<i>Potential PFAS Handlers from EASR</i>	Y	0	0	0
PRT	<i>Private and Retail Fuel Storage Tanks</i>	Y	0	0	0
PTTW	<i>Permit to Take Water</i>	Y	0	0	0
REC	<i>Ontario Regulation 347 Waste Receivers Summary</i>	Y	0	0	0
RSC	<i>Record of Site Condition</i>	Y	0	0	0
RST	<i>Retail Fuel Storage Tanks</i>	Y	0	0	0
SCT	<i>Scott's Manufacturing Directory</i>	Y	0	0	0
SPL	<i>Ontario Spills</i>	Y	0	1	1
SRDS	<i>Wastewater Discharger Registration Database</i>	Y	0	0	0
TANK	<i>Anderson's Storage Tanks</i>	Y	0	0	0
TCFT	<i>Transport Canada Fuel Storage Tanks</i>	Y	0	0	0
VAR	<i>Variances for Abandonment of Underground Storage Tanks</i>	Y	0	0	0
WDS	<i>Waste Disposal Sites - MOE CA Inventory</i>	Y	0	0	0
WDSH	<i>Waste Disposal Sites - MOE 1991 Historical Approval Inventory</i>	Y	0	0	0
WWIS	<i>Water Well Information System</i>	Y	0	2	2

<i>Database</i>	<i>Name</i>	<i>Searched</i>	<i>Project Property</i>	<i>Within 0.25 km</i>	<i>Total</i>
		<hr/>			
		<i>Total:</i>	0	10	10

Executive Summary: Site Report Summary - Project Property

Map Key	DB	Company/Site Name	Address	Dir/Dist (m)	Elev diff (m)	Page Number
------------	----	-------------------	---------	--------------	------------------	----------------

No records found in the selected databases for the project property.

Executive Summary: Site Report Summary - Surrounding Properties

Map Key	DB	Company/Site Name	Address	Dir/Dist (m)	Elev Diff (m)	Page Number
1	SPL	THE CORPORATION OF THE CITY OF WINDSOR	42.27117153240688, -83.05989526940184 WINDSOR ON	NNW/163.0	1.00	14
2	WWIS		EC ROW EXPWY & MALDEN ROAD Windsor ON Well ID: 7112328	N/174.1	1.32	15
3	WWIS		ON Well ID: 7175412	N/174.5	1.85	19
4	BORE		ON	N/205.2	2.00	20
4	BORE		ON	N/205.2	2.00	21
5	BORE		ON	N/219.6	2.00	22
5	BORE		ON	N/219.6	2.00	23
6	BORE		ON	N/235.7	2.00	24
7	BORE		ON	N/239.9	2.00	26
7	BORE		ON	N/239.9	2.00	26

Executive Summary: Summary By Data Source

BORE - Borehole

A search of the BORE database, dated 1875-Jul 2018 has found that there are 7 BORE site(s) within approximately 0.25 kilometers of the project property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction</u>	<u>Distance (m)</u>	<u>Map Key</u>
	ON	N	205.20	<u>4</u>
	ON	N	205.20	<u>4</u>
	ON	N	219.57	<u>5</u>
	ON	N	219.57	<u>5</u>
	ON	N	235.68	<u>6</u>
	ON	N	239.92	<u>7</u>
	ON	N	239.92	<u>7</u>

SPL - Ontario Spills

A search of the SPL database, dated 1988-Jun 2024; Aug-Jan 2025 has found that there are 1 SPL site(s) within approximately 0.25 kilometers of the project property.

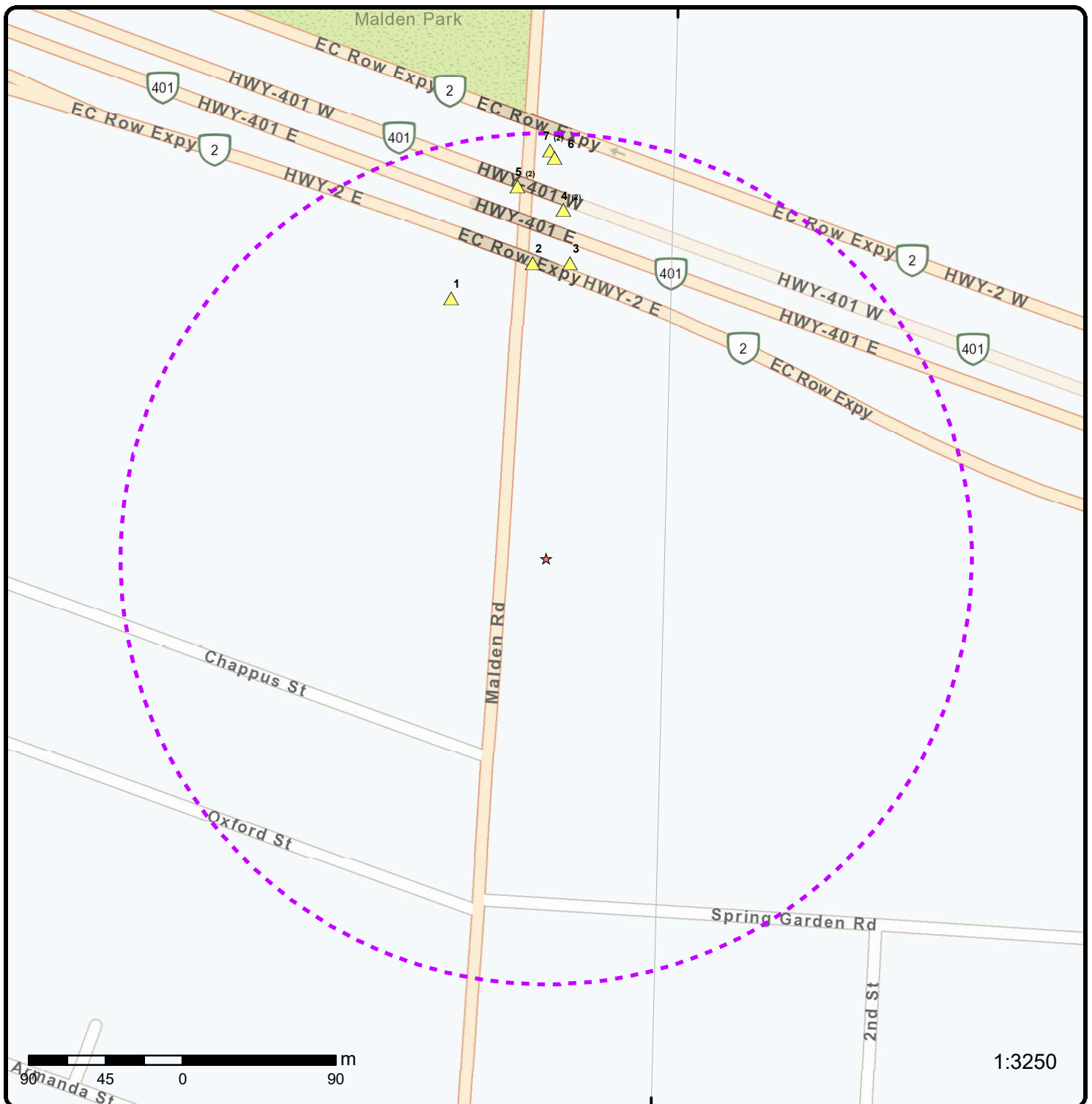
<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction</u>	<u>Distance (m)</u>	<u>Map Key</u>
THE CORPORATION OF THE CITY OF WINDSOR	42.27117153240688, -83.05989526940184 WINDSOR ON	NNW	162.99	<u>1</u>

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction</u>	<u>Distance (m)</u>	<u>Map Key</u>
-------------------------------	----------------	------------------	---------------------	----------------

WWIS - Water Well Information System

A search of the WWIS database, dated Dec 31 2023 has found that there are 2 WWIS site(s) within approximately 0.25 kilometers of the project property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction</u>	<u>Distance (m)</u>	<u>Map Key</u>
	EC ROW EXPWY & MALDEN ROAD Windsor ON	N	174.07	2
	<i>Well ID:</i> 7112328			
	ON	N	174.47	3
	<i>Well ID:</i> 7175412			



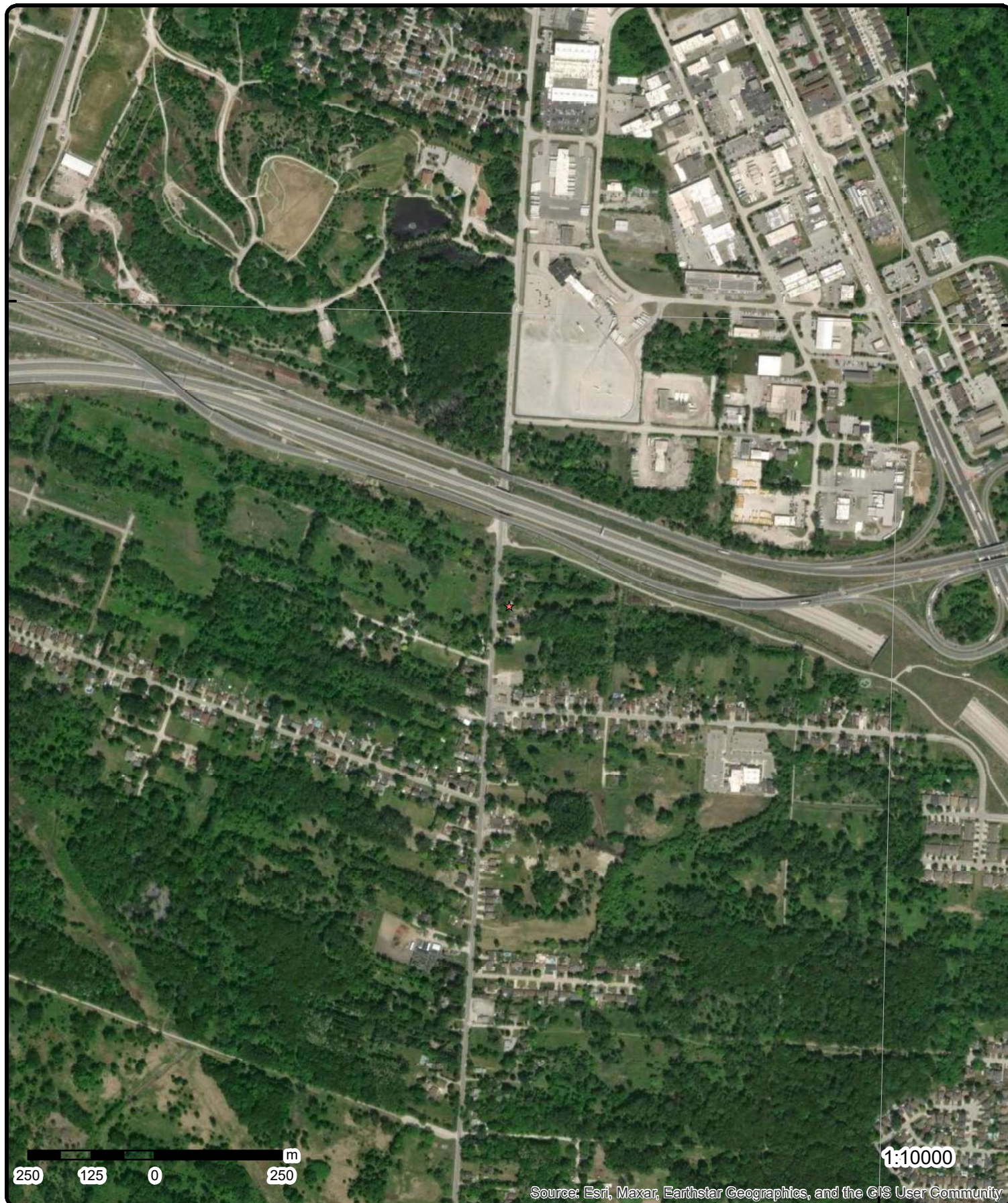
Map: 0.25 Kilometer Radius

Order Number: 25050601097

Address: 4641 Malden Road, Windsor, ON



★ Project Property	Freeways; Highways	Beach	Shopping & Sports Area
Buffer Outline	Traffic Circle; Ramp	Airport	University/College
▲ Eris Sites with Higher Elevation	Major Arterial; Minor Arterial	Industrial Area	Cemetery; Golf Course
■ Eris Sites with Same Elevation	Local Road	Military Base	Park (National)
▼ Eris Sites with Lower Elevation	Service Road; Traffic Circle; Ramp	Aircraft Roads	Park (City/County)
○ Eris Sites with Unknown Elevation	Rail	Native Reservation	
		Hospital	



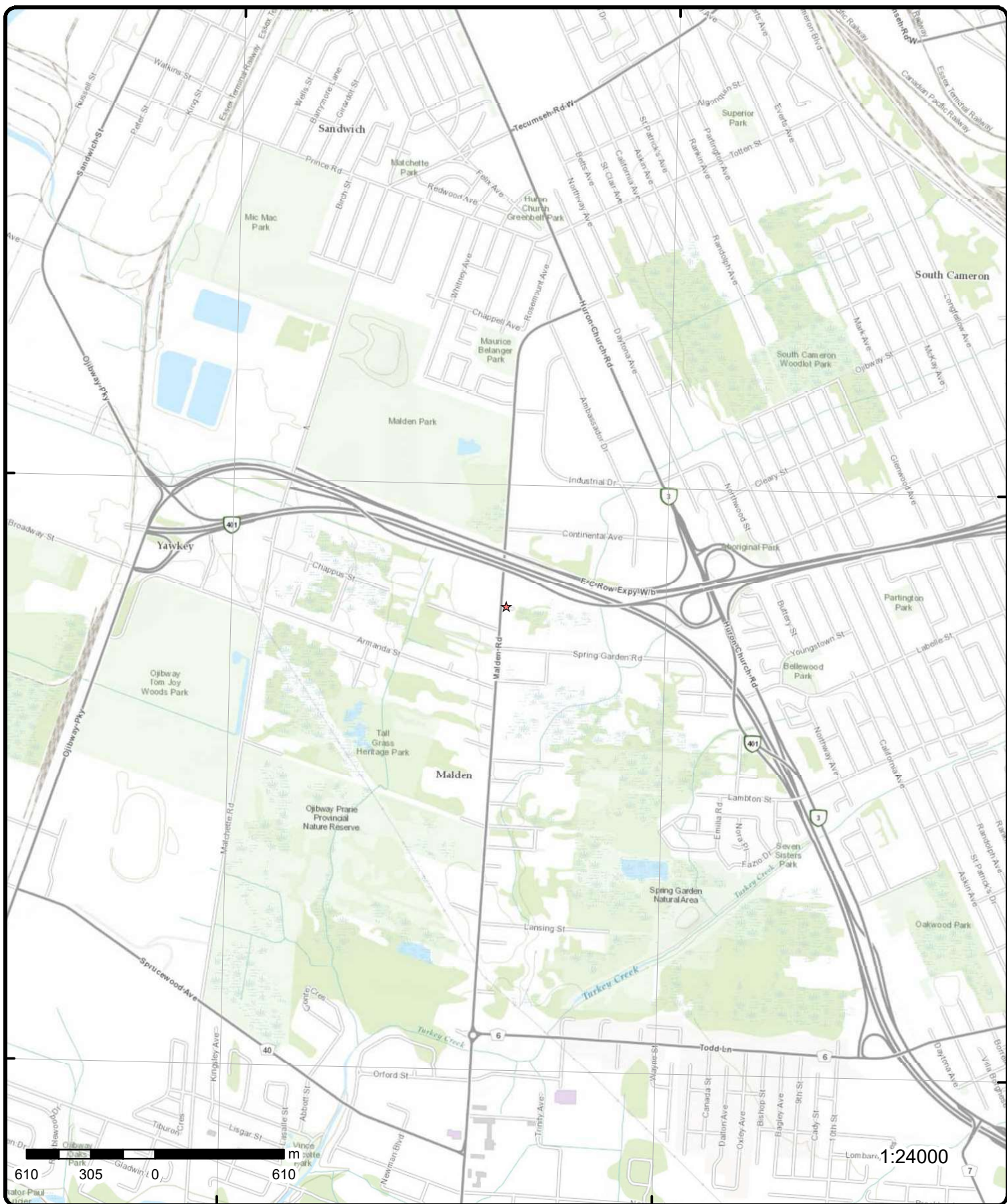
Aerial

Year: 2023

Order Number: 25050601097

Address: 4641 Malden Road, Windsor, ON





Topographic Map

Order Number: 25050601097

Address: 4641 Malden Road, ON



Source: ESRI World Topographic Map Development & Heritage Standing Committee Meeting Agenda - Monday, July 1, 2025
Page 251 of 491

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Information Limited Partnership

Detail Report

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
1	1 of 1	NNW/163.0	183.9 / 1.00	THE CORPORATION OF THE CITY OF WINDSOR 42.27117153240688, -83.05989526940184 WINDSOR ON	SPL
<div> <div> Ref No: 1-DNDJZZ Year: Incident Dt: Nov 15,2024 10:04:44 AM Dt MOE Arvl on Scn: MOE Reported Dt: Nov 20,2024 04:41:45 PM Dt Document Closed: Site No: MOE Response: Field Response Site County/District: Site Geo Ref Meth: Site District Office: Windsor Area Office Nearest Watercourse: could impact Turkey Creek Site Name: Site Address: 42.27117153240688, -83.05989526940184 Site Region: Site Municipality: WINDSOR Site Lot: Site Conc: Site Geo Ref Accu: Site Map Datum: Northing: Easting: Entity Operating Name: Client Name: THE CORPORATION OF THE CITY OF WINDSOR Client Type: Government, Municipal Source Type: Unknown / N/A Incident Cause: Incident Preceding Spill: Weather Event Incident Reason: Unknown Incident Summary: City of Windsor reporting late oil spill to ditch, unknown vol, ongoing , cntd Environment Impact: Health Env Consequence: Moderate Nature of Impact: Contaminant Qty: 0 other - see notes Contaminant Qty 1: Contaminant Unit: Contaminant Code: Contaminant Name: % OIL Contaminant Limit 1: Contam Limit Freq 1: Contaminant UN No 1: Receiving Medium: Land Activity Preceding Spill: Other (specify) Property 2nd Watershed: 02G Northern Lake Erie Property Tertiary Watershed: 02GHA Detroit River Sector Type: MUNICIPAL REGULATORY SERVICES SAC Action Class: Call Report Locatn Geodata: {"integration_ids":["PR00000245883"],"wkts":["POINT (-83.0598952694 42.2711715324)"],"creation_date":"2024-11-20"} Time Reported: System Facility Address: </div> <div> Municipality No: Nature of Damage: Discharger Report: Material Group: Impact to Health: Agency Involved: </div> </div>					

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
2	1 of 1	N/174.1	184.2 / 1.32	EC ROW EXPWY & MALDEN ROAD Windsor ON	WWIS
<div><div><div><div><div><div>Well ID:</div><div>7112328</div></div><div><div>Construction Date:</div><div></div></div><div><div>Use 1st:</div><div>Monitoring and Test Hole</div></div><div><div>Use 2nd:</div><div>0</div></div><div><div>Final Well Status:</div><div>Monitoring and Test Hole</div></div><div><div>Water Type:</div><div></div></div><div><div>Casing Material:</div><div></div></div><div><div>Audit No:</div><div>Z82827</div></div><div><div>Tag:</div><div>A066755</div></div><div><div>Constructn Method:</div><div></div></div><div><div>Elevation (m):</div><div></div></div><div><div>Elevatn Reliabilty:</div><div></div></div><div><div>Depth to Bedrock:</div><div></div></div><div><div>Well Depth:</div><div></div></div><div><div>Overburden/Bedrock:</div><div></div></div><div><div>Pump Rate:</div><div></div></div><div><div>Static Water Level:</div><div></div></div><div><div>Clear/Cloudy:</div><div></div></div><div><div>Municipality:</div><div>WINDSOR CITY</div></div><div><div>Site Info:</div><div></div></div></div></div><div><div><div>Flowing (Y/N):</div><div></div></div><div><div>Flow Rate:</div><div></div></div><div><div>Data Entry Status:</div><div></div></div><div><div>Data Src:</div><div></div></div><div><div>Date Received:</div><div>09/15/2008</div></div><div><div>Selected Flag:</div><div>TRUE</div></div><div><div>Abandonment Rec:</div><div></div></div><div><div>Contractor:</div><div>6809</div></div><div><div>Form Version:</div><div>7</div></div><div><div>Owner:</div><div></div></div><div><div>County:</div><div>ESSEX</div></div><div><div>Lot:</div><div></div></div><div><div>Concession:</div><div></div></div><div><div>Concession Name:</div><div></div></div><div><div>Easting NAD83:</div><div></div></div><div><div>Northing NAD83:</div><div></div></div><div><div>Zone:</div><div></div></div><div><div>UTM Reliability:</div><div></div></div></div></div></div>					
PDF URL (Map):		https://d2khazk8e83rdv.cloudfront.net/moe_mapping/downloads/2Water/Wells_pdfs/711\7112328.pdf			
Additional Detail(s) (Map)					
<div><div><div><div><div><div>Well Completed Date:</div><div>07/25/2008</div></div><div><div>Year Completed:</div><div>2008</div></div><div><div>Depth (m):</div><div>36.576</div></div><div><div>Latitude:</div><div>42.2713685869639</div></div><div><div>Longitude:</div><div>-83.0593200885708</div></div><div><div>X:</div><div>-83.05931994868236</div></div><div><div>Y:</div><div>42.27136858880338</div></div><div><div>Path:</div><div>711\7112328.pdf</div></div></div></div></div></div>					
Bore Hole Information					
<div><div><div><div><div><div>Bore Hole ID:</div><div>1001825782</div></div><div><div>DP2BR:</div><div></div></div><div><div>Spatial Status:</div><div></div></div><div><div>Code OB:</div><div></div></div><div><div>Code OB Desc:</div><div></div></div><div><div>Open Hole:</div><div></div></div><div><div>Cluster Kind:</div><div></div></div><div><div>Date Completed:</div><div>07/25/2008</div></div><div><div>Remarks:</div><div></div></div><div><div>Location Method Desc:</div><div>on Water Well Record</div></div><div><div>Elevrc Desc:</div><div></div></div><div><div>Location Source Date:</div><div></div></div><div><div>Improvement Location Source:</div><div></div></div><div><div>Improvement Location Method:</div><div></div></div><div><div>Source Revision Comment:</div><div></div></div><div><div>Supplier Comment:</div><div></div></div></div></div><div><div><div>Elevation:</div><div></div></div><div><div>Elevrc:</div><div></div></div><div><div>Zone:</div><div>17</div></div><div><div>East83:</div><div>330175.00</div></div><div><div>North83:</div><div>4681960.00</div></div><div><div>Org CS:</div><div>UTM83</div></div><div><div>UTMRC:</div><div>3</div></div><div><div>UTMRC Desc:</div><div>margin of error : 10 - 30 m</div></div><div><div>Location Method:</div><div>wwr</div></div></div></div></div>					
Overburden and Bedrock					
Materials Interval					
<div><div><div><div><div><div>Formation ID:</div><div>1001960586</div></div><div><div>Laver:</div><div>2</div></div></div></div></div></div>					

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
<hr/>					
Color:		6			
General Color:		BROWN			
Material 1:		28			
Material 1 Desc:		SAND			
Material 2:					
Material 2 Desc:					
Material 3:					
Material 3 Desc:					
Formation Top Depth:		0.5			
Formation End Depth:		2.0			
Formation End Depth UOM:		ft			
 <u>Overburden and Bedrock</u> <u>Materials Interval</u>					
Formation ID:		1001960587			
Layer:		3			
Color:		6			
General Color:		BROWN			
Material 1:		05			
Material 1 Desc:		CLAY			
Material 2:		34			
Material 2 Desc:		TILL			
Material 3:					
Material 3 Desc:					
Formation Top Depth:		2.0			
Formation End Depth:		12.0			
Formation End Depth UOM:		ft			
 <u>Overburden and Bedrock</u> <u>Materials Interval</u>					
Formation ID:		1001960585			
Layer:		1			
Color:		8			
General Color:		BLACK			
Material 1:		02			
Material 1 Desc:		TOPSOIL			
Material 2:					
Material 2 Desc:					
Material 3:					
Material 3 Desc:					
Formation Top Depth:		0.0			
Formation End Depth:		0.5			
Formation End Depth UOM:		ft			
 <u>Overburden and Bedrock</u> <u>Materials Interval</u>					
Formation ID:		1001960588			
Layer:		4			
Color:		2			
General Color:		GREY			
Material 1:		05			
Material 1 Desc:		CLAY			
Material 2:		34			
Material 2 Desc:		TILL			
Material 3:					
Material 3 Desc:					
Formation Top Depth:		12.0			
Formation End Depth:		52.0			
Formation End Depth UOM:		ft			

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
<u>Overburden and Bedrock Materials Interval</u>					
Formation ID:		1001960589			
Layer:		5			
Color:		2			
General Color:		GREY			
Material 1:		28			
Material 1 Desc:		SAND			
Material 2:					
Material 2 Desc:					
Material 3:					
Material 3 Desc:					
Formation Top Depth:		52.0			
Formation End Depth:		60.0			
Formation End Depth UOM:		ft			
<u>Overburden and Bedrock Materials Interval</u>					
Formation ID:		1001960590			
Layer:		6			
Color:		2			
General Color:		GREY			
Material 1:		05			
Material 1 Desc:		CLAY			
Material 2:		34			
Material 2 Desc:		TILL			
Material 3:					
Material 3 Desc:					
Formation Top Depth:		60.0			
Formation End Depth:		102.0			
Formation End Depth UOM:		ft			
<u>Overburden and Bedrock Materials Interval</u>					
Formation ID:		1001960591			
Layer:		7			
Color:		2			
General Color:		GREY			
Material 1:		15			
Material 1 Desc:		LIMESTONE			
Material 2:		26			
Material 2 Desc:		ROCK			
Material 3:					
Material 3 Desc:					
Formation Top Depth:		102.0			
Formation End Depth:		120.0			
Formation End Depth UOM:		ft			
<u>Annular Space/Abandonment Sealing Record</u>					
Plug ID:		1001960596			
Layer:		3			
Plug From:		98.0			
Plug To:		120.0			
Plug Depth UOM:		ft			
<u>Annular Space/Abandonment Sealing Record</u>					

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Plug ID:		1001960594			
Layer:		1			
Plug From:		0.0			
Plug To:		5.0			
Plug Depth UOM:		ft			
<u>Annular Space/Abandonment Sealing Record</u>					
Plug ID:		1001960595			
Layer:		2			
Plug From:		5.0			
Plug To:		98.0			
Plug Depth UOM:		ft			
<u>Method of Construction & Well Use</u>					
Method Construction ID:		1001960603			
Method Construction Code:		E			
Method Construction:		Auger			
Other Method Construction:					
<u>Pipe Information</u>					
Pipe ID:		1001960584			
Casing No:		0			
Comment:					
Alt Name:					
<u>Construction Record - Casing</u>					
Casing ID:		1001960598			
Layer:		1			
Material:		5			
Open Hole or Material:		PLASTIC			
Depth From:		0.0			
Depth To:		100.0			
Casing Diameter:		1.25			
Casing Diameter UOM:		inch			
Casing Depth UOM:		ft			
<u>Construction Record - Casing</u>					
Casing ID:		1001960599			
Layer:		2			
Material:		5			
Open Hole or Material:		PLASTIC			
Depth From:		110.0			
Depth To:		120.0			
Casing Diameter:		1.25			
Casing Diameter UOM:		inch			
Casing Depth UOM:		ft			
<u>Construction Record - Screen</u>					
Screen ID:		1001960600			
Layer:		1			
Slot:		10			
Screen Top Depth:		100.0			

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
<hr/>					
Screen End Depth:		110.0			
Screen Material:		5			
Screen Depth UOM:		ft			
Screen Diameter UOM:		inch			
Screen Diameter:		1.25			
<u>Water Details</u>					
Water ID:		1001960597			
Layer:					
Kind Code:					
Kind:					
Water Found Depth:					
Water Found Depth UOM:		ft			
<u>Hole Diameter</u>					
Hole ID:		1001960593			
Diameter:		3.5			
Depth From:		5.0			
Depth To:		120.0			
Hole Depth UOM:		ft			
Hole Diameter UOM:		inch			
<u>Hole Diameter</u>					
Hole ID:		1001960592			
Diameter:		8.0			
Depth From:		0.0			
Depth To:		5.0			
Hole Depth UOM:		ft			
Hole Diameter UOM:		inch			
<hr/>					
<u>3</u>	1 of 1	N/174.5	184.7 / 1.85	ON	WWIS
Well ID:	7175412			Flowing (Y/N):	
Construction Date:				Flow Rate:	
Use 1st:				Data Entry Status:	Yes
Use 2nd:				Data Src:	
Final Well Status:				Date Received:	01/20/2012
Water Type:				Selected Flag:	TRUE
Casing Material:				Abandonment Rec:	
Audit No:	M10032			Contractor:	6894
Tag:	A066755			Form Version:	5
Constructn Method:				Owner:	
Elevation (m):				County:	ESSEX
Elevatn Reliabilty:				Lot:	
Depth to Bedrock:				Concession:	
Well Depth:				Concession Name:	
Overburden/Bedrock:				Easting NAD83:	
Pump Rate:				Northing NAD83:	
Static Water Level:				Zone:	
Clear/Cloudy:				UTM Reliability:	
Municipality:	WINDSOR CITY				
Site Info:					
PDF URL (Map):	https://d2khazk8e83rdv.cloudfront.net/moe_mapping/downloads/2Water/Wells_pdfs/717\7175412.pdf				
<u>Additional Detail(s) (Map)</u>					
Well Completed Date:	12/01/2011				

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Year Completed:		2011			
Depth (m):					
Latitude:		42.2713733758105			
Longitude:		-83.0590534807478			
X:		-83.05905334046558			
Y:		42.271373377459724			
Path:		717\7175412.pdf			
<u>Bore Hole Information</u>					
Bore Hole ID:	1003635774			Elevation:	
DP2BR:				Elevrc:	
Spatial Status:				Zone:	17
Code OB:				East83:	330197.00
Code OB Desc:				North83:	4681960.00
Open Hole:				Org CS:	UTM83
Cluster Kind:				UTMRC:	4
Date Completed:	12/01/2011			UTMRC Desc:	margin of error : 30 m - 100 m
Remarks:				Location Method:	wwr
Location Method Desc:	on Water Well Record				
Elevrc Desc:					
Location Source Date:					
Improvement Location Source:					
Improvement Location Method:					
Source Revision Comment:					
Supplier Comment:					

<u>4</u>	1 of 2	N/205.2	184.9 / 2.00	ON	BORE
Borehole ID:		830185	Inclin FLG:		No
OGF ID:		215571542	SP Status:		Initial Entry
Status:		Decommissioned	Surv Elev:		No
Type:		Borehole	Piezometer:		No
Use:		Geotechnical/Geological Investigation	Primary Name:		
Completion Date:		22-FEB-1968	Municipality:		
Static Water Level:		0.6	Lot:		
Primary Water Use:			Township:		
Sec. Water Use:			Latitude DD:		42.271652
Total Depth m:		33	Longitude DD:		-83.059111
Depth Ref:		Ground Surface	UTM Zone:		17
Depth Elev:			Easting:		330193
Drill Method:		Hollow stem auger	Northing:		4681991
Orig Ground Elev m:		180	Location Accuracy:		
Elev Reliabil Note:			Accuracy:		Within 10 metres
DEM Ground Elev m:		185			
Concession:					
Location D:		E.C.ROW EXPWY. HWY 18 TO DOMINION BLVD *STRUCTURES			
Survey D:					
Comments:					

<u>Borehole Geology Stratum</u>		
Geology Stratum ID:	218610188	Mat Consistency:
Top Depth:	31.3	Material Moisture:
Bottom Depth:	33	Material Texture:
Material Color:		Non Geo Mat Type:
Material 1:	Bedrock	Geologic Formation:
Material 2:	Limestone	Geologic Group:
Material 3:		Geologic Period:
Material 4:		Depositional Gen:
Gsc Material Description:		
Stratum Description:	Limestone bedrock **Note: Many records provided by the department have a truncated [Stratum Description] field.	

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Geology Stratum ID:	218610185			Mat Consistency:	
Top Depth:	0			Material Moisture:	
Bottom Depth:	1.2			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Sand			Geologic Formation:	
Material 2:	Silt			Geologic Group:	
Material 3:				Geologic Period:	
Material 4:				Depositional Gen:	
Gsc Material Description:					
Stratum Description:	Silty sand **Note: Many records provided by the department have a truncated [Stratum Description] field.				
Geology Stratum ID:	218610187			Mat Consistency:	Very Dense
Top Depth:	28.4			Material Moisture:	
Bottom Depth:	31.3			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Silt			Geologic Formation:	
Material 2:	Sand			Geologic Group:	
Material 3:	Gravel			Geologic Period:	
Material 4:				Depositional Gen:	
Gsc Material Description:					
Stratum Description:	Sandy silt, some gravel, very dense **Note: Many records provided by the department have a truncated [Stratum Description] field.				
Geology Stratum ID:	218610186			Mat Consistency:	Firm
Top Depth:	1.2			Material Moisture:	
Bottom Depth:	28.4			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Silt			Geologic Formation:	
Material 2:	Clay			Geologic Group:	
Material 3:	Sand			Geologic Period:	
Material 4:	Gravel			Depositional Gen:	
Gsc Material Description:					
Stratum Description:	Clayey silt, some sand and trace of gravel, firm to very stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.				
4	2 of 2	N/205.2	184.9 / 2.00	ON	BORE
Borehole ID:	830261			Inclin FLG:	No
OGF ID:	215571614			SP Status:	Initial Entry
Status:	Decommissioned			Surv Elev:	No
Type:	Borehole			Piezometer:	No
Use:	Geotechnical/Geological Investigation			Primary Name:	
Completion Date:	22-FEB-1968			Municipality:	
Static Water Level:	0.4			Lot:	
Primary Water Use:				Township:	
Sec. Water Use:				Latitude DD:	42.271652
Total Depth m:	33			Longitude DD:	-83.059111
Depth Ref:	Ground Surface			UTM Zone:	17
Depth Elev:				Easting:	330193
Drill Method:	Hollow stem auger			Northing:	4681991
Orig Ground Elev m:	180			Location Accuracy:	
Elev Reliabil Note:				Accuracy:	Within 10 metres
DEM Ground Elev m:	185				
Concession:					
Location D:	E.C.ROW EXPWY & MALDEN RD; 1.2 MI E OF HWY 18 - WINDSOR				
Survey D:					
Comments:					
Borehole Geology Stratum					
Geology Stratum ID:	218610364			Mat Consistency:	
Top Depth:	31.3			Material Moisture:	

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Bottom Depth: Material Color: Material 1: Material 2: Material 3: Material 4: Gsc Material Description: Stratum Description:	33			Material Texture: Non Geo Mat Type: Geologic Formation: Geologic Group: Geologic Period: Depositional Gen:	
		Limestone bedrock, sound **Note: Many records provided by the department have a truncated [Stratum Description] field.			
Geology Stratum ID: Top Depth: Bottom Depth: Material Color: Material 1: Material 2: Material 3: Material 4: Gsc Material Description: Stratum Description:	218610362			Mat Consistency: Material Moisture: Material Texture: Non Geo Mat Type: Geologic Formation: Geologic Group: Geologic Period: Depositional Gen:	Firm
		Silty clay to clayey silt, some sand, trace of gravel, firm to very stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.			
Geology Stratum ID: Top Depth: Bottom Depth: Material Color: Material 1: Material 2: Material 3: Material 4: Gsc Material Description: Stratum Description:	218610363			Mat Consistency: Material Moisture: Material Texture: Non Geo Mat Type: Geologic Formation: Geologic Group: Geologic Period: Depositional Gen:	Very Dense
		Sandy silt, some gravel, very dense **Note: Many records provided by the department have a truncated [Stratum Description] field.			
Geology Stratum ID: Top Depth: Bottom Depth: Material Color: Material 1: Material 2: Material 3: Material 4: Gsc Material Description: Stratum Description:	218610361			Mat Consistency: Material Moisture: Material Texture: Non Geo Mat Type: Geologic Formation: Geologic Group: Geologic Period: Depositional Gen:	Compact
		Silty sand, compact **Note: Many records provided by the department have a truncated [Stratum Description] field.			

5 **1 of 2** **N/219.6** **184.9 / 2.00** **ON** **BORE**

Borehole ID: OGF ID: Status: Type: Use: Completion Date: Static Water Level: Primary Water Use: Sec. Water Use: Total Depth m: Depth Ref: Depth Elev: Drill Method: Orig Ground Elev m: Elev Reliabil Note: DEM Ground Elev m: Concession:	830188 215571545 Decommissioned Borehole Geotechnical/Geological Investigation 27-FEB-1968 13.1 Ground Surface Hollow stem auger 180 186	Inclin FLG: SP Status: Surv Elev: Piezometer: Primary Name: Municipality: Lot: Township: Latitude DD: Longitude DD: UTM Zone: Easting: Northing: Location Accuracy: Accuracy:	No Initial Entry No No 42.271772 -83.059442 17 330166 4682005 Within 10 metres
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Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Location D:		E.C.ROW EXPWY. HWY 18 TO DOMINION BLVD *STRUCTURES			
Survey D:					
Comments:					
<u>Borehole Geology Stratum</u>					
Geology Stratum ID:	218610195			Mat Consistency:	Firm
Top Depth:	1.2			Material Moisture:	
Bottom Depth:	13.1			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Clay			Geologic Formation:	
Material 2:	Silt			Geologic Group:	
Material 3:	Sand			Geologic Period:	
Material 4:	Gravel			Depositional Gen:	
Gsc Material Description:					
Stratum Description:		Silty clay, some sand, trace of gravel, firm **Note: Many records provided by the department have a truncated [Stratum Description] field.			
Geology Stratum ID:	218610194			Mat Consistency:	
Top Depth:	0			Material Moisture:	
Bottom Depth:	1.2			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Sand			Geologic Formation:	
Material 2:	Silt			Geologic Group:	
Material 3:				Geologic Period:	
Material 4:				Depositional Gen:	
Gsc Material Description:					
Stratum Description:		Silty sand **Note: Many records provided by the department have a truncated [Stratum Description] field.			
<u>5</u>	2 of 2	N/219.6	184.9 / 2.00	ON	BORE
Borehole ID:	830264			Inclin FLG:	No
OGF ID:	215571617			SP Status:	Initial Entry
Status:	Decommissioned			Surv Elev:	No
Type:	Borehole			Piezometer:	No
Use:	Geotechnical/Geological Investigation			Primary Name:	
Completion Date:	27-FEB-1968			Municipality:	
Static Water Level:				Lot:	
Primary Water Use:				Township:	
Sec. Water Use:				Latitude DD:	42.271772
Total Depth m:	13.1			Longitude DD:	-83.059442
Depth Ref:	Ground Surface			UTM Zone:	17
Depth Elev:				Easting:	330166
Drill Method:	Hollow stem auger			Northing:	4682005
Orig Ground Elev m:	180			Location Accuracy:	
Elev Reliabil Note:				Accuracy:	Within 10 metres
DEM Ground Elev m:	186				
Concession:					
Location D:		E.C.ROW EXPWY & MALDEN RD; 1.2 MI E OF HWY 18 - WINDSOR			
Survey D:					
Comments:		Water level not established			
<u>Borehole Geology Stratum</u>					
Geology Stratum ID:	218610370			Mat Consistency:	Compact
Top Depth:	0			Material Moisture:	
Bottom Depth:	1.2			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Sand			Geologic Formation:	
Material 2:	Silt			Geologic Group:	
Material 3:				Geologic Period:	
Material 4:				Depositional Gen:	

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Gsc Material Description:					
Stratum Description:		Silty sand, compact **Note: Many records provided by the department have a truncated [Stratum Description] field.			
Geology Stratum ID:	218610371			Mat Consistency:	Firm
Top Depth:	1.2			Material Moisture:	
Bottom Depth:	13.1			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Clay			Geologic Formation:	
Material 2:	Silt			Geologic Group:	
Material 3:	Sand			Geologic Period:	
Material 4:	Gravel			Depositional Gen:	
Gsc Material Description:					
Stratum Description:		Silty clay to clayey silt, some sand, trace of gravel, firm to stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.			
6	1 of 1	N/235.7	184.9 / 2.00	ON	BORE
Borehole ID:	603696			Inclin FLG:	No
OGF ID:	215505505			SP Status:	Initial Entry
Status:				Surv Elev:	No
Type:	Borehole			Piezometer:	No
Use:	Geotechnical/Geological Investigation			Primary Name:	
Completion Date:	FEB-1968			Municipality:	
Static Water Level:	0.1			Lot:	
Primary Water Use:	Not Used			Township:	
Sec. Water Use:				Latitude DD:	42.271927
Total Depth m:	33			Longitude DD:	-83.059183
Depth Ref:	Ground Surface			UTM Zone:	17
Depth Elev:				Easting:	330188
Drill Method:	Power auger			Northing:	4682022
Orig Ground Elev m:	180			Location Accuracy:	
Elev Reliabil Note:				Accuracy:	Not Applicable
DEM Ground Elev m:	185				
Concession:					
Location D:					
Survey D:					
Comments:					
<u>Borehole Geology Stratum</u>					
Geology Stratum ID:	218362026			Mat Consistency:	Loose
Top Depth:	0			Material Moisture:	
Bottom Depth:	1.2			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Sand			Geologic Formation:	
Material 2:	Silt			Geologic Group:	
Material 3:				Geologic Period:	
Material 4:				Depositional Gen:	
Gsc Material Description:					
Stratum Description:		SAND,SILT. VERY LOOSE.			
Geology Stratum ID:	218362027			Mat Consistency:	Firm
Top Depth:	1.2			Material Moisture:	
Bottom Depth:	2.4			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Silt			Geologic Formation:	
Material 2:	Clay			Geologic Group:	
Material 3:	Sand			Geologic Period:	
Material 4:	Gravel			Depositional Gen:	
Gsc Material Description:					
Stratum Description:		SILT,CLAY,SAND, GRAVEL. FIRM, WATER STABLE AT 592.6 FEET.			
Geology Stratum ID:	218362030			Mat Consistency:	Dense

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Top Depth:	28.3			Material Moisture:	
Bottom Depth:	31.3			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Silt			Geologic Formation:	
Material 2:	Sand			Geologic Group:	
Material 3:	Gravel			Geologic Period:	
Material 4:				Depositional Gen:	
Gsc Material Description:					
Stratum Description:		SILT,SAND,GRAVEL. VERY DENSE.			
Geology Stratum ID:	218362029			Mat Consistency:	Firm
Top Depth:	5.2			Material Moisture:	
Bottom Depth:	28.3			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Silt			Geologic Formation:	
Material 2:	Clay			Geologic Group:	
Material 3:	Sand			Geologic Period:	
Material 4:	Gravel			Depositional Gen:	
Gsc Material Description:					
Stratum Description:		SILT(48),CLAY(30), SAND(21),GRAVEL. FIRM.			
Geology Stratum ID:	218362031			Mat Consistency:	
Top Depth:	31.3			Material Moisture:	
Bottom Depth:	33			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Bedrock			Geologic Formation:	
Material 2:	Limestone			Geologic Group:	
Material 3:				Geologic Period:	
Material 4:				Depositional Gen:	
Gsc Material Description:					
Stratum Description:		BEDROCK,LIMESTONE. 024 015019031 0180220300004000500080019 **Note: Many records provided by the department have a truncated [Stratum Description] field.			
Geology Stratum ID:	218362028			Mat Consistency:	Stiff
Top Depth:	2.4			Material Moisture:	
Bottom Depth:	5.2			Material Texture:	
Material Color:				Non Geo Mat Type:	
Material 1:	Silt			Geologic Formation:	
Material 2:	Clay			Geologic Group:	
Material 3:	Sand			Geologic Period:	
Material 4:	Gravel			Depositional Gen:	
Gsc Material Description:					
Stratum Description:		SILT(44),CLAY(39), SAND(16),GRAVEL. STIFF.			
Source					
Source Type:	Data Survey			Source Appl:	Spatial/Tabular
Source Orig:	Geological Survey of Canada			Source Iden:	1
Source Date:	1956-1972			Scale or Res:	Varies
Confidence:	H			Horizontal:	NAD27
Observatio:				Verticalda:	Mean Average Sea Level
Source Name:		Urban Geology Automated Information System (UGAIS)			
Source Details:		File: NIAGARA.txt RecordID: 011090 NTS_Sheet: 40J06A			
Confiden 1:		Logged by professional. Exact and complete description of material and properties.			
Source List					
Source Identifier:	1			Horizontal Datum:	NAD27
Source Type:	Data Survey			Vertical Datum:	Mean Average Sea Level
Source Date:	1956-1972			Projection Name:	Universal Transverse Mercator
Scale or Resolution:	Varies				
Source Name:		Urban Geology Automated Information System (UGAIS)			
Source Originators:		Geological Survey of Canada			

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
7	1 of 2	N/239.9	184.9 / 2.00	ON	BORE
<div> <div> Borehole ID: 830186 OGF ID: 215571543 Status: Decommissioned Type: Borehole Use: Geotechnical/Geological Investigation Completion Date: 23-FEB-1968 Static Water Level: 0.8 Primary Water Use: Sec. Water Use: Total Depth m: 12.6 Depth Ref: Ground Surface Depth Elev: Drill Method: Hollow stem auger Orig Ground Elev m: 180 Elev Reliabil Note: DEM Ground Elev m: 186 Concession: Location D: E.C.ROW EXPWY. HWY 18 TO DOMINION BLVD *STRUCTURES Survey D: Comments: </div> <div> Inclin FLG: No SP Status: Initial Entry Surv Elev: No Piezometer: No Primary Name: Municipality: Lot: Township: Latitude DD: 42.271965 Longitude DD: -83.059218 UTM Zone: 17 Easting: 330185 Northing: 4682026 Location Accuracy: Accuracy: Within 10 metres </div> </div>					
Borehole Geology Stratum					
<div> <div> Geology Stratum ID: 218610190 Top Depth: 1.2 Bottom Depth: 12.6 Material Color: Material 1: Silt Material 2: Clay Material 3: Sand Material 4: Gravel Gsc Material Description: Stratum Description: Clayey silt, some sand, trace of gravel, firm **Note: Many records provided by the department have a truncated [Stratum Description] field. </div> <div> Mat Consistency: Firm Material Moisture: Material Texture: Non Geo Mat Type: Geologic Formation: Geologic Group: Geologic Period: Depositional Gen: </div> </div>					
<div> <div> Geology Stratum ID: 218610189 Top Depth: 0 Bottom Depth: 1.2 Material Color: Material 1: Sand Material 2: Silt Material 3: Material 4: Gsc Material Description: Stratum Description: Silty sand **Note: Many records provided by the department have a truncated [Stratum Description] field. </div> <div> Mat Consistency: Material Moisture: Material Texture: Non Geo Mat Type: Geologic Formation: Geologic Group: Geologic Period: Depositional Gen: </div> </div>					

7	2 of 2	N/239.9	184.9 / 2.00	ON	BORE
<div> <div> Borehole ID: 830262 OGF ID: 215571615 Status: Decommissioned Type: Borehole Use: Geotechnical/Geological Investigation Completion Date: 23-FEB-1968 Static Water Level: 0.6 Primary Water Use: Sec. Water Use: Total Depth m: 12.6 Depth Ref: Ground Surface </div> <div> Inclin FLG: No SP Status: Initial Entry Surv Elev: No Piezometer: No Primary Name: Municipality: Lot: Township: Latitude DD: 42.271965 Longitude DD: -83.059218 UTM Zone: 17 </div> </div>					

Map Key	Number of Records	Direction/ Distance (m)	Elev/Diff (m)	Site	DB
Depth Elev:				Easting:	330185
Drill Method:	Hollow stem auger			Northing:	4682026
Orig Ground Elev m:	180			Location Accuracy:	
Elev Reliabil Note:				Accuracy:	Within 10 metres
DEM Ground Elev m:	186				
Concession:					
Location D:		E.C.ROW EXPWY & MALDEN RD; 1.2 MI E OF HWY 18 - WINDSOR			
Survey D:					
Comments:					

Borehole Geology Stratum

Geology Stratum ID:	218610366	Mat Consistency:	Firm
Top Depth:	1.2	Material Moisture:	
Bottom Depth:	12.6	Material Texture:	
Material Color:		Non Geo Mat Type:	
Material 1:	Clay	Geologic Formation:	
Material 2:	Silt	Geologic Group:	
Material 3:	Sand	Geologic Period:	
Material 4:	Gravel	Depositional Gen:	
Gsc Material Description:			
Stratum Description:	Silty clay to clayey silt, some sand, trace of gravel, firm to very stiff **Note: Many records provided by the department have a truncated [Stratum Description] field.		
Geology Stratum ID:	218610365	Mat Consistency:	Compact
Top Depth:	0	Material Moisture:	
Bottom Depth:	1.2	Material Texture:	
Material Color:		Non Geo Mat Type:	
Material 1:	Sand	Geologic Formation:	
Material 2:	Silt	Geologic Group:	
Material 3:		Geologic Period:	
Material 4:		Depositional Gen:	
Gsc Material Description:			
Stratum Description:	Silty sand, compact **Note: Many records provided by the department have a truncated [Stratum Description] field.		

