

Environment, Transportation & Public Safety
Standing Committee Meeting Agenda

Date: Wednesday, July 29, 2026

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 2 – Councillor Frazier Fathers

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie (Chairperson)

ORDER OF BUSINESS

Item #	Item Description
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1.	CALL TO ORDER
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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.	DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
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3.	ADOPTION OF THE MINUTES OF THE ETPS STANDING COMMITTEE
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| 3.1. | Adoption of the Environment, Transportation, and Public Safety Standing Committee minutes of its meeting held June 24, 2026 (SCM 219/2026) |
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4.	REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
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5.	COMMUNICATIONS
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6.	PRESENTATIONS AND DELEGATIONS
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7.	COMMITTEE MATTERS
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| 7.1. | Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its Meeting held May 5, 2026 (SCM 229/2026) |
| 7.2. | Minutes of the Windsor Licensing Commission of its meeting held June 2, 2026 (SCM 197/2026) |
| 7.3. | Minutes of the Active Transportation Expert Panel of its meeting held June 30, 2026 (SCM 230/2026) |

8. ADMINISTRATIVE ITEMS

- 8.1. Repeal By-law 350-2002 – “A By-law to Appoint Fence Viewers for the City of Windsor” and Pass an Amended By-law – “A By-law to Exempt the City of Windsor from the Line Fences Act and Establish Dispute Resolution Guideline for Boundary Fences” – City Wide
(S 85/2026)

11. QUESTION PERIOD

12. ADJOURNMENT



Committee Matters: SCM 219/2026

**Subject: Adoption of the Environment, Transportation, and Public Safety
Standing Committee minutes of its meeting held June 24, 2026**

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, June 24, 2026

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

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

Members Present:

Councillors

Ward 2 – Councillor Frazier Fathers

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie (Chairperson)

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

Sandra Gebauer, Council Assistant

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

David Simpson, Commissioner, Infrastructure Services & City Engineer

Lorie Gregg, Executive Director, Financial Planning & Deputy Treasurer

Ian Day, Senior Manager, Transportation

Brandon Calleja, Senior Manager /Deputy CBO/Permits

Craig Robertson, Manager of Licensing & Enforcement and Deputy Licence Commissioner

Rachel Chesterfield, Manager, Performance Measurement & Business Case Development

Bill Kralovensky, Manager, Transport Operations

Anna Ciacelli, Deputy City Clerk

1. CALL TO ORDER

The Chairperson calls the meeting of the Environment, Transportation & Public Safety Standing Committee to order at 4:31 o'clock p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE
THEREOF**

None disclosed.

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3. ADOPTION OF THE MINUTES OF THE ETPS STANDING COMMITTEE

3.1. Adoption of the Environment, Transportation, and Public Safety Standing Committee minutes of its meeting held May 27, 2026

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Frazier Fathers

THAT the minutes of the Environment, Transportation & Public Safety Standing Committee meeting held May 27, 2026 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 180/2026

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

5. COMMUNICATIONS

None presented.

6. PRESENTATIONS AND DELEGATIONS

None presented.

7. COMMITTEE MATTERS

7.1. Report No 158 of the Windsor Licensing Commission

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

Decision Number: **ETPS 1128**

THAT Report No. 158 of the Windsor Licensing Commission indicating:

That the Windsor Licensing Commission recommends that City Council RECEIVE the report of the Deputy Licence Commissioner *entitled "Response to Increased Age Limits and Reduced Licence Fees for Wheelchair Accessible Taxicab, and a One-Year Extension for all Taxicab Vehicle Replacements"*; and,

That the age limit for wheelchair accessible taxicabs is to remain the same at twelve (12) model years old; and,

That the plate holder licence renewal for wheelchair accessible taxicabs BE REDUCED from \$520.00 to \$25.00 for the 2026 licencing period; and further,

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That City Council APPROVE a one (1) year replacement extension for all taxicabs and wheelchair accessible taxicabs that are due at the 2026 licence renewal period.

BE APPROVED.

Carried.

Report Number: SCM 196/2026

7.2. Minutes of the Windsor Licensing Commission of its meeting held June 2, 2026

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1129**

THAT the minutes of the Windsor Licensing Commission meeting held June 2, 2026 **BE RECEIVED.**

Carried.