Unplottable Summary

Total: 11 Unplottable sites

DB	Company Name/Site Name	Address	City	Postal
CA	2029078 Ontario Inc.	Chappus Street	Windsor ON	
CA		Chappus Street	Windsor ON	
EHS		Chappus St	Windsor ON	
LIMO		Lot 58 Concession 1 PETITE COTE SANDWICH Windsor	ON	
LIMO		Lot 58 Concession 1 PETITE COTE SANDWICH, Malden Park Landfill Windsor	ON	
SPL	Parkway Infrastructure Constructors	off Spring Garden Rd	Windsor ON	
SPL	AMEC Earth & Environmental Limited; AMEC	Spring Garden Road	Windsor ON	
SPL		Malden Rd	Windsor ON	
WDS	The Corporation of the City of Windsor	Malden Rd	Windsor ON	N9C 4A5
WDS	The Corporation of the City of Windsor	Malden Rd	Windsor ON	N9C 4A5
WDS	The Corporation of the City of Windsor	Malden Rd	Windsor ON	N9C 4A5

Unplottable Report

Site: 2029078 Ontario Inc.
Chappus Street Windsor ON

Database:
CA

Certificate #: 5684-654QWE
Application Year: 2004
Issue Date: 9/23/2004
Approval Type: Municipal and Private Sewage Works
Status: Approved
Application Type:
Client Name:
Client Address:
Client City:
Client Postal Code:
Project Description:
Contaminants:
Emission Control:

Site: Chappus Street Windsor ON

Database:
CA

Certificate #: 4996-5ATNQZ
Application Year: 02
Issue Date: 6/10/02
Approval Type: Municipal & Private water
Status: Approved
Application Type: New Certificate of Approval
Client Name: Ontario Power Generation Inc.
Client Address: 700 University Avenue
Client City: Toronto
Client Postal Code: M5G 1X6
Project Description: Construction of watermains
Contaminants:
Emission Control:

Site: Chappus St Windsor ON

Database:
EHS

Order No:	20090612020	Nearest Intersection:	
Status:	C	Municipality:	
Report Type:	Custom Report	Client Prov/State:	ON
Report Date:	6/22/2009	Search Radius (km):	0.5
Date Received:	6/12/2009	X:	-83.080329
Previous Site Name:		Y:	1
Lot/Building Size:			
Additional Info Ordered:	Fire Insur. Maps and/or Sire Plans; City Directory		

Site: Lot 58 Concession 1 PETITE COTE SANDWICH Windsor ON

Database:
LIMO

ECA/Instrument No:	X6058	Natural Attenuation:	
Operation Status:	Historic	Liners:	
C of A Issue Date:		Cover Material:	
C of A Issued to:		Leachate Off-Site:	
Lndfl Gas Mgmt (P):		Leachate On Site:	
Lndfl Gas Mgmt (F):		Req Coll Lndfl Gas:	
Lndfl Gas Mgmt (E):		Lndfl Gas Coll:	

Lndfl Gas Mgmt Sys:		Total Waste Rec:
Landfill Gas Mntr:		TWR Methodology:
Leachate Coll Sys:		TWR Unit:
ERC Est Vol (m3):		Tot Aprv Cap Unit:
ERC Volume Unit:		Financial Assurance:
ERC Dt Last Det:		Last Report Year:
Landfill Type:		Region:
Source File Type:	Historic and Closed Landfills	District Office:
Fill Rate:		Site County:
Fill Rate Unit:		Lot:
Tot Fill Area (ha):		Concession:
Tot Site Area (ha):		Latitude:
Footprint:		Longitude:
Tot Aprv Cap (m3):		Easting:
Contam Atten Zone:		Northing:
Grndwtr Mntr:		UTM Zone:
Surf Wtr Mntr:		Data Source:
Air Emis Monitor:		
Approved Waste Type:		
Client Site Name:		
ERC Methodology:		
Site Name:		
Site Location Details:	Lot 58 Concession 1 PETITE COTE SANDWICH	
	Windsor	
Service Area:		
Page URL:		

Site: Lot 58 Concession 1 PETITE COTE SANDWICH, Malden Park Landfill Windsor ON

Database:
[LIMO](#)

ECA/Instrument No:	X6056	Natural Attenuation:
Operation Status:	Historic	Liners:
C of A Issue Date:		Cover Material:
C of A Issued to:		Leachate Off-Site:
Lndfl Gas Mgmt (P):		Leachate On Site:
Lndfl Gas Mgmt (F):		Req Coll Lndfl Gas:
Lndfl Gas Mgmt (E):		Lndfl Gas Coll:
Lndfl Gas Mgmt Sys:		Total Waste Rec:
Landfill Gas Mntr:		TWR Methodology:
Leachate Coll Sys:		TWR Unit:
ERC Est Vol (m3):		Tot Aprv Cap Unit:
ERC Volume Unit:		Financial Assurance:
ERC Dt Last Det:		Last Report Year:
Landfill Type:		Region:
Source File Type:	Historic and Closed Landfills	District Office:
Fill Rate:		Site County:
Fill Rate Unit:		Lot:
Tot Fill Area (ha):		Concession:
Tot Site Area (ha):		Latitude:
Footprint:		Longitude:
Tot Aprv Cap (m3):		Easting:
Contam Atten Zone:		Northing:
Grndwtr Mntr:		UTM Zone:
Surf Wtr Mntr:		Data Source:
Air Emis Monitor:		
Approved Waste Type:		
Client Site Name:		
ERC Methodology:		
Site Name:		
Site Location Details:	Lot 58 Concession 1 PETITE COTE SANDWICH, Malden Park Landfill	
	Windsor	
Service Area:		
Page URL:		

Site: Parkway Infrastructure Constructors

Database:

Ref No:	0211-9RRNW7	Municipality No:	
Year:		Nature of Damage:	
Incident Dt:	2014/12/13	Discharger Report:	
Dt MOE Arvl on Scn:		Material Group:	
MOE Reported Dt:	2014/12/13	Impact to Health:	
Dt Document Closed:	2014/12/15	Agency Involved:	
Site No:	NA		
MOE Response:	N		
Site County/District:			
Site Geo Ref Meth:			
Site District Office:			
Nearest Watercourse:			
Site Name:	Herb Grey Parkway<UNOFFICIAL>		
Site Address:	off Spring Garden Rd		
Site Region:			
Site Municipality:	Windsor		
Site Lot:			
Site Conc:			
Site Geo Ref Accu:			
Site Map Datum:			
Northing:			
Easting:			
Entity Operating Name:			
Client Name:	Parkway Infrastructure Constructors		
Client Type:			
Source Type:			
Incident Cause:	Operator/Human error		
Incident Preceding Spill:			
Incident Reason:	Unknown / N/A		
Incident Summary:	AMEC: 5 L of diesel from generator to asphalt, contained		
Environment Impact:			
Health Env Consequence:			
Nature of Impact:	Land		
Contaminant Qty:	20 L		
Contaminant Qty 1:	20		
Contaminant Unit:	L		
Contaminant Code:	13		
Contaminant Name:	DIESEL FUEL		
Contaminant Limit 1:			
Contam Limit Freq 1:			
Contaminant UN No 1:			
Receiving Medium:			
Activity Preceding Spill:			
Property 2nd Watershed:			
Property Tertiary Watershed:			
Sector Type:	Tank - Above Ground		
SAC Action Class:	Land Spills		
Call Report Locatn Geodata:			
Time Reported:			
System Facility Address:			

Site: AMEC Earth & Environmental Limited; AMEC
Spring Garden Road Windsor ON

Database:
SPL

Ref No:	8662-9TGKD3	Municipality No:	
Year:		Nature of Damage:	
Incident Dt:	2/6/2015	Discharger Report:	
Dt MOE Arvl on Scn:		Material Group:	
MOE Reported Dt:	2/6/2015	Impact to Health:	
Dt Document Closed:	3/30/2015	Agency Involved:	
Site No:	NA		
MOE Response:	N		
Site County/District:			
Site Geo Ref Meth:			
Site District Office:			
Nearest Watercourse:			

Site Name: Amec - Tunnel 1<UNOFFICIAL>
Site Address: Spring Garden Road
Site Region:
Site Municipality: Windsor
Site Lot:
Site Conc:
Site Geo Ref Accu:
Site Map Datum:
Northing:
Easting:
Entity Operating Name:
Client Name: AMEC Earth & Environmental Limited; AMEC
Client Type:
Source Type:
Incident Cause: Leak/Break
Incident Preceding Spill:
Incident Reason: Equipment Failure
Incident Summary: Amec: 10L propylene glycol to ground -cleaned-
Environment Impact:
Health Env Consequence:
Nature of Impact: Land
Contaminant Qty: 10 L
Contaminant Qty 1: 10
Contaminant Unit: L
Contaminant Code: 24
Contaminant Name: PROPYLENE GLYCOL
Contaminant Limit 1:
Contam Limit Freq 1:
Contaminant UN No 1:
Receiving Medium:
Activity Preceding Spill:
Property 2nd Watershed:
Property Tertiary Watershed:
Sector Type:
SAC Action Class: Land Spills
Call Report Locatn Geodata:
Time Reported:
System Facility Address:

Site:		Database:	
Malden Rd Windsor ON		SPL	
Ref No:	5238-BCNNFD	Municipality No:	
Year:		Nature of Damage:	
Incident Dt:	5/30/2019	Discharger Report:	
Dt MOE Arvl on Scn:		Material Group:	
MOE Reported Dt:	5/30/2019	Impact to Health:	2 - Minor Environment
Dt Document Closed:		Agency Involved:	
Site No:	NA		
MOE Response:	No		
Site County/District:	County of Essex		
Site Geo Ref Meth:			
Site District Office:	Windsor		
Nearest Watercourse:			
Site Name:	MTO Project<UNOFFICIAL>		
Site Address:	Malden Rd		
Site Region:	Southwestern		
Site Municipality:	Windsor		
Site Lot:			
Site Conc:			
Site Geo Ref Accu:			
Site Map Datum:			
Northing:			
Easting:			
Entity Operating Name:			
Client Name:			
Client Type:			
Source Type:			

Incident Cause:
Incident Preceding Spill: Unknown / N/A
Incident Reason: Unknown / N/A
Incident Summary: MTO Project trail system: oil in culvert
Environment Impact:
Health Env Consequence:
Nature of Impact:
Contaminant Qty: 0 other - see incident description
Contaminant Qty 1: 0
Contaminant Unit: other - see incident description
Contaminant Code: 15
Contaminant Name: MOTOR OIL
Contaminant Limit 1:
Contam Limit Freq 1:
Contaminant UN No 1: 1993
Receiving Medium: Land
Activity Preceding Spill:
Property 2nd Watershed:
Property Tertiary Watershed:
Sector Type:
SAC Action Class: Land Spills
Call Report Locatn Geodata:
Time Reported:
System Facility Address:

Site: The Corporation of the City of Windsor
 Malden Rd Windsor ON N9C 4A5

Database:
 WDS

Approval No:	A010103	Total Area (ha):
Mob Unit Cert No:		Landfill Cap (m³):
EBR Registry No:		Transfer Area (ha):
Status:	Revoked and/or Replaced	Transfer Cap (m³):
Facility Type:		Transfer Cert No:
Record Type:	ECA	Inciner. Area (ha):
Link Source:	IDS	Inciner. Cap (t):
Project Type:	WASTE DISPOSAL SITES	Process Area (m³):
Application Status:		Process Cap (m³/d):
Issue Date:	2008-03-14	Process Vol (m³):
Input Date:		Process Feed (m³):
Date Received:		Site Concession:
Est Closure Date:		Site Region/County:
Mobile Capacity:		SWP Area Name:
Mobile Units:		MOE District:
Mobile Description:		District Office:
Prop City:		Latitude:
Prop Postal:		Longitude:
Prop Phone:		Geometry X:
Serial Link:		Geometry Y:
Approval Type:	ECA-WASTE DISPOSAL SITES	
Proponent:		
Prop Address:		
Proponent County/District:		
Full Address:	Malden Rd	
Site Lot:		
Waste Class Code:		
Waste Class:		
Waste Type:		
Waste Type Other:		
Waste Description:		
Landfill Monitoring:		
Landfill Ctrl Type:		
Site Closing Description:		
Project Description:		
Municipalities Served:		
Approval Description:		
Other Approvals/Permits:		
PDF URL:		
PDF Site Location:		

Site: The Corporation of the City of Windsor
Malden Rd Windsor ON N9C 4A5

Database:
WDS

Approval No:	A010103	Total Area (ha):	
Mob Unit Cert No:		Landfill Cap (m³):	
EBR Registry No:		Transfer Area (ha):	
Status:	Revoked and/or Replaced	Transfer Cap (m³):	
Facility Type:		Transfer Cert No:	
Record Type:	ECA	Inciner. Area (ha):	
Link Source:	IDS	Inciner. Cap (t):	
Project Type:	WASTE DISPOSAL SITES	Process Area (m³):	
Application Status:		Process Cap (m³/d):	
Issue Date:	2008-10-30	Process Vol (m³):	
Input Date:		Process Feed (m³):	
Date Received:		Site Concession:	
Est Closure Date:		Site Region/County:	
Mobile Capacity:		SWP Area Name:	
Mobile Units:		MOE District:	
Mobile Description:		District Office:	
Prop City:		Latitude:	
Prop Postal:		Longitude:	
Prop Phone:		Geometry X:	
Serial Link:		Geometry Y:	
Approval Type:	ECA-WASTE DISPOSAL SITES		
Proponent:			
Prop Address:			
Proponent County/District:			
Full Address:	Malden Rd		
Site Lot:			
Waste Class Code:			
Waste Class:			
Waste Type:			
Waste Type Other:			
Waste Description:			
Landfill Monitoring:			
Landfill Ctrl Type:			
Site Closing Description:			
Project Description:			
Municipalities Served:			
Approval Description:			
Other Approvals/Permits:			
PDF URL:	https://www.accessenvironment.ene.gov.on.ca/instruments/7540-7CHNFN-14.pdf		
PDF Site Location:			

Site: The Corporation of the City of Windsor
Malden Rd Windsor ON N9C 4A5

Database:
WDS

Approval No:	A010103	Total Area (ha):	
Mob Unit Cert No:		Landfill Cap (m³):	
EBR Registry No:		Transfer Area (ha):	
Status:	Amended	Transfer Cap (m³):	
Facility Type:		Transfer Cert No:	
Record Type:	ECA	Inciner. Area (ha):	
Link Source:	IDS	Inciner. Cap (t):	
Project Type:	WASTE DISPOSAL SITES	Process Area (m³):	
Application Status:		Process Cap (m³/d):	
Issue Date:	2014-02-26	Process Vol (m³):	
Input Date:		Process Feed (m³):	
Date Received:		Site Concession:	
Est Closure Date:		Site Region/County:	
Mobile Capacity:		SWP Area Name:	
Mobile Units:		MOE District:	
Mobile Description:		District Office:	
Prop City:		Latitude:	
Prop Postal:		Longitude:	
Prop Phone:		Geometry X:	

Serial Link:		Geometry Y:
Approval Type:	ECA-WASTE DISPOSAL SITES	
Proponent:		
Prop Address:		
Proponent County/District:		
Full Address:	Malden Rd	
Site Lot:		
Waste Class Code:		
Waste Class:		
Waste Type:		
Waste Type Other:		
Waste Description:		
Landfill Monitoring:		
Landfill Ctrl Type:		
Site Closing Description:		
Project Description:		
Municipalities Served:		
Approval Description:		
Other Approvals/Permits:		
PDF URL:	https://www.accessenvironment.ene.gov.on.ca/instruments/2773-96TRJ4-14.pdf	
PDF Site Location:		

Appendix: Database Descriptions

*Environmental Risk Information Services (ERIS) can search the following databases. The extent of historical information varies with each database and current information is determined by what is publicly available to ERIS at the time of update. **Note:** Databases denoted with " * " indicates that the database will no longer be updated. See the individual database description for more information.*

Abandoned Aggregate Inventory:

Provincial

[AAGR](#)

The MAAP Program maintains a database of abandoned pits and quarries. Please note that the database is only referenced by lot and concession and city/town location. The database provides information regarding the location, type, size, land use, status and general comments.*

Government Publication Date: Sept 2002*

Aggregate Inventory:

Provincial

[AGR](#)

This database of licensed and permitted pits and quarries is maintained by the Ontario Ministry of Natural Resources and Forestry (MNRF), as regulated under the Aggregate Resources Act, R.S.O. 1990. Aggregate site data has been divided into active and inactive sites. Active sites may be further subdivided into partial surrenders. In partial surrenders, defined areas of a site are inactive while the rest of the site remains active.

Government Publication Date: Up to Nov 2024

Abandoned Mine Information System:

Provincial

[AMIS](#)

The Abandoned Mines Information System contains data on known abandoned and inactive mines located on both Crown and privately held lands. The information was provided by the Ministry of Northern Development and Mines (MNDM), with the following disclaimer: "the database provided has been compiled from various sources, and the Ministry of Northern Development and Mines makes no representation and takes no responsibility that such information is accurate, current or complete". Reported information includes official mine name, status, background information, mine start/end date, primary commodity, mine features, hazards and remediation.

Government Publication Date: 1800-Apr 2024

Anderson's Waste Disposal Sites:

Private

[ANDR](#)

The information provided in this database was collected by examining various historical documents which aimed to characterize the likely position of former waste disposal sites from 1860 to present. The research initiative behind the creation of this database was to identify those sites that are missing from the Ontario MOE Waste Disposal Site Inventory, as well as to provide revisions and corrections to the positions and descriptions of sites currently listed in the MOE inventory. In addition to historic waste disposal facilities, the database also identifies certain auto wreckers and scrap yards that have been extrapolated from documentary sources. Please note that the data is not warranted to be complete, exhaustive or authoritative. The information was collected for research purposes only.

Government Publication Date: 1860s-Present

Aboveground Storage Tanks:

Provincial

[AST](#)

Historical listing of aboveground storage tanks made available by the Department of Natural Resources and Forestry. Includes tanks used to hold water or petroleum. This dataset has been retired as of September 25, 2014 and will no longer be updated.

Government Publication Date: May 31, 2014

Automobile Wrecking & Supplies:

Private

[AUWR](#)

This database provides an inventory of known locations that are involved in the scrap metal, automobile wrecking/recycling, and automobile parts & supplies industry. Information is provided on the company name, location and business type.

Government Publication Date: 1999-Apr 30, 2024

Borehole:

Provincial

[BORE](#)

A borehole is the generalized term for any narrow shaft drilled in the ground, either vertically or horizontally. The information here includes geotechnical investigations or environmental site assessments, mineral exploration, or as a pilot hole for installing piers or underground utilities. Information is from many sources such as the Ministry of Transportation (MTO) boreholes from engineering reports and projects from the 1950 to 1990's in Southern Ontario. Boreholes from the Ontario Geological Survey (OGS) including The Urban Geology Analysis Information System (UGAIS) and the York Peel Durham Toronto (YPDT) database of the Conservation Authority Moraine Coalition. This database will include fields such as location, stratigraphy, depth, elevation, year drilled, etc. For all water well data or oil and gas well data for Ontario please refer to WWIS and OOGW.

Government Publication Date: 1875-Jul 2018

Certificates of Approval:Provincial [CA](#)

This database contains the following types of approvals: Air & Noise, Industrial Sewage, Municipal & Private Sewage, Waste Management Systems and Renewable Energy Approvals. The MOE in Ontario states that any facility that releases emissions to the atmosphere, discharges contaminants to ground or surface water, provides potable water supplies, or stores, transports or disposes of waste, must have a Certificate of Approval before it can operate lawfully. Fields include approval number, business name, address, approval date, approval type and status. This database will no longer be updated, as CofA's have been replaced by either Environmental Activity and Sector Registry (EASR) or Environmental Compliance Approval (ECA). Please refer to those individual databases for any information after Oct.31, 2011.

Government Publication Date: 1985-Oct 30, 2011*

Dry Cleaning Facilities:Federal [CDRY](#)

List of dry cleaning facilities made available by Environment and Climate Change Canada. Environment and Climate Change Canada's Tetrachloroethylene (Use in Dry Cleaning and Reporting Requirements) Regulations (SOR/2003-79) are intended to reduce releases of tetrachloroethylene to the environment from dry cleaning facilities.

Government Publication Date: Jan 2004-Dec 2022

Commercial Fuel Oil Tanks:Provincial [CFOT](#)

Locations of commercial underground fuel oil tanks. This is not a comprehensive or complete inventory of commercial fuel tanks in the province; this listing is a copy of records of registered commercial underground fuel oil tanks obtained under Access to Public Information.

Note that the following types of tanks do not require registration: waste oil tanks in apartments, office buildings, residences, etc.; aboveground gas or diesel tanks. Records are not verified for accuracy or completeness.

Government Publication Date: Oct 2023

Chemical Manufacturers and Distributors:Private [CHEM](#)

This database includes information from both a one time study conducted in 1992 and private source and is a listing of facilities that manufacture or distribute chemicals. The production of these chemical substances may involve one or more chemical reactions and/or chemical separation processes (i.e. fractionation, solvent extraction, crystallization, etc.).

Government Publication Date: 1999-Jan 31, 2020

Chemical Register:Private [CHM](#)

This database includes a listing of locations of facilities within the Province or Territory that either manufacture and/or distributes chemicals.

Government Publication Date: 1999-Apr 30, 2024

Compressed Natural Gas Stations:Private [CNG](#)

Canada has a network of public access compressed natural gas (CNG) refuelling stations. These stations dispense natural gas in compressed form at 3,000 pounds per square inch (psi), the pressure which is allowed within the current Canadian codes and standards. The majority of natural gas refuelling is located at existing retail gasoline that have a separate refuelling island for natural gas. This list of stations is made available by the Canadian Natural Gas Vehicle Alliance.

Government Publication Date: Dec 2012 -Feb 2025

Inventory of Coal Gasification Plants and Coal Tar Sites:Provincial [COAL](#)

This inventory includes both the "Inventory of Coal Gasification Plant Waste Sites in Ontario-April 1987" and the Inventory of Industrial Sites Producing or Using Coal Tar and Related Tars in Ontario-November 1988) collected by the MOE. It identifies industrial sites that produced and continue to produce or use coal tar and other related tars. Detailed information is available and includes: facility type, size, land use, information on adjoining properties, soil condition, site operators/occupants, site description, potential environmental impacts and historic maps available. This was a one-time inventory.*

Government Publication Date: Apr 1987 and Nov 1988*

Compliance and Convictions:Provincial [CONV](#)

This database summarizes the fines and convictions handed down by the Ontario courts beginning in 1989. Companies and individuals named here have been found guilty of environmental offenses in Ontario courts of law.

Government Publication Date: 1989-Mar 2025

Certificates of Property Use:Provincial [CPU](#)

This is a subset taken from Ontario's Environmental Registry (EBR) database. It will include CPU's on the registry such as (EPA s. 168.6) - Certificate of Property Use.

Government Publication Date: 1994 - Feb 28, 2025

Drill Hole Database:

Provincial

[DRL](#)

The Ontario Drill Hole Database (ODHD) is offered by the Province of Ontario's Ministry of Mines. The dataset contains information for over 164,000 percussion, overburden, sonic and diamond-drill holes. The presence of assay results with cutoff values for gold, silver, copper, zinc, lead, nickel and platinum group elements is noted. Drill hole data are compiled from assessment files that have been submitted to the ministry in accordance with the Ontario Mining Act (OMA). Source assessment file numbers are captured for cross reference with the Ontario Assessment File Database (OAFD). Please note that limited data is available for southern Ontario, as it was the last area to be completed. The database was created when surveys submitted to the Ministry were converted in the Assessment File Research Image Database (AFRI) project. However, the degree of accuracy (coordinates) as to the exact location of drill holes is dependent upon the source document submitted. Levels of accuracy used to locate holes are: centering on the mining claim; a sketch of the mining claim; a 1:50,000 map; a detailed company map; or from submitted a "Report of Work".

Government Publication Date: 1886 - Aug 2024

Delisted Fuel Tanks:

Provincial

[DTNK](#)

List of fuel storage tank sites that were once found in - and have since been removed from - the list of fuel storage tanks made available by the regulatory agency under Access to Public Information.

Government Publication Date: Oct 2023

Environmental Activity and Sector Registry:

Provincial

[EASR](#)

On October 31, 2011, a smarter, faster environmental approvals system came into effect in Ontario. The EASR allows businesses to register certain activities with the ministry, rather than apply for an approval. The registry is available for common systems and processes, to which preset rules of operation can be applied. The EASR is currently available for: heating systems, standby power systems and automotive refinishing. Businesses whose activities aren't subject to the EASR may apply for an ECA (Environmental Compliance Approval). Please see our ECA database.

Government Publication Date: Oct 2011-Mar 31, 2025

Environmental Registry:

Provincial

[EBR](#)

The Environmental Registry lists proposals, decisions and exceptions regarding policies, Acts, instruments, or regulations that could significantly affect the environment. Through the Registry, thirteen provincial ministries notify the public of upcoming proposals and invite their comments. For example, if a local business is requesting a permit, license, or certificate of approval to release substances into the air or water; these are notified on the registry. Data includes: Approval for discharge into the natural environment other than water (i.e. Air) - EPA s. 9, Approval for sewage works - OWRA s. 53(1), and EPA s. 27 - Approval for a waste disposal site. For information regarding Permit to Take Water (PTTW), Certificate of Property Use (CPU) and (ORD) Orders please refer to those individual databases.

Government Publication Date: 1994 - Feb 28, 2025

Environmental Compliance Approval:

Provincial

[ECA](#)

On October 31, 2011, a smarter, faster environmental approvals system came into effect in Ontario. In the past, a business had to apply for multiple approvals (known as certificates of approval) for individual processes and pieces of equipment. Today, a business either registers itself, or applies for a single approval, depending on the types of activities it conducts. Businesses whose activities aren't subject to the EASR may apply for an ECA. A single ECA addresses all of a business's emissions, discharges and wastes. Separate approvals for air, noise and waste are no longer required. This database will also include Renewable Energy Approvals. For certificates of approval prior to Nov 1st, 2011, please refer to the CA database. For all Waste Disposal Sites please refer to the WDS database.

Government Publication Date: Oct 2011-Mar 31, 2025

Environmental Effects Monitoring:

Federal

[EEM](#)

The Environmental Effects Monitoring program assesses the effects of effluent from industrial or other sources on fish, fish habitat and human usage of fisheries resources. Since 1992, pulp and paper mills have been required to conduct EEM studies under the Pulp and Paper Effluent Regulations. This database provides information on the mill name, geographical location and sub-lethal toxicity data.

Government Publication Date: 1992-2007*

ERIS Historical Searches:

Private

[EHS](#)

ERIS has compiled a database of all environmental risk reports completed since March 1999. Available fields for this database include: site location, date of report, type of report, and search radius. As per all other databases, the ERIS database can be referenced on both the map and "Statistical Profile" page.

Government Publication Date: 1999-Aug 31, 2024

Environmental Issues Inventory System:

Federal

[EIIS](#)

The Environmental Issues Inventory System was developed through the implementation of the Environmental Issues and Remediation Plan. This plan was established to determine the location and severity of contaminated sites on inhabited First Nation reserves, and where necessary, to remediate those that posed a risk to health and safety; and to prevent future environmental problems. The EIIS provides information on the reserve under investigation, inventory number, name of site, environmental issue, site action (Remediation, Site Assessment), and date investigation completed.

Government Publication Date: 1992-2001*

Emergency Management Historical Event:

Provincial

EMHE

List of locations of historical occurrences of emergency events, including those assigned to the Ministry of Natural Resources by Order-In-Council (OIC) under the Emergency Management and Civil Protection Act, as well as events where MNR provided requested emergency response assistance. Many of these events will have involved community evacuations, significant structural loss, and/or involvement of MNR emergency response staff. These events fall into one of ten (10) type categories: Dam Failure; Drought / Low Water; Erosion; Flood; Forest Fire; Soil and Bedrock Instability; Petroleum Resource Center Event, EMO Requested Assistance, Continuity of Operations Event, Other Requested Assistance. EMHE record details are reproduced by ERIIS under License with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2017.

Government Publication Date: Apr 30, 2022

Environmental Penalty Annual Report:

Provincial

EPAR

This database contains data from Ontario's annual environmental penalty report published by the Ministry of the Environment, Conservation and Parks (MECP). These reports provide information on environmental penalties for land or water violations issued to companies in one of the nine industrial sectors covered by the Municipal Industrial Strategy for Abatement (MISA) regulations.

Government Publication Date: Jan 1, 2011 - Dec 31, 2024

List of Expired Fuels Safety Facilities:

Provincial

EXP

List of facilities and tanks for which there was once a fuel registration. This is not a comprehensive or complete inventory of expired tanks/tank facilities in the province; this listing is a copy of previously registered tanks and facilities obtained under Access to Public Information. Includes private fuel outlets, bulk plants, fuel oil tanks, gasoline stations, marinas, propane filling stations, liquid fuel tanks, piping systems, etc; includes tanks which have been removed from the ground.

Notes: registration was not required for private fuel underground/aboveground storage tanks prior to January 1990, nor for furnace oil tanks prior to May 1, 2002; registration is not required for waste oil tanks in apartments, office buildings, residences, etc., or aboveground gas or diesel tanks. Records are not verified for accuracy or completeness.

Government Publication Date: Oct 2023

Federal Convictions:

Federal

FCON

Environment Canada maintains a database referred to as the "Environmental Registry" that details prosecutions under the Canadian Environmental Protection Act (CEPA) and the Fisheries Act (FA). Information is provided on the company name, location, charge date, offence and penalty.

Government Publication Date: 1988-Jun 2007*

Contaminated Sites on Federal Land:

Federal

FCS

The Federal Contaminated Sites Inventory includes information on known federal contaminated sites under the custodianship of departments, agencies and consolidated Crown corporations as well as those that are being or have been investigated to determine whether they have contamination arising from past use that could pose a risk to human health or the environment. The inventory also includes non-federal contaminated sites for which the Government of Canada has accepted some or all financial responsibility. It does not include sites where contamination has been caused by, and which are under the control of, enterprise Crown corporations, private individuals, firms or other levels of government. Includes fire training sites and sites at which Per- and Polyfluoroalkyl Substances (PFAS) are a concern.

Government Publication Date: Jun 2000-Jan 2025

Fisheries & Oceans Fuel Tanks:

Federal

FOFT

Fisheries & Oceans Canada maintains an inventory of aboveground & underground fuel storage tanks located on Fisheries & Oceans property or controlled by DFO. Our inventory provides information on the site name, location, tank owner, tank operator, facility type, storage tank location, tank contents & capacity, and date of tank installation.

Government Publication Date: 1964-Sep 2019

Federal Identification Registry for Storage Tank Systems (FIRSTS):

Federal

FRST

A list of federally regulated Storage tanks from the Federal Identification Registry for Storage Tank Systems (FIRSTS). FIRSTS is Environment and Climate Change Canada's database of storage tank systems subject to the Storage Tank for Petroleum Products and Allied Petroleum Products Regulations. The main objective of the Regulations is to prevent soil and groundwater contamination from storage tank systems located on federal and aboriginal lands. Storage tank systems that do not have a valid identification number displayed in a readily visible location on or near the storage tank system may be refused product delivery.

Government Publication Date: Oct 31, 2021

Fuel Storage Tank:

Provincial

FST

List of registered private and retail fuel storage tanks. This is not a comprehensive or complete inventory of private and retail fuel storage tanks in the province; this listing is a copy of registered private and retail fuel storage tanks, obtained under Access to Public Information.

Notes: registration was not required for private fuel underground/aboveground storage tanks prior to January 1990, nor for furnace oil tanks prior to May 1, 2002; registration is not required for waste oil tanks in apartments, office buildings, residences, etc., or aboveground gas or diesel tanks. Records are not verified for accuracy or completeness.

Government Publication Date: Oct 2023

Fuel Storage Tank - Historic:

Provincial

FSTH

The Fuels Safety Branch of the Ontario Ministry of Consumer and Commercial Relations maintained a database of all registered private fuel storage tanks. Public records of private fuel storage tanks are only available since the registration became effective in September 1989. This information is now collected by the Technical Standards and Safety Authority.

Government Publication Date: Pre-Jan 2010*

Ontario Regulation 347 Waste Generators Summary:

Provincial

GEN

Regulation 347 of the Ontario EPA defines a waste generation site as any site, equipment and/or operation involved in the production, collection, handling and/or storage of regulated wastes. A generator of regulated waste is required to register the waste generation site and each waste produced, collected, handled, or stored at the site. This database contains the registration number, company name and address of registered generators including the types of hazardous wastes generated. It includes data on waste generating facilities such as: drycleaners, waste treatment and disposal facilities, machine shops, electric power distribution etc. This information is a summary of all years from 1986 including the most currently available data. As of January 1, 2023, businesses and institutions subject to the amended Reg. 347: General – Waste Management are required to report their activities and pay fees through Resource Productivity & Recovery Authority (RPRA) online Hazardous Waste Program Registry (HWPR) rather than the Hazardous Waste Information Network (HWIN) system previously operated by the Ministry of the Environment, Conservation and Parks (MECP). Some records may contain, within the company name, the phrase "See & Use..." followed by a series of letters and numbers. This occurs when one company is amalgamated with or taken over by another registered company. The number listed as "See & Use", refers to the new ownership and the other identification number refers to the original ownership. This phrase serves as a link between the 2 companies until operations have been fully transferred.

Government Publication Date: 1986-Jun 30, 2024

Greenhouse Gas Emissions from Large Facilities:

Federal

GHG

List of greenhouse gas emissions from large facilities made available by Environment Canada. Greenhouse gas emissions in kilotonnes of carbon dioxide equivalents (kt CO₂ eq).

Government Publication Date: 2013-Apr 2024

TSSA Historic Incidents:

Provincial

HINC

List of historic incidences of spills and leaks of diesel, fuel oil, gasoline, natural gas, propane, and hydrogen recorded by the TSSA in their previous incident tracking system. The TSSA's Fuels Safety Program administers the Technical Standards & Safety Act 2000, providing fuel-related safety services associated with the safe transportation, storage, handling and use of fuels such as gasoline, diesel, propane, natural gas and hydrogen. Under this Act, the TSSA regulates fuel suppliers, storage facilities, transport trucks, pipelines, contractors and equipment or appliances that use fuels. Records are not verified for accuracy or completeness. This is not a comprehensive or complete inventory of historical fuel spills and leaks in the province. This listing is a copy of the data captured at one moment in time and is hence limited by the record date provided here.

Government Publication Date: 2006-June 2009*

Indian & Northern Affairs Fuel Tanks:

Federal

IAFT

The Department of Indian & Northern Affairs Canada (INAC) maintains an inventory of aboveground & underground fuel storage tanks located on both federal and crown land. Our inventory provides information on the reserve name, location, facility type, site/facility name, tank type, material & ID number, tank contents & capacity, and date of tank installation.

Government Publication Date: 1950-Aug 2003*

Fuel Oil Spills and Leaks:

Provincial

INC

Listing of spills and leaks of diesel, fuel oil, gasoline, natural gas, propane, and hydrogen reported to the Spills Action Centre (SAC). This is not a comprehensive or complete inventory of fuel-related leaks, spills, and incidents in the province; this listing is a copy of incidents reported to the SAC, obtained under Access to Public Information. Includes incidents from fuel-related hazards such as spills, fires, and explosions. Records are not verified for accuracy or completeness.

Government Publication Date: 31 Oct, 2023

Landfill Inventory Management Ontario:

Provincial

LIMO

The Landfill Inventory Management Ontario (LIMO) database is updated every year, as the Ministry of the Environment, Conservation and Parks compiles new and updated information. Includes small and large landfills currently operating as well as those which are closed and historic. Operators of larger landfills provide landfill information for the previous operating year to the ministry for LIMO including: estimated amount of total waste received, landfill capacity, estimated total remaining landfill capacity, fill rates, engineering designs, reporting and monitoring details, size of location, service area, approved waste types, leachate of site treatment, contaminant attenuation zone and more. The small landfills include information such as site owner, site location and certificate of approval # and status.

Government Publication Date: Mar 31, 2022

Canadian Mine Locations:

Private

MINE

This information is collected from the Canadian & American Mines Handbook. The Mines database is a national database that provides over 290 listings on mines (listed as public companies) dealing primarily with precious metals and hard rocks. Listed are mines that are currently in operation, closed, suspended, or are still being developed (advanced projects). Their locations are provided as geographic coordinates (x, y and/or longitude, latitude). As of 2002, data pertaining to Canadian smelters and refineries has been appended to this database.

Government Publication Date: 1998-2009*

Mineral Occurrences:

Provincial

MNR

In the early 70's, the Ministry of Northern Development and Mines created an inventory of approximately 19,000 mineral occurrences in Ontario, in regard to metallic and industrial minerals, as well as some information on building stones and aggregate deposits. Please note that the "Horizontal Positional Accuracy" is approximately +/- 200 m. Many reference elements for each record were derived from field sketches using pace or chain/tape measurements against claim posts or topographic features in the area. The primary limiting factor for the level of positional accuracy is the scale of the source material. The testing of horizontal accuracy of the source materials was accomplished by comparing the plan metric (X and Y) coordinates of that point with the coordinates of the same point as defined from a source of higher accuracy.

Government Publication Date: 1846-Feb 2025

National Analysis of Trends in Emergencies System (NATES):

Federal

NATE

In 1974 Environment Canada established the National Analysis of Trends in Emergencies System (NATES) database, for the voluntary reporting of significant spill incidents. The data was to be used to assist in directing the work of the emergencies program. NATES ran from 1974 to 1994. Extensive information is available within this database including company names, place where the spill occurred, date of spill, cause, reason and source of spill, damage incurred, and amount, concentration, and volume of materials released.

Government Publication Date: 1974-1994*

Non-Compliance Reports:

Provincial

NCPL

The Ministry of the Environment Conservation and Parks (MECP) provides information about non-compliant discharges of contaminants to air and water that exceed legal allowable limits, from regulated industrial and municipal facilities. A reported non-compliance failure may be in regard to a Control Order, Certificate of Approval, Sectoral Regulation or specific regulation/act. MECP publicly releases the Environmental Compliance Report (ECR) on the Ontario Data Catalogue. In Ontario, all facilities with regulated wastewater discharges or air emissions under the Ontario Water Resources Act and the Environmental Protection Act must monitor and report any cases where approved operating limits have been exceeded.

Government Publication Date: Dec 31, 2023

National Defense & Canadian Forces Fuel Tanks:

Federal

NDFT

The Department of National Defense and the Canadian Forces maintains an inventory of all aboveground & underground fuel storage tanks located on DND lands. Our inventory provides information on the base name, location, tank type & capacity, tank contents, tank class, date of tank installation, date tank last used, and status of tank as of May 2001. This database will no longer be updated due to the new National Security protocols which have prohibited any release of this database.

Government Publication Date: Up to May 2001*

National Defense & Canadian Forces Spills:

Federal

NDSP

The Department of National Defense and the Canadian Forces maintains an inventory of spills to land and water. All spill sites have been classified under the "Transportation of Dangerous Goods Act - 1992". Our inventory provides information on the facility name, location, spill ID #, spill date, type of spill, as well as the quantity of substance spilled & recovered.

Government Publication Date: Mar 1999-Nov 2023

National Defence & Canadian Forces Waste Disposal Sites:

Federal

NDWD

The Department of National Defence and the Canadian Forces maintains an inventory of waste disposal sites located on DND lands. Where available, our inventory provides information on the base name, location, type of waste received, area of site, depth of site, year site opened/closed and status.

Government Publication Date: 2001-Apr 2007*

National Energy Board Pipeline Incidents:

Federal

NEBI

Locations of pipeline incidents from 2008 to present, made available by the Canada Energy Regulator (CER) - previously the National Energy Board (NEB). Includes incidents reported under the Onshore Pipeline Regulations and the Processing Plant Regulations related to pipelines under federal jurisdiction, does not include incident data related to pipelines under provincial or territorial jurisdiction.

Government Publication Date: 2008-Dec 31, 2024

National Energy Board Wells:

Federal

NEBP

The NEBW database contains information on onshore & offshore oil and gas wells that are outside provincial jurisdiction(s) and are thereby regulated by the National Energy Board. Data is provided regarding the operator, well name, well ID No./UWI, status, classification, well depth, spud and release date.

Government Publication Date: 1920-Feb 2003*

National Environmental Emergencies System (NEES):

Federal

NEES

In 2000, the Emergencies program implemented NEES, a reporting system for spills of hazardous substances. For the most part, this system only captured data from the Atlantic Provinces, some from Quebec and Ontario and a portion from British Columbia. Data for Alberta, Saskatchewan, Manitoba and the Territories was not captured. However, NEES is also a repository for previous Environment Canada spill datasets. NEES is composed of the historic datasets ' or Trends ' which dates from approximately 1974 to present. NEES Trends is a compilation of historic databases, which were merged and includes data from NATES (National Analysis of Trends in Emergencies System), ARTS (Atlantic Regional Trends System), and NEES. In 2001, the Emergencies Program determined that variations in reporting regimes and requirements between federal and provincial agencies made national spill reporting and trend analysis difficult to achieve. As a consequence, the department has focused efforts on capturing data on spills of substances which fall under its legislative authority only (CEPA and FA). As such, the NEES database will be decommissioned in December 2004.

Government Publication Date: 1974-2003***National PCB Inventory:**

Federal

NPCB

Environment Canada's National PCB inventory includes information on in-use PCB containing equipment in Canada including federal, provincial and private facilities. Federal out-of-service PCB containing equipment and PCB waste owned by the federal government or by federally regulated industries such as airlines, railway companies, broadcasting companies, telephone and telecommunications companies, pipeline companies, etc. are also listed. Although it is not Environment Canada's mandate to collect data on non-federal PCB waste, the National PCB inventory includes some information on provincial and private PCB waste and storage sites. Some addresses provided may be Head Office addresses and are not necessarily the location of where the waste is being used or stored.

Government Publication Date: 1988-2008***National Pollutant Release Inventory:**

Federal

NPR2

The National Pollutant Release Inventory (NPRI) is Canada's public inventory of pollutant releases (to air, water and land), disposals, and transfers for recycling. The inventory, managed by Environment and Climate Change Canada, tracks over 300 substances. Under the authority of the Canadian Environmental Protection Act (CEPA), owners or operators of facilities that meet published reporting requirements are required to report to the NPRI.

Government Publication Date: Feb 2024**National Pollutant Release Inventory - Historic:**

Federal

NPRI

Environment Canada has defined the National Pollutant Release Inventory ("NPRI") as a federal government initiative designed to collect comprehensive national data regarding releases to air, water, or land, and waste transfers for recycling for more than 300 listed substances. This data holds historic records; current records are found in NPR2.

Government Publication Date: 1993-May 2017**Oil and Gas Wells:**

Private

OGWE

The Nickle's Energy Group (publisher of the Daily Oil Bulletin) collects information on drilling activity including operator and well statistics. The well information database includes name, location, class, status and depth. The main Nickle's database is updated on a daily basis, however, this database is updated on a monthly basis. More information is available at www.nickles.com.

Government Publication Date: 1988-May 31, 2024**Ontario Oil and Gas Wells:**

Provincial

OOGW

In 1998, the Ministry of Natural Resources (MNR) handed over to the Ontario Oil, Gas and Salt Resources (OGSR) Corporation, the responsibility of maintaining a database of oil and gas wells drilled in Ontario. The OGSR Library has over 20,000+ wells in their database. Information available for all wells in the ERIS database includes well owner/operator, location, permit issue date, and well cap date, license number, status, depth and the primary target (rock unit) of the well being drilled. All geology/stratigraphy table information, plus all water table information is also provided for each well record.

Government Publication Date: 1800-Aug 2024**Inventory of PCB Storage Sites:**

Provincial

OPCB

The Ontario Ministry of Environment, Waste Management Branch, maintains an inventory of PCB storage sites within the province. Ontario Regulation 11/82 (Waste Management - PCB) and Regulation 347 (Generator Waste Management) under the Ontario EPA requires the registration of inactive PCB storage equipment and/or disposal sites of PCB waste with the Ontario Ministry of Environment. This database contains information on: 1) waste quantities; 2) major and minor sites storing liquid or solid waste; and 3) a waste storage inventory.

Government Publication Date: 1987-Oct 2004; 2012-Dec 2013**Orders:**

Provincial

ORD

This is a subset taken from Ontario's Environmental Registry (EBR) database. It will include Orders on the registry such as (EPA s. 17) - Order for remedial work, (EPA s. 18) - Order for preventative measures, (EPA s. 43) - Order for removal of waste and restoration of site, (EPA s. 44) - Order for conformity with Act for waste disposal sites, (EPA s. 136) - Order for performance of environmental measures.

Government Publication Date: 1994 - Feb 28, 2025

Canadian Pulp and Paper:

Private

PAP

This information is part of the Pulp and Paper Canada Directory. The Directory provides a comprehensive listing of the locations of pulp and paper mills and the products that they produce.

Government Publication Date: 1999, 2002, 2004, 2005, 2009-2014

Parks Canada Fuel Storage Tanks:

Federal

PCFT

Canadian Heritage maintains an inventory of known fuel storage tanks operated by Parks Canada, in both National Parks and at National Historic Sites. The database details information on site name, location, tank install/removal date, capacity, fuel type, facility type, tank design and owner/operator.

Government Publication Date: 1920-Jan 2005*

Pesticide Register:

Provincial

PES

The Ontario Ministry of the Environment and Climate Change maintains a database of licensed operators and vendors of registered pesticides.

Government Publication Date: Oct 2011-Mar 31, 2025

Ontario PFAS Spills:

Provincial

PFAS

This specific list of spills includes those incidents where one or more of the listed contaminants are identified in the PFAS Structure List and/or PFAS Chemicals Without Explicit Structure List made available by the United States Environmental Protection Agency (US EPA), is originally sourced from the Ministry of the Environment, Conservation and Parks spills related data. Information from 1988-2002 was part of the ORIS (Occurrence Reporting Information System). The SAC (Spills Action Centre) handles all spills reported in Ontario. Regulations for spills in Ontario are part of the MOE's Environmental Protection Act, Part X.

Government Publication Date: 1988-Jun 2024; Aug 2024; Oct-Nov 2024

NPRI Reporters - PFAS Substances:

Federal

PFCH

The National Pollutant Release Inventory (NPRI) is Canada's public inventory of releases, disposals, and transfers, tracking over 320 pollutants. Per - and polyfluoroalkyl substances (PFAS) are a group of over 4,700 human-made substances for which adverse environmental and health effects have been observed. This listing of PFAS substance reporters includes those NPRI facilities that reported substances that are found in either: a) the Comprehensive Global Database of PFASs compiled by the Organisation for Economic Co-operation and Development (OECD), b) the US Environmental Protection Agency (US EPA) Master List of PFAS Substances, c) the US EPA list of PFAS chemicals without explicit structures, or d) the US EPA list of PFAS structures (encompassing the largest set of structures having sufficient levels of fluorination to potentially impart PFAS-type properties).

Government Publication Date: Feb 2024

Potential PFAS Handlers from NPRI:

Federal

PFHA

The National Pollutant Release Inventory (NPRI) is Canada's public inventory of releases, disposals, and transfers, tracking over 320 pollutants. Per - and polyfluoroalkyl substances (PFAS) are a group of over 4,700 human-made substances for which adverse environmental and health effects have been observed. This list of potential PFAS handlers includes those NPRI facilities that reported business activity (NAICS code) included in the US Environmental Protection Agency (US EPA) list of Potential PFAS-Handling Industry Sectors, further described as operating in industry sectors where literature reviews indicate that PFAS may be handled and/or released. Inclusion of a facility in this listing does not indicate that PFAS are being manufactured, processed, used, or released by the facility - these are facilities that potentially handle PFAS based on their industrial profile.

Government Publication Date: Feb 2024

Pipeline Incidents:

Provincial

PINC

List of pipeline incidents (strikes, leaks, spills). This is not a comprehensive or complete inventory of pipeline incidents in the province; this listing is an historical copy of records previously obtained under Access to Public Information. Records are not verified for accuracy or completeness.

Government Publication Date: Feb 28, 2021

Potential PFAS Handlers from EASR:

Provincial

PPHA

The Ontario Environmental Activity and Sector Registry (EASR), described in Ontario Regulation 245/11, allows businesses with less complex operations - and hence not requiring an Environmental Compliance Approval - to register their activities with the Ontario Ministry of the Environment, Conservation and Parks (MECP). This list of potential PFAS handlers includes those EASR facilities that reported business activity (NAICS code) included in the US Environmental Protection Agency (US EPA) list of Potential PFAS-Handling Industry Sectors, further described as operating in industry sectors where literature reviews indicate that PFAS may be handled and/or released. Inclusion of a facility in this listing does not indicate that PFAS are being manufactured, processed, used.

Government Publication Date: Jun 30, 2024

Private and Retail Fuel Storage Tanks:

Provincial

PRT

The Fuels Safety Branch of the Ontario Ministry of Consumer and Commercial Relations maintained a database of all registered private fuel storage tanks and licensed retail fuel outlets. This database includes an inventory of locations that have gasoline, oil, waste oil, natural gas and/or propane storage tanks on their property. The MCCR no longer collects this information. This information is now collected by the Technical Standards and Safety Authority (TSSA).

Government Publication Date: 1989-1996*

Permit to Take Water:

Provincial

PTTW

This is a subset taken from Ontario's Environmental Registry (EBR) database. It will include PTTW's on the registry such as OWRA s. 34 - Permit to take water.

Government Publication Date: 1994 - Feb 28, 2025

Ontario Regulation 347 Waste Receivers Summary:

Provincial

REC

Part V of the Ontario Environmental Protection Act ("EPA") regulates the disposal of regulated waste through an operating waste management system or a waste disposal site operated or used pursuant to the terms and conditions of a Certificate of Approval or a Provisional Certificate of Approval. Regulation 347 of the Ontario EPA defines a waste receiving site as any site or facility to which waste is transferred by a waste carrier. A receiver of regulated waste is required to register the waste receiving facility. This database represents registered receivers of regulated wastes, identified by registration number, company name and address, and includes receivers of waste such as: landfills, incinerators, transfer stations, PCB storage sites, sludge farms and water pollution control plants. This information is a summary of all years from 1986 including the most currently available data.

Government Publication Date: 1986-1990, 1992-2021

Record of Site Condition:

Provincial

RSC

The Record of Site Condition (RSC) is part of the Ministry of the Environment's Brownfields Environmental Site Registry. Protection from environmental cleanup orders for property owners is contingent upon documentation known as a record of site condition (RSC) being filed in the Environmental Site Registry. In order to file an RSC, the property must have been properly assessed and shown to meet the soil, sediment and groundwater standards appropriate for the use (such as residential) proposed to take place on the property. The Record of Site Condition Regulation (O. Reg. 153/04) details requirements related to site assessment and clean up. RSCs filed after July 1, 2011 will also be included as part of the new (O.Reg. 511/09). The Government of Ontario states that it is not responsible for the accuracy of the information in this Registry.

Government Publication Date: 1997-Sept 2001, Oct 2004-Mar 2025

Retail Fuel Storage Tanks:

Private

RST

This database includes an inventory of retail fuel outlet locations (including marinas) that have on their property gasoline, oil, waste oil, natural gas and / or propane storage tanks.

Government Publication Date: 1999-Apr 30, 2024

Scott's Manufacturing Directory:

Private

SCT

Scott's Directories is a data bank containing information on over 200,000 manufacturers across Canada. Even though Scott's listings are voluntary, it is the most comprehensive database of Canadian manufacturers available. Information concerning a company's address, plant size, and main products are included in this database.

Government Publication Date: 1992-Mar 2011*

Ontario Spills:

Provincial

SPL

List of spills and incidents made available by the Ministry of the Environment, Conservation and Parks. This database identifies information such as location (approximate), type and quantity of contaminant, date of spill, environmental impact, cause, nature of impact, etc. Information from 1988-2002 was part of the ORIS (Occurrence Reporting Information System). The SAC (Spills Action Centre) handles all spills reported in Ontario. Regulations for spills in Ontario are part of the MOE's Environmental Protection Act, Part X.

Government Publication Date: 1988-Jun 2024; Aug-Jan 2025

Wastewater Discharger Registration Database:

Provincial

SRDS

Facilities that report either municipal treated wastewater effluent or industrial wastewater discharges under the Effluent Monitoring and Effluent Limits (EMEL) and Municipal/Industrial Strategy for Abatement Regulations. The Municipal/Industrial Strategy for Abatement (MISA) division of the Ontario Ministry of Environment keeps record of direct dischargers of toxic pollutants within nine sectors including: Electric Power Generation, Mining, Petroleum Refining, Organic Chemicals, Inorganic Chemicals, Pulp & Paper, Metal Casting, Iron & Steel, and Quarries.

Government Publication Date: 1990-Dec 31, 2021

Anderson's Storage Tanks:

Private

TANK

The information provided in this database was collected by examining various historical documents, which identified the location of former storage tanks, containing substances such as fuel, water, gas, oil, and other various types of miscellaneous products. Information is available in regard to business operating at tank site, tank location, permit year, permit & installation type, no. of tanks installed & configuration and tank capacity. Data contained within this database pertains only to the city of Toronto and is not warranted to be complete, exhaustive or authoritative. The information was collected for research purposes only.

Government Publication Date: 1915-1953*

Transport Canada Fuel Storage Tanks:

Federal

TCFT

List of fuel storage tanks currently or previously owned or operated by Transport Canada. This inventory also includes tanks on The Pickering Lands, which refers to 7,530 hectares (18,600 acres) of land in Pickering, Markham, and Uxbridge owned by the Government of Canada since 1972; properties on this land has been leased by the government since 1975, and falls under the Site Management Policy of Transport Canada, but is administered by Public Works and Government Services Canada. This inventory provides information on the site name, location, tank age, capacity and fuel type.

Government Publication Date: 1970 - Apr 2024

Variances for Abandonment of Underground Storage Tanks:

Provincial

VAR

Listing of variances granted for storage tank abandonment. This is not a comprehensive or complete inventory of tank abandonment variances in the province; this listing is a copy of tank abandonment variance records previously obtained under Access to Public Information. In Ontario, registered underground storage tanks must be removed within two years of disuse; if removal of a tank is not feasible, an application may be sought for a variance from this code requirement.

Records are not verified for accuracy or completeness.

Government Publication Date: Feb 28, 2022

Waste Disposal Sites - MOE CA Inventory:

Provincial

WDS

The Ontario Ministry of Environment, Waste Management Branch, maintains an inventory of known open (active or inactive) and closed disposal sites in the Province of Ontario. Active sites maintain a Certificate of Approval, are approved to receive and are receiving waste. Inactive sites maintain Certificate(s) of Approval but are not receiving waste. Closed sites are not receiving waste. The data contained within this database was compiled from the MOE's Certificate of Approval database. Locations of these sites may be cross-referenced to the Anderson database described under ERI's Private Source Database section, by the CA number. All new Environmental Compliance Approvals handed out after Oct 31, 2011 for Waste Disposal Sites will still be found in this database.

Government Publication Date: Oct 2011 - Mar 31, 2025

Waste Disposal Sites - MOE 1991 Historical Approval Inventory:

Provincial

WDSH

In June 1991, the Ontario Ministry of Environment, Waste Management Branch, published the "June 1991 Waste Disposal Site Inventory", of all known active and closed waste disposal sites as of October 30th, 1990. For each "active" site as of October 31st 1990, information is provided on site location, site/CA number, waste type, site status and site classification. For each "closed" site as of October 31st 1990, information is provided on site location, site/CA number, closure date and site classification. Locations of these sites may be cross-referenced to the Anderson database described under ERI's Private Source Database section, by the CA number.

Government Publication Date: Up to Oct 1990*

Water Well Information System:

Provincial

WWIS

This database describes locations and characteristics of water wells found within Ontario in accordance with Regulation 903. It includes such information as coordinates, construction date, well depth, primary and secondary use, pump rate, static water level, well status, etc. Also included are detailed stratigraphy information, approximate depth to bedrock and the approximate depth to the water table.

Government Publication Date: Dec 31 2023

Definitions

Database Descriptions: This section provides a detailed explanation for each database including: source, information available, time coverage, and acronyms used. They are listed in alphabetic order.

Detail Report: This is the section of the report which provides the most detail for each individual record. Records are summarized by location, starting with the project property followed by records in closest proximity.

Distance: The distance value is the distance between plotted points, not necessarily the distance between the sites' boundaries. All values are an approximation.

Direction: The direction value is the compass direction of the site in respect to the project property and/or center point of the report.

Elevation: The elevation value is taken from the location at which the records for the site address have been plotted. All values are an approximation. Source: Google Elevation API.

Executive Summary: This portion of the report is divided into 3 sections:

'Report Summary'- Displays a chart indicating how many records fall on the project property and, within the report search radii.

'Site Report Summary'-Project Property'- This section lists all the records which fall on the project property. For more details, see the 'Detail Report' section.

'Site Report Summary-Surrounding Properties'- This section summarizes all records on adjacent properties, listing them in order of proximity from the project property. For more details, see the 'Detail Report' section.

Map Key: The map key number is assigned according to closest proximity from the project property. Map Key numbers always start at #1. The project property will always have a map key of '1' if records are available. If there is a number in brackets beside the main number, this will indicate the number of records on that specific property. If there is no number in brackets, there is only one record for that property.

The symbol and colour used indicates 'elevation': the red inverted triangle will dictate 'ERIS Sites with Lower Elevation', the yellow triangle will dictate 'ERIS Sites with Higher Elevation' and the orange square will dictate 'ERIS Sites with Same Elevation.'

Unplottables: These are records that could not be mapped due to various reasons, including limited geographic information. These records may or may not be in your study area, and are included as reference.

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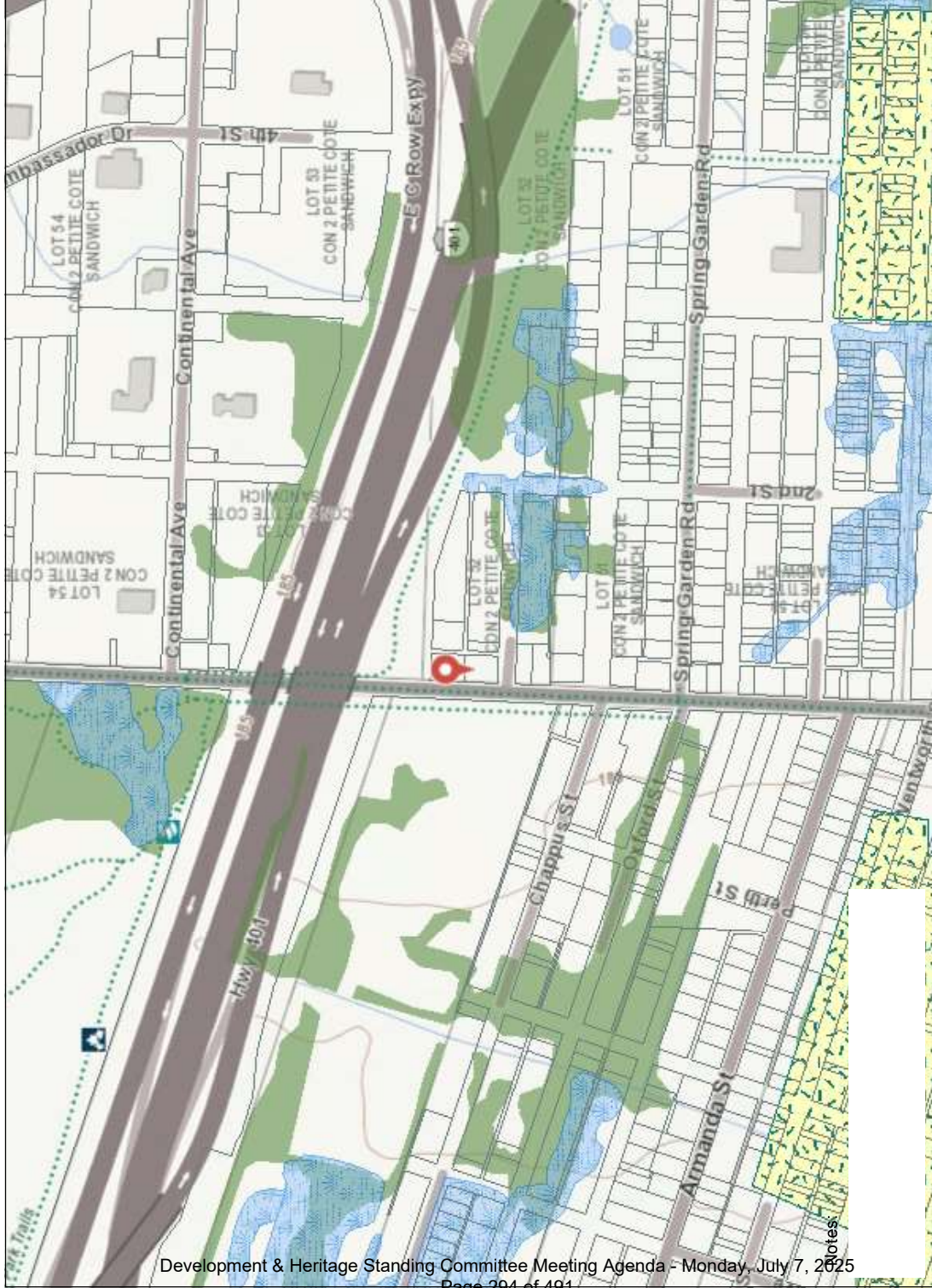
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Natural Heritage Maps

Map created: 5/20/2025



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0.3 Kilometres Absence of a feature in the map does not mean they do not exist in this area.



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Legend

- Assessment Parcel
- ANSI
- Earth Science Provincially Significant/sciences de la terre d'importance provinciale
- Earth Science Regionally Significant/sciences de la terre d'importance régionale
- Life Science Provincially Significant/sciences de la vie d'importance provinciale
- Life Science Regionally Significant/sciences de la vie d'importance régionale
- Evaluated Wetland
- Provincially Significant/considérée d'importance provinciale
- Non-Provincially Significant/non considérée d'importance provinciale
- Unevaluated Wetland
- Woodland
- Conservation Reserve
- Provincial Park
- Natural Heritage System



APPENDIX C – SITE PHOTOGRAPHS



1. Front view (south wall) of the on-site residential building, looking north.



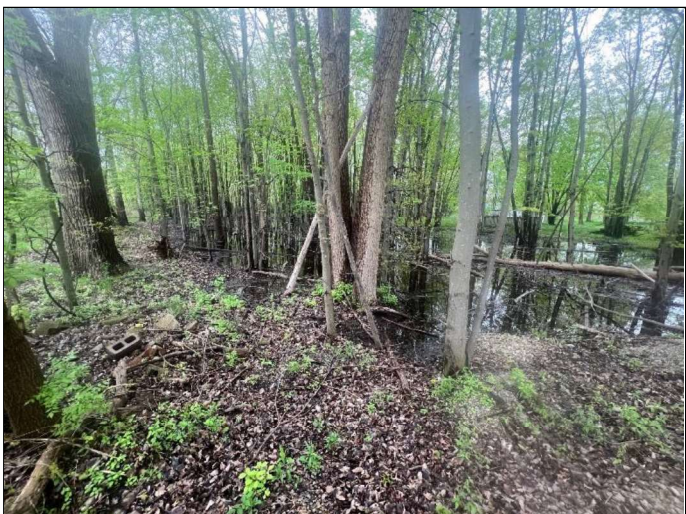
2. View of east wall of the on-site residential building, looking northwest.



3. View of the north and west walls of the on-site building, facing southeast.



4. View of basement area of the subject building.



5. View of woodland / wetland area, east of the Site.



6. View of the undeveloped land, west of the Site.

APPENDIX D – DOCUMENTATION OF INTERVIEW

Phase I ESA Documentation of Interviews

Interviewed Participants:

(a) Current Site Owner

Date, Time and Duration of Interview:	May 12, 2025, 10:00 am
Method and Place of Interview:	In writing
Name of Person:	Mr. Marshall Paton
Reason for Person Selection:	Person with detailed knowledge of current site activities.
Key Questions:	Answers:
1. Have a Phase I ESA, Phase II ESA and/or other reports been previously conducted for the Site, when, and are they available for review?	None
2. What is (was) the main current (past) activity conducted at the Site? Since when?	The site is occupied by a residential dwelling.
3. Was there any construction activity conducted at the site in the past years?	Unknown
4. Are there any company records available for review, such as: site plans, process control diagrams, utility drawings, inventory of chemicals, MSDS, waste management records?	None
5. Do you have knowledge of any current or former underground or aboveground storage tanks, and their location at the site?	None
6. Are there any spill reporting and emergency response plans, asbestos surveys and C of A available?	None
7. Do you have knowledge of any activities and events occurred at neighbouring properties that may have affected their environmental condition?	None



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Date: March 14, 2025

To: City of Windsor, Planning Department

RE: Planning Justification Report for
 Proposed Application for Zoning By-law Amendment
 4641 Malden Road, Lots 88 to 92, Plan 972

Roll # 3739 080 670 08900

Author: Robert Brown, H. Ba, MCIP, RPP

Purpose

To provide an overview of the related land use planning considerations in support of a Zoning By-law amendment from Development Reserve District 1.1 (DRD1.1) to Residential District 1.3 (RD1.3).

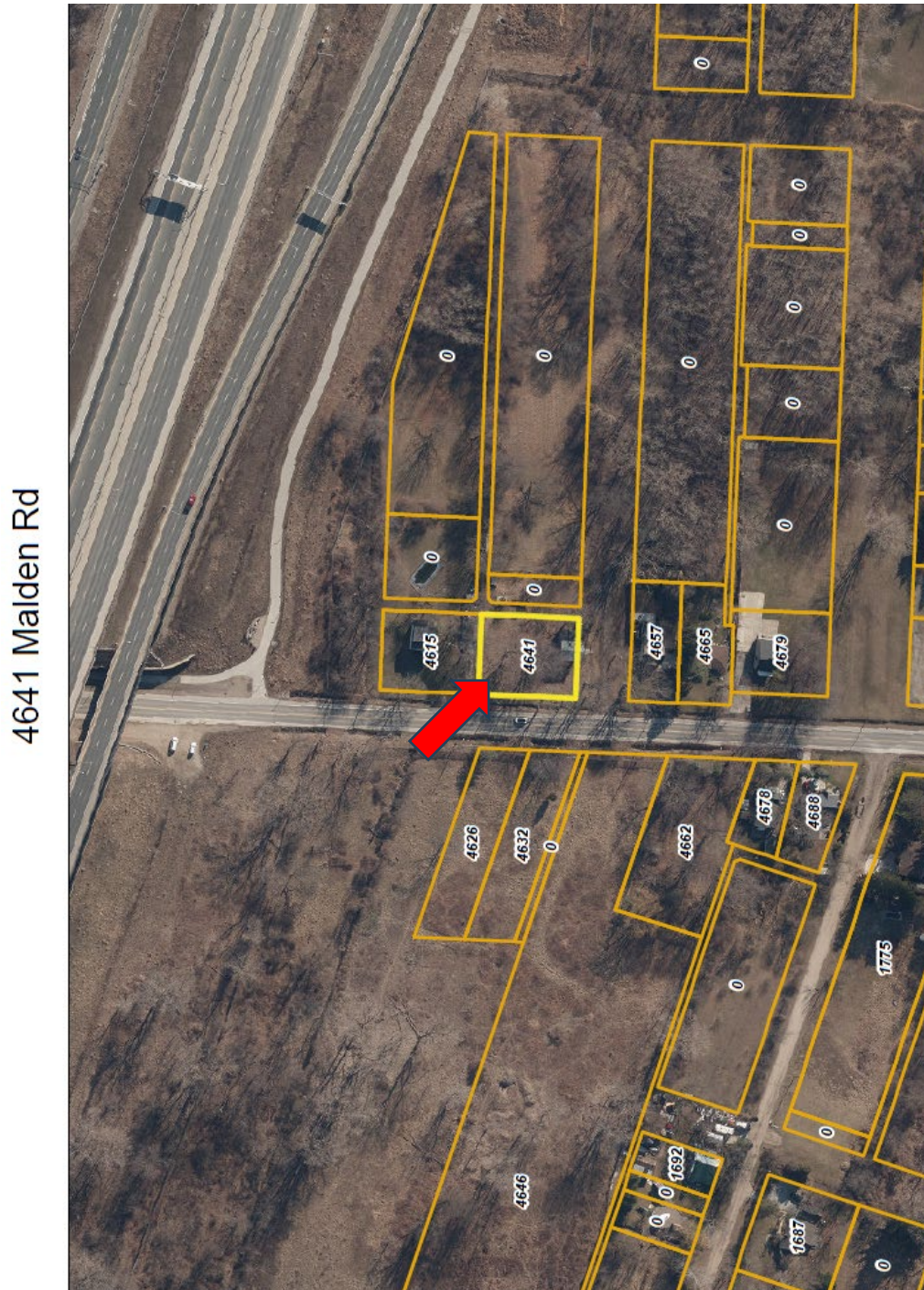
Background

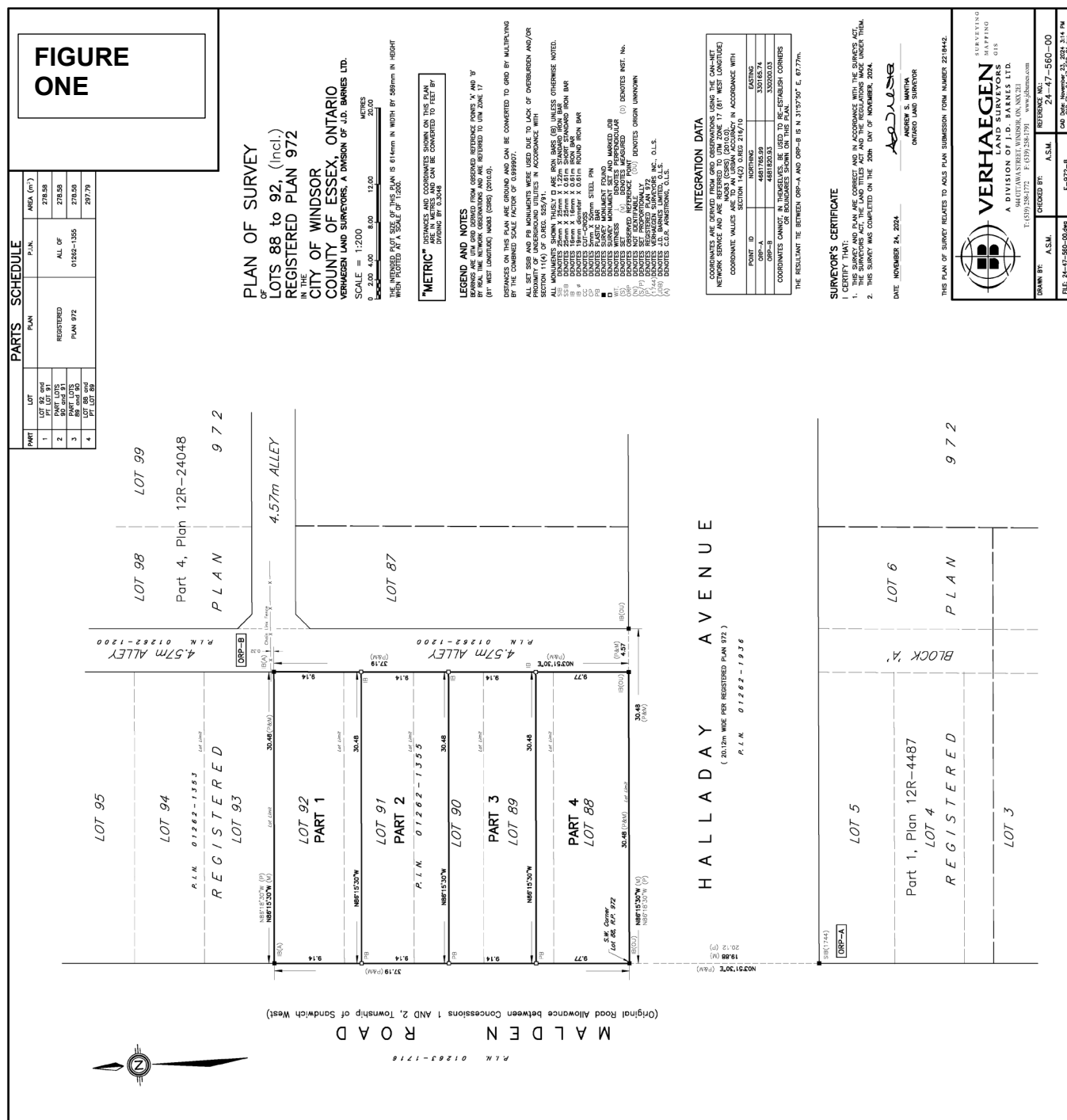
The subject property at 4641 Malden Road (Figure One) consists of five existing lots on a plan of subdivision (Figure Two) with a total lot area of 1,133.55 sq. m (12,201.8 sq. ft.) and lot frontage of 37.19 m (122 ft.). There is one existing dwelling located toward the south end of the property which was constructed in the 1940's. The lands around the subject parcel are mostly vacant and undeveloped with only seven single detached homes located in the section of Malden Road between Chappus St. and the EC Row. There is no specific style of home in the area however many are smaller one to one and a half storey frame dwellings common in the mid to late 1940's.

The property owner has made an application for a zoning by-law amendment to rezone the property from Development Reserve District 1.1 (DRD 1.1) to Residential District 1.3 (RD1.3) to allow for the construction of three new single detached dwellings. The zoning amendment would also facilitate the reconfiguration of the five plan lots into a total of four lots, three vacant and one for the existing dwelling.

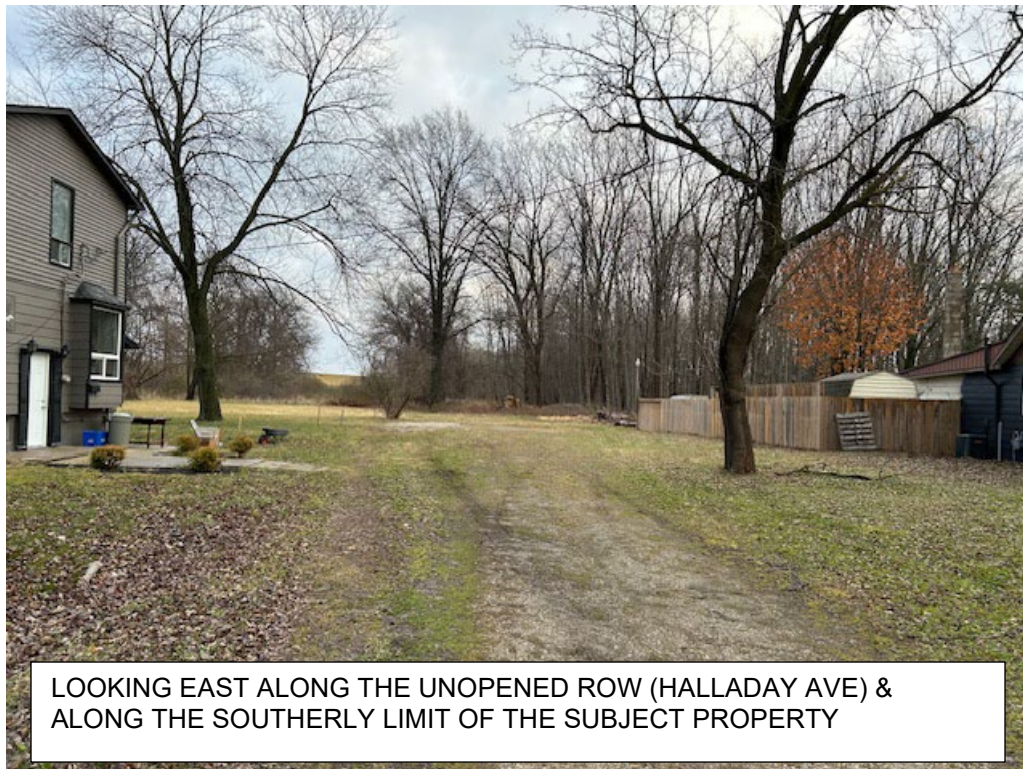
Each of the new lots (Parts 1, 2 and 3) would have a lot area of 278.5 sq. m (2,998.78 sq. ft.) and frontage of 9.14 m (29.98 ft.). The remaining lot (Part 4) would be 297.79 sq. m (3,205.5 sq. ft.) in lot area with a lot frontage of 9.77 m (32.05 ft.). (Figure One/Two)

LOCATION MAP















Planning Rationale

1) Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The lands are designated Residential by the Windsor Official Plan and located within the settlement area.

Section 2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
 - a) establishing and implementing minimum targets for the provision of housing that is *affordable to low and moderate income households*, and coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including *affordable* housing needs;

Comment: One of the most expedited ways to achieve housing goals is the utilization of existing lands within a settlement area. What makes the subject area somewhat more advantageous is that it is already subdivided with a variety of lot sizes. With the addition of streets and services, where appropriate, development could proceed. The mix of lot sizes could allow for anything from small single detached, to semi-detached and townhouse development.

 - b) permitting and facilitating:
 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
 2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment*, which results in a net increase in residential units in accordance with policy 2.3.1.3;

Comment: The subject area has remained largely underdeveloped in part due to servicing needs but more so due to the large natural area that predominates. Policy has been developed over many years to assist with the

guidance of how to best develop the lands that are outside or adjacent to the natural area. Although small in scale the proposed development is one example of what can occur with the assembly of a few lots.

- c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and

Comment: The area is limited to lower density development, again based on the need to protect and preserve the area's natural environment. However, there still remains a significant number of lots and lot sizes that can accommodate a wide range of low-density housing types. The subject site specifically abuts Malden Road which is a minor arterial road (Figure Three). This is an area where high density, mix residential types and mix use serve as a buffer and transition to low density within the area east of Malden Road.

- d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

Comment: The scattered nature of the existing development in the surrounding area makes providing transit service presently inefficient. As more housing develops in the area this is likely to require change. This is not to say that the area has no access as there is one transit line (Route#3) that is located just under 1 km to the north of the subject property.

2) Official Plan – City of Windsor

The subject property is designated Residential in the City of Windsor Official Plan (Figure Four) and within the Spring Garden Planning Area (SGPA) (a secondary plan added to the Official Plan in 2002) (Figure Five). The area consists of approximately 6,500 residential lots on several registered plans that occurred between 1909 and 1929. Many of the lots have a width of 9 metres which was standard for the day. With the large number of lots ownership across the area is very fragmented with many individuals owning only one or two lots. With this and a lack of infrastructure the area remained undeveloped and vacant. In addition, the SGPA contains a consolidated Environmentally Significant Area, an Area of Natural and Scientific Interest (ANSI), a Candidate Natural Heritage Site (CNHS) and contains habitat for the Massasauga Rattlesnake, an endangered species.

In 1996 a sewer extension into the area stimulated growth along with a need to update policy in the area to address the complex environmental issues, land use and servicing needs. This led to a development concept for the area which is outlined in (Schedule SG-1 of the SGPA – Figure Five). With policy now in place for the area proposals for development can be consistently assessed.

Section 5.6 of the SGPA outlines the following relevant objectives:

5.6.1 To protect and perpetuate the significant biological communities within the Spring Garden Natural Area Complex in accordance with the goals, objectives and policies of the City's Official Plan.

Comment: An Information Gathering Form (IGF), Environmental Evaluation Report (Appendix B) & Natural Features Inventory and Preservation Study (Appendix C) was submitted to the MECP to assess the potential impacts of the project on species at risk (SAR). MECP has reviewed this information and provided a number of recommendations which are outlined in Appendix D.

5.6.2 To integrate future residential development with the natural environment, where feasible, on lands adjacent to the Spring Garden Natural Area Complex in accordance with the goals, objective and policies of the City's Official Plan.

Comment: The lands in question are located northwest of the Spring Garden Natural Area Complex but are not adjacent to it.

5.6.3 To determine appropriate noise attenuation measures for residential development areas adjacent to the E.C. Row Expressway, Huron Church Road and Malden Road.

Comment: A noise assessment was completed. (See Appendix E)

5.6.4 To determine infrastructure needs for the provision of full municipal services.

Comment: Water and sanitary sewer service is available along Malden Road to provide service connections to the new lots. There is no storm sewer however there is a roadside drain that provides an outlet for surface drainage from the property now and can continue to do so for the new lots.

5.7 Policies

5.7.1.3 Maximum Density – 30 units per gross hectare.

Comment: The gross density of the proposed development would be 21.4 units per gross hectare

5.7.1.4 Single detached residences will be encouraged as the primary residential land use type.

Comment: Each of the new lots is being developed with a new single detached dwelling.

5.7.1.9 Requires that an Environmental Evaluation Report be completed to evaluate the ecological function of the adjacent lands.

Comment: A comprehensive EER (Appendix B) was completed for the Spring Garden Natural Area (ANSI) and formed part of the amendment that established the

SGPA. Residential development *“located within the 50 metre adjacent lands area of the ANSI will not be required to fulfill future EER requirements, save for and except the lands identified as EPA “A” on Schedule SG-2.”* EPA “A” is located at the south end of the SGPA well away from the subject lands.

5.7.1.11 Noise control measures shall apply to areas affected by noise pollution from E.C. Row Expressway, Malden Road and Huron Church Road...

Comment: Noise from Malden Road was determined to exceed MECP guidelines however to mitigate this it was recommended in the noise assessment that the dwellings include the installation of central air conditioning and that a warning clause be registered on title as part of the future severance application.

Section 5.7.10.7 and 5.7.11.5 speak to the limiting or restriction of access points to Malden Road.

Comment: As existing lots along Malden Road there is the understanding that access to these lots would be permitted as-of-right today. There are a couple of possible options to limit access points. Option one would be through the use of shared access points from Malden Road. This would result in two access points used by the proposed four lots. Option two would be the use of Halladay Ave for access to the alley way that is located to the rear of the proposed lots. The disadvantage of this option is the need to improve Halladay Ave as a travelled road and improve the alley way. The cost associated with this option is not feasible to service only four lots.

Section 5.7.11.3 notes that, “In the absence of storm sewers, open channels, and permanent detention facilities, developers will be encouraged to assemble land and to install a temporary detention system.

Comment: With a typical plan of subdivision, large commercial or industrial development the inclusion of a storm water management facility is a common aspect of those developments. The Spring Garden area was not developed at a time with the same level of detail or comprehensive analysis. The area was basically lotted out into several plans with no services or even basic development standards. As time passed the City recognized the importance of the natural area that had been lotted out with no consideration of the underlying natural heritage features or species habitat. That in turn lead to new policy that now provides guidance for new development. In the absence of a private developer acquiring a large block of lots and perhaps reconfiguring an area into a modern-day comprehensive plan of subdivision small scale development such as that proposed may be the only way the area will start to realize some degree of infilling. For now the lots will continue to have access to the open drain along Malden Rd as a storm water outlet.

Section 6.3 – Residential

The following section under the residential designation would also be applicable to the proposed zoning amendment:

6.3.1.1 To support a complementary range of housing forms and tenures in all neighbourhoods.

Comment: The proposed development on the lots will be low profile, single detached dwellings.

6.3.1.2 to promote compact neighbourhoods which encourage a balanced transportation system.

Comment: As noted under PPS the property is located less than a kilometer from a Windsor Transit route.

6.3.1.3 To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.

Comment: The area is comprised of a significant number of existing lots. The proposed will utilize five existing lots to create a total of four lots for new dwellings.

6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.

Comment: Low profile development is proposed on the subject lands.

6.3.2.5 At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:

- i. within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;

Comment: The subject lands are located southeast, approximately 260 m from the former Malden Landfill property (now Malden Park & Woodland Trails) which is north of the EC Row Expressway. As a result, Section 5.4.9, Waste Disposal Sites Policies apply. Staff have provided additional information on the landfill and the applicant will continue to investigate what is necessary to address the requirements under Section 5.4.9.

- ii. adjacent to sources of nuisance, such as noise, odour, vibration and dust;

Comment: Noise was noted as an item that required attention and was addressed via a noise study including the provision of mitigation measures.

- iii. within a site of potential or known contamination;

Comment: The site is not a potential or known location of contamination.

- iv. where traffic generation and distribution is a provincial or municipal concern;

Comment: This has been addressed under the SGPA Section of the report.

- v. adjacent to heritage resources.

Comment: the site is not adjacent to heritage resources.

- b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

Comment: The proposal has been reviewed in the context of the SGPA policies of Section 5.6 of this report.

- c) in existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

Comment: The proposed dwellings on the new lots will be consistent in size with existing development in the area. Two storey units are proposed facing Malden Road and will comply with the required setbacks of the proposed RD1.3. Parking will be provided for each dwelling. There are both parks and trails located near to the subject lands.

- d) provided with adequate off street parking;

Comment: Provided on-site.

- e) capable of being provided with full municipal physical services and emergency services; and....

Comment: Municipal sanitary and water service is available along Malden Road. New connections will be required. Stormwater drainage at present would be via an existing open drain along Malden Road. The subject lands would be within the response area of Fire Station #5 and accessible by police and ambulance.

Section 8 Urban Design

8.7 Built Form

8.7.2.3 Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:

a) massing;

Comment: Single detached, low-profile dwellings are proposed which are proportional to the lot size.

b) building height;

Comment: Two storey is proposed.

c) architectural proportions;

Comment: The area has a mix of styles, sizes and ages.

d) volumes of defined space;

Comment: Each new dwelling will have a footprint of approx. 100 sq. m (1076 sq. ft.) which is consistent with many of the existing older dwellings in the area.

e) lot size;

Comment: The proposed will consolidate five existing plan lots into a total of four. As with the existing development in the area, lot sizes also vary considerably.

f) position relative to the road;

Comment: The setback for the new dwellings will comply with the provisions of the RD1.3 zone.

g) building area to site area ratios;

Comment: The lot coverage of the new dwellings will comply with the proposed zoning.

h) the pattern, scale and character of existing development, and

Comment: the mix of housing types, styles, ages and lot sizes makes for an area that has no distinct pattern or scale and results in a mixed character. The addition of the new dwellings on a compact collection of lots is actually in keeping with the variety of development along Malden Road.

i) exterior building appearance.

Comment: The dwellings will be consistent with current design and exterior finishes.

FIGURE THREE

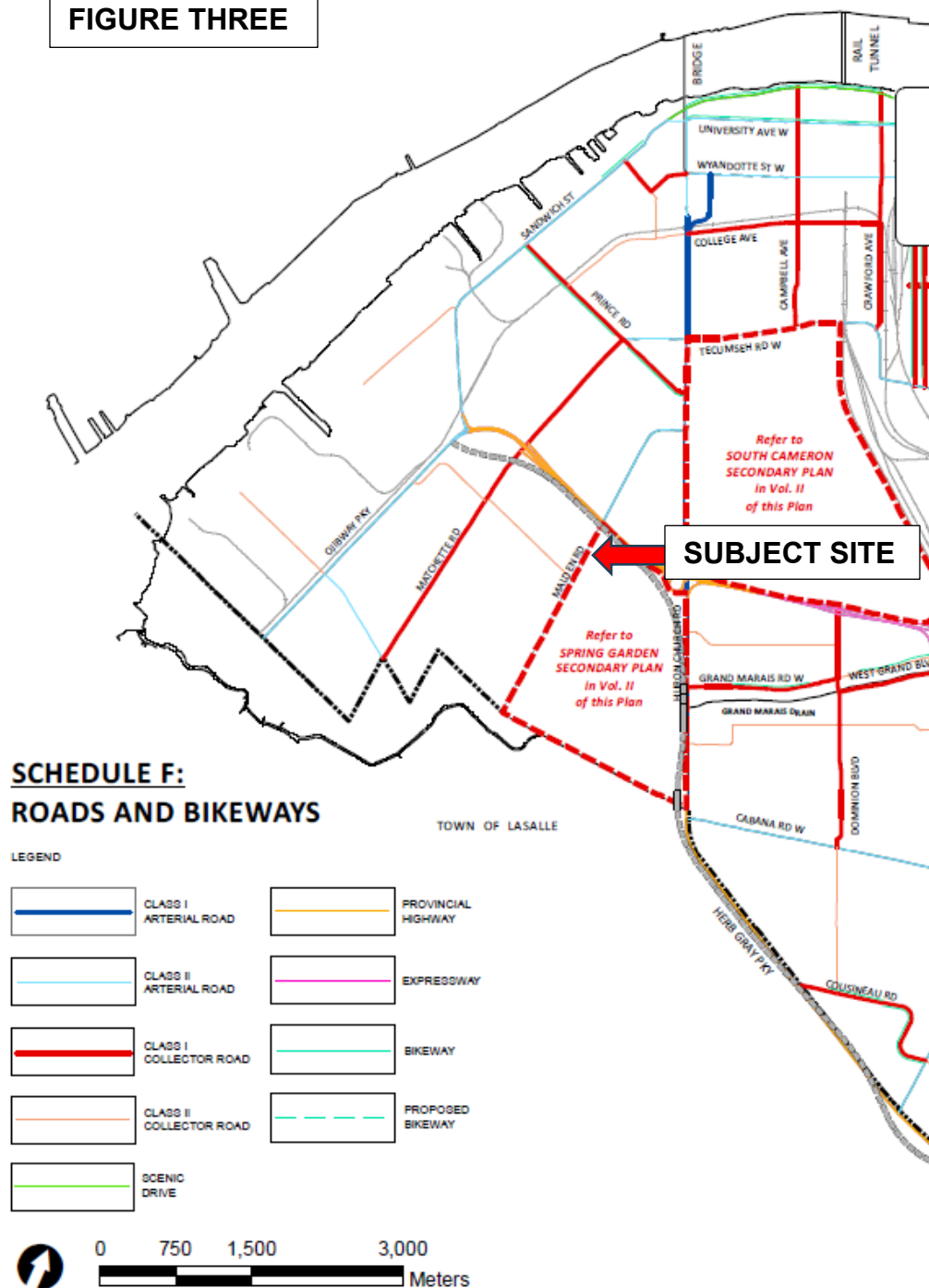
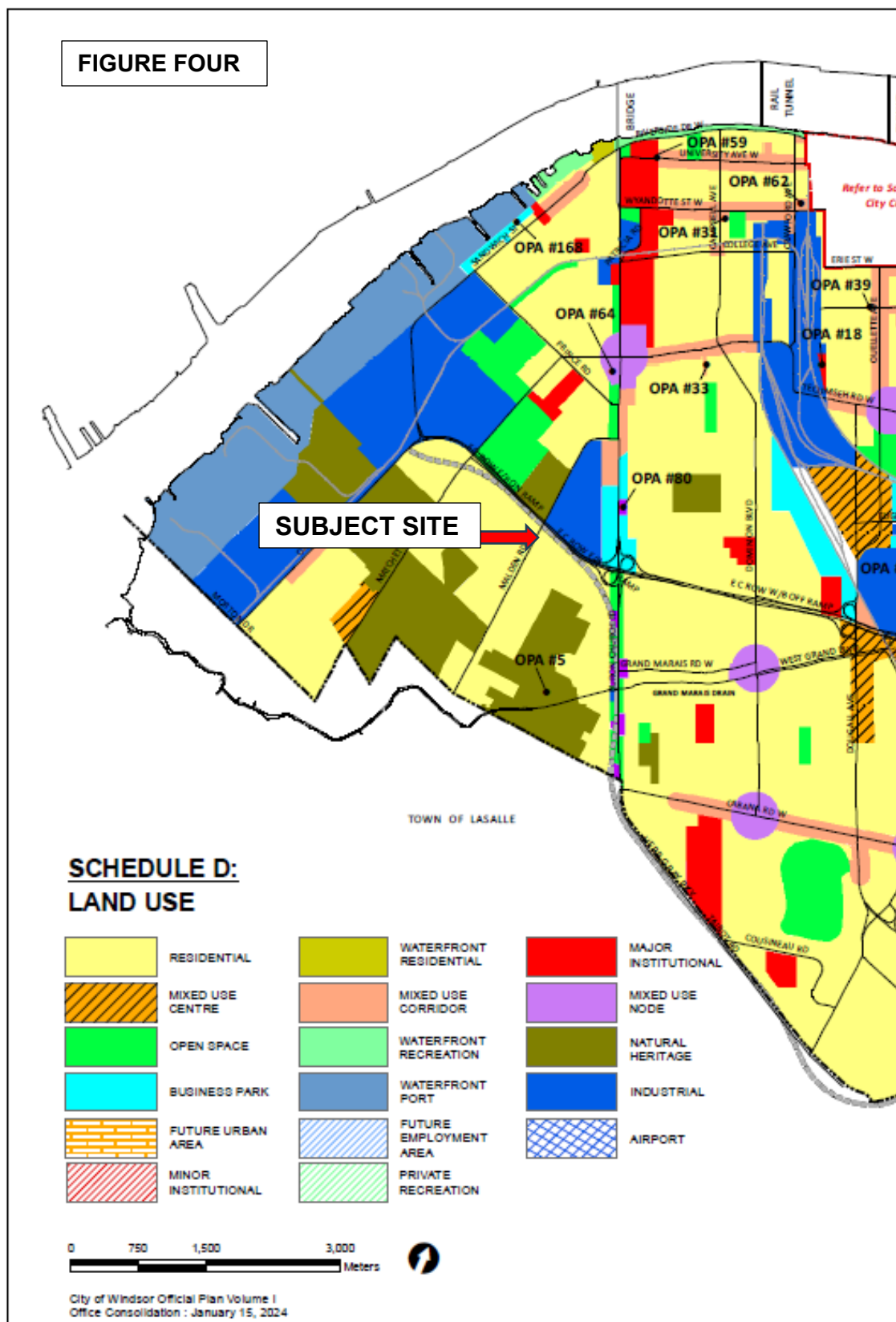
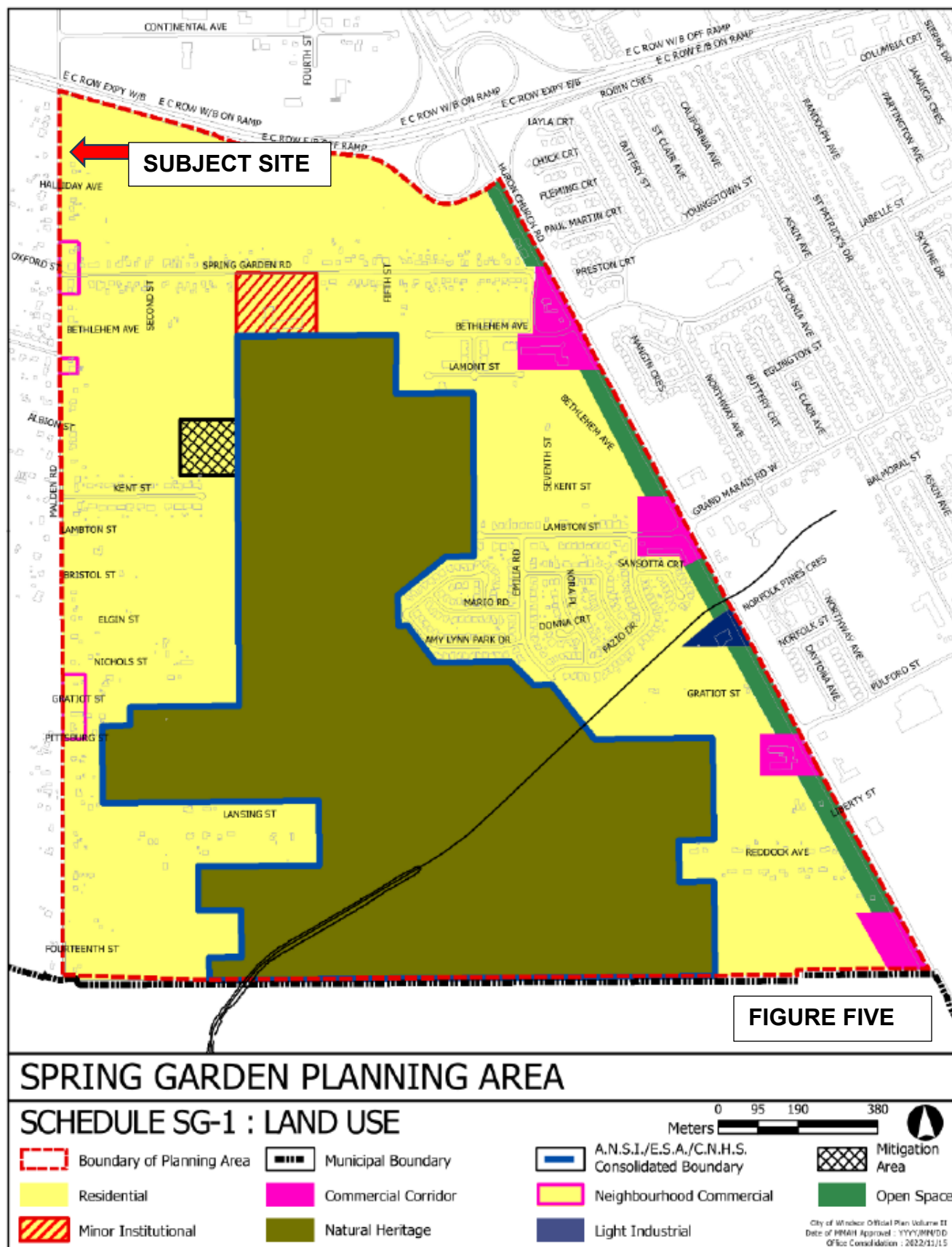


FIGURE FOUR





Comprehensive Zoning By-law

The subject property is currently zoned Development Reserve District 1.1 (DRD 1.1). (Figure Six) This limits development to what exists on the property at present. This zoning helps to limit development and afford the City the ability to review development proposals case-by-case and determine if they are consistent with the policies of the Spring Garden Planning Area.