Report Number: SCM 197/2026

8. ADMINISTRATIVE ITEMS

8.1. Repeal By-law 5711 – “A By-law to Authorize Entry Upon Adjoining Land for the Purpose of Making Repairs, Alterations or Improvements” and Pass By-law – “A By-law to Authorize and Regulate Owner or Occupant Entry onto Adjoining Lands for Repairs, Alterations or Improvements” – City Wide

Councillor Gary Kaschak inquires whether neighbour-to-neighbour conflict is what prompted this by-law change. Brandon Calleja, Senior Manager/Deputy Chief Building Official/Permits appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated May 13, 2026, entitled “Repeal By-law 5711 – “A By-law to Authorize Entry Upon Adjoining Land for the Purpose of Making Repairs, Alterations or Improvements” and Pass By-law – “A By-law to Authorize and Regulate Owner or Occupant Entry onto Adjoining Lands for Repairs, Alterations or Improvements” – City Wide” and responds that neighbour-to-neighbour conflicts are few and far between. The approach to this new by-law is to streamline the process for property owners requiring permitted right of entry access to neighbouring properties for works or maintenance to be completed while limiting liability to the City.

Councillor Mark McKenzie asks Administration if there is anything that can be done to limit the timeframe in which renovations must be completed and temporary fixtures be removed. Mr. Calleja responds that if the by-law was used for the intended purpose of using the neighbouring property to install temporary fixtures, the by-law does spell out specific time constraints that are reasonable for the type of repair. However, the existing building by-law could address issues related to scaffolding or other fixtures that are installed for an extended period.

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Moved by: Councillor Gary Kaschak

Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1130**

THAT Council **REPEAL** By-law Number 5711 being “A By-law to Authorize Entry Upon Adjoining Land for the Purpose of Making Repairs, Alterations or Improvements” and **PASS** By-law XXX being “A By-law to Authorize and Regulate Owner or Occupant Entry onto Adjoining Lands for Repairs, Alterations or Improvements”.

Carried.

Report Number: S 51/2026

Clerk's File: AB2026

8.2. Response to CQ 16-2025 – Pedestrian Countdown Timers – City Wide

Councillor Gary Kaschak inquires about the cost of installation and if that cost can be mitigated by bulk installation. David Simpson, Commissioner, Infrastructure Services & City Engineer appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated April 9, 2026, entitled “Response to CQ 16-2025 – Pedestrian Countdown Timers – City Wide” and responds that whether it is 1 intersection or 50, there is a trigger for a full upgrade to AODA Standards which contributes to the cost magnitude.

Councillor Gary Kaschak asks if the MTO has indicated whether or not they would like to see more Pedestrian Crossings in Ontario or if it is a recommendation or guideline for municipalities to increase the number of PXOs. Mr. Simpson responds that there have been expressed concerns from the MTO regarding PCTs as indicated in the report. The direction suggests that there have been identified safety concerns and that municipalities have been removing recently installed crossings. We think that we can achieve the same intended outcome by pursuing the audible countdown timer systems with less safety concern.

Ian Day, Senior Manager, Transportation adds that Toronto was one of the first municipalities to install these pedestrian crossings. The first few years noted significant improvements, then statistics were reviewed and it was noted that drivers were starting to use the countdown signals as a timer to run through intersections. In speaking with the ministry, this was the biggest concern identified. Audible countdowns at intersections would alleviate driver distraction, however it would then trigger a full AODA, which would double the price for the processing system. Visual countdown timers do not have the ability to be adjusted based on traffic volume during peak periods. It is a better choice to move forward with the single cost audible system.

Councillor Gary Kaschak inquires about eliminating some of the excessive lights at the 295 signalized intersections and potentially installing roundabouts. Mr. Day responds that there are some intersections scheduled for signal removal such as Chatham and Aylmer, and in the downtown at the old YMCA building. He adds that many of the existing intersections don't have enough property for more than installing signals.

Councillor Renaldo Agostino inquires about whether there is any technology in place currently where there is no countdown timer, but indicate to pedestrians to walk or stop. Mr. Day responds that there are a few older systems that have the capability to count down audibly. The audible countdown without distraction to the driver benefits the pedestrian, which is most important.