The proposed zoning for the property is Residential District 1.3 (RD1.3) which permits a single unit dwelling and includes provisions that best align with both the existing lot pattern and the proposed lots. Figure Seven is a conceptual plan showing the floor plan, setbacks and parking location options for the proposed single dwellings.

The following zoning chart outlines the existing zoning provisions and those of the proposed Residential District 1.3 (RD1.3):

Category	Proposed Amendment
Development Reserve District 1.1 (DRD 1.1).	Rezoned to Residential District 1.3 (RD1.3)
Permitted Use – Existing dwelling	Single unit dwelling
Lot Width – As existing	9.0 m
Lot Area – As existing	270.0 m ²
Lot Coverage – 45%	45%
Main Bldg. Height – 10 m	9 m
Front Yard – 6.0 m	6 m
Rear Yard – 7.5 m	7.5 m
Side Yard – 1.2 m	1.2 m
GFA – Main Building – NA	400 m ² - no amendment necessary

FIGURE SIX

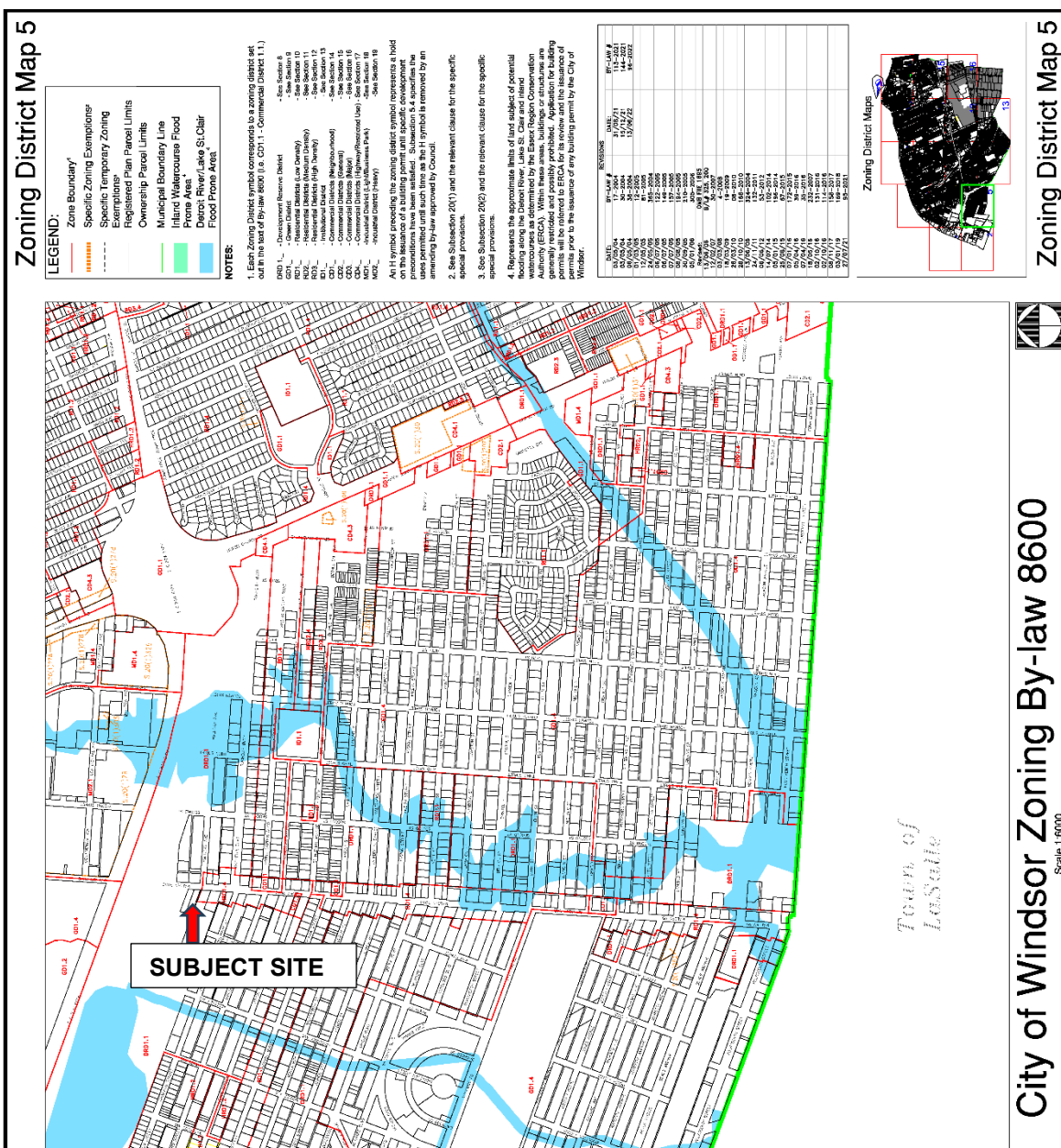
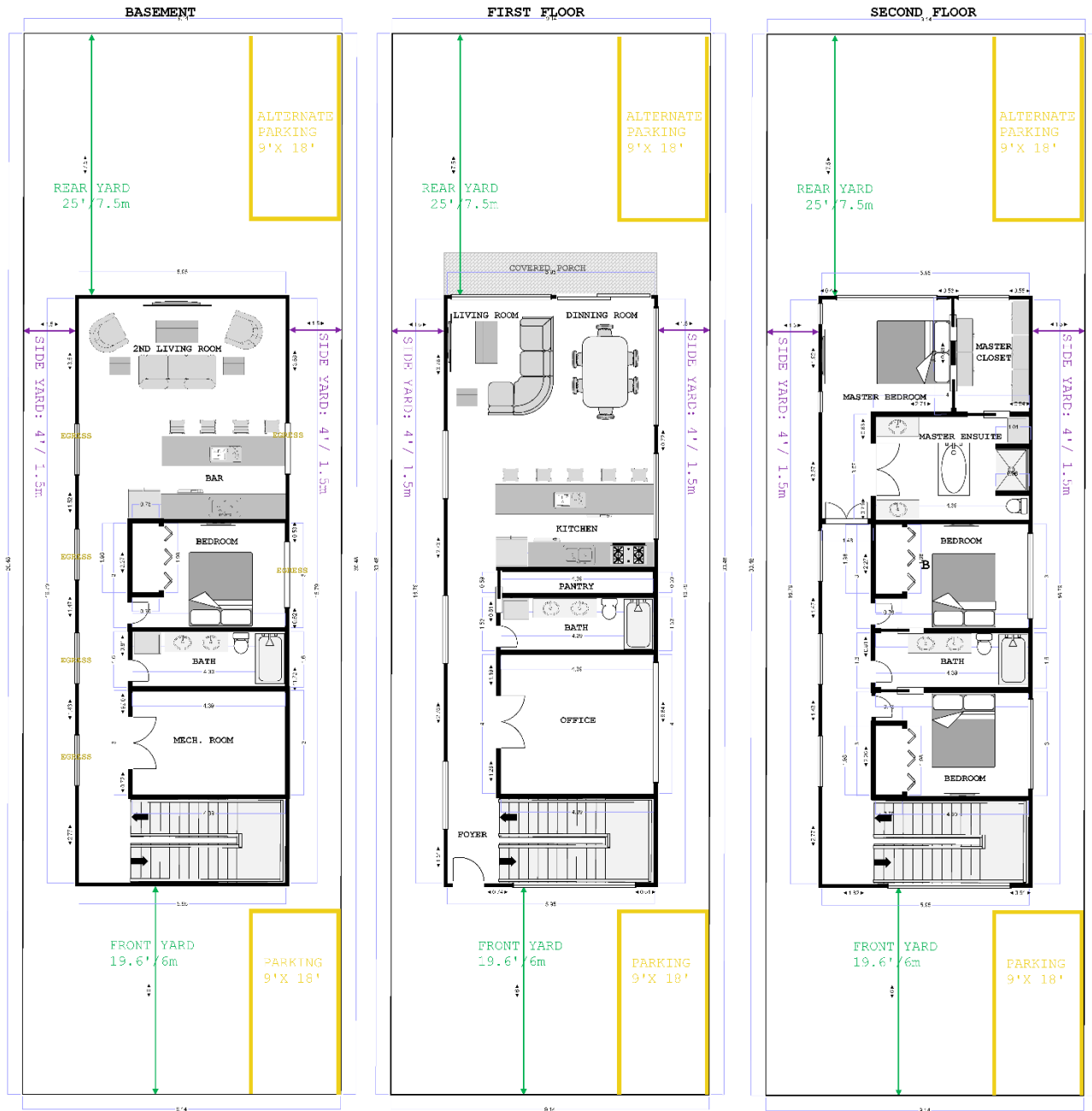


FIGURE SEVEN



PROJECT NO.: 2020-01-01	PROJECT NAME: 519022	PROJECT LOCATION: 519022	PROJECT OWNER: Jonathan Rogers	PROJECT DESCRIPTION: 519022	PROJECT CONSULTING: 519022
DATE: 12/01/2020	DATE: 02/01/2021	DATE: 02/01/2021	DATE: 02/01/2021	DATE: 02/01/2021	DATE: 02/01/2021

Public Open House

Consistent with City of Windsor policy an open house was held January 24th to provide landowners within 200 m of the subject property the opportunity to review details of the project and ask questions of the development team. The consultant, along with the planner managing the application were in attendance. The lot survey along with an overlay of the proposed location of the dwellings and proposed floor plans were provided for review. A copy of this draft planning rationale was also available.

A total of seven people (four signed in three did not) attended the open house. Reaction to the proposal was neutral with questions primarily focused on what was being developed and potential timelines. There were no objections or concerns expressed from the attendees.



Information Open House – 4641 Malden Rd.

SIGN-IN SHEET

NAME	ADDRESS	PHONE OR E-MAIL
Ty & Vicki Prince	4657 Malden Rd	403-393-6945
Jaleesa + Kyle		jale-russell@hotmail.com 519-982-6349

Conclusions

The subject lands are in an area that has a number of limiting factors that have resulted in a mix of development with a mix of uses, densities, ages and styles. Much of the development of the Spring Garden area is along Spring Garden Rd, Malden Rd, Kent St and the Emilia Rd/Fazio Dr subdivision. The introduction of a secondary plan has provided a framework for development to move forward however it relies on either working within the existing lot pattern, that is fragmented by ownership with no consistent lot pattern, or acquiring a sufficient number of lots to assemble an area that could be more comprehensively and feasibly developed. Add to this that a large percentage of the Spring Garden area is covered by a natural heritage feature that does not permit development and impacts on the type and method of development for any lands adjacent to it.

With the limitations of the area in mind it makes smaller infill opportunities, such as the one proposed on the subject lands, worth greater consideration in order to best utilize the available lands that have occupied valuable residential land within the City of Windsor for close to or more than one hundred years.

Although the proposed zoning amendment will permit the compact development of three new homes in an area of scattered low density, it is utilizing five existing plan lots efficiently. It is also important to consider that Malden Road is classed as a minor arterial and as a result should give consideration to a wider range of residential types and densities, acting as a transition toward lower density development on the interior of the Spring Garden area. To that end the requested approval represents good land use planning and should be considered consistent with the direction for the City of Windsor.

Prepared by:



Robert Brown, H, Ba, MCIP, RPP
Principal Planner
Oakview Land Use Planning

APPENDICES

Subject: ZBA - 0 Randolph Ave - Z-008/25 [ZNG/7297] – Andi Shallvari - Ward 1

Reference:

Date to Council: July 7, 2025
Author: Diana Radulescu
Planner II – Development Review
T.(519) 255-6543 x 6918
E. dradulescu@citywindsor.ca
Planning & Building Services
Report Date: 6/2/2025
Clerk's File #: Z/14979

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:
 2. **EAST SIDE OF RANDOLPH AVENUE BETWEEN WEST GRAND BOULEVARD AND GRAND MARAIS ROAD WEST**

For the lands comprising Lots 406 and 407, Plan 1295 and Part 1, Plan 12R29574, one *Semi-Detached Dwelling* shall be an additional permitted *main use*.

[ZDM 8; ZNG/7297]
- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 406 and 407, Plan 1295 and Part 1, Plan 12R29574, situated on the east side of Randolph Ave, south of Grand Marais Road West, known municipally as 0 Randolph Avenue, from RD1.4 to RD1.4x(2).

Executive Summary:

N/A

Background:

Application Information

Municipal Address: 0 Randolph Avenue

Roll Number: 080-200-00202

Ward: 1 **Planning District:** South Windsor **Zoning District Map:** 8

Applicant/Agent: Tracey Pillon-Abbs (Pillon-Abbs Inc.)

Owner: Andi Shallvari

Submitted Materials: Attached to Report S 78/2024 as an Appendix:

Appendix A - Conceptual Site Plan

Appendix B - Conceptual Elevations

Appendix C - Planning Rationale Report

Appendix D – Site Photos

Appendix E – Consultation Comments

Proposal:

The applicant is requesting a rezoning to permit one new (two-storey) semi-detached dwelling as an additional permitted use within the current RD1.4 zone. Two residential units and four parking spaces are proposed. No other relief is requested from the provisions of Zoning By-law 8600. The applicant intends to sever the property in the future. The subject land is currently vacant.

The development as proposed is not subject to Site Plan Control. All plans, elevations and renderings are conceptual and subject to change.

Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.4 (RD1.4)	Vacant land	Residential
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
18.2 m	33.5 m	592.0 m ²	Rectangular
<i>All measurements are provided by the agent and are approximate.</i>			

Figure 1: Key Map



KEY MAP - Z-008/25, ZNG/7297



● SUBJECT LANDS

Figure 2: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-008/25, ZNG/7297



SUBJECT LANDS

Neighbourhood:

Section 2.3 in the PRR provides an overview of the neighbouring uses. Site images are provided in Appendix D.

The subject parcel is located within a primarily low profile residential neighbourhood.

There are several educational facilities located within a 600 m radius of the subject site, including Bellewood Public School, Montessori School of Windsor, Notre Dame Catholic Elementary School, Glenwood Public School, Vincent Massey Secondary School and Elementary School Catholic Monseigneur-Jean-Noël.

There are also several parks and recreational opportunities within a 700 m radius including Partington Playground, Bellewood Park, Capri Pizzeria Recreation Complex, Oakwood Park, and the Rt. Hon. Herb Gray Parkway recreational trail.

The nearest library is the Windsor Public Library's Budimir Branch 720 m to the east.

The Canadian Pacific Railway is located approximately 2.2 km to the east.

Randolph Avenue is classified as a Local Residential Road per *Schedule F: Roads and Bikeways* and has two travel lanes. There are no curbs or sidewalks and parking is not available on the street. Active transportation infrastructure in the form of bikes lanes is available on both sides of Grand Marais Rd W.

Public transit is available via Route 305 along Grand Marais Rd W. This route has a peak weekday frequency of 30 minutes. The closest existing bus stop to this property is located on Rankin at Grand Marais southwest corner. This bus stop is approximately 160 metres from this property falling within Transit Windsor's walking distance guidelines of 400 metres to a bus stop. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

The site is serviced by a 200mm sanitary sewer and a 600mm storm sewer located within Randolph Avenue right-of-way.

Figure 3: Subject Parcel – Rezoning



PART OF ZONING DISTRICT MAP 8

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Andi Shallvari



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MAY, 2025
FILE NO. : Z-008/25, ZNG/7297

Discussion:

Planning Rationale Report (Pillon Abbs Inc. – April 24, 2025)

The Planning Rationale Report (PRR), attached as Appendix C to Report S 78/2024, notes that *“the proposed development will be limited to a 2 storey, low profile building, which is a compatible density and building envelope with the surrounding area.”* and that *“the proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.”* The PRR further notes that *“the proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.”*

The PRR concludes that *“that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.”* The Planning Department generally concurs with the PRR.

Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

Policy 2.1.6 states that *“complete communities”* shall be supported by *“accommodating an appropriate range and mix of land uses, housing options, ... and other uses to meet long-term needs”, “improving accessibility for people of all ages and abilities”, and “improving social equity and overall quality of life for people of all ages, abilities, and incomes”*.

The proposed semi-detached dwelling will provide a form of housing that is appropriate in terms of the range and mix of the surrounding neighbourhood context. It represents an appropriate housing option that will meet long-term needs, and improves accessibility, social equity & overall quality of people of all ages, abilities, & incomes. The proposed amendment is consistent with Policy 2.1.6 of the PPS.

Policy 2.2 requires that an *“appropriate range and mix of housing options and densities”* be provided by *“permitting and facilitating...all housing options required to meet the social, health, economic and well-being requirements of current and future residents...and all types of residential intensification ... development and introduction of new housing options within previously developed areas”*. Densities should promote the efficient use of land and infrastructure and support the use of active transportation.

Policy 2.3.1 provides general policies for settlement areas. Growth should be focused in the settlement area. Land use patterns should be based on the efficient use of land and resources, optimizing existing and planned infrastructure, support active transportation, and be transit supportive.

The proposed semi-detached dwelling represents a housing option that will meet the various requirements of current and future residents, is a type of residential intensification, and promotes the efficient use of land, resources, and infrastructure, and supports active transportation. Transit and active transportation are available and are planned to be enhanced in the future. The proposed amendment is consistent with Policy 2.2 and Policy 2.3.1.

Policy 2.9 requires that the impacts of a changing climate and reduction in greenhouse gas emissions shall be supported with compact, transit-supportive, and complete communities, consider stormwater management systems, and promote active transportation.

The proposed semi-detached dwelling is a residential infill and intensification project, thereby not requiring settlement area expansion. It is a compact development with access to existing transit and active transportation and is located within an area that is serviced by municipal sewage and water services. The proposed amendment is consistent with Policy 2.9.

The proposed development of semi-detached dwelling represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City of Windsor, land consumption and servicing costs, accommodates an appropriate range of residential uses, and optimizes existing investments in transit and infrastructure. There are no anticipated environmental or public health and safety concerns with the proposed use of land.

The agent indicates that the objectives of the PPS 2024 have been considered and have informed their professional planning opinion and concept design for the project site. These objectives are discussed in the Planning Rationale Report (Appendix C). Planning & Development Services generally concurs with this and is of the opinion that the proposed amendment to Zoning Bylaw 8600 is consistent with the PPS 2024.

City of Windsor Official Plan

The subject property is located within the South Windsor Planning District in *Schedule A – Planning Districts & Policy Areas* of Volume I.

The subject parcel has a Residential land use designation in *Schedule D – Land Use Plan*. Section 6.3.2.1 stipulates that low profile and medium profile dwelling units are permitted within the Residential land use designation. The proposed development of a semi-detached dwelling is classified as a Low Profile development under Section 6.2.1.2 (a) and is compatible and complementary with the surrounding land uses (Section 6.3.2.5 (c)). The development is of a scale that is compatible with the profile and uses of the surrounding neighbourhood. No deficiencies in municipal physical and emergency services have been identified (Section 6.3.2.5 (e)). The proposed rezoning conforms to the policies in Sections 6.3.2 of the Official Plan.

The Official Plan has policies that encourage redevelopment and intensification. Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives. The proposed low profile semi-detached dwelling represents a complementary and compact form of housing, redevelopment, and intensification that is located near active and public transportation. The proposed rezoning satisfies the objectives set out in Section 6.3.1 of the Official

The proposed amendment to Zoning By-law 8600 will conform to the general policy direction of the Official Plan. Planning and Development Services generally concurs with the Official Plan analysis in Section 5.1.2 of the PRR submitted by the Applicant (Appendix C).

Zoning By-Law 8600

The subject land is zoned Residential District 1.4 (RD1.4) which only permits an existing semi-detached dwelling (along with other permitted main uses). The applicant is

requesting a rezoning to permit one new semi-detached dwelling as an additional permitted use.

The Applicant's request for a change in zoning with site-specific provisions is supported in principle. Section 5.1.3 of the Planning Rationale Report (Appendix C) outlines that the proposed development complies with all other applicable zoning provisions. Planning and Development Services is of the opinion that there are no adverse impacts as a result of the proposed development.

Site Plan Control

The proposed semi-detached dwelling is not subject to Site Plan Control.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The subject land is located within an existing neighbourhood on existing municipal services, therefore reducing the impacts of climate change by locating within the existing built-up area. In general, residential intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers, sidewalks, and public transit.

Climate Change Adaptation:

The new building may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The proposed development of a low-profile semi-detached dwelling provides an opportunity to increase resiliency for the development and surrounding area through supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options.

Financial Matters:

N/A

Consultations:

A virtual Open House was held on July 18, 2024. Notification of this meeting was distributed to residents and property owners within 200m of the subject site. In addition to the Applicant, applicant representatives and City Staff, 9 residents attended the open house. Details of the Open House are summarized in Section 3.2 of the PRR (Appendix C).

Comments received from municipal departments and external agencies are attached as Appendix E. Further the to comments set out in Appendix E the Forestry Division has

confirmed that large (80cm) City owned maple tree has been removed in anticipation of this development.

Statutory notice was advertised in the Windsor Star. A courtesy notice was mailed to property owners within 200m of the subject lands. Submitted documents were posted on the City of Windsor [website](#).

Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “*shall be consistent with*” Provincial Planning Statement 2024. Based on the supporting documents submitted by the Applicant and the analysis in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2024 and is in conformity with the City of Windsor Official Plan.

The proposed amendment would permit a semi-detached dwelling with two semi-detached dwelling units, which is compatible with existing uses in the surrounding neighbourhood. The proposed development represents an incremental increase in density and provides an opportunity for residential intensification, while also supporting a complementary form of housing located near multimodal transportation options.

The recommendation to amend Zoning By-law 8600 constitutes good planning. Staff recommend approval.

Planning Act Matters:

Diana Radulescu

Planner II – Development Review

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP

Deputy City Planner - Development

Neil Robertson, MCIP, RPP

City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP RM

Approvals:

Name	Title
------	-------

Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

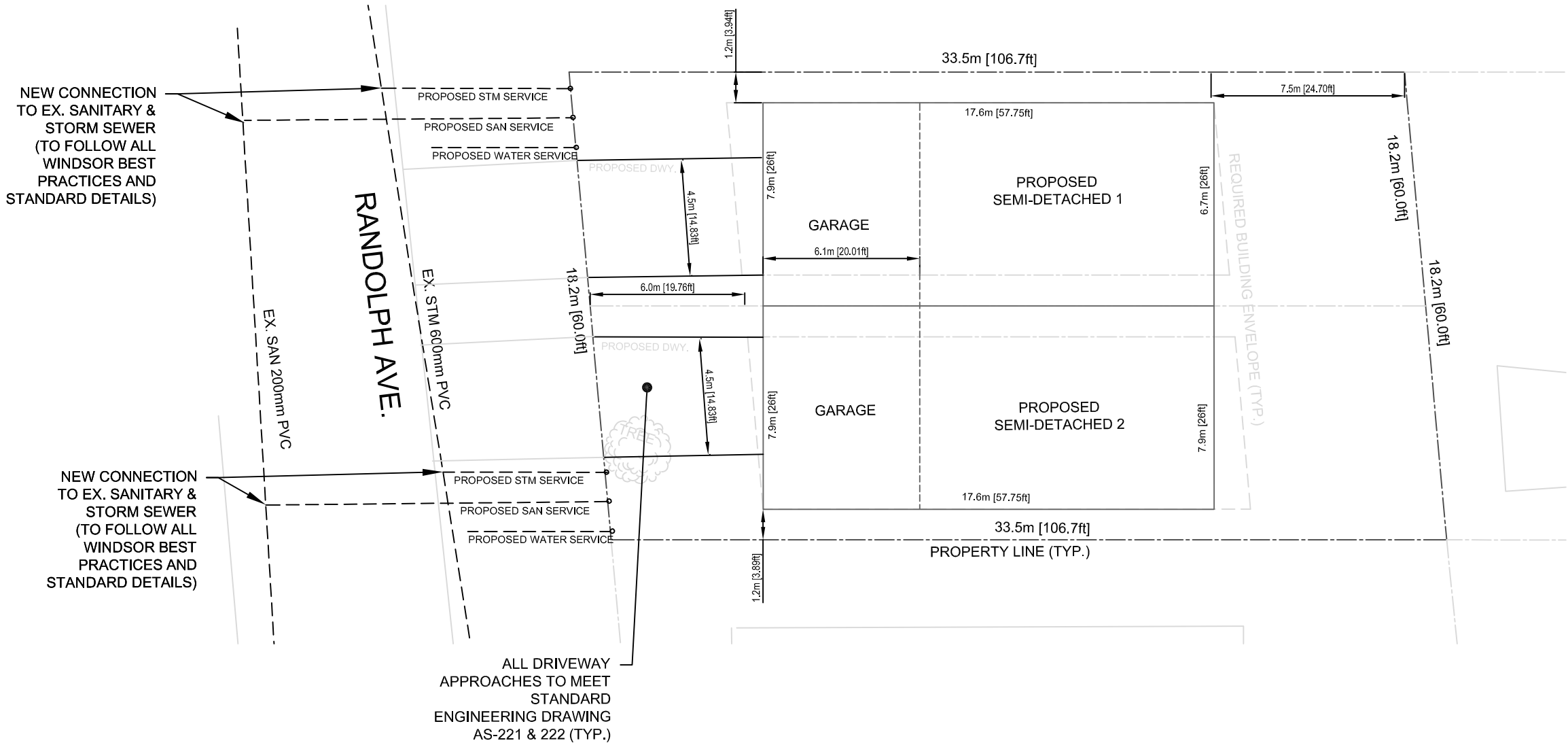
Appendices:

1. Appendix A - Conceptual Site Plan
2. Appendix B - Conceptual Elevations
3. Appendix C - Planning Rationale Report
4. Appendix D – Site Photos
5. Appendix E – Comments

GENERAL NOTES:

- 1. DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS AND ELEVATIONS IN METRIC
- 2. THE LOCATION OF UTILITIES IS APPROXIMATE ONLY AND ARE SHOWN FROM THE MOST CURRENT INFORMATION AVAILABLE.
- 3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING UTILITY LOCATES PRIOR TO CONSTRUCTION AND PROTECTING THE UTILITIES DURING CONSTRUCTION.
- 4. ALL WORK SHALL CONFORM TO THE MUNICIPALITY AND ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.
- 5. SITE PLAN SHOULD NOT BE USED FOR LOCATES OR IN PLACE OF AN OLS SURVEY

3060 RANDOLPH AVE	
ZONING: RD1.4	
MAX LOT COVERAGE	
ALLOWABLE	PROPOSED
45%	42.90%
BUILDING AREA	
254 sq.m.	
LOT AREA	
592 sq.m.	



PRELIMINARY
NOT FOR CONSTRUCTON

1650 Shawnee Rd.
Tecumseh, ON
N8N 1S5



PROJECT
3060 RANDOLPH

TITLE
SITE PLAN

DESIGN BY:
JKK

DRN BY:
JKK

DATE:
2025/04/24
PROJECT NO.

SHEET NO.
SP-1

REVISION
4



PROJECT
3060 RANDOLPH

TITLE
PRELIM. ELEVATIONS

DESIGN BY:

DRN BY:

DATE:

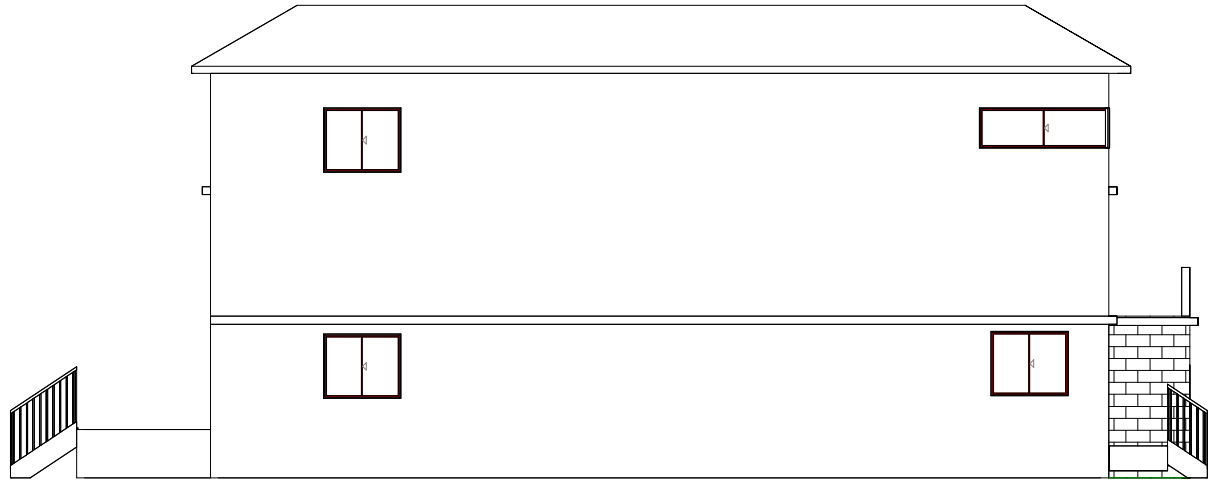
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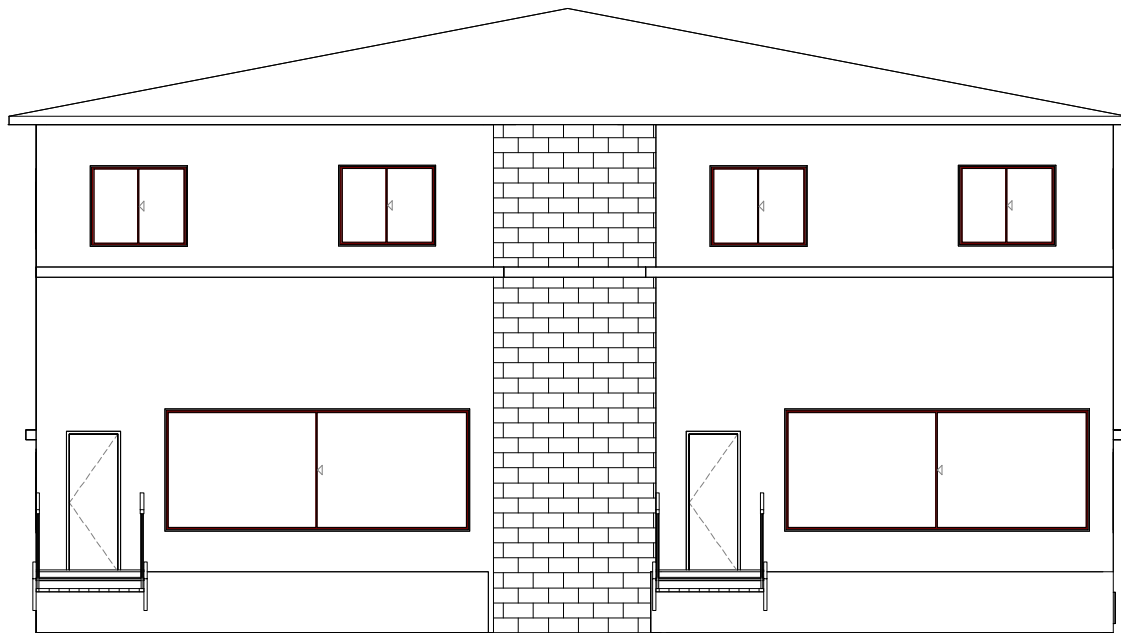
REVISION



FRONT ELEVATION



TYPICAL SIDE ELEVATION



REAR ELEVATION

PRELIMINARY
NOT FOR CONSTRUCTON

PLANNING RATIONALE REPORT (Scoped)

ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

**0 Randolph Avenue
Windsor, Ontario**

April 24, 2025

Prepared by:



Tracey Pillon-Abbs, RPP
Principal Planner
Chatham, ON
226-340-1232
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1.0 INTRODUCTION

I have been retained by Andi Shallvari (herein the “Applicant”) to provide a scoped land use Planning Rationale Report (PRR) in support of a proposed residential development to be located at 0 Randolph Avenue (herein the “Site”) in the City of Windsor, Province of Ontario.

The Site, in Ward 1 (South Windsor Planning District), is made up of one interior parcel of land, which is currently vacant.

The Site is located on the east side of Randolph Avenue (located beside 2080 West Grand Boulevard), south of Grand Marais Road West and north of West Grand Boulevard.

It is proposed that the Site be developed for residential use.

A 2-storey semi-detached dwelling will be constructed for a total of 2 new residential dwelling units.

A total of 4 parking spaces located in the driveway within the front yard and in garages with access from Randolph Avenue are proposed.

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

The Site has access to full municipality services.

The tenure of each unit will be individually owned.

There are no additional residential dwellings (ARU) proposed at this time.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-056/24). Comments dated June 12, 2024, have been received and included in this scoped PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-025/25). Comments dated March 18, 2025, have been received and included in this scoped PRR.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development in addition to the required support studies.

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Once the common wall is located, the Applicant will then proceed with an application for Consent (CON) to create the lots.

The purpose of this report is to review the relevant land use documents, including the Provincial Planning Statement 2024 (PPS), the City of Windsor Official Plan (OP), and the City of Windsor Zoning By-law (ZBL).

This scoped PRR will show that the proposed development is suitable development, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site, in Ward 1 (South Windsor Planning District), is made up of one interior parcel of land.

The Site is located on the east side of Randolph Avenue (located beside 2080 West Grand Boulevard), south of Grand Marais Road West and north of West Grand Boulevard (see the area in **red** on Figure 1 – Site Location).



Figure 1 – Site Location (Source: Windsor GIS)

The Site is owned, locally known as and legally described as follows:

Address	Legal Description	PIN	ARN	Owner	Purchased Date
0 Randolph Avenue, City of Windsor, Province of Ontario	PART LOT 406 PART LOT 407 ON REGISTERED PLAN 1295, SAID LANDS BEING MORE PARTICULARLY DESIGNATED AS PART 1 ON REFERENCE PLAN 12R-29574; WINDSOR	01277-0275 LT	3739-080-200-00202	Green Smart Apartments Inc. (c/o Andi Shallvari)	2024

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to the proposed development, is a rectangular-shared lot and consists of a total area of 592 m², with 18.2 m along Randolph Avenue and a depth of 33.5 m.

2.2.2 Existing Structures and Previous Use

The Site is currently vacant.

The parcel of land was created by consent in 2023 (B-015/23).

The previous is unknown.

2.2.3 Vegetation

The property currently has a mown lawn.

There are trees located on the Site.

2.2.4 Topography

The Site is generally level, and it is outside of the Essex Region Conservation Authority (ERCA) regulated area.

2.2.5 Other Physical Features

Fencing is located along a portion of the Site.

There is an alley adjacent to the Site.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

The Site has access to major roadways and transit.

2.2.7 Nearby Amenities

There are many schools, parks and libraries in close proximity to the Site.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship, and local amenities.

2.3 Surrounding Land Uses

Overall, the Site is located in an established area with residential uses.

There are several different lot frontages and lot areas of neighbouring properties.

A site visit was conducted on February 25, 2025, by Pilon Abbs Inc.

The following is a summary of the lands immediately abutting the Site:

Direction	Existing Use
North	Residential
South	Grand Marais Dran
East	Residential
West	Residential

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site, in Ward 1 (South Windsor Planning District), is made up of one interior parcel of land, which is currently vacant.

The Site is located on the east side of Randolph Avenue (located beside 2080 West Grand Boulevard), south of Grand Marais Road West and north of West Grand Boulevard.

It is proposed that the Site be developed for residential use.

A 2-storey semi-detached dwelling will be constructed for a total of 2 new residential dwelling units.

A concept plan has been prepared (see Figure 2a –Concept Plan).

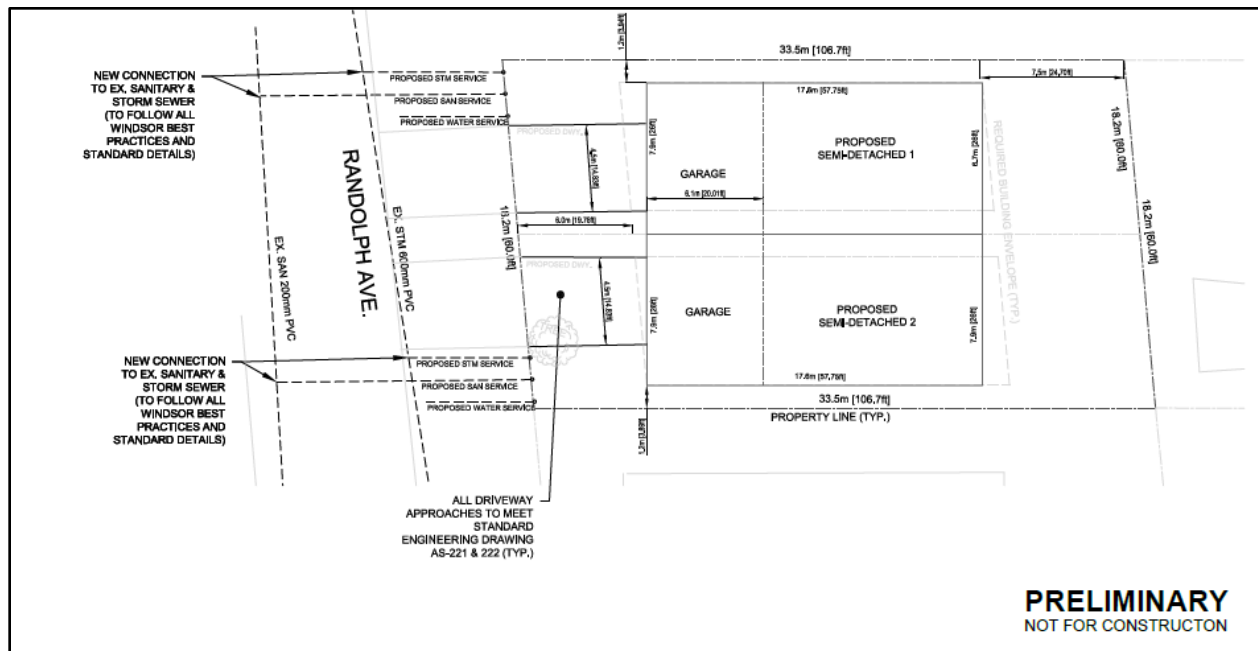


Figure 2a –Concept Plan

The Concept Plan is preliminary in order to illustrate how the Site can be developed.

The building will occupy a total of 236 m² of the Site.

The proposed dwelling will face Randolph Avenue.

Elevations of the proposed building have been prepared (see Figure 2b – Elevations).

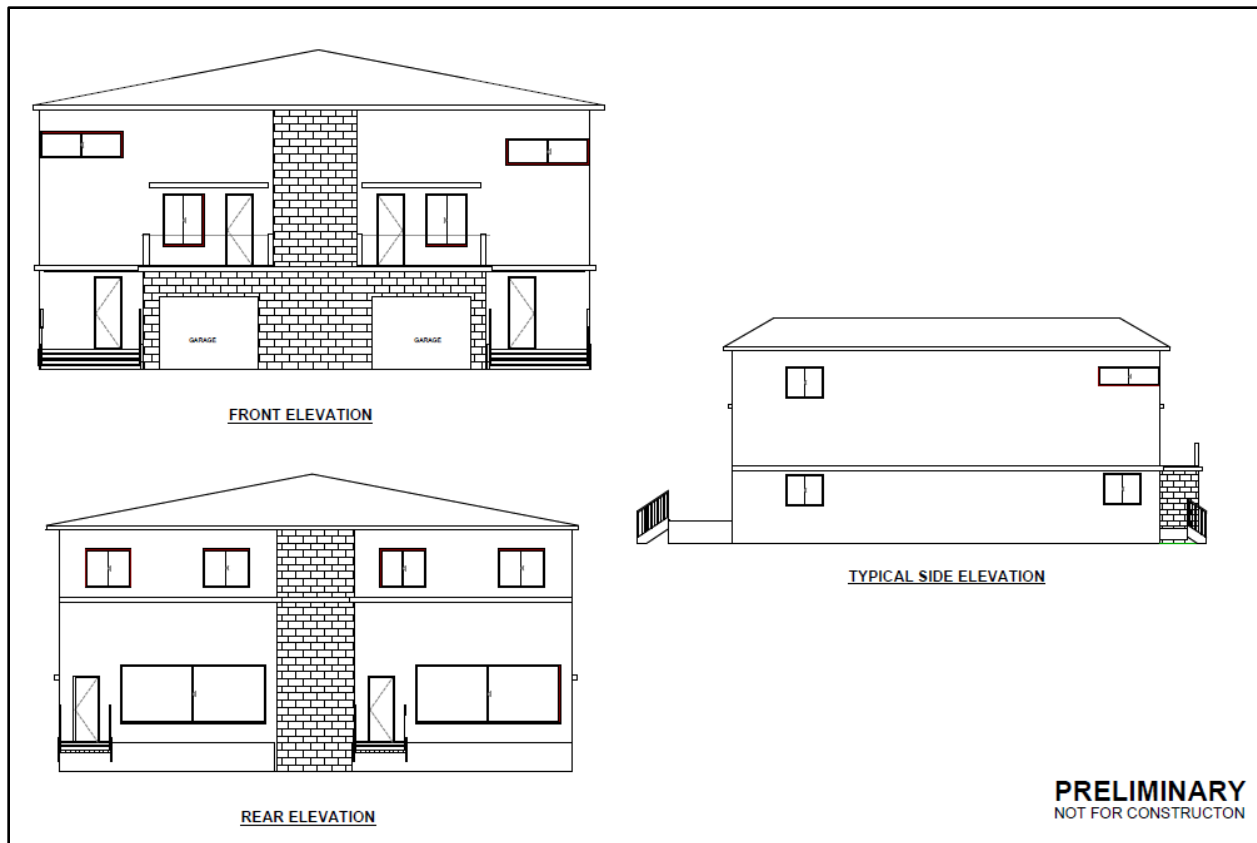


Figure 2b – Elevations

The elevations are preliminary in order to illustrate how the Site can be developed.

A total of 4 parking spaces located in the driveway within the front yard and in garages with access from Randolph Avenue are proposed.

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

The tenure of each unit will be individually owned.

There are no additional residential dwellings (ARU) proposed at this time.

The Applicant will inquire to close the existing alley adjacent to the Site.

The Site has access to full municipality services.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on July 18, 2024.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of **157** owners and tenants were notified, which represents a **200 m** radius from the Site.

In addition to the applicant representatives and City Staff, 9 residents attended the open house.

Email and phone call comments were also received.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Neighbourhood and Safety	This area is very unique. It is currently very safe. There are no fences in the area. The safety of children is at risk. They play in the area. A dog recently was hit by a car. Building style is a concern. We are 50 year residents, and generation home. The style of the home does not match. Make it a nicer looking ranch and match the other. Disrupts the existing neighbourhood.	It is anticipated that the proposed development will respect the safety of the area. The proposed development will be compatible with its surroundings. The style of the dwelling does not need to match. Not the intent to build something bad.

Topic Item	Comments and Questions	Response
	It is a relaxing neighbourhood, and this will ruin it.	
Hydo	<p>We all feed through the same power grid.</p> <p>Often, the power goes out.</p> <p>Is there anything that is being done to improve this?</p> <p>2 more homes will cause undue strain.</p>	Permits will be obtained.
Storm	<p>Randolph gets flooded often.</p> <p>Grand Marais Drain to overflow during significant storm events.</p>	Stormwater Management will be controlled.
Trees and Wildlife	<p>There are mature trees that should be protected, some over 100 years old.</p> <p>Design around them.</p> <p>There is a lot of wildlife in the area, which needs to be considered (ie rabbits, ducks, deer).</p> <p>There is a mulberry bush.</p>	<p>The City Forester will review.</p> <p>There are no natural heritage features that impact the Site.</p>
Students	<p>There are too many students in the area.</p> <p>We are all against student housing.</p>	<p>Cannot zone for people.</p> <p>It is not intended to be a rental property.</p> <p>Family sized units are proposed. Will market for young families.</p> <p>There are really good schools in the area for young children.</p>
Parking	<p>There is no parking on this side of the street.</p> <p>Only 3 or 4 parking spaces across the street.</p>	<p>Parking will be provided on the driveway and in the garage.</p> <p>The minimum required parking spaces will be complied with.</p>

Topic Item	Comments and Questions	Response
Traffic	There is congestion and high volume.	This portion of Randolph ends at the Grand Marais Drain. There will not be any through traffic.
Density	2 units on half of a lot as it was previously severed. Too much intensification. Cramming the house on the lot. 2080 will lose its back yard	Applicant to review size, massing, etc. The rear yard was already severed from 2080.
Developer	Who is the builder? Will this be a private or real estate deal? Just doing this for money.	The Applicant is the builder.
Privacy	There will be a loss in privacy. There is a pool in the rear yard of the next door neighbour. Can you build no windows in the rear yard? Windows could be built higher. Construction will interfere/disrupt in their lives (many seniors and people who work from home).	The height will be similar to a single detached dwelling. Applicant is willing to meet on site with rear yard neighbours. We could increase the rear yard setbacks.
Height	2 storeys are too tall. The existing home next door is only 1 storey, This will block out sunlight. It will impact privacy. A raised ranch will be better. A single detached dwelling will be better.	The proposed dwelling will comply with the zoning regarding height.

Topic Item	Comments and Questions	Response
Affordability	Single vs semi-detached dwelling, which one is more affordable?	A single is unaffordable. Semi is more affordable.
ARUs	Basement rental, will they be converted?	ARUs are not proposed at this time. We cannot prevent future owners from converting.
Property Values	They will go down.	They may go down, or they may go up.

4.0 APPLICATION AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-056/24). Comments dated June 12, 2024, have been received and included in this scoped PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-025/25). Comments dated March 18, 2025, have been received and included in this scoped PRR.

The following explains the purpose of the application as well as a summary of the required support studies.

4.1 Zoning By-law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The current zoning of the Site, subject to development, is Residential District 1.4 (RD1.4) category, as shown on Map 8 of the City of Windsor Zoning By-law #8600.

It is proposed to further amend the existing zoning to a site specific Residential District 1.4 (RD1.4 - S.20(1)(XXX)) category to permit the proposed development of a new semi-detached dwelling.

Relief from certain regulations is not being requested.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this scoped PRR.

4.2 Other Applications

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Once the common wall is located, the Application will then proceed with an application for Consent (CON) to create the lots.

The Site is not subject to Site Plan Control (SPC).

4.3 Supporting Studies

The following supporting studies have been identified as required as part of the application.

4.3.1 Tree

It was a request that the City Forester be consulted. The Forestry required additional information about the design around the city-owned tree in front of this property in order to provide a comprehensive review.

Based on discussions with the City Forester, there was a comment on the driveway as it pertained to the location of the root of the tree.

The Applicant is flexible to change the driveway design to a location that will not cause any impact.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

The PPS was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
Chapter 1 - Vision	Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.	The proposed development provides more housing.
Chapter 2.1.4 – Buildings Homes, Sustaining Strong and Competitive Communities	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through	The proposed development will help provide for a new housing option and density to meet the needs of the City. Full municipal services are available.

PPS Policy #	Policy	Response
	lands which are designated and available for residential development; and b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.	
2.1.6	Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs; b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society;	The proposed development is consistent with the policy to achieve complete communities as the Site is located in an existing built up area. The proposed development will provide for more housing. The Site has access to transportation options, public service facilities, other institutional uses, and parks. Accessibility will be addressed at the time of the building permit.
2.2.1 - Housing	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: a) establishing and implementing minimum targets for the provision of	The proposed development is a new housing option for the area. The proposed development supports the City's housing targets. The needs of the residents can be accommodated as the

PPS Policy #	Policy	Response
	<p>housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and well being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3; <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and</p> <p>d) requiring transit-supportive development and prioritizing intensification, including</p>	<p>Site is located near local amenities.</p> <p>The Site offers an opportunity for intensification and infilling.</p> <p>The proposed density is appropriate for the Site.</p> <p>A total of 2 units would be permitted in the form of an existing semi-detached dwelling.</p> <p>Residents will have access to nearby transit.</p>

PPS Policy #	Policy	Response
	potential air rights development, in proximity to transit, including corridors and stations.	
2.3.1.1 – Settlement Area	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Site is located in an existing settlement area of the City of Windsor.
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate.	<p>The Site offers an opportunity for intensification.</p> <p>The total density of the proposed development is considered appropriate.</p> <p>The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area.</p> <p>The proposed development is an efficient use of the Site.</p> <p>Residents will have immediate access to local amenities.</p> <p>Transit and active transportation are available in the area.</p> <p>The Site is located close to major roadways.</p>
2.3.1.3	Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of	<p>The proposed development provides an infill opportunity for an existing parcel of land.</p> <p>The Site was always intended for residential use.</p>

PPS Policy #	Policy	Response
	housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.	The design of the proposed development will provide a compact form.
2.3.1.4	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area and will add new residential housing.
2.3.1.6	Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.	The Site has access to existing infrastructure and nearby public service facilities.
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The proposed development has access to full municipal services. There are nearby public service facilities.
3.3.3 - Transportation	Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.	The proposed development will not have a negative impact on nearby transportation and infrastructure corridors.
3.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of

PPS Policy #	Policy	Response
	environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	servicing for settlement areas.
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural heritage features that impact the Site.
4.2 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	The Site is outside of the ERCA regulated area.
Chapter 5.1.1 – Protecting Public Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards that apply to this Site. There is no risk to the public.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. The office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The current land use designation of the Site, subject to development, is 'Residential', as shown on Schedule D: Land Use of the City of Windsor Official Plan (see Figure 3 –OP).



Figure 3 – OP

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and	<p>The proposed development will support the City's goal of promoting a healthy community in order to live, work, and play.</p> <p>The proposed development is close to nearby transit, employment, shopping,</p>

OP Policy #	Policy	Response
	application as a part of the planning process.	libraries, local amenities, and parks.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for addressing the residential needs of the City. The Site is also located in an existing built up area where people can live, work and play.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods. 6.1.3 Housing suited to the needs of Windsor's residents. 6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses. 6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available	The proposed development supports the goals set out in the OP. The proposed residential use will provide a new housing choice in an existing neighbourhood. The Site is pedestrian friendly and close to nearby amenities. Municipal services, transportation and community facilities are available.
6.2.1.2 - General Policies, Type of Development Profile	For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically	The proposed development is considered low profile.

OP Policy #	Policy	Response
	provided elsewhere in this Plan: (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height; (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.	
6.3.1.1 - Residential	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed semi-detached will complement the existing neighbour. The height will be similar to a single detached dwelling.
6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development is close to major roadways and transit.
6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The proposed development will provide for infilling and intensification.
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile , and Medium Profile dwelling units. High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.	The proposed development is considered low profile. As of right, a total of 6 residential dwelling units are permitted in an existing semi-detached dwelling on any urban parcel of land. A new 2 storey (with basement) semi-detached dwelling will maintain the same maximum height as a single detached dwelling, which makes it very

OP Policy #	Policy	Response
		compatible with the neighbourhood.
6.3.2.3 – Types of Low Profile Housing	For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, semi-detached , duplex and row and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.	Semi-detached dwellings, which are considered small-scale, are permitted.
6.3.2.4 – Locational Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. New residential development and intensification shall be located where: (a) There is access to a collector or arterial road; (b) Full municipal physical services can be provided; (c) Adequate community services and open spaces are available or are planned; and (d) Public transportation service can be provided.	The Site is close to major roadways, has access to full municipal services, is close to nearby amenities and is close to transit.
6.3.2.5 – Evaluation Criteria (existing neighbourhood)	At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (a) feasible having	This scoped PRR has evaluated the PPS in Section 5.1.1. There are no constraint areas that impact the Site.

OP Policy #	Policy	Response
	<p>regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:</p> <p>(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and distribution is a provincial or municipal concern; and (v) adjacent to heritage resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) Facilitation a gradual transition from Low</p>	<p>There are no adjacent nuisances.</p> <p>There is no known contamination.</p> <p>Traffic generation is not expected to have any significant impact.</p> <p>There are no heritage resources on or near the Site.</p> <p>There are no secondary plans that impact the Site.</p> <p>The proposed development is compatible with the existing neighbourhood.</p> <p>Existing semi-detached dwellings are a permitted use.</p> <p>A new semi-detached dwelling is proposed.</p> <p>No relief from the RD1.4 is being requested.</p> <p>The Site is a large lot, and the lot coverage proposed is low.</p> <p>The proposed building height will be similar to a single detached dwelling in height, massing and scale.</p> <p>The massing of the development has been carefully designed to emulate the scale of the existing structures and the surrounding context.</p>

OP Policy #	Policy	Response
	<p>Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.</p>	<p>The building will be oriented to face Randolph Ave, similar to the existing built environment.</p> <p>Lot area and lot frontages in the area vary in size.</p> <p>The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.</p> <p>The Site is not in a mature neighbourhood, as shown on Schedule A-1.</p> <p>Off-street parking is provided. On-street parking is also available, if required.</p> <p>Amenity areas and landscaping will be provided (front and rear of the Site).</p> <p>Full municipal and emergency services are available.</p> <p>No transition between uses is required as part of the building design.</p>
7.0 - Infrastructure	<p>The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.</p>	<p>The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.</p>

Therefore, the proposed development will conform with the purpose and intent of the City of Windsor OP.

5.1.3 Zoning By-law

The City of Windsor Zoning By-law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

The current zoning of the Site, subject to development, is Residential District 1.4 (RD1.4) category, as shown on Map 8 of the City of Windsor Zoning By-law #8600 (see Figures 4 – ZBL).

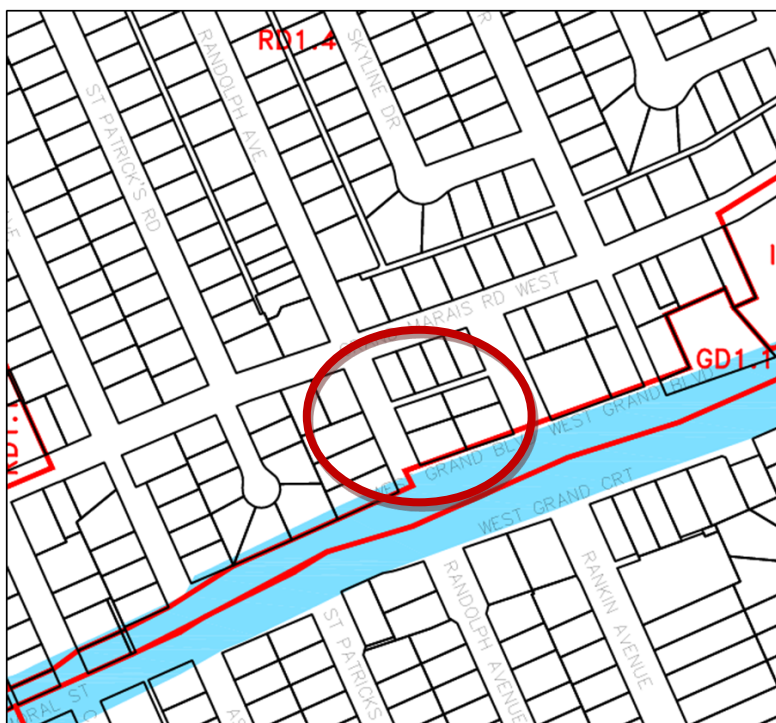


Figure 4 – ZBL

It is proposed to further amend the zoning to a site specific Residential District 1.4 (RD1.4 - S.20(1)(XXX)) category to permit the proposed development of a new semi-detached dwelling.

According to the ZBL, *SEMI-DETACHED DWELLING* means one dwelling divided vertically into two dwelling units by a common interior wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, up to two additional dwelling units.

A review of the RD1.4 zone provisions, as set out in Section 10.4 of the ZBL is as follows:

Zone Regulations	Required RD1.4 Zone (Existing Semi Detached Dwelling)	Proposed RD1.4 - S.20(1)(XXX) Zone (New Semi Detached Dwelling)	Compliance and/or Relief Requested with Justification
Permitted Uses	Existing Duplex Dwelling Existing Semi-Detached Dwelling One Single Unit Dwelling Any use accessory to the preceding uses	New semi-detached dwelling (total 2 units)	Subject to the ZBA. The Site is large enough to accommodate the proposed development. The RD1.4 zone is being obtained to ensure the proposed development is compatible with the neighbourhood, as the building envelopes will be similar to the current area zoning.
Lot Width – minimum	15.0 m	18.2 m along Randolph Avenue	Complies
Lot Area – minimum	450.0 m2	592 m2	Complies
Lot Coverage – maximum	45.0%	40 %	Complies
Main Building Height - maximum	9.0 m	9.0 m	Complies
Front Yard Depth – minimum	6.0 m	6.0 m	Complies
Rear Yard Depth – minimum	7.50 m	7.5 ,	Complies
Side Yard Width – minimum	1.20 m	North side – 1.2 m South side – 1.2 m	Complies
Gross Floor Area – Main Building – maximum	400 m2	398 m2	Complies <i>GROSS FLOOR AREA – MAIN BUILDING means the</i>

Zone Regulations	Required RD1.4 Zone (Existing Semi Detached Dwelling)	Proposed RD1.4 - S.20(1)(XXX) Zone (New Semi Detached Dwelling)	Compliance and/or Relief Requested with Justification
			<i>total combined floor area in square metres of the main building on a lot, excluding the cellar of any building, measured from the outside face of the exterior walls of the main building.</i>
Dwelling – Semi-Detached & Townhomes - Additional Provisions (Section 5.23.1)	For a dwelling unit in a semi-detached dwelling or in a townhome dwelling, a door that opens to the rear yard shall be located a minimum of 1.20 m from the centreline of the common wall between the dwelling units.	N/A – no door that opens to the rear yard	Complies
Dwelling – Semi-Detached & Townhomes - Additional Provisions (Section 5.23.5)	When a lot on which a semi-detached dwelling or townhome dwelling has been erected and is subsequently severed by a common interior lot line that separates the dwelling units, for each dwelling unit the following additional provisions shall apply: 1 Lot Width – minimum – equal to the width of the dwelling unit plus	TBD	Complies

Zone Regulations	Required RD1.4 Zone (Existing Semi Detached Dwelling)	Proposed RD1.4 - S.20(1)(XXX) Zone (New Semi Detached Dwelling)	Compliance and/or Relief Requested with Justification
	<p>any exterior side yard as existing at the time of the lot severance</p> <p>2 Lot Area – minimum – as existing at the time of the lot severance</p> <p>3 Lot Coverage – Total – maximum – 50% of lot area</p> <p>7 An interior side yard shall not be required along the common interior lot line for that part of the dwelling unit lawfully existing at the time of the lot severance</p>		
Parking Requirements Table 24.20.5.1 - minimum	<p>Semi-detached - 1 for each dwelling unit = 2</p> <p>TOTAL = 4</p>	<p>4</p> <p>(2 each proposed lot)</p>	Complies

Therefore, the proposed development will comply with all zone provisions set out in the RD1.4 Zone.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level,
- The Site will be able to accommodate municipal water, storm and sewer,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to a 2 storey, low profile building, which is a compatible density and building envelope with the surrounding area.

The proposed residential use will provide a new housing choice in an existing built-up area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.

A total of 2 units would be permitted in the form of an **existing** semi-detached dwelling.

Parking (on site), amenity areas, and landscaping will be provided.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

6.1.4 Environment Impacts

The proposal does not have any negative impact on the natural environment.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural, and Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby amenities.

Infilling in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use patterns which sustain the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the ZBA application to permit the proposed development on the Site.

This scoped PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



Tracey Pillon-Abbs, RPP
Principal Planner



APPENDIX D – SITE PHOTOS



View of subject land (0 Randolph Avenue)



View of Randolph Avenue (opposite from subject land)



View of Randolph Avenue (looking north)



View of Randolph Avenue (looking south)



View of subject land with closed alleyway on the left

APPENDIX E – CONSULTATION

CANADA POST – BRUNO DESANDO

Canada Post has no comments for the attached application.
Mail delivery will be to the door for the new planned semidetached units.
Please let me know if you have questions or need anything further.

WINDSOR FIRE – MICHAEL COSTE

No issue with fire.

SITE PLAN CONTROL

Site Plan is not applicable for this proposed development pursuant to the Planning Act and City of Windsor By-law 1-2004.

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with Route 305. Route 305 has a peak weekday frequency of 30 minutes. The closest existing bus stop to this property is located on Rankin at Grand Marais southwest corner. This bus stop is approximately 160 metres from this property falling within Transit Windsor's walking distance guidelines of 400 metres to a bus stop. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

HERITAGE PLANNING – TRACY TANG

There is no apparent built heritage concern with this property, and it is not located within an Archaeological Potential Zone (APZ). Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ttang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle 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 Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

ZONING COORDINATOR – CONNER O’ROURKE

Please see below my updated review:

- **Current Zoning:** Residential District 1.4
- **Proposed Zoning:** Residential District 1.4 with site specific provision to add semi-detached dwelling as a permitted use
- **Existing use:**
 - Vacant lot
- **Proposed use:**
 - Semi detached dwelling
- **Section 5 – General Provisions**
 - complies
- **Section 10.4.5 – Residential District 1.4**
 - Minimum Lot Width:
 - 15.0m (Required)
 - 18.3m (Provided)
 - Minimum Lot Area:
 - 450.0m² (Required)
 - 592.4m² (Provided)
 - Maximum Lot Coverage:
 - 45.0% (Required)
 - 43.4% (Provided)
 - Maximum Main Building Height:
 - 9.0m (Required)
 - 9.0m (Provided)
 - Minimum Front Yard Depth:
 - 6.0m (Required)
 - 6.0m (Provided)
 - Minimum Rear Yard Depth:
 - 7.5m (Required)
 - 7.5m (Provided)
 - Minimum Side Yard Width:
 - 1.20m (Required)
 - 1.20m (Provided)
 - Maximum Gross Floor Area – Main Building:
 - 400.0m² (Required)
 - 398.0m² (Provided)
- **Section 24 – Parking, Loading and Stacking Provisions**
 - Required Number of Parking Spaces
 - 2 (Required)
 - 4 (Provided)

DEVELOPMENT ENGINEERING – JUAN PARAMO

We have reviewed the subject Rezoning application and have the following comments:

The site may be serviced by a 200mm sanitary sewer and a 600mm storm sewer located within Randolph Avenue right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor

Engineering Best Practice B.P 1.3.3.

Randolph Avenue is classified as Local Road requiring a right-of-way width of 20m; the current right-of-way is 20m therefore, no conveyance is required. Randolph Avenue is deficient in curb and gutter, streetlighting and sidewalk.

The following special provisions will be required prior to submitting a building permit application:

Sidewalks - The Owner agrees to pay to the Corporation a contribution of \$115.00 per linear metre. This payment shall be made prior to the issuance of Building Permits and represents the Owner's contribution toward the future construction of concrete sidewalks along the Randolph Avenue frontage of the subject property.

Curbs and Gutters - The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of \$60.00 per linear metre being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

If you have any further questions or concerns, please contact Shannon Mills, of this department at smills@citywindsor.ca

TRANSPORTATION PLANNING – ELARA MEHRILOU

Land Conveyance

Not Applicable

Corner Cut-Off

Not Applicable

Sidewalk

A sidewalk contribution/construction along the frontage of Academy Dr. is required as per Engineering Right-of-Way's comments.

Parking

All parking must comply with ZBL 8600.

Transportation Planning Impact Study

The additional density is anticipated to have minimal effect on the traffic. Therefore, TIS is not applicable.

Access

All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

Exterior Path

All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Other comments

Transportation Planning recommends applying for alley closure.

Should you have any further questions or concerns, please contact Ellie MehriLou, of this department at EMehrilou@citywindsor.ca.

ENVIRONMENTAL POLICY – CONNOR WILSON & KAREN ALEXANDER

Environmental Policy staff have no requirements; however, wish to advise the applicant of the following:

Always Applies

The Applicant should be notified of the following precautions:

1. Should Species at Risk or their habitat be found at any time on or adjacent to the site, cease activity immediately and contact MECP at SAROntario@ontario.ca for recommendations on next steps to prevent contravention of the Endangered Species Act (2007). The City of Windsor SAR hotline (519-816-5352) can also be used for relevant questions and concerns.
2. For a list of Species at Risk and other provincially tracked species with potential to be around the site, use the Natural Heritage Information Centre (NHIC) Make A Map tool, found at <https://www.ontario.ca/page/make-natural-heritage-area-map>
3. If trees or other vegetation (i.e., shrubs and unmaintained grasses) on/adjacent to the site are to be removed, damaged, or disturbed during the breeding bird season (April 1 – August 31), then sweeps for nesting birds should be conducted to prevent contravention of Migratory Bird Regulations (2022), the Migratory Birds Convention Act (1992), and section 7 of the Fish and Wildlife Conservation Act (1997). Visit <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html> for more information.
4. Beaver dams and dens of fur-bearing mammals are protected under section 8 of the Fish and Wildlife Conservation Act (1997) and are not to be damaged or destroyed without the proper authorization and/or license.
5. The City of Windsor is a Bird Friendly City. Bird Friendly Design is encouraged, particularly window collision mitigation. Options for integrating bird friendly design can be found here: www.birdsafe.ca and bird friendly guidelines can be found here: [Bird-Friendly Guidelines – City of Toronto](#).

LANDSCAPE ARCHITECT – RYAN UPTON

As requested, the materials for the file titled above have been reviewed and comments are listed below.

1. There is a City owned tree where the south driveway is proposed. Efforts shall be made to relocate the driveway to preserve this tree. If the driveway is to remain, Forestry will require compensation for the removal of the City owned tree.

ENWIN

Hydro Engineering: Tia McCloskey

No Objection provided clearances are maintained from our distribution plant.

Please note the following distribution and services:

- Overhead 16kV primary distribution pole line and associated down guy wires/anchors in the alleyway to the North of the above noted property.
- Overhead 120/240V secondary triplex distribution going down the alleyway to the North of the property.
- 120/240V secondary triplex servicing multiple properties in the area.
- Overhead 16kV primary distribution pole line and associated down guy wires/anchors across the street to the West of the above noted property.
- Overhead 120/240V secondary triplex distribution across the street to the West of the above-mentioned property.

Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

Water Engineering: Bruce Ogg

ENWIN Water has no objections to the rezoning.

FORESTRY – MITCHELL SCHINKEL

There Is 1 City owned tree on the property

Forestry has no concerns regarding the Zoning By-law Amendment (ZBA) application for the property. However, Forestry has concerns about subsequent permits to be issued for the development.

Based on the Site plans provided the large 80cm City owned maple tree will not survive the development, and there is no way to adequately preserve this tree on site.

The estimated Canopy Replacement cost/ 80cm Maple:

Removal: \$1,185.00

Canopy Replacement: \$11,206.40

Total compensation: \$12,391.40

Forestry has had previous correspondence with the developer in the Stage 1 and Stage 2 letters (attached following this review) regarding the tree.

Forestry is requesting that no permits be issued until the developer agrees in writing to the Forestry Department to pay the above stated Canopy Replacement Cost.

RIGHT-OF-WAY – MARK SCHAFFHAUSER

Required Drawing Revisions:

1. **Alley Closing** – It is recommended that, prior to the issuance of a Building Permit, the owner shall apply to the Street and Alley Closing Committee to close the existing alley adjacent to the subject property.

Right-of-Way Permit Requirements

CCTV Sewer Inspection – The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

Driveway Approaches – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Residential Property
 - a. Asphalt in accordance with City of Windsor Standard Drawing AS-221; or
 - b. Concrete in accordance with City of Windsor Standard Drawing AS-222

Sewer Connections – The site is serviced by a 200mm sanitary sewer and a 600mm sewer located within the Randolph Avenue right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

Curbs and Gutters – The Owner further agrees, at the discretion of the City Engineer, to Pay to the Corporation, prior to the issuance of a construction permit, the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands. The sum of the contribution will be determined based on the User Fee Schedule at time of payment.

Sidewalks – The Owner further agrees, at the discretion of the City Engineer, to Pay to the Corporation, prior to the issuance of a construction permit, the Owner's contribution towards the future construction of sidewalks on the frontage of the subject lands. The sum of the contribution will be determined based on the User Fee Schedule at time of payment.

If you have any further questions or concerns, please contact Mark Schaffhauser, of this department at mschaffhauser@citywindsor.ca



Committee Matters: SCM 178/2025

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held June 2, 2025

Development & Heritage Standing Committee Meeting

Date: Monday, June 2, 2025

Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 1 - Councillor Fred Francis

Members

Member Joseph Fratangeli

Member Charles Pidgeon

Member John Miller

Member William Tape

Members Regrets

Member Khassan Saka

ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING:

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Jason Campigotto, Deputy City Planner - Growth

Emilie Dunnigan, Manager, Development Revenue & Financial Administration

Patrick Winters, Manager, Development

Tracy Tang – Planner III, Heritage

Laura Strahl, Planner III - Special Projects

Simona Simion, Planner III - Economic Development

Brian Nagata, Planner II, Development Review

Minutes

Development & Heritage Standing Committee

Monday, June 2, 2025

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Elara Mehrilou, Transportation Planner I

Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

Delegations—participating in person

Item 11.3 – Jeffrey Nanson, representative for Vito Maggio Holdings Inc.

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:32 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE PLANNING ACT MINUTES

Adoption of the Development & Heritage Standing Committee (*Planning Act*) minutes of its meeting held May 5, 2025

Clerk's Note: These minutes will be adopted at the July 7, 2025 Development & Heritage Standing Committee meeting, as there are no Planning Act matters to consider.

Report Number: SCM 166/2025

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held May 5, 2025

Moved by: Councillor Angelo Marignani

Seconded by: Member William Tape

THAT the minutes of the Development & Heritage Standing Committee meeting held May 5, 2025, **BE ADOPTED** as presented.

Carried.

Report Number: SCM 165/2025

Minutes

Development & Heritage Standing Committee Monday, June 2, 2025

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10. HERITAGE ACT MATTERS

10.1. Request for Partial Demolition of a Heritage Listed Property – 1218 Devonshire Road, Harold Wurster House (Ward 4)

Sean White & Jennifer White, Property Owners

Sean White & Jennifer White, Property Owners appear before the Development & Heritage Standing Committee regarding the Administrative report dated May 12, 2025, entitled “Request for Partial Demolition of a Heritage Listed Property – 1218 Devonshire Road, Harold Wurster House (Ward 4)” and are available for questions.

Councillor Kieran McKenzie inquires whether this property meets the criteria for designation. Tracy Tang, Planner III – Heritage (Acting) appears before the Development & Heritage Standing Committee regarding the administrative report dated May 12, 2025, entitled “Request for Partial Demolition of a Heritage Listed Property – 1218 Devonshire Road, Harold Wurster House (Ward 4)” and indicates that this property is located within the Walkerville HCD area and as a part of that study, heritage research was conducted and it was identified as a contributing property with merits.

Councillor Kieran McKenzie requests that administration provide the rationale for approval of the proposal. Ms. Tang indicates that this proposal was evaluated based on standards and guidelines for the conservation of historic places in Canada, whether listed or designated. Factors including, materiality, massing, proportionality, and setbacks included in the document were reviewed and this proposal was found to be compatible.

Councillor Angelo Marignani inquires about the medium being used on the exterior wall. Ms. Tang responds that according to the architect’s drawings, the material appears to be a composite that emulates the appearance and texture of wood.

Member John Miller inquires about the property being heritage listed, not designated and if that will allow the owners to apply for a grant since they went through the designation process. Ms. Tang responds that the status of the property is listed, so it is not eligible to take advantage of the heritage financial incentives programs.

Member John Miller inquires whether the homeowners were made aware of the grant if designated. Ms. Tang responds that the property owner was made aware of the home’s status during the application process.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 741**

- I. THAT Council **BE INFORMED** of the proposed partial demolition at 1218 Devonshire Road, Harold Wurster House, to remove the existing 1960s rear addition and construct a new two-storey addition.

Carried.

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Report Number: S 74/2025
Clerk's File: MBA/3601

10.2. Video – John R. Park Homestead: A Once in a Lifetime Restoration

A video from the Essex Region Conservation Authority regarding the restoration process of the John R. Park Homestead is provided for the committee highlighting the renovation process including specific features and results.

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 4:58 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:59 o'clock p.m.

11. ADMINISTRATIVE ITEMS

11.3. Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4, SAA-7198

Jeffrey Nanson, Representative for Vito Maggio Holdings Inc.

Jeffrey Nanson, Representative for Vito Maggio Holdings Inc. appears before the Development & Heritage Standing Committee regarding the Administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4, SAA-7198" and is available for questions.

Councillor Mark McKenzie inquires whether the intended patio will be for Nauti V's restaurant. Mr. Nanson replies, that is correct. It will be to the west side of Nauti V's toward the back end of the building.

Councillor Mark McKenzie inquires whether there are any concerns regarding deliveries. Mr. Nanson replies that there is an east/west alley adjacent to the property. This patio will not abut any neighbours as the property behind the restaurant is also owned by Mr. Maggio.

Councillor Angelo Marignani inquires whether the objective of the owner is to put in a patio to use for the business or to close off the alley way. Mr. Nanson replies that the objective is to purchase the portion of the alley seeking to be closed and to then make application to become a patio.

Councillor Angelo Marignani inquires whether the ingress/egress will affect the property at 548 Chilver Rd. Mr. Nanson responds that the closure should not affect any of the Chilver Rd properties as there is an alley that runs east/west that will connect to the north/south alley that is not being closed and should not cause any issues going in or out of this property.

Councillor Angelo Marignani inquires whether there are any concerns with infrastructure or utilities located within that strip of land. Brian Nagata, Planner II - Development Review appears before the Development & Heritage Standing Committee regarding the Administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and

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Wyandotte Street East, Ward 4, SAA-7198” and responds that there is no concern. As a condition of closure, easements need to be granted to the Corporation.

Councillor Angelo Marignani inquires whether the proposed closure will affect the sale of the vacant parcel of land at 1840 Wyandotte Street East. Mr. Nagata responds that there is no concern. Historically, the property did not have access off the alley.

Councillor Angelo Marignani inquires whether there is concern for emergency access as a result of the closure. Mr. Nagata replies that any new development would need to comply with the building code and the appropriate standards.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 744**

- I. THAT the 33.83 metre portion of the 4.57-metre-wide north/south alley located between Brant Street and Wyandotte Street East, and shown on Drawing No. CC-1855 (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 (the “Owner”) of the abutting property known municipally as 1850 & 1862 Wyandotte Street East, legally described as Part of Lots 4 & 5 and Block E, Plan 211, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easements, subject to being accepted in the City’s standard form and in accordance with the City’s standard practice, being granted to:
 - i. Bell Canada to accommodate existing infrastructure;
 - ii. Enbridge Gas Inc. to accommodate existing underground infrastructure;
 - iii. ENWIN Utilities Ltd. to accommodate existing pole, anchors and overhead plant;
 - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure; and
 - v. The Corporation of the City of Windsor to accommodate existing 1,125.0 millimetre brick combined sewer with catch basin.
 - b. Payment of the survey cost associated with the closure of the Subject Alley by the Owner.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned CD2.1 at \$10.00 per square foot with easements plus HST (if applicable).
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1855.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

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- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003 Carried.

Report Number: S 70/2025
Clerk's File: SAA2025

11.1. Demolition - 1279-1285 Langlois Ave - Request to extend timeframe for redevelopment of demolished dwelling - Ward 4

Councillor Kieran McKenzie inquires whether administration reviews the thresholds that need to be met when these types of permits are originally pulled. Simona Simion, Planner III – Economic Development (Acting) appears before the Development & Heritage Standing Committee regarding the Administrative report dated May 6, 2025, entitled “Demolition - 1279-1285 Langlois Ave - Request to extend timeframe for redevelopment of demolished dwelling - Ward 4” and responds that they are looking for a reason for the extension. The applicant requested an extension to 2028 to fully comply with City of Windsor by-laws and regulations. That was deemed to be a good reason for extension. Our expectation is that the applicant is to replace the units that were there with four units or pay the amount of \$80,000 as a penalty for non-compliance.

Councillor Kieran McKenzie inquires about the usual timeline for the permit being 2 years, and the applicant is requesting 3 more years. Ms. Simion replies that is correct.

Councillor Kieran McKenzie inquires as to next steps should the extension request not be granted. Ms. Simion responds that the applicant would be fined \$80,000.

Councillor Mark McKenzie inquires as to how the date of June 30, 2028, was determined. Ms. Simion responds that the extension date was requested by the applicant.

Councillor Mark McKenzie inquires whether the cause of the delay is known and if there are any incentives from the City that can help move the project along more quickly. Ms. Simion indicates that there are no available incentives.

Councillor Mark McKenzie inquires whether administration would object to moving the deadline up. Greg Atkinson, Deputy City Planner Greg Atkinson appears before the Development & Heritage Standing Committee regarding the Administrative report dated May 6, 2025, entitled “Demolition - 1279-1285 Langlois Ave - Request to extend timeframe for redevelopment of demolished dwelling - Ward 4” and responds that this application differs since it is a non-profit organization, and funding is the main obstacle. Administration would be supportive of shortening that date to 2027 to allow more time to the applicant.

Neil Robertson, City Planner appears before the Development & Heritage Standing Committee regarding the Administrative report dated May 6, 2025, entitled “Demolition - 1279-1285 Langlois Ave - Request to extend timeframe for redevelopment of demolished dwelling - Ward 4” and adds that the financial penalty in the recommendation should be taken into consideration.

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Councillor Angelo Marignani inquires as to how the penalty would be enforced and next steps. Mr. Robertson responds that the penalty would apply if the property is not constructed in the approved timeframe and would be entered and collected on the tax roll.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 742**

1. THAT the condition of demolition permits authorized via CR254/2019 requiring the construction of a new building be substantially complete within two years of the commencement of demolition work at 1279-1285 Langlois Avenue, which was previously extended via CR242/2021 until June 6, 2023, and via CR216/2023 until June 6, 2024, **BE FURTHER EXTENDED** until June 30, 2028; and,
2. THAT if redevelopment, including construction of a new building, is not substantially complete on or before June 30, 2028, the maximum penalty under s. 33(7) of the Planning Act, R.S.O. 1990, c. P.13 (\$80,000) **SHALL BE ENTERED** on the collectors roll of the property; and,
3. THAT the City Solicitor **BE DIRECTED** to register a notice of the condition in recommendation 2 above against title to the subject property in the local Land Registry Office pursuant to section 33(8) of the Planning Act, R.S.O. 1990, c. P.13.

Carried.

Report Number: S 67/2025

Clerk's File: SB2025

11.2. University Avenue West and Wyandotte Street West CIP Grant - 1989 Wyandotte Street West (Ward 2)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 743**

- I. THAT the request, made by 1001054864 Ontario Inc. (David Barry) (Owner) for the proposed creation of one (1) residential unit within the existing building at 1989 Wyandotte Street West to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** at the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years or the eligible project costs in accordance with the University Avenue and Wyandotte Street Community Improvement Plan.
- II. THAT Administration **BE DIRECTED** to prepare an agreement between the City and 1001054864 Ontario Inc. (David Barry) (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 1989 Wyandotte Street West in accordance with all applicable policies, requirements, and provisions contained within the University Avenue and Wyandotte Street Community Improvement Plan.

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- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- IV. THAT approval of the tax increment grant **BE RESCINDED** if the applicant has not completed the work and fulfilled the conditions within one (1) year of the approval date.
- Carried.

Report Number: S 69/2025
Clerk's File: SPL2025

11.4. Brownfield Redevelopment CIP application - 0 Cabana Rd E, 0 Cabana Rd E, 2375, 2385 Cabana Rd E, and 4040 Walker Rd (Ward 9)

Councillor Kieran McKenzie indicates that he is delighted to see the redevelopment plan for this area.

Councillor Angelo Marignani indicates that this is the first of many steps to development of the land in Sandwich South and is excited for the proposal.

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

Decision Number: **DHSC 745**

- I. THAT the request made by LBI Development Inc., 391568 Ontario Inc. and Andrea P. Holding Corp. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study and Remedial Work Plan for the property located at 0 Cabana Rd E, 0 Cabana Rd E, 2375 and 2385 Cabana Rd E, and 4040 Walker Rd pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan.
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$25,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study and Remedial Work Plan completed in a form acceptable to the City Planner and City Solicitor.
- III. THAT the grant funds in the amount of \$25,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner.
- IV. THAT should the proposed Phase II Environmental Site Assessment Study and Remedial Work Plan not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.
- Carried.

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Report Number: S 72/2025
Clerk's File: SPL2025

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 5:21 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on July 7, 2025.

Carried.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of
Council Services

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

Reference:

Date to Council: July 7, 2025
Author: Tracy Tang, MCIP, RPP
Planner III - Heritage (A)
Email: ttang@citywindsor.ca
Phone: 519-255-6543 X 6179
Planning & Building Services
Report Date: 6/12/2025
Clerk's File #: MBA/14987

To: Mayor and Members of City Council

Recommendation:

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

Executive Summary: N/A

Background:

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



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

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

Legal Provisions:

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

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

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

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

Discussion:

Proposal:

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

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



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

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



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

Heritage Considerations:

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

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

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

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

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

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

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

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

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

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

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

Official Plan Policy:

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

<i>CONSERVATION MANAGEMENT</i>	9.2.1	To conserve Windsor's heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical, and contextual significance and ensures their future viability as functional components of Windsor's urban environment.
<i>HERITAGE AREAS AND HERITAGE CONSERVATION DISTRICTS</i>	9.3.5.1	Council will enhance heritage resources by: <ul style="list-style-type: none"> (a) Ensuring that within any Heritage Area or Heritage Conservation District that: <ul style="list-style-type: none"> (ii) Development be of compatible height, massing, scale, setback and architectural style;

Risk Analysis:

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

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

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

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

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

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

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

Consultations:

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

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

Conclusion:

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

Planning Act Matters: N/A

Approvals:

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

Notifications:

Name	Address	Email

Appendices:

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

HERITAGE PERMIT APPLICATION

Revised 11/2023

APPLICATION TYPE

☐ **Minor Heritage Permit**
(Delegated Authority Approval)

☒ **Major Heritage Permit**
(City Council Approval)

☒ **Demolition**

1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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

APPLICANT

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

REGISTERED OWNER IF NOT APPLICANT

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

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

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

Who is the primary contact?

☒ Applicant

☐ Registered Owner

☐ Agent

HERITAGE PERMIT APPLICATION

Revised 11/2023

2. SUBJECT PROPERTY

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

Legal Description (if known): _____

Building/Structure Type:

☒ Residential ☒ Commercial ☐ Industrial ☐ Institutional

Heritage Designation:

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

By-law #: _____ District: _____

Is the property subject to a Heritage Easement or Agreement?

☐ Yes ☒ No

3. TYPE OF APPLICATION

Check all that apply:

☐ Demolition/Removal of heritage attributes ☒ Addition ☐ Erection ☒ Alteration*
☒ Demolition/Removal of building or structure ☐ Signage ☐ Lighting

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

4. HERITAGE DESCRIPTION OF BUILDING

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

711 Riverside Dr E is a 2 story building, zoned mixed use commercial/residential.

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

5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

**see supplemental page

6. HERITAGE PERMIT RATIONALE

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

**see supplemental page

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

None

7. CHECKLIST OF MATERIALS SUBMITTED

 Check all that apply:

Required:

- ☒ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☒ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ☒ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☒ Specifications of proposed work(s) (e.g. construction specification details)

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Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment

8. NOTES FOR DECLARATION

The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.

The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.

The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.



Signature of Applicant(s)

Apr 22/25

Date

Signature of Applicant(s)

Date

HERITAGE PERMIT APPLICATION

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SCHEDULE A

A. Authorization of Registered Owner for Agent to Make the Application

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

I, Tereza Cesmeci, am the registered owner of the land that is
name of registered owner

subject of this application for a Heritage Alteration Permit and I authorize

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

 Signature of Registered Owner
4/22/25 Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

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

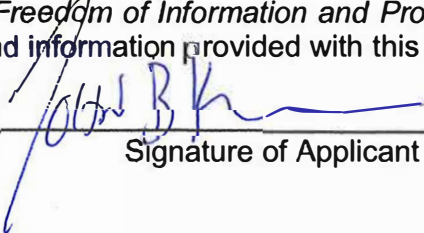
 Signature of Registered Owner
4/22/25 Date

If Corporation – I have authority to bind the corporation.

C. Acknowledgement of Applicant

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

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

 Signature of Applicant
APR 22/25 Date

5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc..

Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

- ***Phase 1: Demo and Cement***

- Apply for demolition, hording, and addition permits.
- Demolish specified walls, floors, and fences; excavate for footings.
- Keep garage 1 intact and ensure safety measures, including hording walls.
- Install drainage, sump pump, and prepare for new cement floors.

- ***Phase 2: Framing***

- Frame exterior walls, install garage doors, and create stairwell.
- Relocate main electrical wire

- ***Phase 3: Roofing and Exterior Cladding***

- Roof with asphalt shingles and add necessary vents and gutters.
- Use house wrap and vinyl siding for exterior cladding. Gun Metal Grey.

- ***Phase 4: Windows and Doors***

- Install two non-insulated garage doors and seven windows, plus an exterior door. Black trim to match the front of the building.

6. HERITAGE PERMIT RATIONALE

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

The primary goal of this project is to address and repair a deteriorating section of the building. The materials were selected to ensure the addition blends seamlessly, maintaining the focus on the building's original, historic facade. A brick "skirt," was experimented with, but it didn't quite achieve the look hoped for, it felt like a forced element that wouldn't significantly enhance the project's value since the west side of the building most visible by the street is majority entrance and garage doors. The brick would be broken up between small portions of the door openings and the one section of the garage that is to remain (currently sided) would have a flushness issue to the brick part of the building in front of it. Removing the existing siding and replacing with siding keeps the same flushness, adding brick would increase this section to protrude. The other sides of the building are/will be hidden by privacy fencing. Additionally, implementing this minor amount of brick would increase cost estimate. It would necessitate increasing the foundations and would need to source sufficient matching brick.

The concrete of the garage floor is deteriorated, cracked and unlevel due to settling. The garage walls have significant water damage and brick below grade, no foundation. Adding foundation, proper drainage, rebuilding garage to esthetically improve the look. The plan is to demolish and rebuild the 3-car garage as existing and include storage space above as a second level. Due to cost and budget, completing the second level as living space is not an option currently. It will be framed and include windows, and no interior walls. Longterm would seek permit to tie in this level into the upper unit. The garage today does not have foundation, to properly repair requires demolition to add the foundation to code and to incorporate good drainage. This is critical to protect the rest of the building as well.

Coloured Renderings of Proposed Addition, provided by Felix Culpa Architecture



Proposed addition, view from Louis Avenue



Proposed addition, view from Louis Avenue relative to original brick commercial building

Current Photographs of Garage to be Demolished, provided by Applicant



West-facing façade, as seen from Louis Avenue



East-facing façade, as seen from the public park



Rear-east corner along the side property line



South-facing façade at the rear



Interior of the two-storey garage addition



Interior of the one-storey garage addition

RIVERSIDE DR EAST - GARAGE RENOVATION

711 Riverside Dr E., Windsor ON

ARCHITECT
Felix Culpa Architecture
2534 Seminole St
Windsor, ON
N8Y 1X4
(519) 890-5773

Contacts:
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Principal Architect / Owner
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Kylene Dupuis, AIBC
Intern Architect
kylene@felixculpaarchitecture.com

OWNER
John Krizan

jbkrizan@hotmail.com
(705) 795-0326

CONTRACTOR
Paul Smith

paul@spruceituprenovations.com
(226) 216-0381

Index of Drawings	
NO.	SHEET TITLE
A000	TITLE SHEET
A100	ARCHITECTURAL SITE PLAN
A200	EXISTING FLOOR PLANS
A250	PROPOSED PLANS
A252	PROPOSED PLANS
A300	EXISTING ELEVATIONS
A350	PROPOSED ELEVATIONS
A500	SECTIONS



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RIVERSIDE RENOVATION

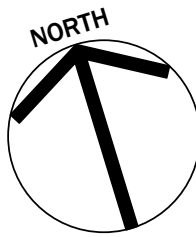
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Revisions

Number	Date	Description
1	2025-04-21	Issued For Heritage Permit
Drawn K DUPUIS		Preliminary
Checked B SMITH		Construction
Approved B SMITH		Record
Job Number 21-040		DO NOT SCALE Use figured dimensions only

Drawing Title
TITLE SHEET

Sheet Number
A000



1
A300

SITE PLAN
SCALE: 1/8" = 1'-0"

NOTE: ARCHITECTURAL SITE PLAN FOR REFERENCE ONLY REFER TO SURVEY BY OTHERS FOR ALL CIVIL ENGINEERING INFORMATION

**FELIX
CULPA**

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Drawing Title
**ARCHITECTURAL SITE
PLAN**

Sheet Number
A100

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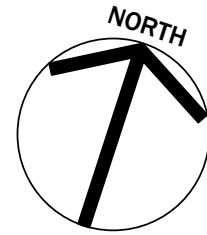
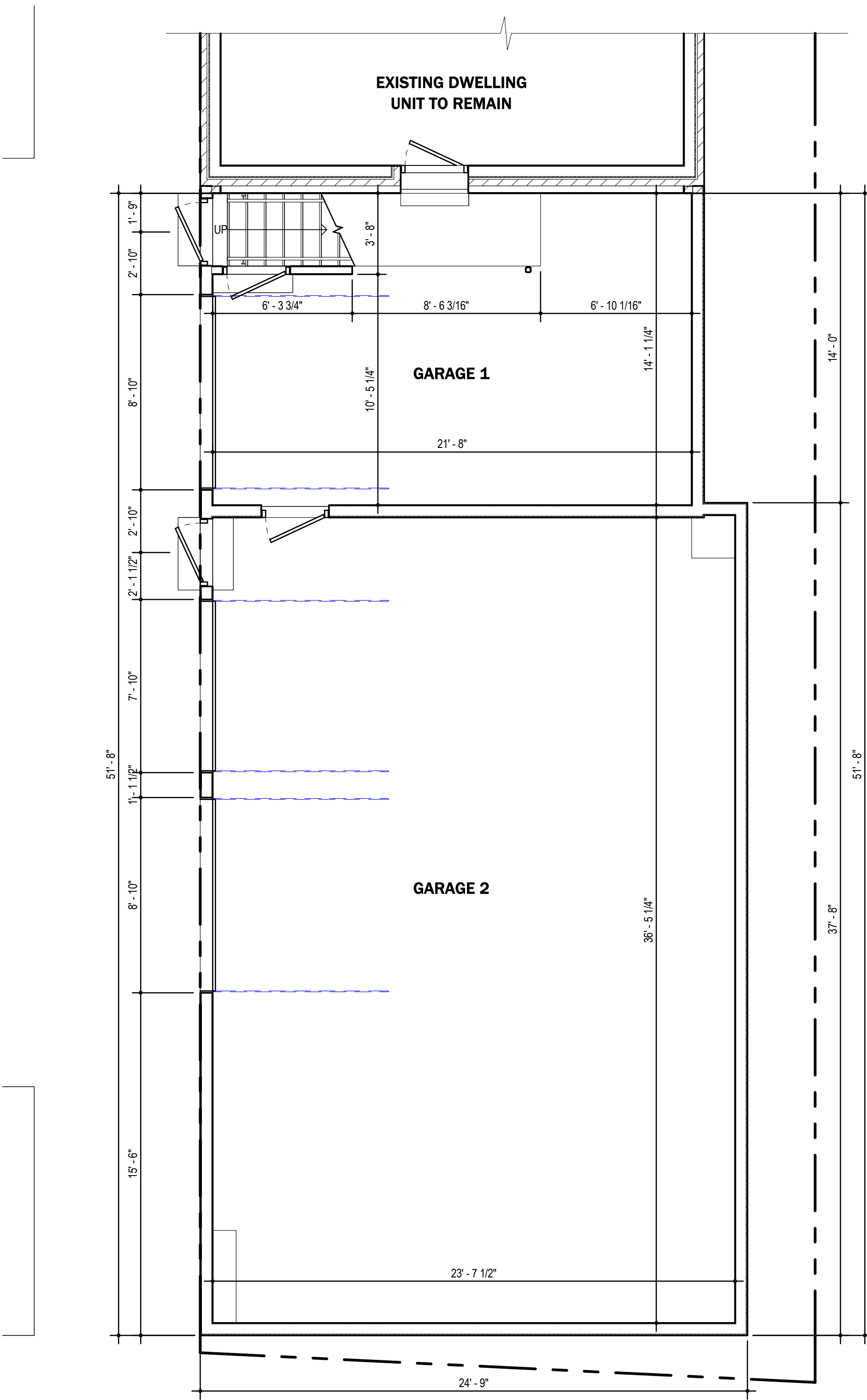
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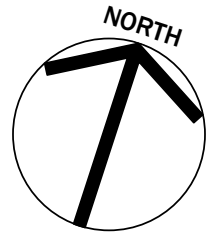
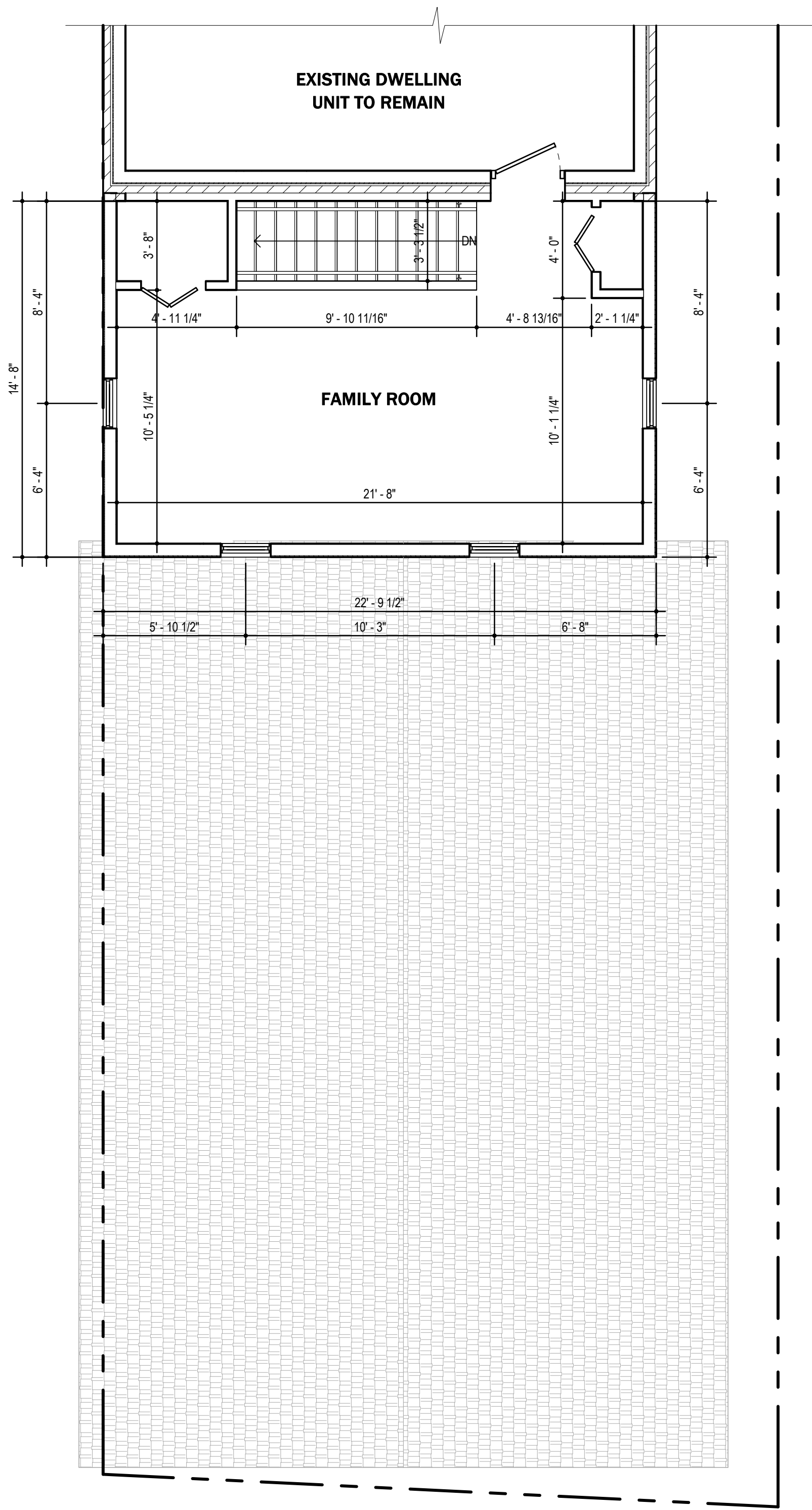
Drawing Title
**EXISTING FLOOR
PLANS**

Sheet Number

A200

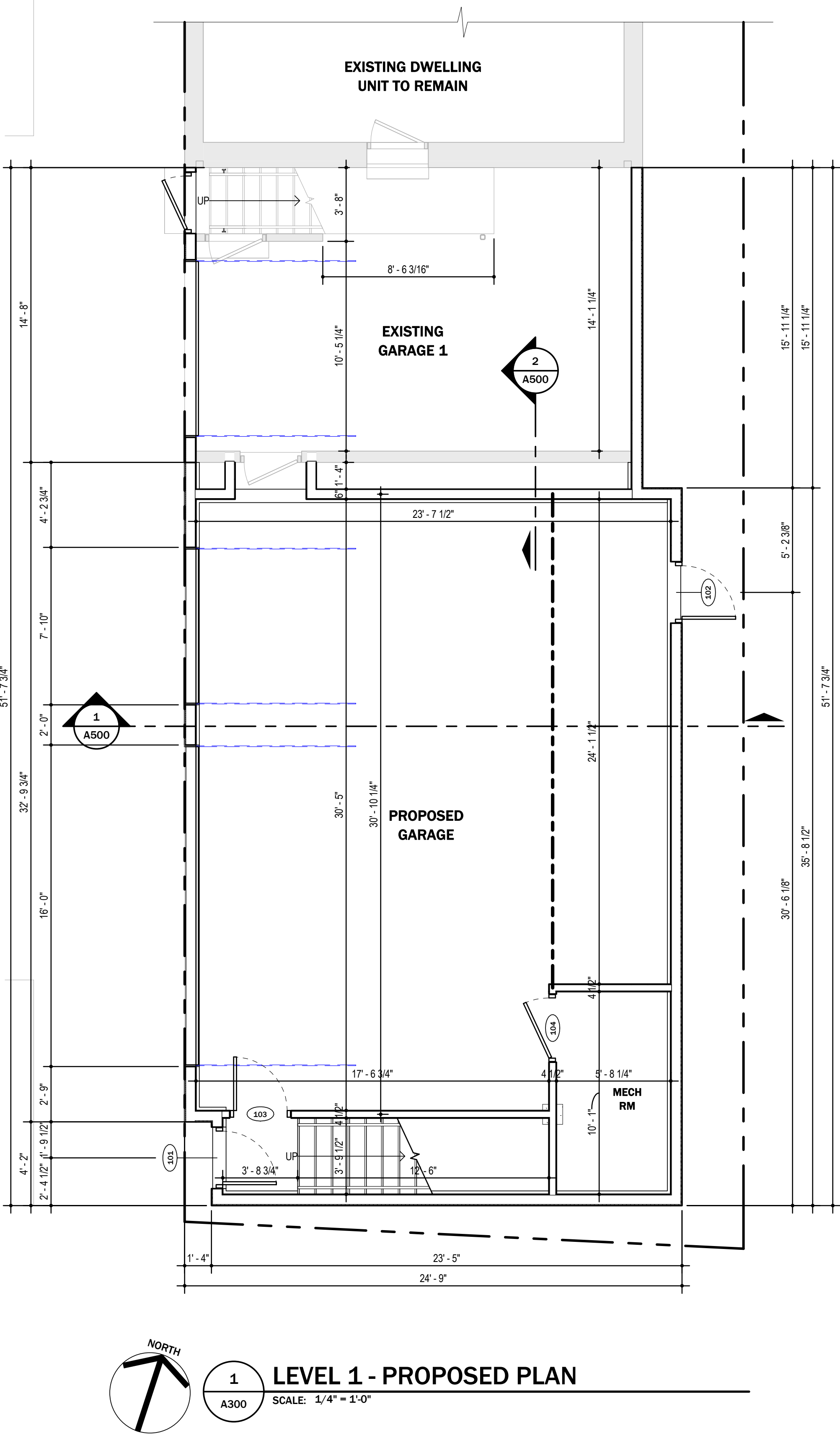
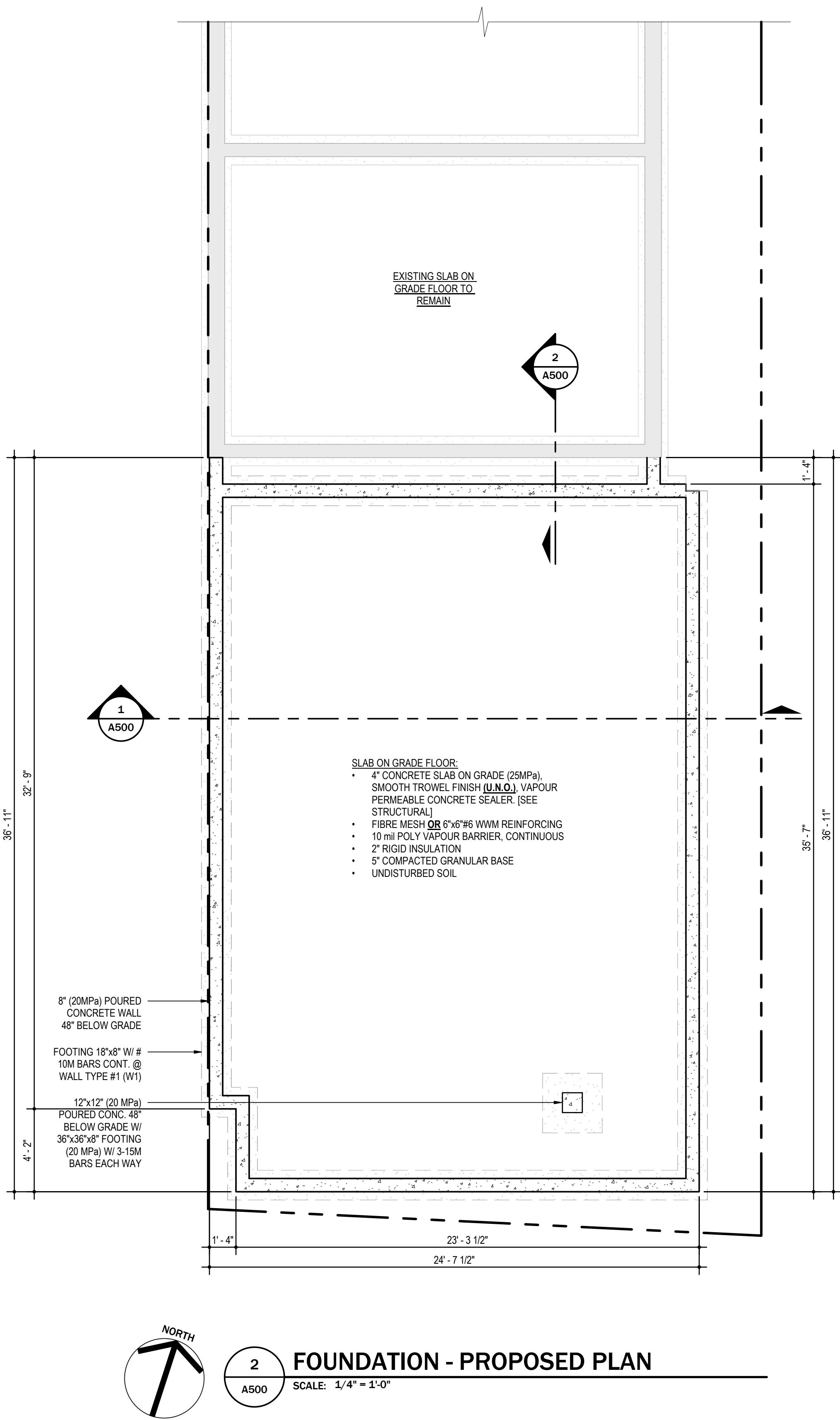


1
A300 **LEVEL 1 - EXISTING PLAN**
SCALE: 1/4" = 1'-0"



2
A300 **LEVEL 2 - EXISTING PLAN**
SCALE: 1/4" = 1'-0"

Schedule - Door																				
Door No.	Type Mark	DIMENSIONS		FINISHES						HARDWARE										Comments
		Width 1.	Height	Type	Finish	Material	Type	Finish	Material	CR	DL	DO	PB	SC	DB	DP	PA	PR		
GRADE / LEVEL 1																				
101	D-01	2' - 8"	6' - 8"	Exterior	Fibreglass	Prefinished	T1	Wood	Painted						o					
102	D-01	2' - 8"	6' - 8"	Exterior	Fibreglass	Prefinished	T1	Wood	Painted						o					
116	D-01	2' - 8"	6' - 8"	Exterior	Fibreglass	Prefinished	T1	Wood	Painted											
103	D-02	2' - 8"	6' - 8"	Interior	MDF	Painted	T1	Wood	Painted						o					
104	D-03	3' - 0"	6' - 8"	Interior	MDF	Painted	T1	Wood	Painted								o			



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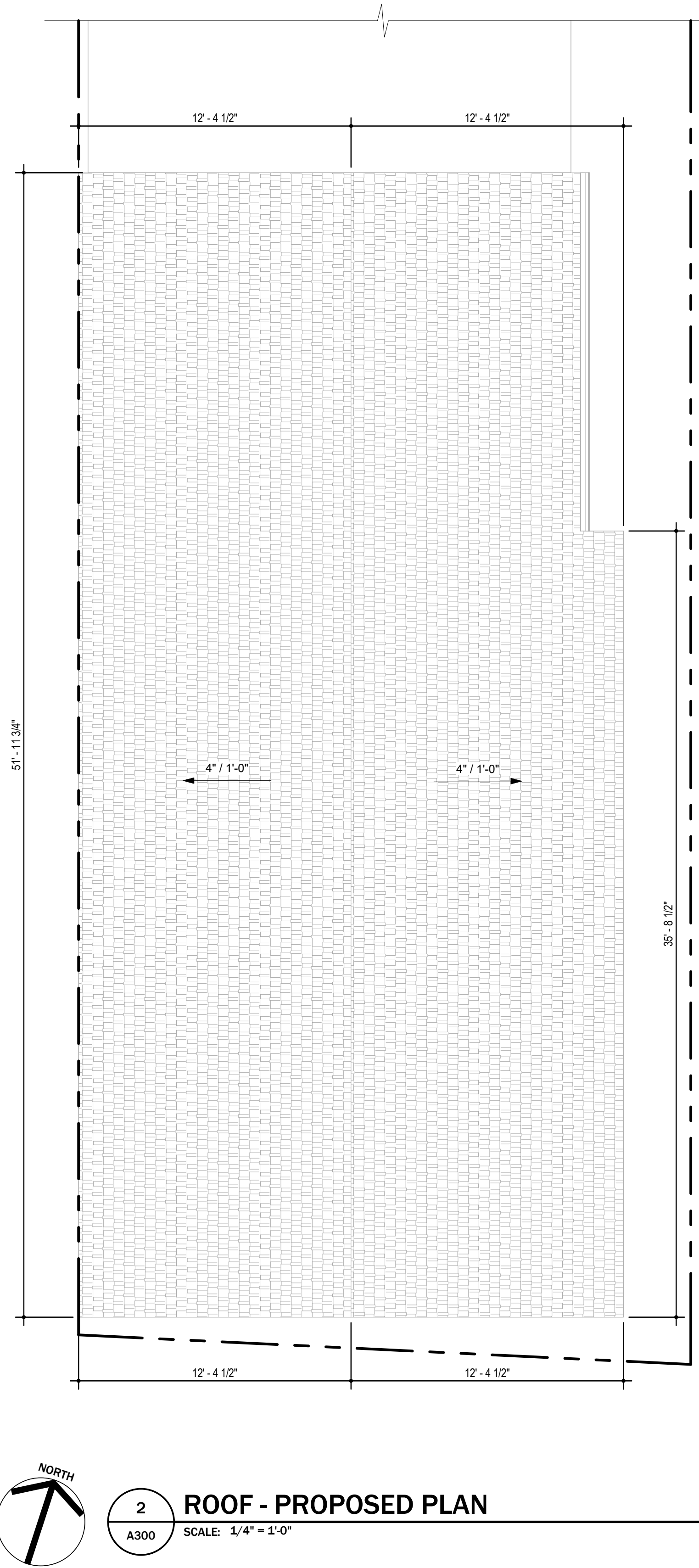
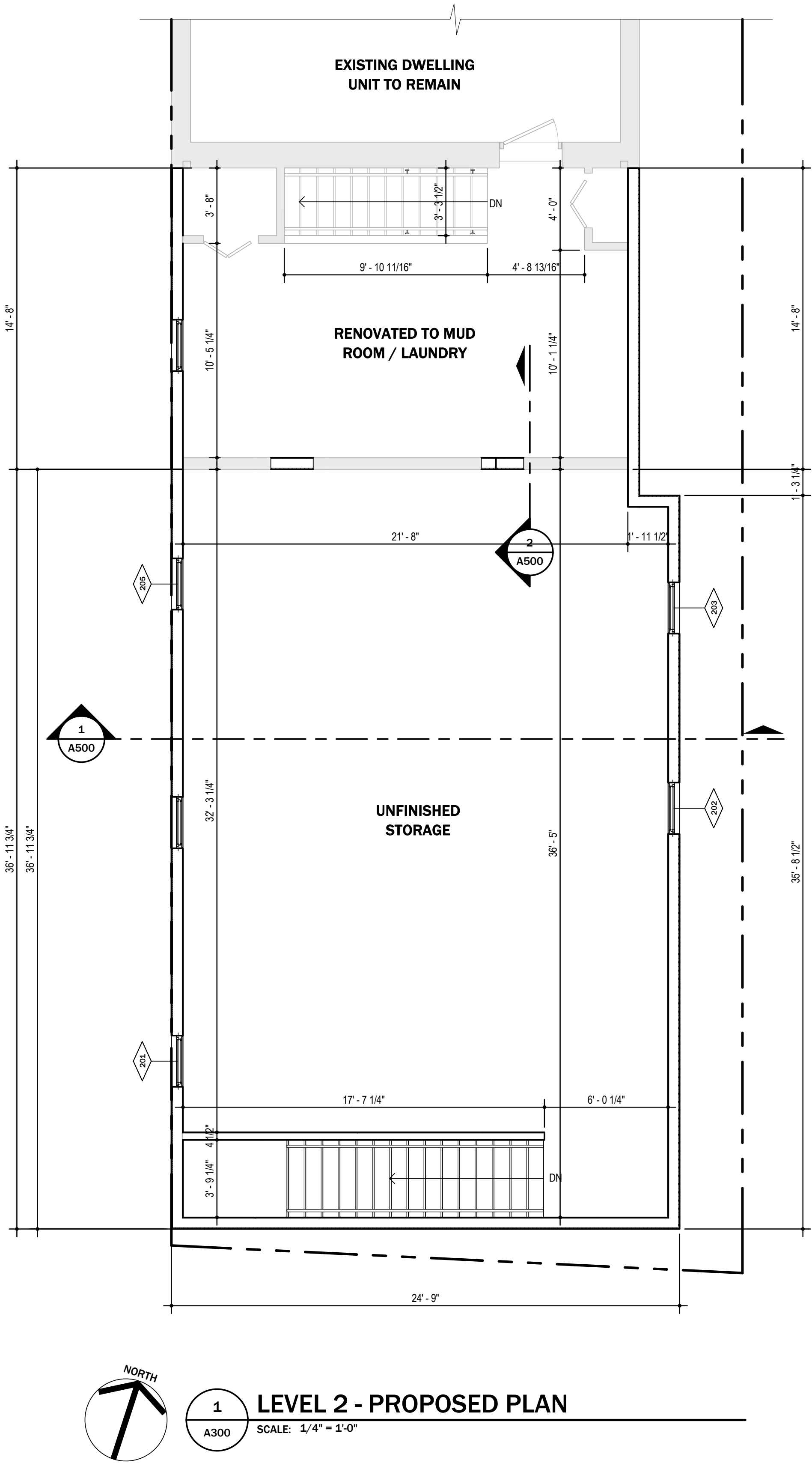
RIVERSIDE RENOVATION

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Drawn	K DUPUIS	Preliminary
Checked	B SMITH	Construction
Approved	B SMITH	Record
Job Number	21-040	
Drawing Title	PROPOSED PLANS	

Schedule - Window						
Window No.	Type Mark	Width	Height	Sill Height	Material	Comments
NEW LEVEL 2						
201	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
205	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
202	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
203	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
208	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	
212	W-04	2' - 6"	5' - 8"	2' - 0"	Vinyl	



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21-040

Drawing Title
PROPOSED PLANS

Sheet Number
A252



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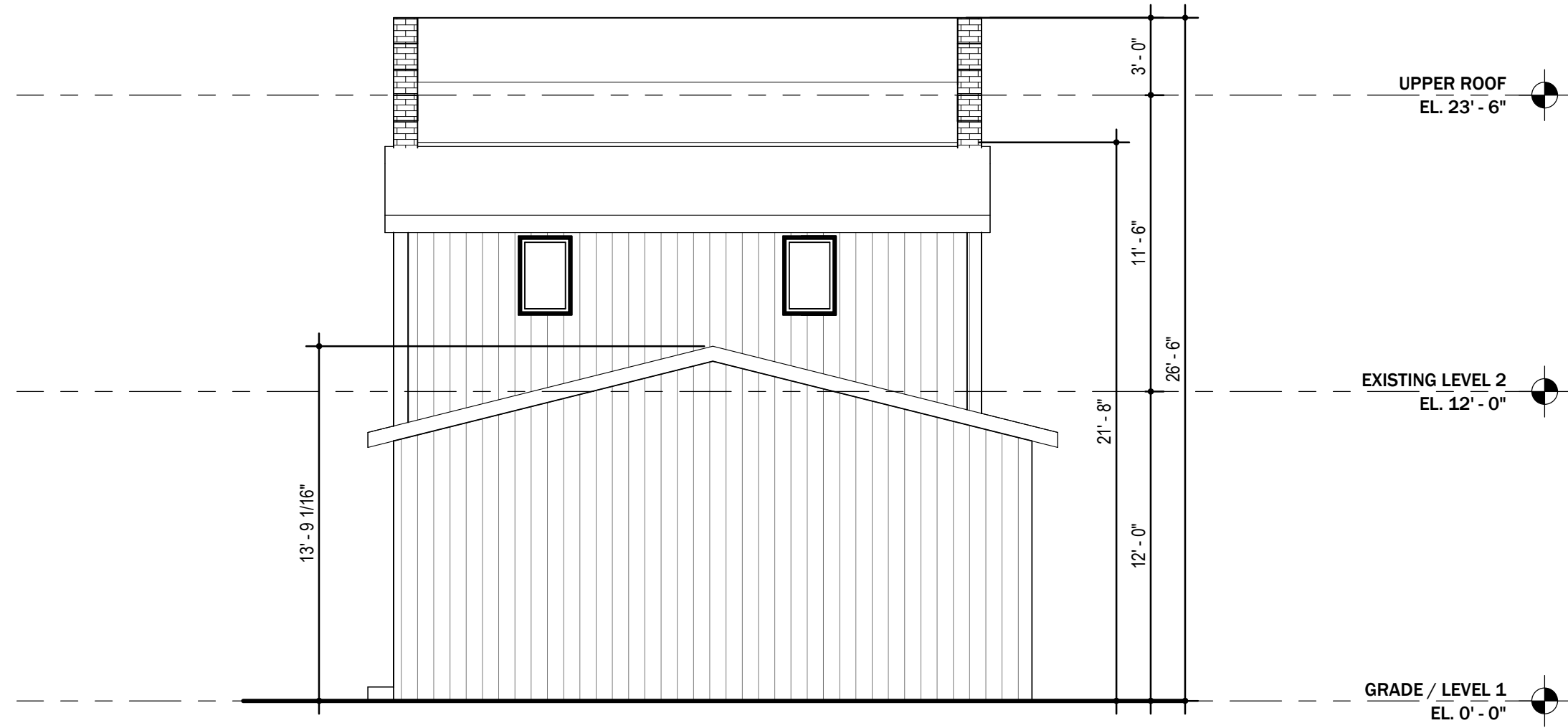
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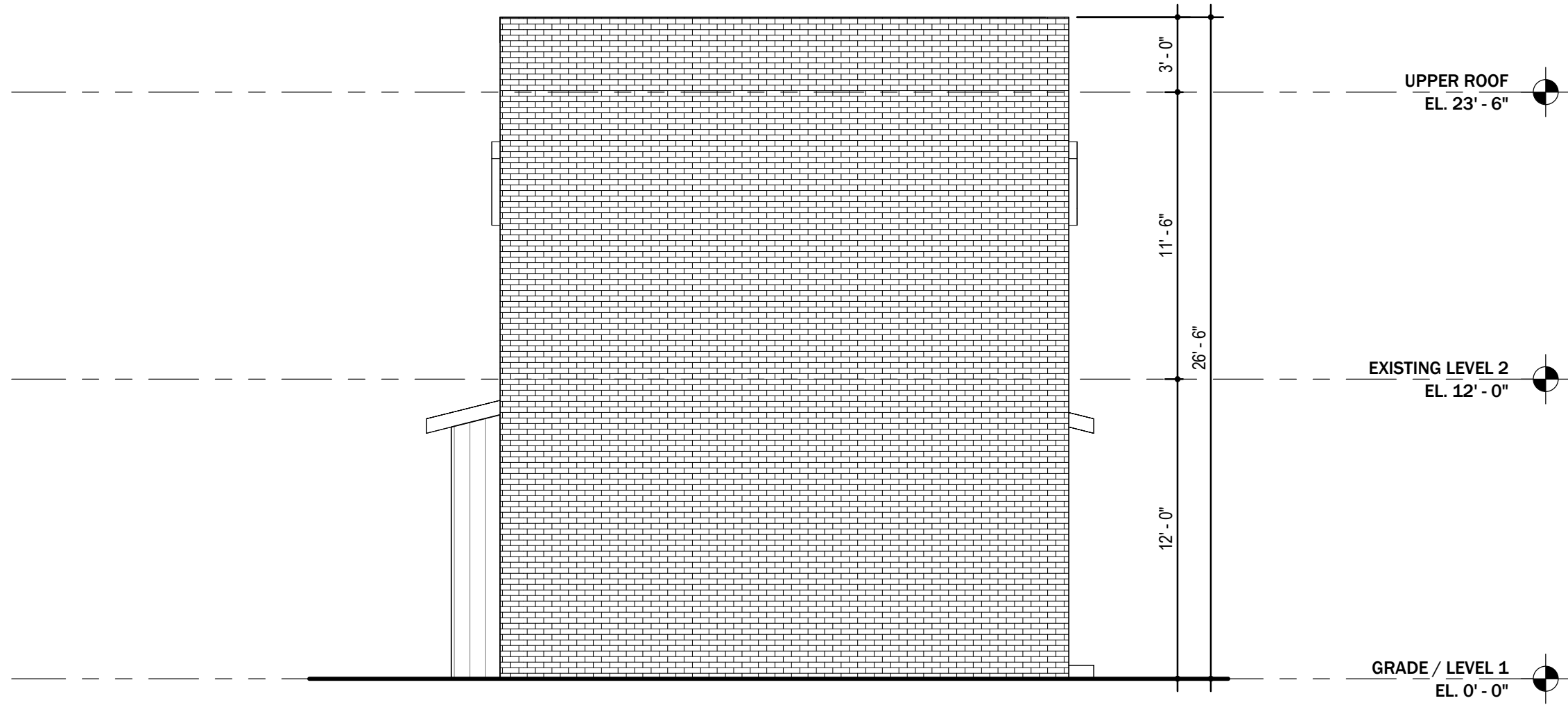
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21-040

Drawing Title
EXISTING ELEVATIONS

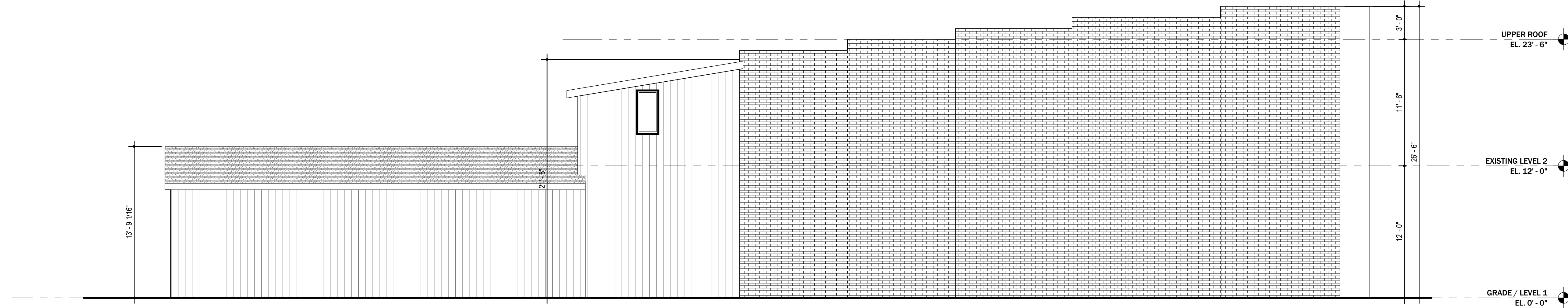
Sheet Number
A300



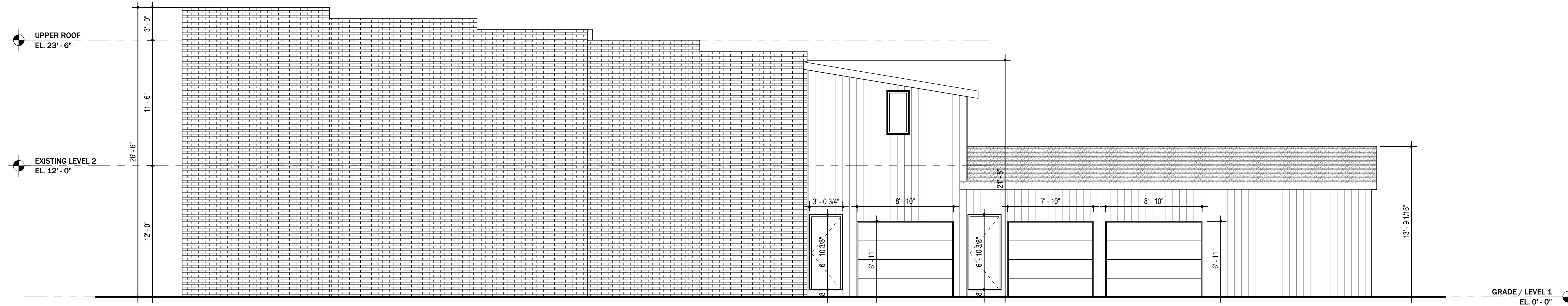
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SCALE: 3/16" = 1'-0"



3 EXISTING - NORTH ELEVATION
SCALE: 3/16" = 1'-0"



4 EXISTING - EAST ELEVATION
SCALE: 3/16" = 1'-0"

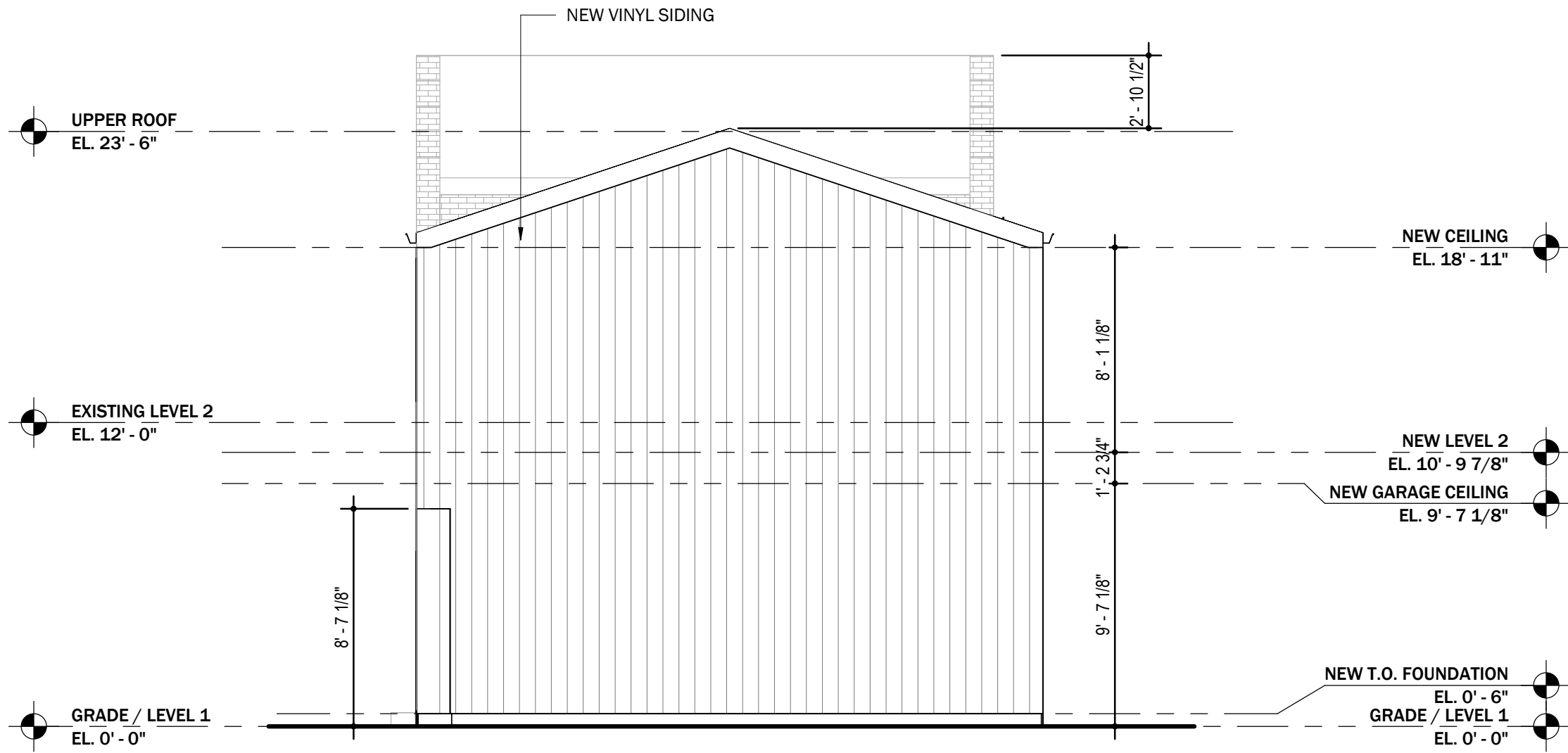


1 EXISTING - WEST ELEVATION
SCALE: 3/16" = 1'-0"

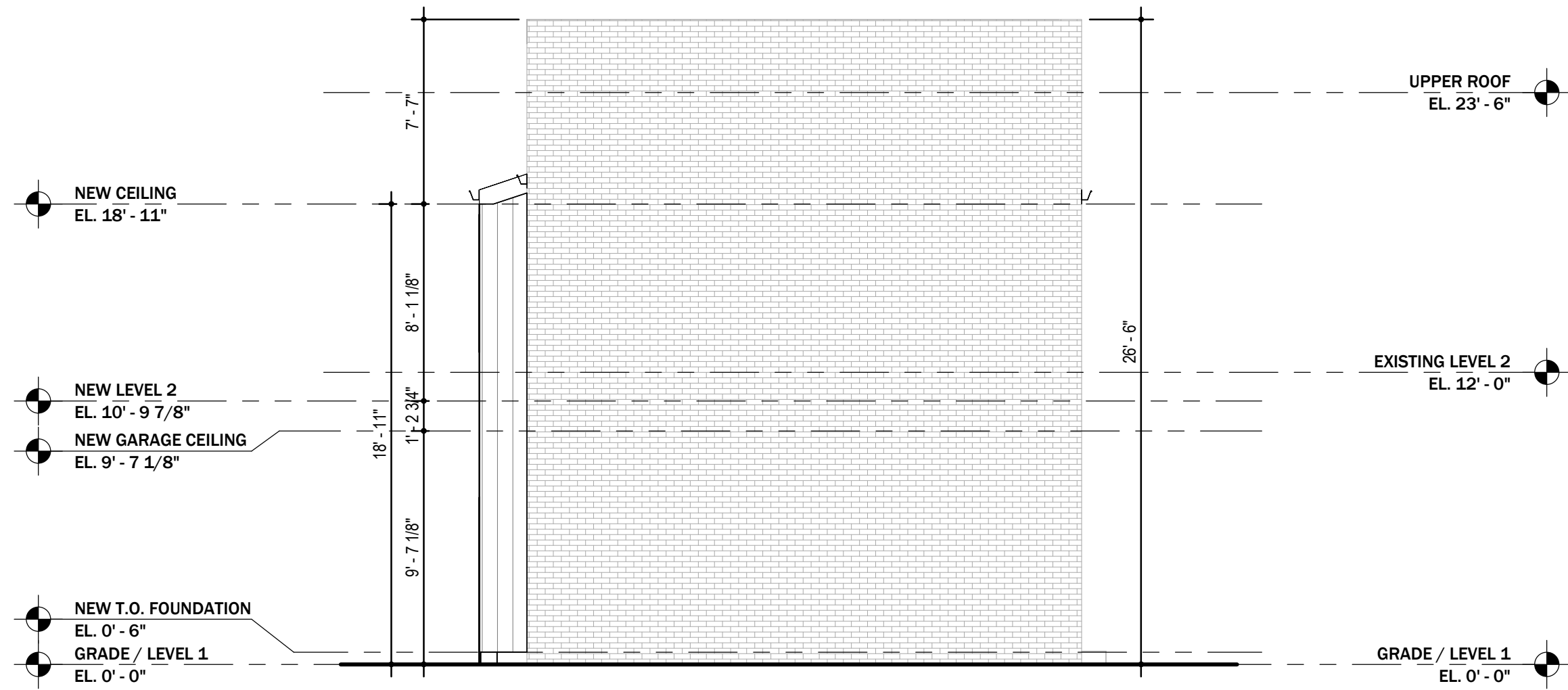


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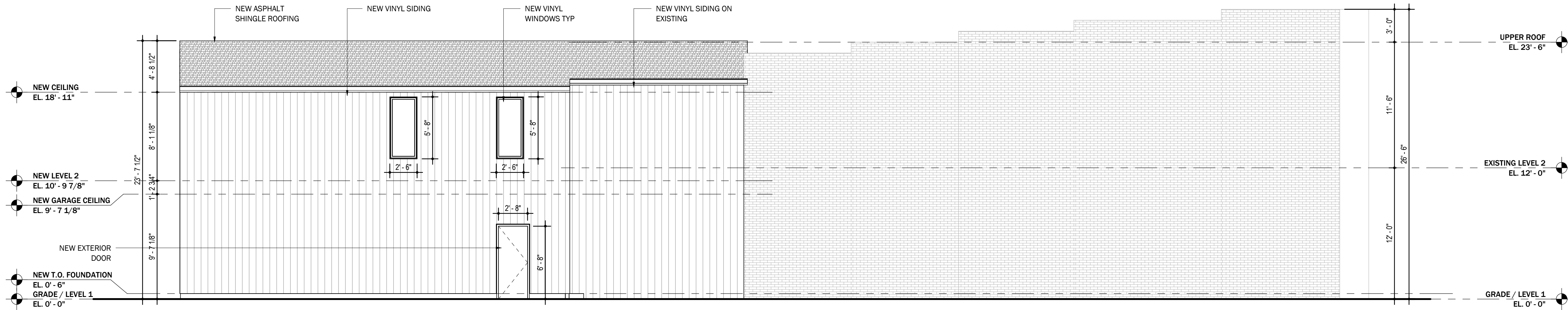
RIVERSIDE RENOVATION



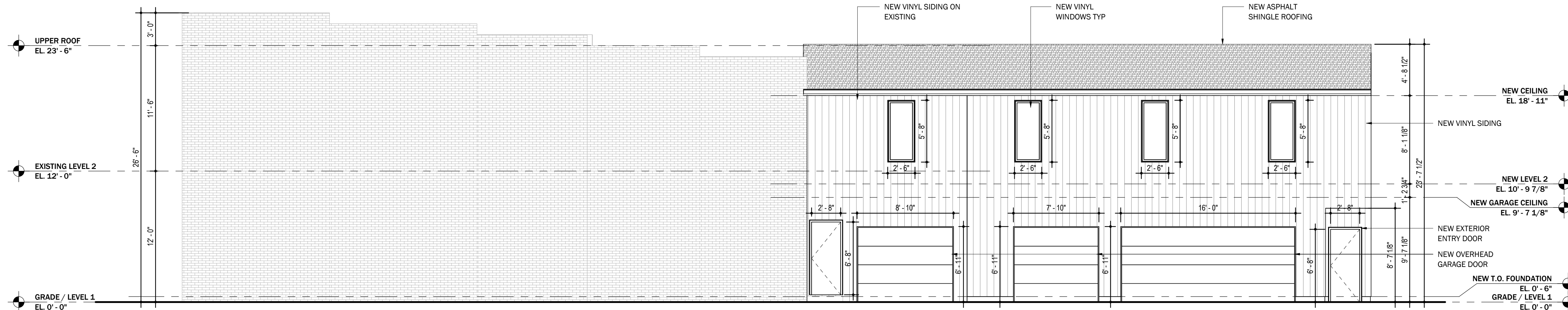
4 PROPOSED - SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



3 PROPOSED - NORTH ELEVATION
SCALE: 3/16" = 1'-0"



1 PROPOSED - EAST ELEVATION
SCALE: 3/16" = 1'-0"



2 PROPOSED - WEST ELEVATION
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Revisions

Number	Date	Description
1	2025-04-21	Issued For Heritage Permit
Drawn K DUPUIS		Preliminary
Checked B SMITH		Construction
Approved B SMITH		Record
Job Number 21-040		
Drawing Title PROPOSED ELEVATIONS		



2534 Seminole St.
Windsor, Ontario N8Y 1X4
(519) 890-5773
www.felixculpaarchitecture.com

RIVERSIDE RENOVATION

- GENERAL NOTES:
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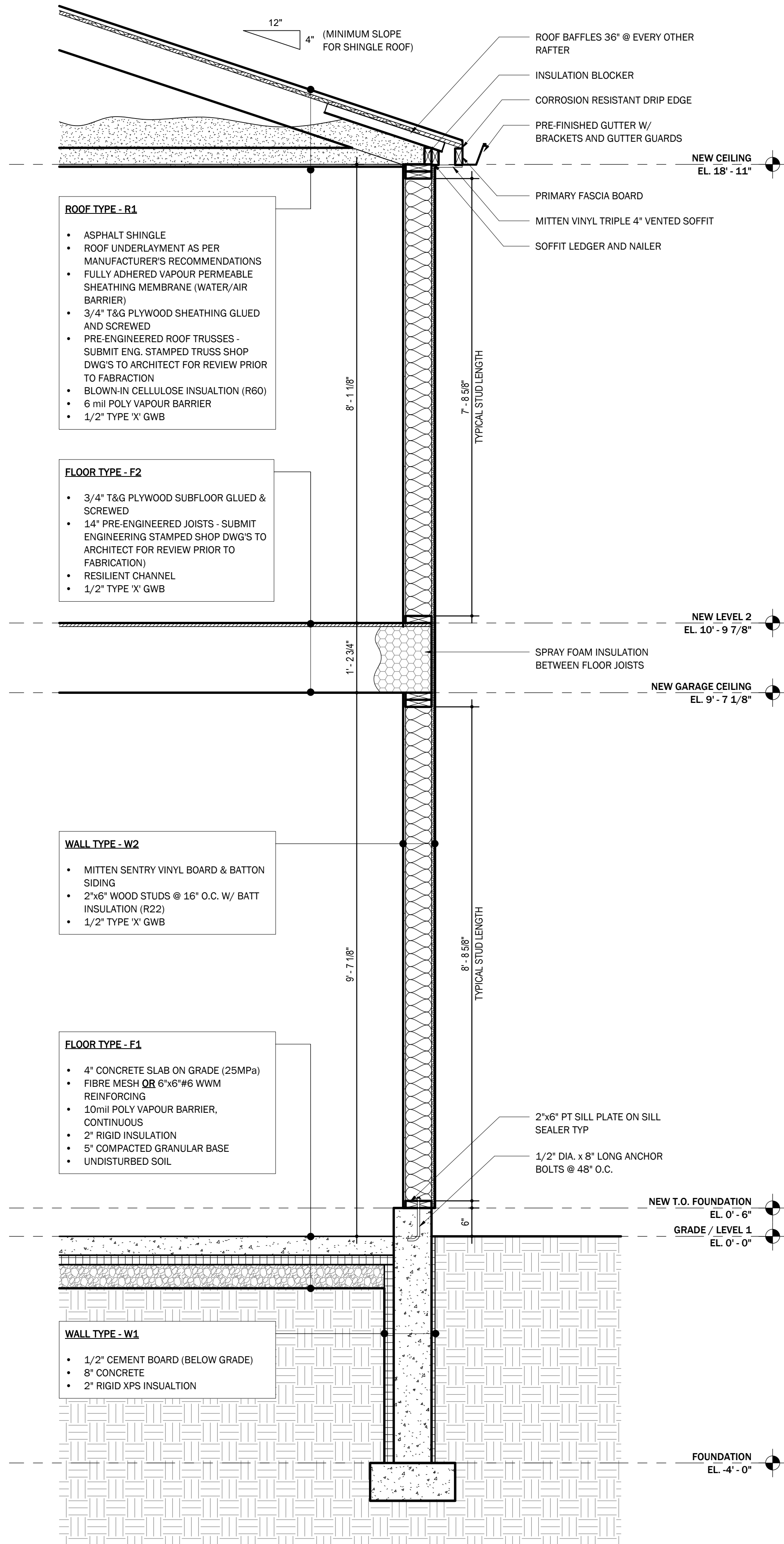
Revisions

Number	Date	Description
Drawn		Preliminary
B SMITH		Construction
Checked		Record
B SMITH		
Approved		DO NOT SCALE Use figured dimensions only
B SMITH		

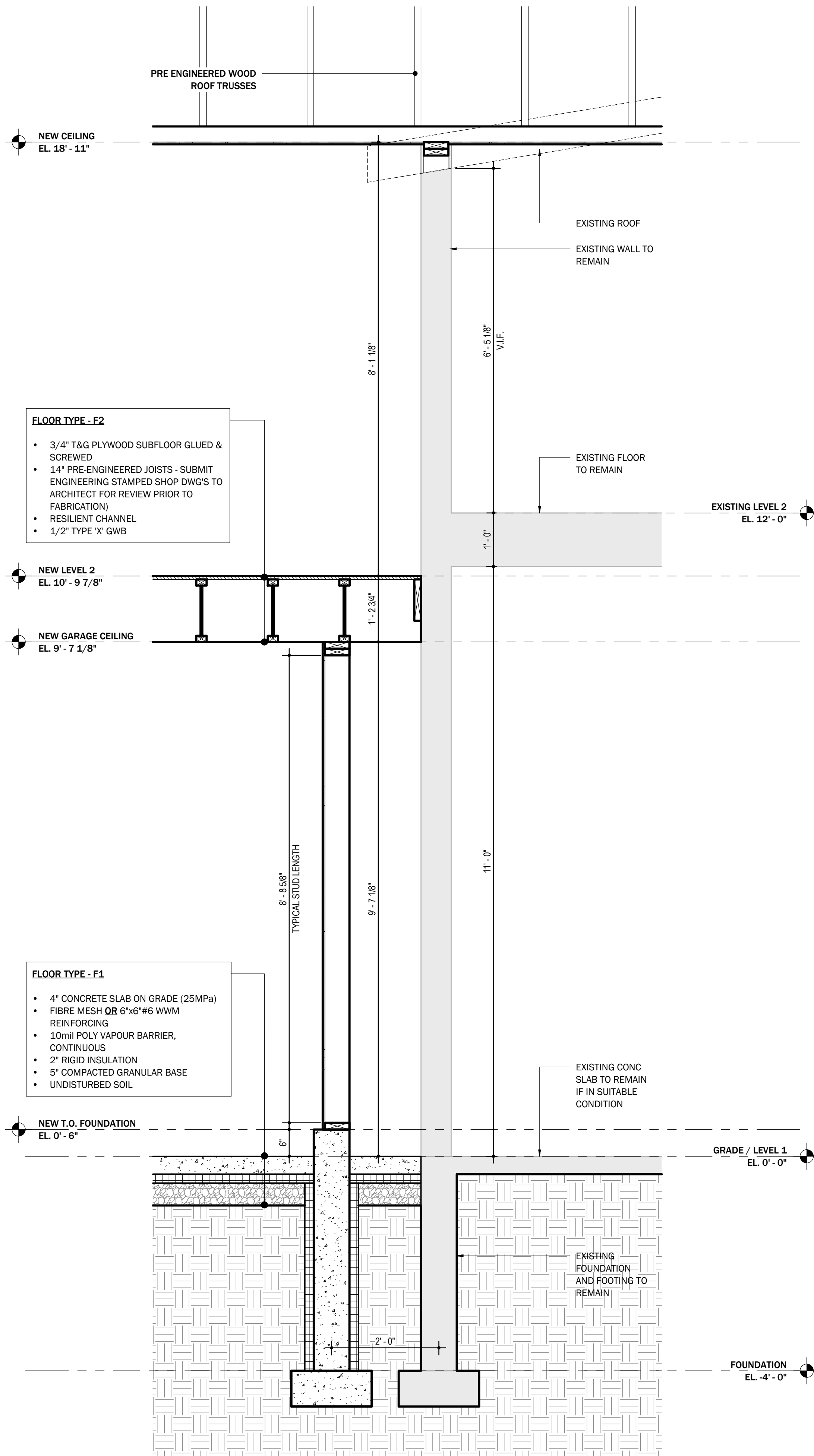
Job Number
21-040

Drawing Title
SECTIONS

Sheet Number
A500



1 **TYPICAL WALL SECTION**
SCALE: 3/4" = 1'-0"
A250



2 **WALL SECTION @ EXISTING & NEW TRANSITION**
SCALE: 3/4" = 1'-0"
A250

June 12, 2025

Heritage Committee – City of Windsor

Heritage Permit Application – Design Rationale

PROJECT #: 24-040

PROJECT: Riverside Dr E – Garage Renovation

711 Riverside Dr E.

Windsor, ON

Dear Members of the Heritage Committee,

Thank you for taking the time to review our submission for a heritage permit related to the proposed work 711 Riverside Dr E. We appreciate the opportunity to collaborate in preserving and enhancing the character of this important property. Below, we would like to provide additional context to explain the rationale behind key design decisions and why some alternative suggestions may not be viable.

Roof Design

We understand the importance of compatibility with the heritage character of the original structure, and have approached the new addition with care and consideration. A flat roof, while low in profile, is not suitable due to cost constraints and long-term drainage concerns. A single-slope (shed) roof was also explored, but it does not comply with Ontario Building Code (OBC) requirements for ceiling heights while matching the existing parapet height, nor does it resolve drainage adequately.

Instead, we are proposing a gable roof with a 4:12 pitch—the minimum acceptable slope for asphalt shingles. This solution offers multiple benefits: it is cost-effective, feasible for the builder to construct, and facilitates better drainage, particularly when integrating with the existing flat roof. The proposed roof height is driven by standard stud lengths, ensuring an efficient construction process. Given that the original heritage structure already features stepped parapets, an additional step down to the garage roof does not feel out of place and maintains architectural rhythm. Furthermore, the existing garage currently has a gable roof, and our proposal could be seen as an evolution or “raising” of that form to meet current functional and aesthetic needs.

Material Selection: Brick vs. Siding

We explored several options for exterior cladding in an effort to respect the original brick building while ensuring constructability and durability. We consulted with contractors, including Lester Group, about retaining or restoring the existing brick. Unfortunately, we were advised that the original brick, being soft and of its era, is not viable for long-term repointing. Complete brick replacement was also discussed but deemed unfeasible due to both budget limitations and extended construction timelines—potentially stretching up to a year.

While we did consider a brick “skirt” for the new garage, this solution posed aesthetic and technical challenges. Given the layout, brick would be visually broken up by garage doors and entryways, and will be screened by fencing on the side elevations, diminishing its effectiveness. It would also create inconsistencies in wall flushness with the retained garage portion (currently sided), and necessitate a larger foundation footprint—adding both cost and complexity without meaningful benefit.

After ruling out stucco and other cladding options that would not suit the context or quality desired—we opted for a modern vinyl siding solution. This material is within budget, can be installed efficiently, and allows for a clean, contemporary look. Importantly, our selected muted colour palette is designed to complement rather than compete with the original heritage brick, tying into the black metal accents already present. The new garage doors are also carefully chosen in a tone that

reflects the grey steel elements on the existing structure, helping to visually break up the massing along the sidewalk and provide continuity across the property.

Windows

The new windows are proportioned and patterned to echo the original building, using uniform sizing and a consistent rhythm that references the heritage structure. While their vertical alignment does not match existing window openings, this is due to the height constraints of the new garage roof. It is also worth noting that the original windows on the heritage portion do not align in elevation either, which supports a more flexible approach. Our intention is to maintain a visual consistency in scale and proportion to the original structure.

Building Products

We have carefully selected building materials and products that complement the original structure while maintaining budgetary and construction feasibility. All products are listed below:

- **Windows:** Match the existing front section of the building in both size and aesthetic. They feature black exterior trim and white interior finish. Proposed new windows are 30" x 68" to reflect the width of the most relevant original windows, ensuring visual continuity. Sourced through Tamar Building Products.
- **Steel Entry Doors:** Selected without glazing to minimize visual clutter and maintain simplicity. They feature black exteriors and trim, with white interior finishes, matching the style and palette of the original building. Sourced through Tamar Building Products.
- **Vinyl Siding:** We have selected a board and batten profile in Gun Metal Grey from the *West Ridge Luxury Vinyl Siding* line, available through Tamar Building Products.
- **Garage Doors:** Standard metal garage doors in grey, painted or prefinished to coordinate with corrugated metal on existing structure.

We hope this additional explanation provides a clear understanding of our approach. We have prioritized thoughtful, historically sensitive design while balancing the realities of construction, cost, and building code requirements. We welcome any further dialogue and thank the committee again for their time and dedication to preserving our built heritage.

Sincerely,



Brad Smith, OAA AIA
Principal Architect / Owner
Felix Culpa Architecture and Development

Construction Specific Details for Demo and Rebuild

Phase 1: Demo and cement

- Have current drawings updated by a BCIN architect for submission for permit by you. Your cost.
- Apply for demolition permit, hording permit and addition permit. All work to be inspected.
- Demolish 3 exterior walls, floor, fence of current garage 2 located at very back of Property according to blue print provided as well as floor of garage 1. Remove cement flooring and excavate 4' down for footings and one point load. All Demo to be removed and disposed of. Dig ditch along back of garage to middle of existing house for supplies and drain.
(garage 1 must stay in place with living space above it being occupied)
- Install 120' hording walls for work and public seperation and safety/security as well as 38'scaffolding across public right of way sidewalk during phase 2 until completion.
- Temporary blocking of public right away sidewalk required for duration of phase 1 of the build.
- Pour footings and walls plus one point load. Install drainage and one sump pump pit with two low drainage points in middle of each bay floor leading to the sump pit.
- Sand backfill and compact area for new cement floor to be poured in both garage 1 and 2.

Phase 2: Framing

- Frame out all exterior walls with garage doors, man doors and windows. 2X6 construction with center steel beam running north to south with one center point load, second story has 128 ft. linear of interior walls. One stairwell to build. Roof to be made of trusses.
- relocation of main electrical wire to run to the new south/east corner of the second floor with new panel box, main shut off box, new wire to run to old panel.
- Frame out interior walls including Reno area of existing living space as per drawing.
- Interior doors x9

Phase 3: Roofing and Exterior Cladding

- Roof the building roughly 4:12 pitch with regular asphalt shingle, 2 whirly bird and 3 vent.
- Black flashing and vinyl soffit, 2 down spout with gutter guard.
- house wrap and vinyl siding board and batten look for exterior cladding all sides gun metal grey.

Phase 4: Windows and doors

- Two non-insulated garage doors to install with automated open/close.
- 7 windows to install.
- 1 exterior door.

Comparison Demo Rebuild Versus Attempt to Repair Existing

Description	Cost	Comment
Demo, Rebuild	\$174, 000	Includes adding upper level for storage, potential future state for additional living space upr unit
Repair, Underpin	\$243, 500 PLUS	need an engineer who charges roughly 3,500 to do drawing for under pinning. The process is excessive as you can only excavate and pour cement 4' every two weeks. Cost of that would be about \$2,000 per linear ft. You have 120 Linear feet. That's \$243,500 just for footings.

****above information supplied from Contractor, Paul Smith - Owner of Spruce it Up! Renovations Inc**

October 14, 2021

Mr. John Krizan
711 Riverside Drive East
Windsor, Ontario
N9A 2T2

Attention: Mr. John Krizan

**RE: CONDITION REVIEW
 711 RIVERSIDE DRIVE EAST
 WINDSOR, ONTARIO
 Our Project No. 21-a165**

Dear Mr. Krizan

Further to your request, our office undertook a condition assessment for the above noted address. This condition assessment was visual in nature and limited to those items which could be identified via visual means. In addition to this review, we have undertaken an initial assessment of the structure for the proposed upgrades you have considered for the property. The following will outline our observations and recommendations.

Overview

The existing building is a timber and masonry construction, two storey residential/commercial occupancy comprising of varying years of construction. The oldest of these elements is what we will be deemed the center portion which is located between the front brick section and the white sided area. While each of these elements is considered to be of some heritage note this “center portion” identifiable by a control joint (vertical joint) is identifiable by a different bridge material and general patterning. To the north of this portion appears to be a later addition also two storeys in size with what appears to be an original front commercial style entryway, albeit that its current function is fully residential. The rear portion which is covered in siding is also partly masonry construction, however, it appears to have experienced some level of failure with the roof and top portion of the wall being replaced by newer construction.

Historical Information

Based on some investigation, we have been unable to identify the exact age of the structure, however a 1958 Windsor Daily Star article does note that the Owner of the building at the time anticipated it to be at least 150 years old as of that article, placing it as early 1800s construction. The article further clarifies the building is Windsor’s “first two-storey brick commercial building” making it unique in this region and noting the building existing prior to the street when only serviced by “an Indian path”. This article also confirms the present “center portion” of the building is the oldest with a “60-foot depth” addition being added later. While the historic use of the building has varied over time, in 1908 the building became Windsor’s first vulcanizing shop and the location of the City’s third gas pump.

As previously noted in terms of age of the building, there is no current record to truly identify this but the modifications can be somewhat defined as far back as 1894 (refer to attached fire Insurance maps). Note that between 1894 to 1937 various extensions took place extending the current building to the south, and then by 1952 the building retains for the most part its current general outline, with the rear noting designation as an auto repair shop.

Note that the two-storey wide sided section visibly present in the 1958 article clearly shows this area as an exterior second floor patio/porch space with some form of port under it. The general exterior appearance of the building north of this location remains for the most part unchanged since that date.

Likely the reasoning behind the less emphasized east face shows the presence of a building of a single storey structure affixed to this side which remained in place until prior to 1952. Specific to the building as it exists today, we believe the center portion is the oldest and is denoted on the attached fire maps with a defining line suggesting that the northerly portion was added pre-1894. The two-storey white sided portion of the building appears to have been constructed between 1924 and 1937 along with the existing single-storey garage which replaced a separate garage structure present in 1924.

It is important to remember that the focus of the City through the heritage repairs will be to try and return the building to one of the previously historical conditions of the structure as much as possible.

Site Review

As noted above, our site review was visual in nature and some physical testing will be required to fully quantify the structural capacity of the system as part of future works. Such testing can take place just prior to or concurrent with any planned works.

Approval Process

As discussed on site, any functional change to the building will likely trigger the Site Plan Control Process through the City of Windsor. Any work performed on this site will also mandate a Heritage Building Permit through the City of Windsor given this building is listed as a Heritage Building on their registry.

In accordance with records pulled, this building was added to the City's registry in 2002, noted as Built Heritage functioning as a Commercial Building.

Overview of Client's Direction

As discussed on site, the focus of your proposed work is to define a plan to restore the existing building while also defining key upgrades. The following items were considered in our initial review:

1. Provide a roof top deck area for use.
2. Clad the second-floor level of the building in metal siding.

Observations

The following observations were made during our site visit(s).

Exterior

- The portion of the exterior façade above the second-floor level on the west face has been covered at some point in history with a Cementous parging.
- Various locations require repointing to maintain integrity of the building.
- Various former openings have been deleted or reduced in size with clear presence of previous lintels.
- The stone sills at the front windows and second floor windows appear to be original given the level of weathering present.
- Windows on the second-floor level along the west and north sides have a clearly defined arch with ornate sculptured stone as the center key in the north phase of the building's history. This detailing is absent from the current east elevation in the same zone.
- All windows have been replaced with noted brick work being performed adjacent to them. This brick work is irregular and does not appear to comply with good heritage practices.
- Various cracking in the mortar joints was noted along the north and east face but nothing of excessive concern unless noted otherwise in this document.
- The roof membrane is visible along the length of the east, north and west walls which suggests long term exposure of the wall in the absence of proper capping.
- The "original" center section has various locations on the east face of previous repairs which fail to indicate prior detailing to ensure longevity of the structure.
- The "original" center section has signs of lack of a plain condition on the east wall suggesting long term movement of the wall.
- Presence of cracking and lack of vertical plumbness of the north, east and west parapet sections suggest remedial work is needed.
- The front (north) elevation appears to still provide a straight defined line denoting the recessed opening with both sides being flanked form columns likely original to the construction. While no observed defect exists at these locations, it was noted that some movement is occurring at the northwest and northeast corner of this face along the second-floor level, identifiable via cracking. Further exploratory investigation is required at these locations.
- The rear garage and two-storey area did show signs of structural issues along the east face, a topic to be addressed under interior reviews.
- The second-floor stair case was not noted as having any identifiable decay, however, a structural review (analysis) has not been performed.
- Along the east face in the north portion of the building a new doorway has been introduced.

Interior

- Specific to the interior of the center and north sections, the finishes at the ground floor and second floor levels are present and thus no detailed review was possible; however, the original exterior wall of the center portion was observed through the first floor drop ceiling.
- The finishes in the front and center portions of the building were generally free of any indicator cracks or visible movement suggesting no current active events or shifting is notably occurring.
- A review of the roof through the attic access in the north section found charred wood from a previous fire. These joists are spanning from the west to the east walls and have moderate levels of fire related damage at the location of review.
- In the rear portion, specifically the two-storey space, the structure was covered with finishes but much like the other two sections there was no immediate overstress identifiers.
- In the garage portion (south end), it was noted that parts of the wall area brick are consistent with the other areas of the home/building, however, indications are that the roof and possibly a portion of the wall were removed at some point in history for unknown reasons. In the place of these removed elements, a knee wall made of wood has been placed on top of the remaining portion of the wall with no known mechanical connection to avoid hinging.
- Notable rot to the lower brick wall in the rear garage was also observed.
- Access to the basement found a rubble type footing which has been mortared together. There were no signs of shifting or decay.

Recommendations and Conclusions

The following recommendations are made based on our observations outlined above.

- All previous repairs made to the building inclusive of reinstatement of brick and mortar should be replaced immediately via prior heritage restoration techniques. Failure to address this promptly could result in further decay of the existing brick load carrying structure.
- The east wall of the center portion has extensive shifting beyond that of an acceptable level. It is recommended that this wall be dismantled and reconstructed plumb re-using existing brick thus a salvage process during the removal is critical.
- Given its heritage significance to the window detailing along the north portion and the need for the existing lime mortar to “breathe” we strongly discourage any active attempt to cover it up with any form of siding. Such actions would only increase the rate of decay of the structure.
- The parging along the west wall should be removed with care to allow for a detailed review of the brick and mortar behind it.
- The rear sided area should be exposed at the two-storey area for consideration of maintaining it. However, the one-storey garage portion has experienced significant enough change and is no longer structurally viable that removal and replacement is a reasonable approach at this time.

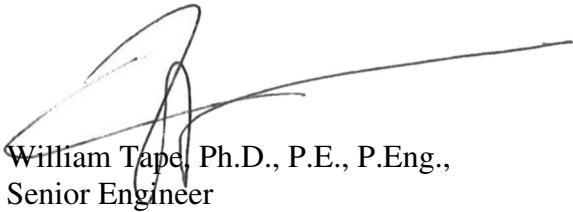
- The fire damaged wood should be replaced with new inclusive of new decking. This process should be considered to be part of a parapet reconstruction program. Given the heritage significance of the property, we would advise to maintain the existing parapet configuration and heights with all brick work being reinstated to the existing minimum two wythe thickness and the top capped with a material consistent with the heritage of the building.
- Specific to the owner's desire to have a roof top deck, based on our review this is a viable option and would work well in the previously parapet and joist replacement program. Safety railings per the OBC should be held back from the parapet as modification to the parapet wall to create the same is not advised.
- At this time the footing for the building could not be assessed for capacity specifically for the above noted addition of load, however, a detailed geotechnical investigation could yield information in this regard to determine if upgrades are warranted.

Closing

We trust that the above meets your needs at this time. Should you have any questions or require further information, please do not hesitate to contact our office.

Yours truly,

Haddad Morgan and Associates Ltd.



William Tape, Ph.D., P.E., P.Eng.,
Senior Engineer

or around \$200,000.
It has no special place in the historical records of the city. No famous figures of the past have ever stopped there. It has never been other than an unpretentious pub serving the specialized needs of a great and growing community.

Another old landmark of Windsor's early years will soon disappear when the frame structure of the Horseshoe Hotel on Cataraqui St. is torn down to make way for a newer and more modern frontage. Stripped of the red brick veneer that was built around it almost 50 years ago, here is the old inn as it was in the horse and buggy days.



WINDSOR'S FIRST COMMERCIAL BRICK BUILDING, 711 RIVERSIDE DR. N

City's 1st 2-Story? WINDSOR DAILY STAR SEP 22 1958 *Store's a Real Old Brick*

By TERRY O'CONNOR

Windsor's first two-story brick commercial building, at 711 Riverside Dr. E., built when the street was still an Indian path, has been everything from a funeral parlor to a Chinese laundry in the course of growing old and a little historic.

R. H. Marentette, owner of the building since 1908, can't recall the year it was built, but says it is "at least 150 years old."

Originally it was a 20 by 24 foot general store, but when the "Indian path" was paved and became Sandwich St., an addition was made to extend the store to the streetline and give it a 60-foot depth. The mortar line, separating the old and new sections, is still clearly visible.

The laundry and funeral parlor are just two of the tenants who have come and gone over the years. There are other names that would bring back memories to Windsor's old-time residents: Parent's General Store, Bensette's Jewellery Store, Colby's Butcher Shop, Field's Barber Shop, Rundle's Liniment Co., and the Murray Brass Foundry all have had their day in the weatherbeaten fortress.

When Mr. Marentette took it over he turned it into the city's first vulcanizing shop and installed Windsor's third gas pump. He ran the business for 25 years and recalls selling gas

for 10 cents and 35 cents a gallon from the same pump.

"This place was built before they ever thought of cement," Mr. Marentette said. The bricks in the 14-inch-thick walls were held together with a mixture of lime and sand, with solid white oak beams supporting the floors and ceiling.

Time and the elements have chipped and discolored most of the original brick, which now shows splotches of pink, brown, blue and white.

If it were human, the long, lean structure is at the stage where it could be described as gray-haired and ready for retirement. But far from "retiring," the building is undergoing a face-lifting, while housing its first commercial tenant in 20 years. Since Mr. Marentette gave up his gas station to work at Ford of Canada in 1937 both floors of the building have served as a rooming house.

There was a touch of irony connected with his purchase of the building. "When I was about 12 years old," he explained, "a chum and I used to hide behind that red barn over there and take shots with a sling-shot at whichever windows didn't happen to be broken. Guess who had to replace all those windows."

This week workmen are completing the job of replacing old mortar and window sills and removing projecting masonry. The first floor was renovated

early this year, before the National Fumigating Co. moved in in April.

Mr. Marentette said that several times in the past he had decided to give up and offered the building for the token sale price of one dollar, but there were no takers. Now it appears that the "grand old man" of Windsor's two-story establishments is just getting his second wind.



MINISTRY OF
CONSUMER AND
BUSINESS
SERVICES

Ontario

LAND
REGISTRY
OFFICE #12

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

01151-0186 (LT)

PAGE 1 OF 1
PREPARED FOR: [REDACTED]
ON2002/02/07 AT 16:34

* CERTIFIED BY LAND REGISTRAR IN ACCORDANCE WITH LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 37 S/S LOUIS AV PL 138 WINDSOR AS IN R959447 ; WINDSOR ; SUBJECT TO EXECUTION 96-01920, IF ENFORCEABLE. ;

PROPERTY REMARKS:

ESTATE/QUALIFIER
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY
RE-ENTRY
FROM 01151-0302

PIN CREATION DATE
1999/06/25

OWNERS' NAMES
[REDACTED] [REDACTED]

CAPACITY SHARE
TCOM PT 50%
TCOM PT 50%

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD	FILM	FUTURE OFFICE USE
** EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1996/01/08 ON THIS PIN **								
** WAS REPLACED WITH THE "PIN CREATION DATE" OF 1999/05/25 **								
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **								
** SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO: **								
** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES **								
** AND ESCHEATS OR FORFEITURE TO THE CROWN. **								
** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF **								
** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY **								
** CONVENTION. **								
** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES. **								
** DATE OF CONVERSION TO LAND TITLES: 1999/06/28 **								
LT258167	1999/10/14	TRANSFER	\$ 1	[REDACTED]	[REDACTED]	C		

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NUMBER	DATE	DAY	MONTH	YEAR	NAME	ADDRESS	PHONE	OTHER
16E	18660	hwt	3 April 1921	18 April 1921	Romeo H. Beattie & Charlette	1000 N. 1st St. (C) 1st	5045	1st 1st 37
	18714	Q & D	15 April 1921	18 April 1921	Wilfred D. Leach	Romeo H. Beattie	710	do
	18715	Leach	18 July 1921	18 April 1921	W. D. Leach & W.	Romeo H. Beattie	5850	do
	18732	Leach	14 April 1921	21 April 1921	Leach & Leach	W. D. Leach	1200	1st 1st 37
23E	18732	hwt	1 April 1921	7 July 1921	Romeo H. Beattie & Charlette	1000 N. 1st St. (C) 1st	1200	1st 1st 37
29E	18732	Leach	1 April 1921	7 July 1921	Romeo H. Beattie & Charlette	1000 N. 1st St. (C) 1st	1200	1st 1st 37
42E	18732	Leach	30 April 1921	30 April 1921	Leach & Leach	W. D. Leach	1200	1st 1st 37
13F	85763	Q & D	8 Apr 1934	18 Apr 1934	Edith Byrne	Mary Kane	21.5	Common N. 1st 37
	85764	Q & D	30 Apr 1934	18 Apr 1934	Edith Byrne	Mary Kane	21.5	Common N. 1st 37

ENTER ADDR: _____ OR ROLL #: 3 06(0) 025(00) 000(0)
P.A.: 00711 RIVERSIDE E RP: CP:
MAP 3 SUB 06 0 PARCEL 025 00 TENANT 000 0 RS: 69,550 CS:
PROP DESC: PLAN 138 W PT LOT 37 ENCROACHMENT FLAG: YES SPC APPLIC: NO
& 120 LOUIS CORNER FIRE ROUTE B/L: NONE REZONE APPLIC: YE
3472.00SF 38.33FR MICROFILM RECORD: YES ACTIVE FILE:
F: 38.33 D: 00 A: 3472.00 48 ASSESSMENT ROLL NUMBER: 030621
OWNER NAME: [REDACTED] USE: PEST CONTROL CO. ON W.PT.LT. 37,
& : 1 DWELLING UNIT/GARAGE
MAILING : 120 LOUIS AVE
ADDRESS : WINDSOR ON N9A 1V9 COUNCIL RESOLUTIONS: 828/87, 503/94

ZONE: GD1.1 SEWERS AVAILABLE:
SPECIAL SECTION: 20(1)114,21(6),21(8B) IN FLOOD AREA :
BY LAW: 8600 SITE PLAN CONTROL B/L: 6326 OUTSTANDING PERMITS: NONE
ZONE AMEND: B/L 5424,B/L 9068 ORDERS TO COMPLY: NONE
ZONING MAP #: 4B INSPECTORS: B = 22, H = 27, P = 21
COMM OF ADJUST: A 231/86,A 232/86,404/57 COMMENT: DEMOLITION CONTROL(B/L 11806)
ON HERITAGE INVENTORY
NOTES:

PREV ZONE: R3.42
PREV SECTION:

XMIT UPDATE ()

711 Riverside (then Sanderson S) pre '37 - 701-703 Sanderson
(Outdoor Habitat Building) - #35



01151 - 0186

RUSD

1870 -

assessment says:

2 story & Part Basement

CITY OF WINDSOR BUILDING PERMITS

PROP ADDR: 00711	RIVERSIDE E	M 3 S 06 0 P 025 00 T 000 0	
PROP DESC: PLAN 138 W PT LOT 37		& 120 LOUIS	CORNER
DATE	PERMIT	PERMIT	DATE
ISSUED	TYPE	NUMBER	COMPLETE
OCT 04/91	HEATING	059605	INSTALL HEATING/COOLING IN OFFICE AREA
NOV 05/76	PLUMBING	85689	INSTALL 7 FIXTURES
OCT 26/76	BUILDING	85485	REPAIR DEFECTS PER NOV 6/74 MSH ORDER
SEP 09/58	BUILDING	B9683	BUILT UP WALL

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[illegible]

CHATHAM

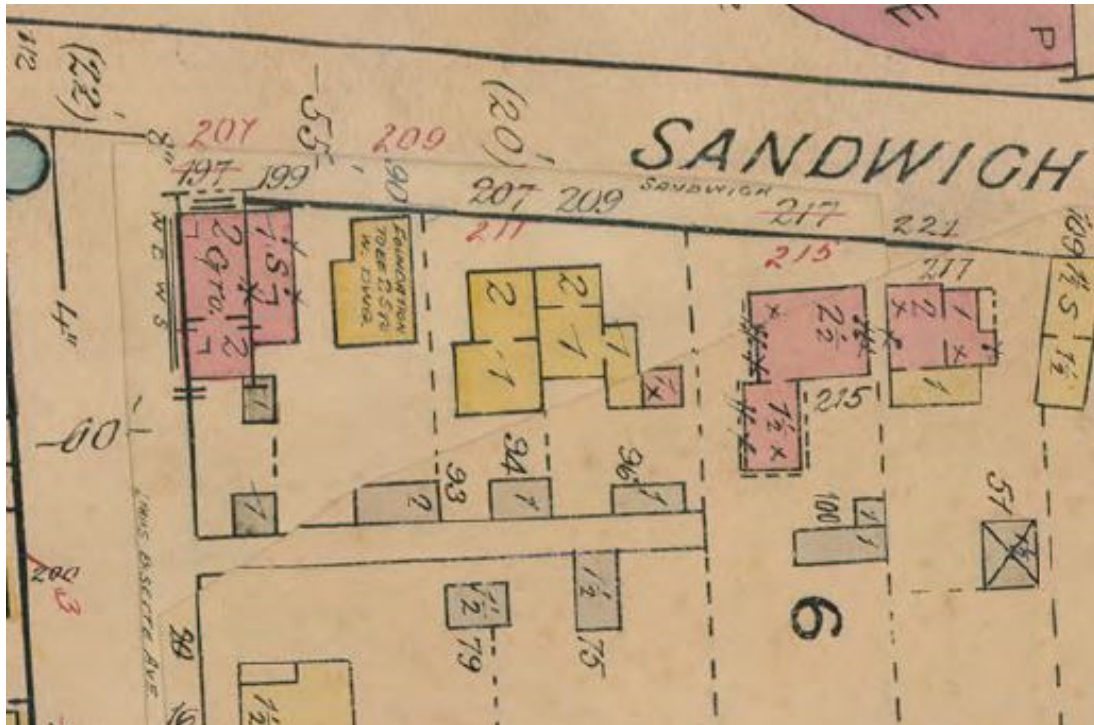
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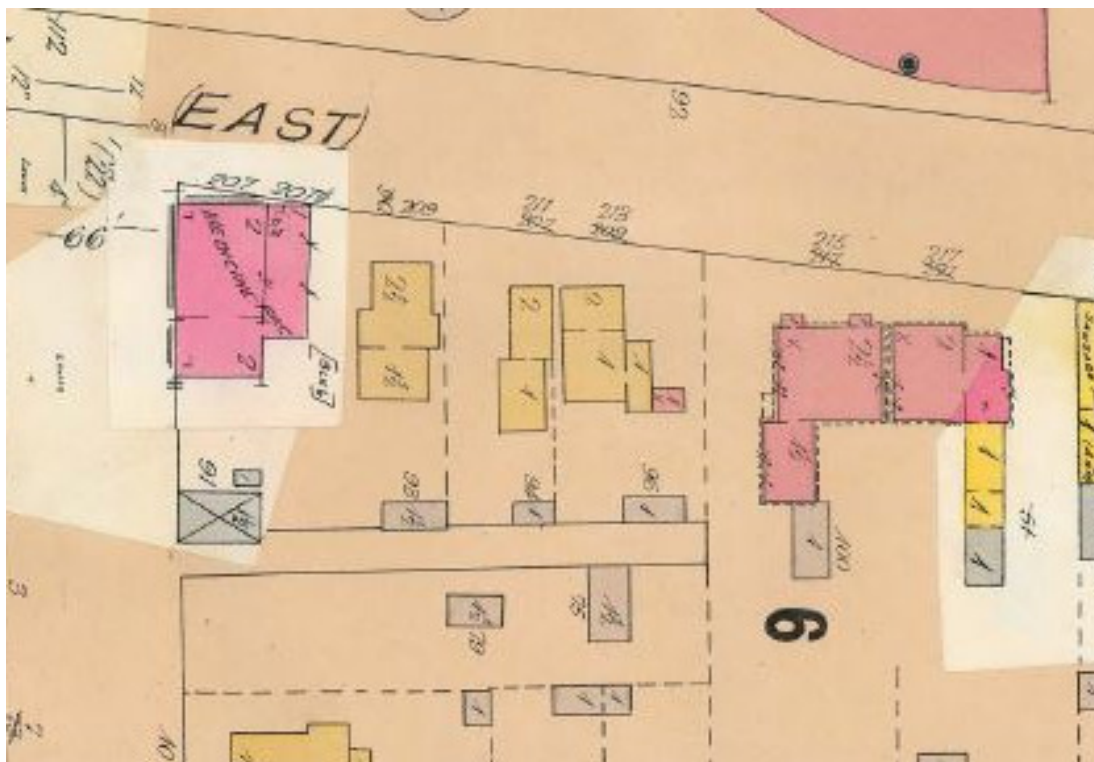
Development & Heritage Standing Committee Meeting Agenda - Monday, July 7, 2025
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3-6-25

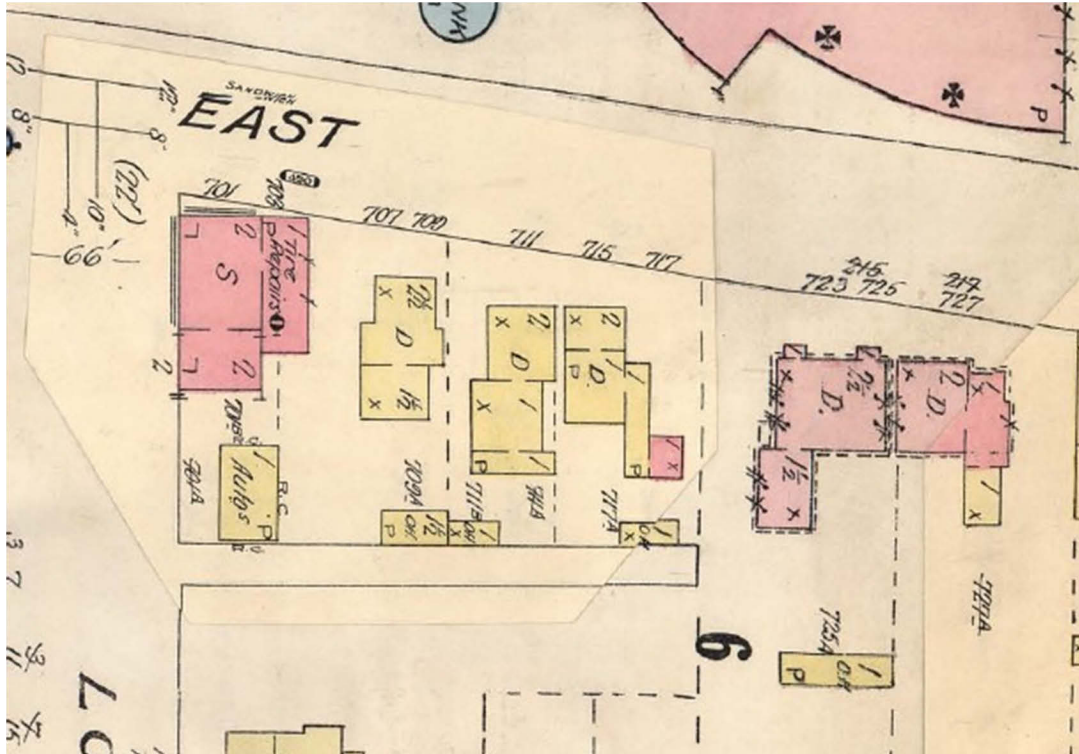
711 Riverside Drive East – Fire Insurance Maps



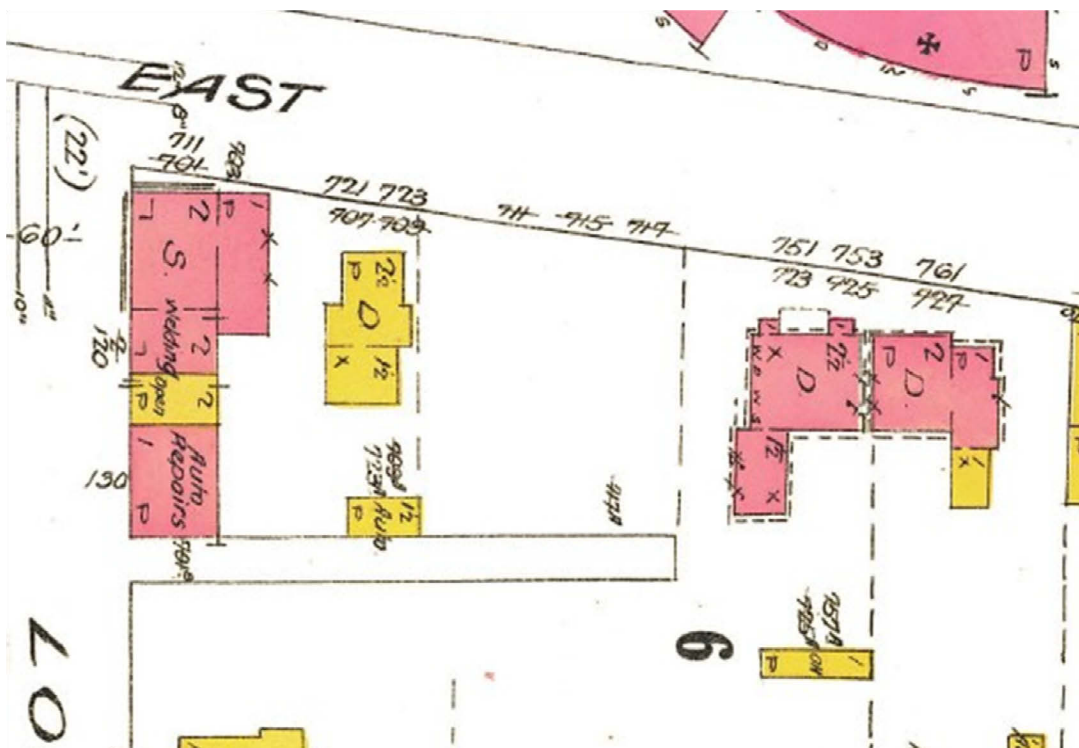
1894



1909



1924



1937



1952

Appendix B – Additional Photos of 711 Riverside Drive East



Front (north-facing) façade of the commercial building, as seen from Riverside Drive East (taken by City Staff on April 9, 2025)



Side (west-facing) façade of the commercial building, as seen from Louis Avenue (taken by City Staff on April 9, 2025)



View of the side (east-facing) façade of the commercial building (taken by City Staff on April 9, 2025)



Detailed photographs of the side (west-facing) façade of the commercial building, as seen up-close from the sidewalk on Louis Avenue (taken by City Staff on June 6, 2025)



Views of the rear (south-side) of the commercial building (taken by City Staff on June 6, 2025)



View of the rear two-storey vinyl-clad addition with a sloped shed roof on the commercial building (taken by City Staff on June 6, 2025)

Subject: Community Improvement Plans – Extension and Rescindment of Grant Approvals (City Wide)

Reference:

Date to Council: July 7, 2025
Author: Simona Simion
Planner III - Economic Development (A)
519-255-6543 ext. 6449
ssimion@citywindsor.ca

Greg Atkinson, Deputy City Planner Development

gatkinson@citywindsor.ca

Kevin Alexander, Senior Planner-Special Projects

kalexander@citywindsor.ca

Laura Strahl, Senior Planner-Special Projects

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Planning & Building Services
Report Date: 5/12/2025
Clerk's File #: SPL2025

To: Mayor and Members of City Council

Recommendation:

- I. THAT all approvals to participate in Community Improvement Plan Grant Programs granted by Council Resolutions listed in Appendix A **BE EXTENDED** to June 30, 2026 and that each grant approval **EXPIRE** and **BE RESCINDED** should the project not be completed or other terms of the grant not be satisfied to the satisfaction of the City Planner as of July 1, 2026.
- II. Should CIP Grants identified in Appendix A expire as of July 1, 2026:
 - a) THAT any related funding allocated in the CIP Reserve (Fund 226) **BE UNENCUMBERED** and/or any related funding already transferred to a CIP capital project for these CIP Grants **BE RETURNED** to the CIP Reserve (Fund 226) and **UNENCUMBERED**.
 - b) THAT the approval for future tax increment grants **BE RESCINDED**.

- III. THAT all approvals to participate in the Community Improvement Plan Grant Programs granted by Council Resolutions listed in Appendix B **BE RESCINDED**; and,
- a) THAT funding in the amount of \$435,448 **BE RETURNED** to the CIP Reserve (Fund 226) and **BE UNCOMMITTED**;
- b) THAT the approval for future tax increment grants **BE RESCINDED**.
- IV. THAT all approvals to participate in the Brownfield Property Tax Assistance Program under the Brownfield Redevelopment Community Improvement Plans as listed in Appendix C **BE RESCINDED**.
- V. THAT the length of the grant period for those items listed in Appendix C under the Brownfield Rehabilitation Grant Program **BE ADJUSTED**, if necessary, to ensure the total length of financial assistance is consistent with the original approvals.

Background:

Part IV, Section 28 of the Planning Act, allows City Council to designate a community improvement project area and prepare a Community Improvement Plan (CIP) whenever there is an Official Plan in effect. The purpose of a CIP may be related to planning, design, subdivision, clearance, development, construction and rehabilitation, improvement of energy efficiency, and provision of affordable housing within the project area.

Approved CIPs allow the City to take a variety of measures to further the objectives identified within the CIP that would otherwise be prohibited by Ontario's *Municipal Act*. This includes the acquisition and preparation of land; construction, repair, rehabilitation or improvement of buildings; the sale, lease or disposal of land and buildings; and the provision of grants to owners or tenants of land - all of which must conform with the objectives and policies contained within the CIP.

This report addresses the status of projects City Council has previously approved for financial incentives under the following seven (7) CIPs:

1. *Olde Sandwich Towne Community Improvement Plan (Sandwich Town CIP)*

- Officially came into effect on October 19, 2012, after City Council passed by-law 27-2009 to establish the CIP on January 26, 2009.
- The Sandwich Town CIP consists of grant programs that encourage new development, retail investment, facade improvements, and preservation of Heritage Resources in the Sandwich Heritage Conservation District and Community Improvement Area.

2. *Brownfield Redevelopment Community Improvement Plan (Brownfield CIP)*

- Approved by City Council on April 19, 2010, following a five-year study and consultation process that commenced October 2005.

- The Brownfield CIP provides incentives to promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor.

3. *Economic Revitalization Community Improvement Plan (Economic Revitalization CIP)*

- Implemented by City Council on March 15, 2011, encourages new investment in targeted sectors within the city by providing financial incentives to new businesses, expansion of existing building, and small business.

4. *Downtown Windsor Enhancement Strategy and Community Improvement Plan (Downtown CIP)*

- Approved by City Council on September 29, 2017, and an adopting by-law was passed by City Council on October 16, 2017.
- The Downtown CIP provides financial incentives to encourage new residential development, retail investment, facade improvements, and building/property improvements.

5. *The Ford City Community Improvement Plan (Ford City CIP)*

- Approved on January 08, 2018, and adopted by City Council through by-laws 171-2018 and 172-2018.
- The Ford City CIP provides financial incentives to encourage retail/ residential development and building improvement in the neighbourhood.

6. *Main Streets CIP*

- Approved by City Council on January 28, 2018, as *the Building Facade Improvement Program and Urban Design Guideline for Main Streets Community Improvement Plan*.
- The CIP was amended and renamed to the *Main Streets CIP* on September 06, 2022, providing additional financial incentives programs as part of the CIP and in newly expanded areas within the vicinity of Main Streets in the City of Windsor.

7. *The University Avenue and Wyandotte Street Community Improvement Plan (University/ Wyandotte CIP)*

- Approved by City Council on June 7, 2021, and an adopting by-law was passed by City Council on July 13, 2021.
- The University/Wyandotte CIP provides financial incentives aimed towards encouraging private sector investment and redevelopment along the corridors connecting downtown to the University of Windsor.

The financial incentives provided under each of the CIP's are funded primarily in two different ways:

- 1) Through the use of a CIP Reserve (Fund 226) that is encumbered and a transfer to a CIP capital project prior to a one-time payment pending the completion of defined work (e.g. Environmental Site Assessment Study, Façade Improvement, new retail unit, etc.); or
- 2) Annual grants which are based upon an increase in municipal property tax levy as a result of the eligible development over a defined period of time.

Prior to 2020, Council approval of CIP applications did not contain a deadline to complete projects or assign grant agreements. Administration started to include deadlines in the Council reports' recommendations to ensure that grant funds were not unnecessarily held for projects that did not move forward within a reasonable timeframe. Additionally, some applicants for completed projects have not followed up to complete administrative requirements such as the signing of legal agreements, submission of paid invoices, and other required material. Administration has started to review individual grant approvals and identified grants that require extensions, rescindment, and adjustment of tax-based incentives.

The purpose of this report is to:

1. Recommend grant applications that have reasonable justification for extensions.
2. Recommend rescindment of grant approvals and to un-commit funds for projects where no development has occurred, grant agreements have not been signed, ownership has changed, or there has been a lack of follow-up to complete the grant requirements within a reasonable timeframe. The uncommitted funds may be made available for other applications and/or to release future liabilities.
3. Adjust approvals to tax-based incentives under the Brownfield CIP to recognize the limitations of the Provincial Brownfield Property Tax Assistance Program.

Discussion:

CIP Approvals Grant Expiry Date Extension

In 2020, Administration started including deadlines for projects to be completed and grant agreements to be signed within each individual report to Council dealing with a grant application.

When CIP grants are approved by Council, the funds are committed and held for payment following the completion of eligible work and submission of all required information and documents (e.g. signing of legal agreements, submission of invoices, and other requirements) within the allotted timeline. Council-approved CIP grants for specific improvements (e.g. environmental study grants) are transferred from a CIP Reserve (Fund 226) to the appropriate CIP capital project prior to payment.

Many applicants have encountered supply chain issues and labour shortages that started during the pandemic that are still effecting their projects. In addition, the

extensive and complex nature of brownfield remedial work has created delays for certain projects. Where applicants are making reasonable efforts to complete their projects, Administration recommends that it is appropriate to extend the grant for an additional year. However, the grant approvals will expire and be rescinded as of July 1, 2026, if projects are not complete and required documentation is not submitted to the satisfaction of the City Planner.

For a list of grant approvals that need extensions, please refer to Appendix A: Extension of Grant Approvals. The Planning Department will notify the applicants by email and/or telephone of the expiry date extension. The onus is on applicants to complete projects and provide required documentation by the extension date to the satisfaction of the City Planner.

Grant Rescindment

When CIP grants are approved by Council the funds are committed and held for payment following the completion of eligible work and submission of all required information and documents (e.g. signing of legal agreements, submission of invoices, and other requirements). Council approved CIP grants for specific improvements which are considered to be one-time in nature (e.g. building façade improvement, environmental study grants, new residential units) are transferred from a reserve fund to the appropriate CIP capital project prior to payment. Rescinding these approvals will allow the funds to be unencumbered in the reserve fund and available to be reallocated for future grant approvals.

Upon completion of the proposed development, there is a realization of increased property tax revenue. Council approved tax increment-based CIP grants are recorded as an offsetting expense to a Corporate account on an annual basis over the lifespan of the grant program based on the amount of municipal tax increase resulting from the increased MPAC assessed value of the property post-development. Rescindment of these grants will release any obligation to pay the tax increment-based CIP grants.

Some Council approved CIP grants projects were not deemed complete for various reasons:

- Applicants decided not to pursue projects;
- Projects not commenced within a reasonable timeframe;
- Change in ownership;
- Required documentation not submitted.

Council has approved several CIPs to encourage investment and promote development. The onus is on the applicant to demonstrate to Council that incentives are necessary when seeking approval. Lack of follow-up to complete the grant requirements following completion of an approved project demonstrates that incentives were not necessary. The CIP grants being rescinded and reallocated have a date range from 2016 to 2024 and would allow the funding to be used for future CIP grant applications. Appendix B: Rescindment of CIP Grant Approvals notes the status of each grant

approval. The Planning Department will notify the applicants by email and/or letter of the rescindment.

Adjustments to Tax Based Financial Incentives

The City of Windsor's Brownfield Redevelopment CIP includes a Tax Assistance Program, which is authorized under Ontario's Brownfield Tax Incentive Program (BFTIP). The purpose of the Tax Assistance Program/BFTIP is to encourage the remediation and rehabilitation of brownfield sites by providing a cancellation of the property tax increase on a property that is undergoing or has undergone remediation and development to assist with payment of the cost of environmental remediation.

The Provincial program allows the municipality to apply to the Minister of Finance for matching cancellation of the Provincial education taxes while the property is undergoing remediation and redevelopment.

Prior to changes made to the BFTIP in 2021 the Minister had to approve a draft tax cancellation by-law prior to it being passed by Council. The BFTIP also required that tax assistance cease for any property that has been severed, subdivided, sold or conveyed prior to the end of the three (3) year assistance period. Because of the limitations associated with the BFTIP, approvals under the City's Tax Assistance program have never been implemented (i.e. a tax cancellation by-law has not been passed, primarily due to properties being sold or subdivided). Appendix C identifies CIP grants approved under the Tax Assistance Program, which have not been sold or subdivided.

Implementing the existing Brownfield Tax Assistance approvals requires making application to the Minister and passing a tax cancellation by-law. It is a more efficient use of time and resources to rescind the existing Tax Assistance Program approvals and add the equivalent number of years to the grant period approved under the Brownfield Rehabilitation Grant Program to ensure the total length of financial assistance is consistent with the original approvals (see Appendix C).

For example, if 3 years of approved Tax Assistance is rescinded, the Brownfield Rehabilitation Grant Program would be extended from 10 to 13 years. The Brownfield Rehabilitation Grant Program works similarly to the Tax Assistance Program (i.e. they both offset increases in taxes as a result of eligible redevelopment); however, the Rehabilitation Grant Program is more efficient to administer. Administration has been successfully administering this program, which does not require the Minister's approval, for more than a decade. Changes to the Brownfield Tax Assistance Program will be addressed as part of the ongoing CIP review.

Risk Analysis:

CIP Approvals Grant Expiry Date Extension

There is little risk associated with the approval of the CIP applications in principle. Staff resources are required for the finalization of the legal agreements and payouts.

Grant Rescindment

The risk of rescinding the grant approvals is considered low due the passage of time since approval, coupled with the non-compliance with grant requirements, namely, execution of grant agreements and/or assignment agreement and executing the development plan. Projects that have not commenced may reapply for financial incentives and the new applications would be subject to Council approval. Staff from the Planning Department have been in communication with the applicants of all CIP grants to follow up on the progress, or lack thereof, of their projects, prior to preparing the Recommendations outlined in Appendix A and B.

Projects that have been completed cannot reapply for financial incentives as the CIPs do not permit retroactive grant approvals.

The risk of not rescinding the approved grant payments means that the approved funds may be encumbered indefinitely instead of being reallocated to new applicants who wish to pursue development.

Climate Change Risks

N/A

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

CIP Approvals Grant Expiry Date Extension

Appendix A provides the breakdown of the CIP Grant Amount (\$406,500) and the CIP Tax Increment Grant (\$7,743,563) which have previously been approved and will be considered extended for a period of one (1) further year. The grant approvals will expire and be rescinded as of July 1, 2026, if projects are not complete and required documentation is not submitted to the satisfaction of the City Planner and any related grant amounts will be unencumbered. Any amounts which have been committed from the CIP Reserve or remaining in the capital project will be returned to the CIP Reserve (Fund 226) and considered available for future use. Any amount which may have been considered under the tax increment grant incentives will be rescinded. There is no financial impact of rescinding the tax increment grant since there was no realization of additional property tax revenue where development did not occur.

CIP Grant Rescindment

Total value of funding that would be uncommitted and/or returned to the CIP reserve fund due to CIP Grants being rescinded would total \$435,448 as shown in Appendix B. The CIP grants being rescinded and unencumbered would allow the funding to be used for future CIP grant applications. Should Council approve the recommendation to this

report, \$435,448 is expected to be uncommitted in Reserve Fund 226 and will bring the current balance to \$528,797. The breakdown of the transfers required from the capital projects to the CIP reserve fund is listed below:

	Amount (\$)
Opening Uncommitted Balance for CIP Reserve Fund 226	\$93,349
Brownfield CIP	39,461
Sandwich CIP	216,042
Main Streets	127,500
Ford City CIP	52,445
Total Proposed CIP Rescindments	\$435,448
Projected Closing Uncommitted Balance for CIP Reserve Fund 226	\$528,797

In addition, the potential obligation arising from future tax increment-based CIP grants of \$724,854, can be eliminated. Any amount which may have been accrued because of related municipal tax increases on property improvements, will be reversed and used to offset payments made in 2025. Future budgetary pressures will reflect only those CIP's where there is a reasonable expectation of the tax increment grant payments.

Consultations:

Planning staff have consulted with the applicant regarding the extension request. Staff from the Planning (Greg Atkinson), Finance (Josie Gualtieri, Lorie Gregg, Carolyn Nelson), and Legal Departments (Kate Tracey) were consulted in the preparation of this report.

All applicants listed in Appendices A, B, and C were notified via email, letter, or telephone of the changes in status of the grant approvals.

Conclusion:

CIP Approvals Grant Expiry Date Extension

Administration recommends Council approve extensions, rescindments, adjustments, and housekeeping transfers outlined in the appendices A, B, and C. The recommendations provide flexibility for projects that have been completed or in the process of being completed. Returning previously committed funds to the CIP reserve fund or project will allow them to be made available for future grant applications projects without requesting new program funds from Council.

Planning Act Matters:

N/A

Approvals:

Name	Title
Simona Simion	Planner III – Economic Development (A)
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects
Emilie Dunnigan	Manager Dev. Revenue & Financial Administration
Lorie Gregg	Deputy Treasurer Taxation, Treasury and Financial Planning
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Extension of Grant Approvals
- 2 Appendix B - Rescindment of CIP Grant Approvals Rescindment
- 3 Appendix C - Adjustments to Brownfield CIP Approvals

Appendix A: Extension of CIP Grant Approvals

Council Approval Date	Council Resolution	Address	Project Description	CIP Program	CIP Grant Amount (\$)	Estimated CIP Tax Increment Grant Total Value Lifespan of Grant (\$)
April 19, 2021	CR153/2021	1534 Howard Ave	Remediation and redevelopment for residential use	Brownfield CIP	0	84,278
September 6, 2022	CR 14/2022 CR 387/2022	669 Tuscarora St	Remediation and redevelopment for residential use	Brownfield CIP	0	313,552
February 27, 2023	CR 99/2023	325 Devonshire Rd	Remediation and redevelopment for commercial use	Brownfield CIP	0	1,419,489
August 4, 2020	CR405/2020	840 Wyandotte St E	Remediation and redevelopment for mixed use	Brownfield CIP	0	560,434
February 1, 2021	CR60/2021	1370 Argyle Rd	Remediation and redevelopment for residential use	Brownfield CIP	31,500	426,200
February 1, 2016	CR86/2016	9082-9152 Tecumseh Rd E	Remediation and redevelopment for commercial use	Brownfield CIP	0	1,657,310
October 4, 2021 September 9, 2024	CR433/2021 CR371/2024	3251 Riverside Dr E	Remediation and redevelopment for residential use	Brownfield CIP	30,000	1,992,124

February 3, 2020 and July 22, 2024	CR57/2020 and CR329/2024	119-149 Chatham Street	Façade improvements and renovation to Invest Windsor Essex	Downtown CIP	50,000	131,872
February 8, 2021 and July 22, 2021	CR151/2021 and CR329/2024	511 Pelissier Street	Create new residential units within existing building.	Downtown CIP	50,000	158,750
November 1, 2021 and July 22, 2024	CR495/2021 and CR329/2024	754 Ouellette Avenue	Façade improvements and renovation of existing building to pharmacy.	Downtown CIP	35,000	19,961
December 20, 2021	CR558/2021	1100 University Avenue West	Façade improvements	University Avenue West and Wyandotte Street West CIP	30,000	191,380
January 31, 2022	CR42/2022	1200 University Avenue West	Façade improvements and building renovations for a medical office	University Avenue West and Wyandotte Street West CIP	0	274,218
July 5, 2021 and July 22, 2024	CR311/2021 and CR329/2024	364 to 374 Ouellette Avenue	Convert upper storeys of existing office building to residential	Downtown CIP	80,000	332,780
January 16, 2023	CR14/2023	880 Ouellette Avenue	Convert existing office building to residential	Downtown CIP	50,000	140,765

March 20, 2023		261-267 Pelissier Street	Convert upper storeys of existing office building to residential	Downtown CIP	50,000	40,450
Total					\$406,500	\$7,743,563

Appendix B: Rescindment of CIP Grant Approvals

Brownfield Redevelopment CIP							
Council Approval Date	Council Resolution	Address	Project Description	Reason to Rescind	CIP Program Name	Grant Funds to be Returned to CIP Reserve Fund 226	Estimated CIP Tax Increment Grant
September 26, 2022	CR419/2022	1460 Lauzon Rd 2830065 Ontario Ltd	Redevelopment for Commercial Use	Expired	Brownfield CIP	9,175	N/A
August 4, 2020	CR404/2020	1867 Tecumseh Rd W Rose City Mini Storage	Self Storage Facility	Expired	Brownfield CIP	285.88	N/A
2018	CR663/2018	Lennon and West Grand Enwin Utilities Ltd	Addition to Parkland	Phase II Environmental Site Assessment Study not submitted	Brownfield CIP	30,000	N/A
						\$39,460.88	N/A

Sandwich Town CIP

Council Approval Date	Council Resolution	Address	Project Description	Reason to Rescind	CIP Program Name	Grant Funds to be Returned to CIP Reserve Fund 226	Estimated CIP Tax Increment Grant
Apr 22, 2024	CR159/2024 DHSC 595	3431, 3433, and 3435 Bloomfield Road Vaibhay Desai WECH	Development and Building Fees and Revitalization Grant Program	Project is not in deficit based on other government funding and the grant is not required.	Sandwich CIP	74,985.91	270,144
April 19, 2021	CR147/2021 DHSC 260	3150-3156 Sandwich Street 2594756 Ontario Limited (C/O: Kyle McDonald)	Commercial/ Mixed-Use Building Façade, Commercial/Mixed-Use Building Loan, Development and Building Fees, and Revitalization Grant Grants	The owner never completed the project as per the approved drawings.	Sandwich CIP	62,506	116,950
June 8, 2020	CR347/2020 DHSC 171	3311 Peter Street, 1603965 Ontario Inc.	Development and Building Fees, and Revitalization Grant Program	The property was sold to a new owner	Sandwich CIP	11,823	15,610
May 4, 2020	CR213/2020 DHSC 144	3203 Peter Street, Mason	Neighbourhood Residential Rehabilitation, Development and	The owner never completed the	Sandwich CIP	26,010	N/A

		Girardot House	Building Fees. and Revitalization Grant Program	project as per the approved drawings			
May 6, 2019	CR217/2019 DHSC 37	3239 Russel Street, Bruce Li	Development and Building Fees, and Revitalization Grant Program	The project was approved in 2019 and has Site Plan Approval, but no progress has been made on the development	Sandwich CIP	35,946.82	272,280
July 5, 2021	CR307/2021	511 Brock	Development and Building Fees Grant Program	Unused balance remaining of grant	Sandwich CIP	4,769.80	N/A
Total:						\$216,041.53	\$674,984

Main Streets CIP							
Council Approval Date	Council Resolution	Address	Project Description and Reason to Rescind	Reason to Rescind	CIP Program Name	Grant Funds to be Returned to CIP Reserve Fund 226	Estimated CIP Tax Increment Grant
December 20, 2021	CR43/2022 DHSC363	1093 Drouillard 2156567 Ontario Ltd., (c/o Kyle McDonald)	Building Façade Improvement Grant	The property was sold to a new owner	Main Streets CIP	15,000	N/A
January 31, 2022	CR44/2022 DHSC 364	2778 Richmond St. 2156567 Ontario Ltd., (c/o Kyle McDonald)	Building Façade Improvement Grant	Owner has not responded to email regarding project completion	Main Streets CIP	15,000	N/A
January 18, 2021	CR33/2021 DHSC 235	1008 Drouillard Road 2594756 Ontario Ltd. (C/O: Kyle MacDonald)	Building Façade Improvement Grant	Owner has not responded to email regarding project completion	Main Streets CIP	15,000	N/A
January 6, 2020	CR25/2020 DHSC123	1053-1055 Drouillard (Marina Juliana and Andrea Rino James Maffessanti)	Building Façade Improvement Grant	The property was sold to a new owner	Main Street CIP	30,000	N/A

December 20, 2021	CR560/2021 DHSC 347	1378 Ottawa Street	Building Façade Improvement Grant	The owner never completed the project as per the approved drawings	Main Street CIP	30,000	N/A
July 5, 2021	CR306/2021 DHSC 293	1012 Drouillard Road	Building Façade Improvement Grant	The owner has not taken advantage of the grant	Main Street CIP	22,500	N/A
Total:						\$127,500	

Ford City CIP							
Council Approval Date	Council Resolution	Address	Project Description	Reason to Rescind	CIP Program Name	Grant Funds to be Returned to CIP Reserve Fund 226	Estimated Tax Increment Grant
December 20, 2021	CR43/2022 DHSC363	1093 Drouillard 2156567 Ontario Ltd., (c/o Kyle McDonald)	Retail Investment, Municipal Building Fees, and Building/Property Improvement Tax Increment Grant Program	The property was sold to a new owner	Ford City CIP	18,902	10,400
January 31, 2022	CR44/2022 DHSC 364	2778 Richmond St. 2156567 Ontario Ltd., (c/o Kyle McDonald)	Retail Investment and Municipal Building Fees, and Building/Property Improvement Tax Increment Grant Program Grants	Owner has not responded to email regarding project completion	Ford City CIP	15,040	12,750
January 18, 2021	CR33/2021 DHSC 235	1008 Drouillard Road 2594756 Ontario Ltd. (C/O: Kyle MacDonald)	Retail Investment, Municipal Building Fees, and Building/Property Improvement Tax Increment Program Grants	Owner has not responded to email regarding project completion	Ford City CIP	16,503	N/A

January 6, 2020	CR25/2020 DHSC123	1053-1055 Drouillard (Marina Juliana and Andrea Rino James Maffessanti)	Retail Investment, Municipal Building Fees and Building/Property Improvement Tax Increment Grant Program	The property was sold to a new owner	Ford City CIP	2,000	N/A
July 7, 2021	CR306/2021 DHSC 293	1012 Drouillard Road (2609998 Ontario Inc.. C/O Nicole Baillargeon and Sinisa Simic)	Building/Property Improvement Tax Increment Grant Program	Not applicable	Ford City CIP	N/A	29,720
Total:						\$52,445	\$52,870

Appendix C: Adjustments to Brownfield CIP Approvals

Brownfield Redevelopment CIP				
Council Approval Date	Council Resolution	Address	Project Description	Adjustment Required
February 1, 2016	CR86/2016	9082 Tecumseh Rd E	Remediation and redevelopment for storage facility (U-Haul)	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minister of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years
August 4, 2020	CR405/2020	840 Wyandotte St E	Remediation and redevelopment for Mixed Use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minister of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 12 years
February 1, 2021	CR60/2021	1370 Argyle Rd	Remediation and redevelopment for Residential Adaptive Reuse	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minister of Finance
April 19, 2021	CR153/2021	1534 Howard Ave	Remediation and redevelopment for Residential use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minister of

Brownfield Redevelopment CIP				
Council Approval Date	Council Resolution	Address	Project Description	Adjustment Required
				Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years
September 6, 2022	CR387/2022	669 Tuscarora	Remediation and redevelopment for Residential use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minister of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years
February 27, 2023	CR 99/2023	325 Devonshire Rd	Remediation and redevelopment for Commercial use	Approval to participate in Tax Assistance Program rescinded Tax Cancellation By-law not required by Minister of Finance Brownfield Rehabilitation Grant Program approval extended to a maximum of 13 years

Council Report: S 76/2025

Subject: Closure of east/west alley located between Olive Road and Norman Road, Ward 8, SAA-7296

Reference:

Date to Council: July 7, 2025
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: May 28, 2025
Clerk's File #: SAA2025

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 7.62-metre-wide east/west alley located between Olive Road and Norman Road, and shown as Parts 1 & 2 on Drawing No. CC-1872 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the north half of the Subject Alley, shown as Part 1 on Drawing No. CC-1872, **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easement, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Bell Canada to accommodate the existing utility pole with guy wires and anchors supporting overhead utility lines.
 - b. Ontario Land Surveyor be directed to create a Part for the aforesaid easement per the instructions provided by Bell Canada through their comments included in the attached hereto Appendix "C".
- III. THAT the south half of the Subject Alley, shown as Part 2 on Drawing No. CC-1872, **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easement, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:

- i. Bell Canada to accommodate the existing utility pole with guy wires and anchors supporting overhead utility lines.
 - b. Ontario Land Surveyor be directed to create a Part for the aforesaid easement per the instructions provided by Bell Canada through their comments included in the attached hereto Appendix "C".
- IV. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1872.
- VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VIII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

Background:

The applicant, The Corporation of the City of Windsor, owner of the property known municipally as 1730 Olive Road and Kinsmen Norman Road Park (the "Subject Property"), applied to close the 7.62-metre-wide east/west alley located between Olive Road and Norman Road (the "Subject Alley"), and shown on Drawing No. CC-1872 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The applicant is in the initial stages of rezoning the southern portion of the Subject Property to allow for the creation of six (6) Single Unit Dwelling lots as part of the Housing Solutions Made for Windsor project. The sale proceeds of the disposed land will be utilized to fund improvements of the remaining parkland property as well as all costs associated with the development of the new lots.

The applicant wishes to close the "Subject Alley" for the purpose of enlarging the proposed development area and avoiding the creation of a secluded area prone to illicit activities.

The Subject Alley is unmaintained and composed primarily grass. The Subject Alley contains a curb cut off Olive Road, and a utility pole with guy wires and anchors supporting overhead hydro and utility lines. The Subject Alley has been encroached on

over the years by the abutting property at 1768 Olive Road with a wood privacy fence and wood decorative fence and 1769 Norman Road with a concrete patio and wood privacy fence. There are no Encroachment Agreements on record for the use of the Subject Alley. The two abutting property owners have formally confirmed that they intend to exercise their first right of purchase of the abutting portion of the south half of the Subject Alley.

The Subject Alley was established by By-law 846, registered on September 20, 1950.



Figure 1 - Location Map

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "E". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

Classification of Public Right-of-Ways

1. Alley that is indispensable.

- a. Does the alley serve commercial properties?
 - i. The Subject Alley does not serve any commercial properties.
 - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
 - i. The Subject Alley does not serve properties fronting on heavily traveled streets.
 - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
 - i. The Subject Alley does not contain any sewers.
 - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
 - i. The Subject Alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
 - e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
 - i. The Subject Alley does not contain any Fire Department connections.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
 - a. The Engineering - Right-of-Way Department has indicated that the Subject Alley appears to serve no useful purpose.
 3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
 - a. The Engineering - Right-of-Way Department has indicated that the Subject Alley appears to serve no useful purpose.
 4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
 - a. The Subject Alley does not lie within a Holding zone or similar undeveloped area.

Suitability for Closing

1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the Subject Alley “dispensable” and supports the requested closure.

It is firstly Administration’s recommendation that, upon closure, the abutting property owners be given the chance to acquire the south half of the Subject Alley, shown as Part 2 on Drawing No. CC-1872, in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the south half of the Subject Alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

Secondly it is recommended that, upon closure, The Corporation of the City of Windsor retain the north half of the Subject Alley, shown as Part 1 on Drawing No. CC-1872, in the manner described in the Recommendation section herein. Hence the recommendation is to close and retain the north half of the Subject Alley in **as is condition** and consolidate it with the Subject Property, which is contrary to the standard manner of conveyance. The conveyance of the north half of the Subject Alley to the Subject Property is unnecessary being that both are owned by the City.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The conveyance cost of the south half of the Subject Alley to abutting lands zoned RD1.2 is assessed at \$1 plus HST (if applicable) plus the deed preparation fee based on the current user fee schedule, which is currently \$529.00 plus HST, and a proportionate share of the survey costs as invoiced to The Corporation of the City of

Windsor by an Ontario Land Surveyor. The total survey cost is estimated at \$7,850 with the portion of the survey cost associated with the south half of the Subject Alley estimated to be \$785, which will be divided equally between the homeowners of 1768 Olive Road and 1769 Norman Road.

In this case, the proportionate share of the survey cost shall represent the costs associated with describing and surveying the south half of the Subject Alley. The two abutting property owners will be issued an Acknowledgment & Direction form (Agreement) with the fees owing identified after the alley closing by-laws have been passed by Council. The respective portion of the south half of the Subject Alley will not be transferred until the Acknowledgment & Direction has been signed and all fees including the proportionate share of the survey cost owing have been paid.

The survey being prepared will serve a dual purpose of describing the parts of the Subject Alley and the required Bell Canada easement therein, as well as the proposed development and any necessary easements therein for the purpose of creating the six (6) Single Unit Dwelling lots.

The applicant will be responsible for the cost of consolidating the north half of the Subject Alley with the Subject Property, which is currently \$186.00 plus HST based on the current user fee schedule, and the remainder of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor. These expenses will be funded through the Parkland Disposition Capital Project (CR 104/2025) (Chart field No. 007-2915-9998-10258-7252001), which has a current deficit balance of (\$35,997). All costs associated with the Kinsmen Norman Road Park disposition will be charged to the capital project and once the property has been sold, the proceeds from the sale will be used as a first charge to offset the costs incurred. Any surplus funds will be directed to fund improvements to the remaining park property.

The applicant will submit payment for the entire survey cost invoice to the Ontario Land Surveyor through the Chart field noted above and will apply the two abutting property owners payment as recoveries to the same Chart field.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting the Subject Alley by regular mail, with no objections being received as of the date of writing this report.

Letters were issued to the two property owners abutting the south half of the Subject Alley, requesting confirmation on whether they would be exercising or waiving their rights to purchase their portion of the south half of the Subject Alley.

The owner of 1768 Olive Road, Scott Hope, submitted a *Distribution of Alley - Form 1*, dated May 1, 2025, confirming that he wishes to purchase his portion of the south half of the Subject Alley.

The owner of 1769 Norman Road, Sandy Pimentel, submitted a *Distribution of Alley - Form 1*, dated May 12, 2025, confirming that she wishes to purchase her portion of the south half of the Subject Alley.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

The Financial Services Department was consulted on the financial matters associated with this report.

Conclusion:

The Planning Department recommends closure of the Subject Alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, as in Recommendations II and III of this report.

The north half of the Subject Alley is to be retained in **as is condition** and consolidated with the Subject Property as in Recommendation II of this report.

The south half of the Subject Alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendation III of this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Jamelah Hersh	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administration Officer

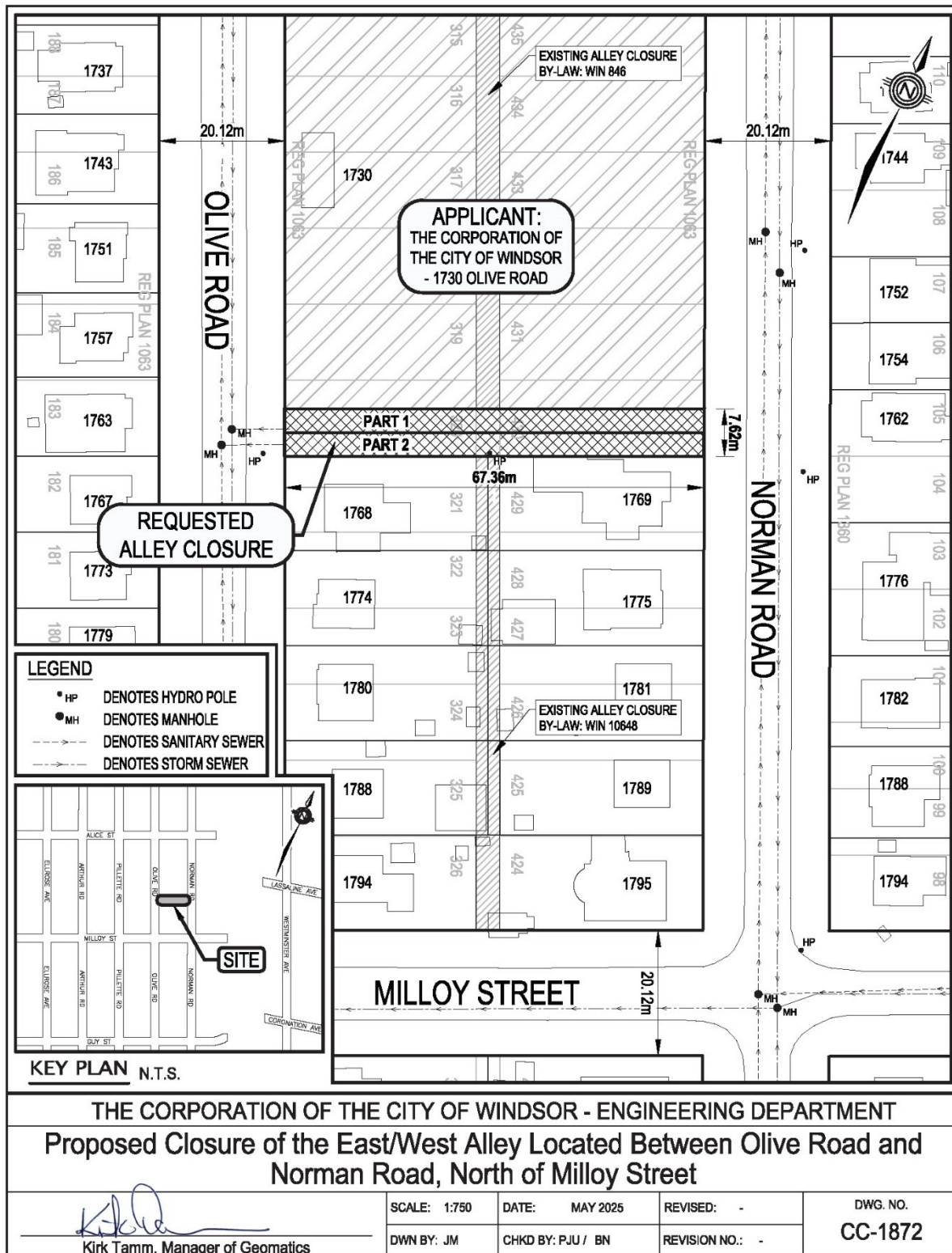
Notifications:

Name	Address	Email
List of mailing labels for property owners abutting the alley issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1872
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

APPENDIX "A" **Drawing No. CC-1872**



APPENDIX "B"

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7296)

1:1,000

APPLICANT : CITY OF WINDSOR - LEGAL DEPARTMENT - REAL ESTATE

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: APRIL, 2025



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA

Bell Canada would like to confirm that an easement over the lands or a 3.0 m wide corridor to be measured 1.5 m on either side of the aerial cable and pole, then to extend from the pole to a minimum of 1.0 m past any anchor installation and to be measured 0.5 m on either side of the guy as can be accommodated would satisfy our needs.

Bell Canada kindly requests that the easement be granted from the City of Windsor prior to the sale of these lands into private ownership. Please find attached to this e-mail, Bell's standard Schedule and a sketch showing the approximate location of our facilities.

[Shadae Joseph - Right of Way Control Centre]



COGECO CONNEXION INC.

Cogeco does not require an easement at this location

[Mike Weingust - Network Delivery Specialist]

ENBRIDGE GAS INC.

No comments provided

ENGINEERING (DEVELOPMENT & ROW)

The proposed closure is approx. 3.6 m (12 ft) wide and 67 m (220 ft) long and is made of grass.

There are no sewers running through the alley.

There are no hydro poles, guy wires, or overhead wires located in this alley.

There is a concrete approach at the east end of the alley adjacent to 1768 Olive Road. Subject to the alley closure, reinstatement of the concrete barrier curb and boulevard restoration may be required of the applicant.

1769 Norman Avenue has a fence encroaching into the alley.

This subject alley has no usefulness by CR146/2005; therefore, Engineering has no objections to the closure.

[Shannon Mills - Technologist III]**ENGINEERING (OPERATIONS)**

No comments provided

ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES LTD. (HYDRO)

No Objection provided adequate clearances are achieved and maintained.

Please note the following.

1. ENWIN has single phase 16kV primary conductor on the Bell pole line at the rear of the properties on Olive Rd.
2. ENWIN has single phase 120/240V overhead secondary conductors on the Bell pole line at the rear of the properties on Olive Rd.

Prior to working in these areas, we would suggest notifying your contractor and referring to the *Occupational Health and Safety Act* and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the *Ontario Building Code* for permanent required clearances for New Building Construction.

[Keegan Morency Kendall - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. (WATER)

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL & REAL ESTATE SERVICES

As per the Street and Alley closing policy, the alley parcels will be offered to the abutting residential Property owners for \$1.00 plus deed preparation and proportionate share of survey costs.

[Stephanie Santos - Coordinator Real Estate Services]

MANAGED NETWORK SYSTEM INC. (MNSi)

No comments provided

PARKS

Natural Areas has no concerns or comments with the alley closure.

[Karen Alexander - Naturalist & Outreach Coordinator]

Forestry has no concerns with this alley closure application.

If and when this area is to be developed the Department will request a detailed tree inventory.

[Marc Edwards - Supervisor Parks]

PLANNING (DEVELOPMENT)

No comments provided

PLANNING (LANDSCAPE)

I have no comments to offer from a Landscape Architecture perspective. There does however appear to be an encroachment into the alley from the property owner of 1769 Norman Road.

[Ryan Gardiner-Upton - Landscape Architect]

ROGERS

No comments provided

TELECON (TELUS)

TELUS has no underground infrastructure in the area of your proposed work.

[Princess Marie - Damage Prevention Coordinator]

TRANSPORTATION PLANNING

Transportation Planning has no objections to the proposed alley closure.

[Elara Mehrilou - Transportation Planner I]

WINDSOR FIRE

No issue with fire

[Michael Coste - Chief Fire Prevention Officer]

WINDSOR POLICE

The Windsor Police Service has no concerns or objection with this requested closure. It is required for land assembly purposes and the outcome from it presents no issues/problems with police service delivery.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (Google Street View)



Figure 1 - Looking west towards alley from Norman Road (1769 Norman Road on left) (January 2021)



Figure 2 - Looking east towards alley from Olive Road (1768 Olive Road on right) (May 2014)

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

1. Alleys that are indispensable. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications:

1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Council Report: S 84/2025

Subject: Ford City CIP Application - 998 Drouillard Road - Ward 5

Reference:

Date to Council: July 7, 2025
Author: Author: Kevin Alexander, MCIP RPP
Senior Planner-Special Projects
519-255-6543 x6732
kalexander@citywindsor.ca

Author: Arianne Quibell
Community Development Planning Assistant
aquibell@citywindsor.ca

Planning & Building Services
Report Date: 6/13/2025
Clerk's File #: Z/13251

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** the request for incentives under the *Ford City CIP* Financial Incentive Program made by Artcite Inc. (c/o: Erin Fyfe) (the "Applicant"), the tenant of the property located at 998 Drouillard Road, owned by 2727692 Ontario Inc. (c/o: Michael DiFazio) (the "Owner") **BE APPROVED**, for the following incentive programs:
 - i. *Retail Investment Grant* totalling a maximum amount of \$15,000 for one (1) ground floor retail unit; and
 - ii. *Municipal Development Fees Grant Program* to a maximum amount of \$1,000.
- II. **THAT** funds in the maximum amount of \$16,000 under the *Retail Investment Grant* and the *Municipal Development Fees Grant* Programs **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) once the work is completed;
- III. **THAT** grants **BE PAID** to the Applicant upon completion of improvements to the interior of the property located at 998 Drouillard Road, through the Ford City CIP (Project #7181046) to the satisfaction of the City Planner and Chief Building Official;

- IV. **THAT** for grants that have lapsed, all funds **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date;
- V. **THAT** any unused portion of the CIP grants **BE RETURNED** to the CIP Reserve Fund 226.

Executive Summary:

N/A

Background:

On November 19, 2018, City Council approved the Ford City Community Improvement Area and Ford City Community Improvement Plan (CIP) (CR625/2018 PHED 603) adopted through by-laws 171-2018 and 172-2018. These By-laws came into effect in January of 2019. In addition, on November 19, 2018, City Council activated the following financial incentive programs from the Ford City CIP:

1. Municipal Development Fees Grant Program
2. New Residential Development Grant Program
3. Building/Property Improvement Tax Increment Grant Program
4. Retail Investment Grant Program

In accordance with Section 28 of the *Planning Act*, a community improvement grant may be made to either the owner or tenant of lands within the CIP area. On February 27th, 2025, the Applicant obtained approval of the Owner to apply for grants under the *Ford City CIP* Financial Incentive Programs. The property is located in the Ford City Business Improvement Area (BIA) and CIP Area.

Discussion:

Ford City CIP Financial Incentive Programs

Retail Investment Grant Program— the design and first impression made of a retail store is critical when appealing to its intended market and it can influence a consumer's perception of the quality of the store and visually communicate value. The grant offers up to 50% of eligible costs for improvements to a maximum amount of \$15,000 per retail unit in a building that has had a vacant ground floor retail or commercial storefront(s) for at least 6 months immediately prior to submission of an application to the program and will be occupied by a new retail business. The applicant is proposing one (1) new retail unit on the ground floor which will be selling items such as exhibition catalogues, publications, gallery merchandise/clothing, and small artworks, which make them eligible for a maximum grant of \$15,000 for the one (1) ground floor retail unit.

Other improvements include new flooring throughout, installing a fire-rated ceiling, a new HVAC system, a track lighting system in the rear, as well as constructing new interior walls to define exhibition spaces.

Municipal Development Fees Grant Program is intended to encourage development within Ford City by providing an incentive to offset the costs associated with seeking the appropriate planning approvals and building permits for a project. Property owners will be eligible to receive a grant for 100% of the specified Municipal Development Fees, up to a maximum of \$50,000 per property.

The total Building Permit and development fees have yet to be determined. However, based on proposed new retail space Building Permit Fees should not exceed \$1000. Once the project is completed as per the approved drawings grants will be paid to the applicant and the remaining funds will be returned to the CIP Reserve Fund.

Risk Analysis:

The approval of these grants does not carry significant risk, as there are sufficient funds within the new CIP reserve fund approved by Council on February 22, 2021. The applicant will not receive any grants until all work is completed and inspected to the satisfaction of the Planning and Building Department. As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the grant amount does not exceed the total cost of the project.

Climate Change Risks

Climate Change Mitigation:

The construction of the new retail unit within the existing building will have a low impact on how the project affects climate change, because improvements are being made to the existing building which reduces the amount of CO2 emitted during the construction process and requires fewer building materials.

Improvements to the existing building also contributes to the revitalization of the existing Main Street. The new retail space provides a connection with the sidewalk and street and promotes a more walkable environment, thereby encouraging alternate forms of transportation.

Utilizing an existing building and infrastructure in a built-up area of the city also promotes efficiency on the existing infrastructure network by not promoting development on Greenfield land.

Climate Change Adaptation:

Improvements to the existing building and site located at 998 Drouillard Road will use modern building methods which will conform to the Ontario Building Code concerning energy efficiency. Utilizing the existing building, lot and infrastructure in an existing built-up area of the City also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.

Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the *approved grant amount will be transferred to the capital project account to be kept as committed funds, until the grant is ready to be paid out.* The current uncommitted balance in the CIP reserve fund is \$68,822.81 however this balance does not account

for other CIP grant requests that are currently being considered by the Standing Committee or have been endorsed by the Standing Committee and are not yet approved by City Council.

If approved, funds will be transferred from the CIP reserve fund to the Ford City CIP Fund (Project #7181046) for the following grants when the work is completed:

- i. *Retail Investment Grant* totalling a maximum amount of \$15,000 for one (1) ground floor retail unit; and
- ii. *Municipal Development Fees Grant Program* to a maximum amount of \$1,000

Consultations:

The applicant and owner of the property located at 998 Drouillard Road has been consulted regarding grants and application fees related to the improvements outlined in this report.

The following members of Administration were also consulted:

- Josie Gualtieri, Financial Planning Administrator was consulted regarding the Ford City CIP and related capital project/reserve fund balances.
- Margo Moore, Permit Services Clerk from the Building Division was consulted regarding eligible Building Permit and Public Works Permit Fees for the *Municipal Development Fees Grant Program*.

Conclusion:

The improvements to 998 Drouillard Road meet all eligibility criteria identified in this report, for the *Retail Investment Grant* and the *Municipal Development Fees Grant* through the *Ford City CIP*.

There are sufficient funds in the CIP reserve fund to provide grants for the proposed improvements. Administration recommends approval of the grants identified in this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Jason Campigotto	Deputy City Planner - Growth
John Revell	Chief Building Official
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects,

Name	Title
Lorie Gregg	Deputy Treasurer, Taxation & Financial Planning
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Janice Guthrie	Commissioner Finance/City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

N/A

Appendices:

- 1 Appendix A - Location Map and Existing Condition
- 2 Appendix B - Proposed Interior Improvements

Appendix A - Location Map



LOCATION MAP: 994-998 DROUILLARD ROAD



SUBJECT PROPERTY



CITY OF WINDSOR - PLANNING DEPARTMENT

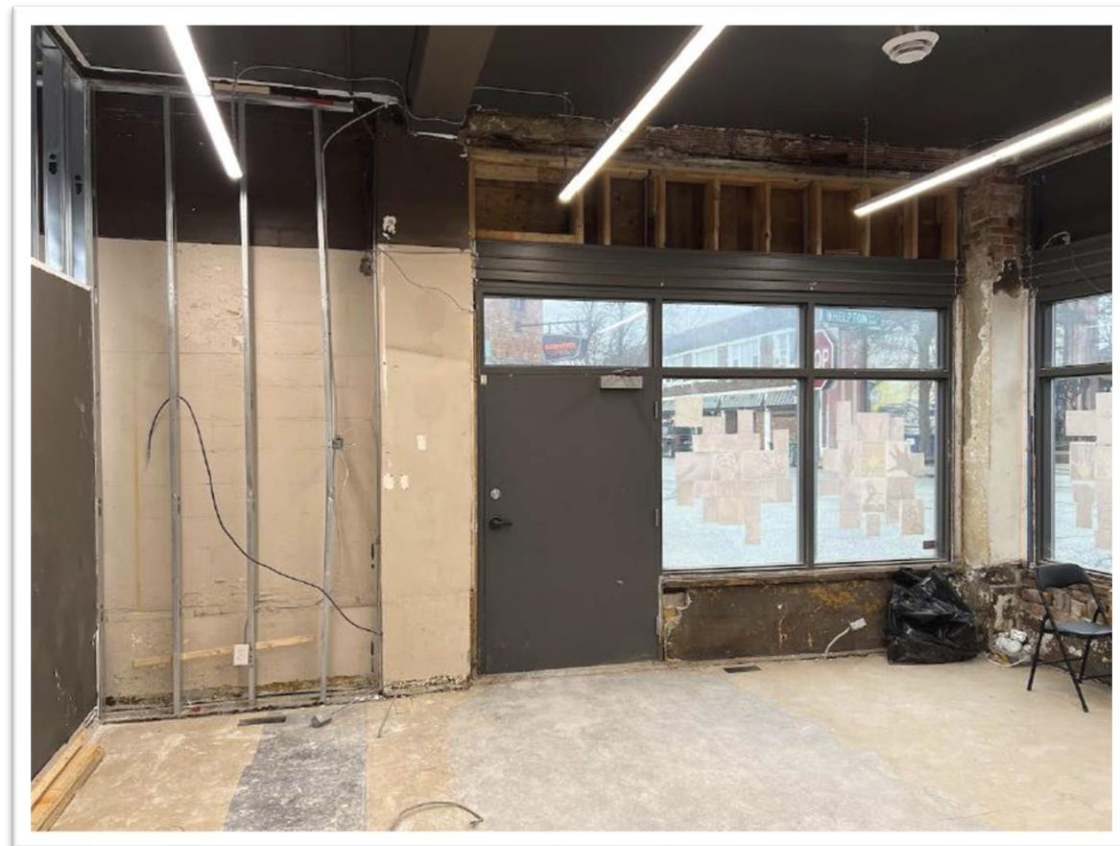
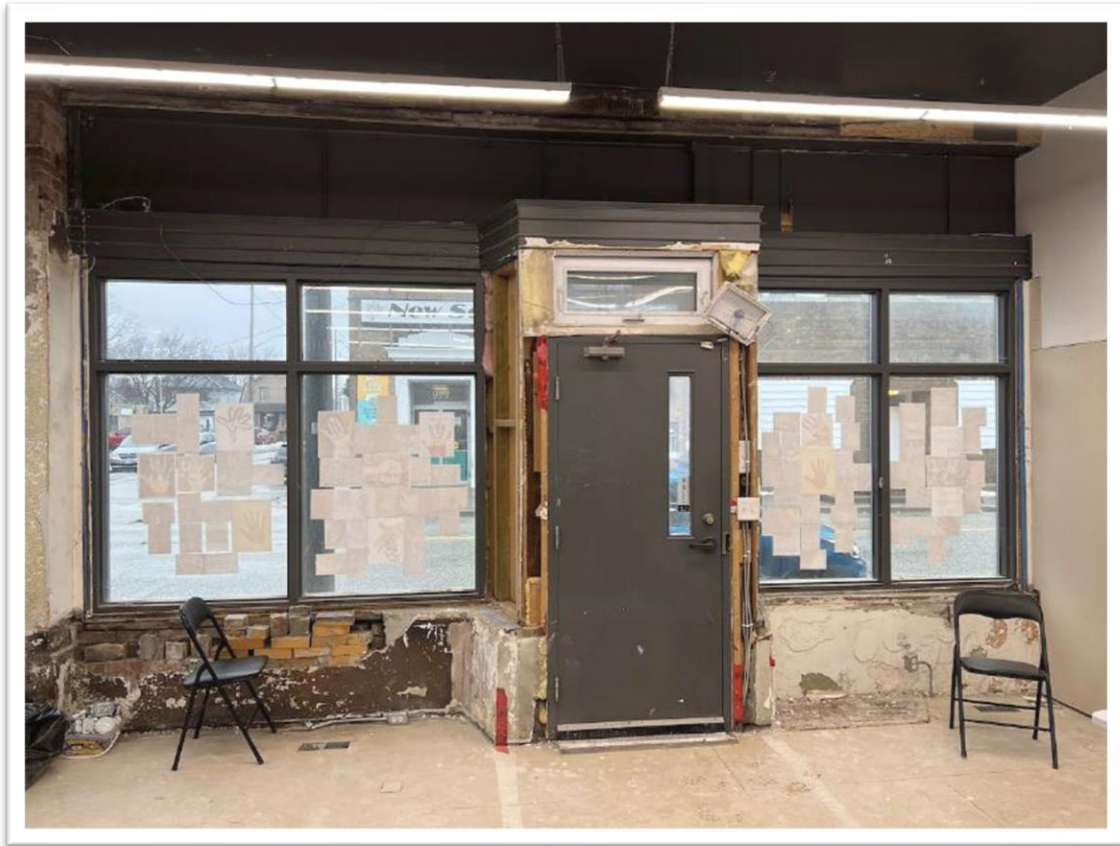
Development & Heritage Standing Committee Meeting Agenda - Monday, July 7, 2025

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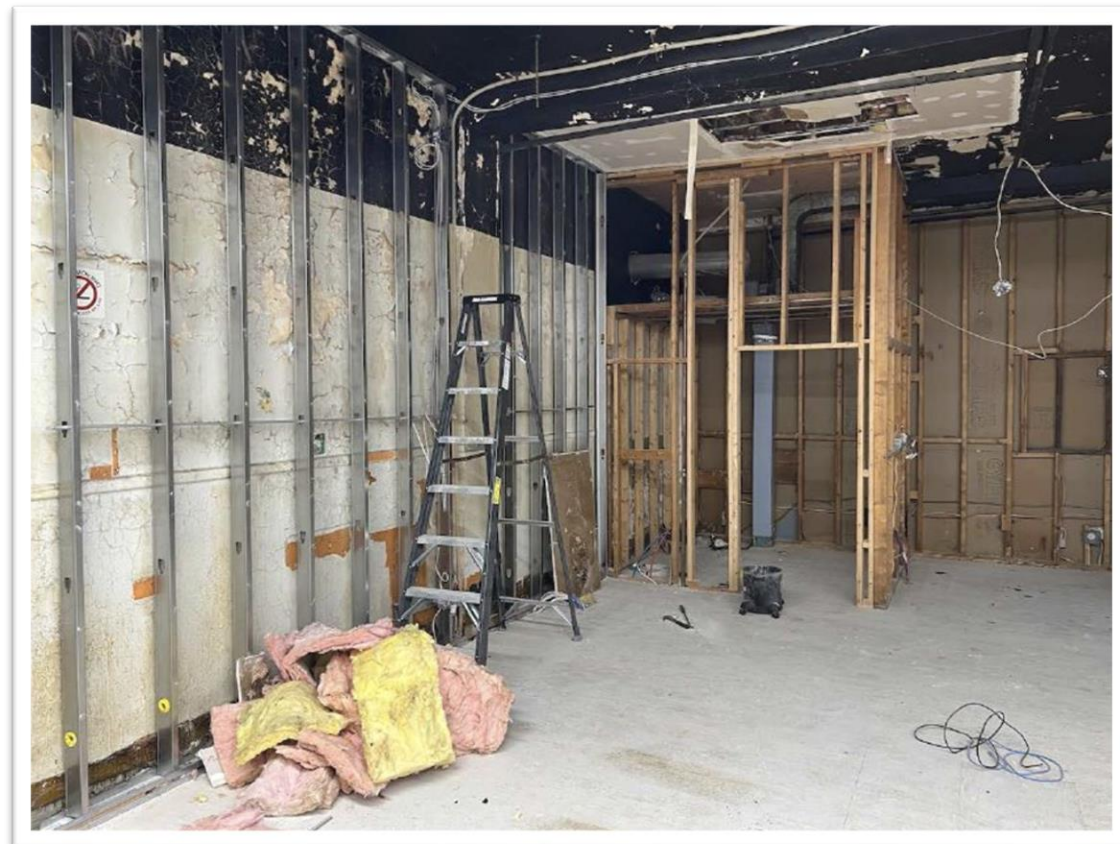
Appendix A - Existing Building



Appendix A - Existing Interior Space



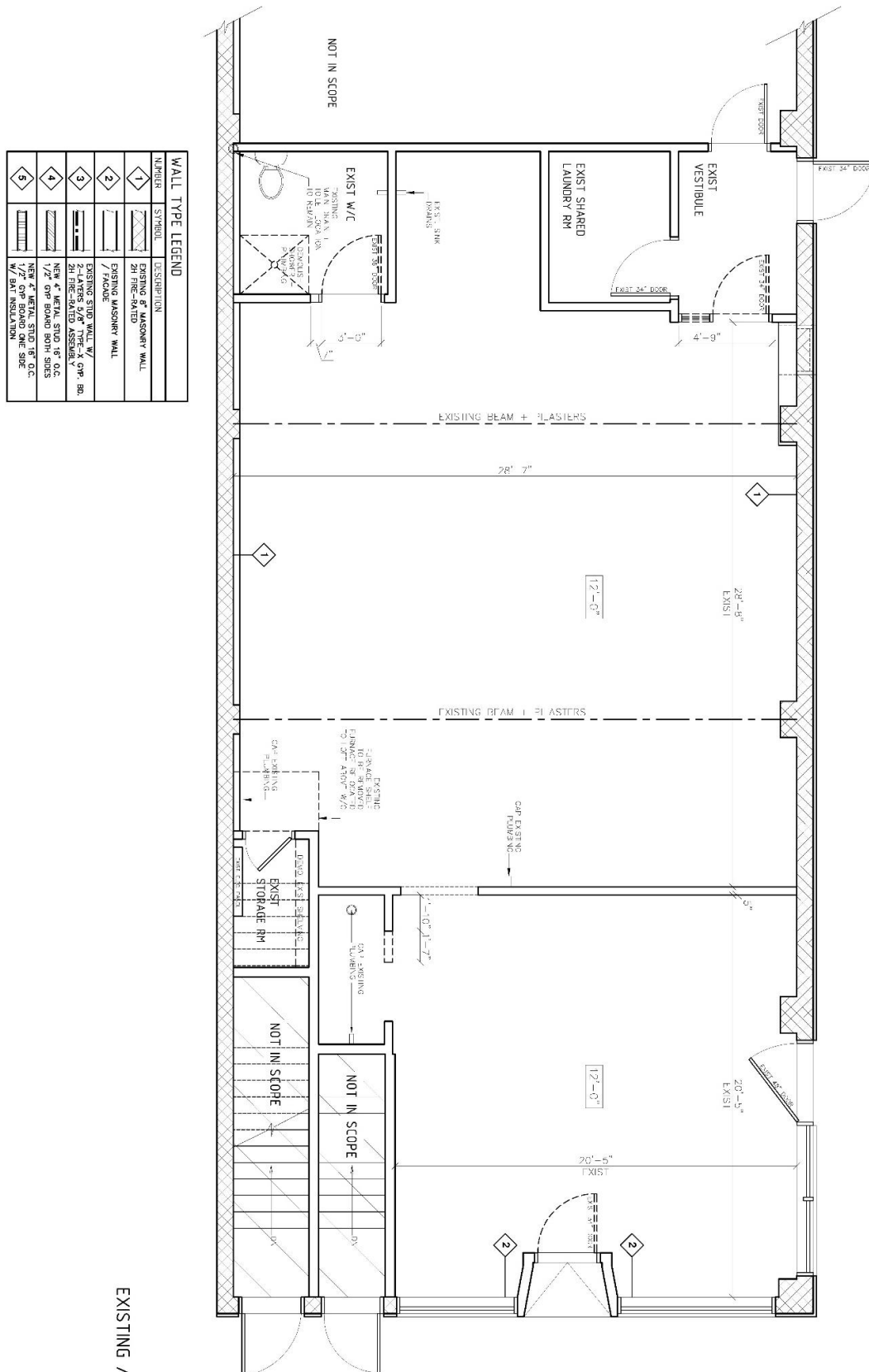
Appendix A - Existing Interior Space



Appendix A - Existing Interior Space



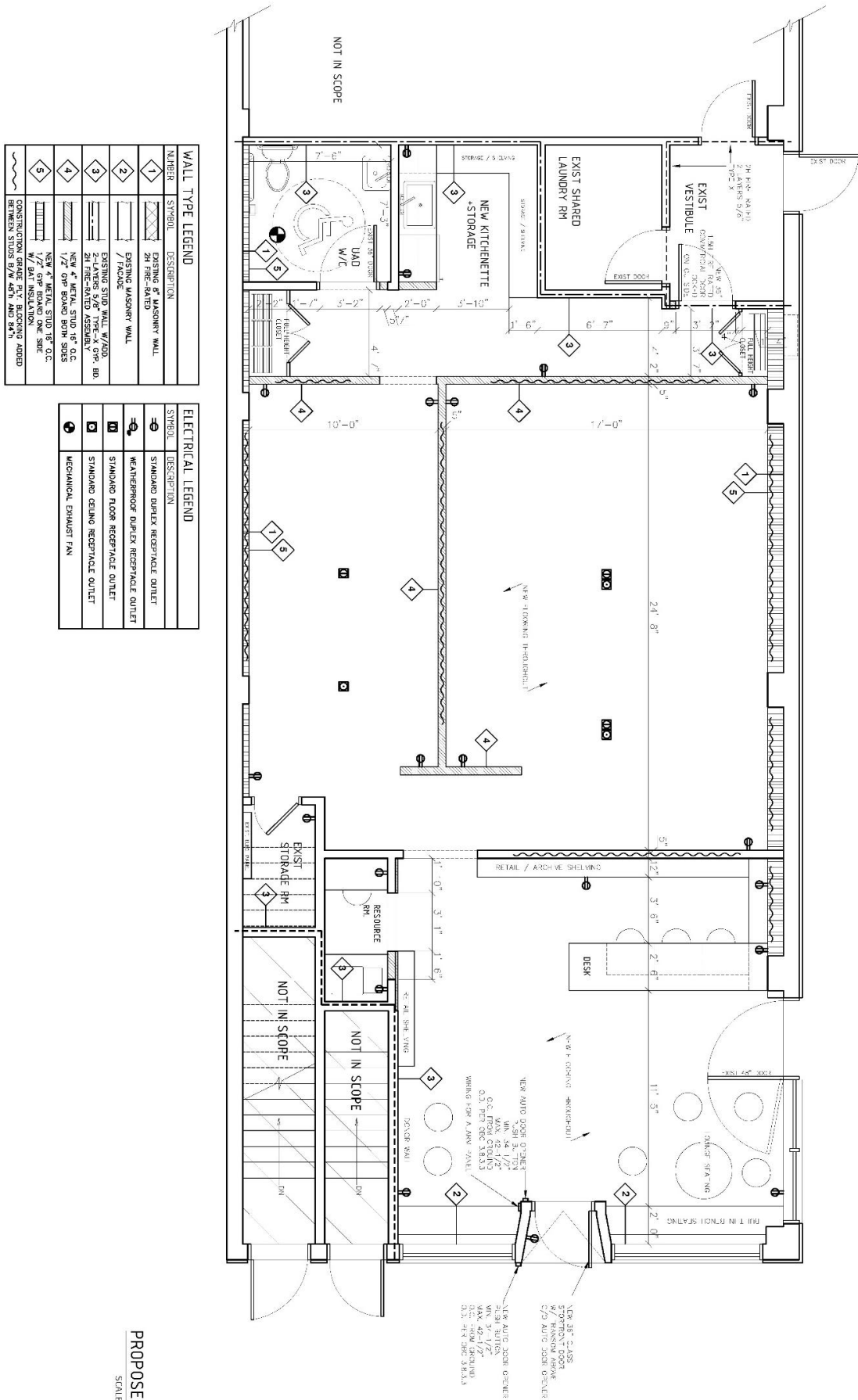
Appendix B - Proposed Interior Improvements



EXISTING / DEMOLITION PLAN

SCALE: 3/16" = 1'-0"

Appendix B – Proposed Interior Improvements





Committee Matters: SCM 196/2025

Subject: Minutes of the Property Standards Committee of its meeting held May 20, 2025

Property Standards Committee

Meeting held Tuesday, May 20, 2025

A meeting of the Property Standards Committee is held this day commencing at 10:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Mark McKenzie
Councillor Fabio Costante
Dan Lunardi

Regrets received from:

Michael George

Also in attendance are the following resource personnel:

Mike Arthur, Manager, Inspections
Donna Desantis, Senior Manager, Deputy Chief Building Official, Inspections
Gentian Prifti, Building By-law Enforcement Officer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 10:05 o'clock a.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Disclosure of Interest

None disclosed.

3. Adoption of the Minutes

Moved by Councillor Fabio Costante, seconded by Councillor Mark McKenzie,
That the minutes of the Property Standards Committee of its meeting held February 4, 2025 **BE ADOPTED** as presented.
Carried.

4.. Request for Deferral, Referral or Withdrawal

None.

5. Appeals

Nin Yin, Appellant is not present to speak to the matter.

Mike Arthur, Manager, Inspections advises that the Property Standards Committee has the following authority under the *Building Code Act*:

- Option to confirm the Order as issued
- Modify the Order
- Quash the Order
- Extend the deadline for compliance
- If the Committee chooses to extend the deadline, would ask that the Committee consider multiple deadlines where the defects may be grouped together

Gentian Prifti, Building By-law Officer provides the presentation entitled “8361 East Moor Court – OTR 25-016141” **attached** as Appendix “A”. The interior building condition defects include the following:

- Excessive mould on the ceilings
- Deteriorated/damaged wood floorboards
- Broken glass windowpane and hardware
- Holes in the walls
- Rotted studs and baseboards
- Poor air quality in the basement

In response to a question asked by the Chair regarding if anyone resides in the house, Gentian Prifti responds that a couple is living in the home.. He adds that the appellant asked for an extension of time as the current residents are going through the Landlord and Tenant Board (LTB). He indicates that a hearing will be held on June 3, 2025.

Councillor Fabio Costante asks if the appellant requested the extension. Gentian Prifti responds that he agrees with the extension and can work on this until the results are received from the LTB.

Councillor Fabio Costante asks if a deferred date is provided that is open ended, at some time after the LTB hearing, would another hearing of the Property Standards Committee be required. Mike Arthur responds if the LTB is held on June 3, 2025, 30 days after that, commencement of the works would begin in July which would allow for 2

months to comply with this Order. If the Committee wants to award the extension, then another hearing would not be required.

Councillor Fabio Costante inquires about a fixed date or if preference is given to a flexible date. Gentian Prifti responds that flexibility is the best practice.

Councillor Fabio Costante questions if there is a fixed date hypothetically, i.e. July 15, 2025, and the tenants are evicted, the work has commenced, but is not completed by July 15, 2025, will they be fined accordingly or, is the work commencing enough to be extended beyond what the committee decides. Mike Arthur responds typically the extension would be given by the Committee with some unknowns that there would be additional time (to have multiple compliance dates). The July date will be the first time that the appellant gets access into the property if there is a June 3, 2025 eviction, along with an Order from the LTB to allow the renovations to occur. He suggests that a month could be one deadline to get a block of the defects completed and potentially to have everything done within two months of that time.

Dan Lunardi asks if the appellant can be given an end date rather than reviewing all of the items and deciding which ones they should do and in which order. It gives them more flexibility to come into compliance and makes this process simpler.

Mike Arthur responds that the idea is to make smaller milestones for the landlord to make it achievable.

Moved by Councillor Fabio Costante, seconded by Dan Lunardi,
That the Order to Repair 25 016141 regarding the property at 8361 East Moor Court **BE CONFIRMED** with a deadline date extended to September 30, 2025.
Carried.

6. Adjournment

There being no further business, the meeting is adjourned at 10:35 o'clock a.m.