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Moved by: Councillor Frazier Fathers

Seconded by: Councillor Renaldo Agostino

Decision Number: **ETPS 1131**

I. THAT the report of the Senior Manager, Transportation dated April 9, 2026, entitled "Response to CQ 16-2025 – Pedestrian Countdown Timers – City Wide" **BE RECEIVED** for information. Carried.

Report Number: S 37/2026

Clerk's File: ST2026

8.3. Response to CQ 2-2026 - Feasibility of Parking Revenue Sharing with Business Improvement Areas - City Wide

Councillor Mark McKenzie inquires if BIAs were to receive 10% of revenue from parking meters, what would the annual amount represent. Rachel Chesterfield, Manager Performance Measurement and Business Case Development appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated June 2, 2026, entitled "Response to CQ 2-2026 - Feasibility of Parking Revenue Sharing with Business Improvement Areas - City Wide" and responds that based on the current BIA revenue, the 10% would equate to \$205,882 annually.

Councillor Mark McKenzie inquires whether there are any concerns with developing a pilot framework rather than a permanent program. Mr. Simpson indicates that the committee could provide that direction.

Councillor Mark McKenzie asks if the City of Hamilton has responded to any correspondence related to how their program works. Bill Kralovensky, Manager Transportation Operations appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated June 2, 2026, entitled "Response to CQ 2-2026 - Feasibility of Parking Revenue Sharing with Business Improvement Areas - City Wide" indicates that they have not reached out yet.

Councillor Mark McKenzie inquires whether other BIAs, that do not currently have metered parking, would be able to implement it in order to take advantage of the revenue. Mr. Simpson responds that the program can be evolved to identify opportunities for more metered spots and what that potential revenue would look like. Then, outreach to the BIAs to identify if there is an appetite for the implementation of metered parking.

Councillor Mark McKenzie asks if meters would need to be put in or if app only zone parking would work. Mr. Kralovensky responds that any new identified areas would use app only payments to save infrastructure disruptions and cost of installation.

Councillor Mark McKenzie requests an explanation as to what the parking reserve funds are used for. Mr. Kralovensky responds that the reserve funds are used for garage beautification and upgraded software, staff wages and other parking department expenses.

Councillor Mark McKenzie asks if Administration would be more comfortable excluding parking garages, monthly and annual permit parking to make it easier for staff. Mr. Kralovensky responds that if that is Council's direction, that's how they would proceed.

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Councillor Renaldo Agostino asks what an ideal pilot duration would be. Mr. Simpson responds that a minimum of 1 year is recommended, but if the direction is for longer, that would be amenable.

Councillor Kieran McKenzie inquires about the availability of funds to be deployed at the discretion of Administration and equity of distribution of the revenue across the city. Mr. Kralovensky responds that the structure of distribution would need to be determined and adds that much of this revenue goes towards future parking development.

Councillor Kieran McKenzie inquires whether annual funding provided to the BIAs would be given on a conditional basis so that it can only be used for certain expenditures. Lorie Gregg, Executive Director Financial Planning/Deputy City Treasurer appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated June 2, 2026, entitled "Response to CQ 2-2026 - Feasibility of Parking Revenue Sharing with Business Improvement Areas - City Wide" and indicates that Hamilton's program suggested that there is a total dollar amount cap of \$250,000 across 11 BIAs. A formula or cap can be determined with regards to distribution of those funds. Mr. Simpson adds that Administration is contemplating opportunities at this point, potential revenue, and expansion of the app into the other BIA areas. After obtaining that information from the pilot they can report back to council with the costs and provide a proposed structure over cost sharing for Council's endorsement at that time.

Councillor Frazier Fathers inquires whether there has been any conversation with non BIAs at this point, given the timing and the election cycle with potential for change on the Boards and Council. Mr. Simpson responds that it would be a voluntary outreach to the BIAs to seek participation. There is opportunity to consider expanding it beyond the existing 5 BIA areas.

Councillor Renaldo Agostino inquires whether there is a way for BIAs to opt out of participation in this pilot. Mr. Simpson responds that the discussion can be taken offline for more consideration.

Councillor Gary Kaschak inquires about the BIA levy costs. Ms. Gregg responds that this program would be unlikely to impact the calculation of the members' levy and that it would be compiled on an annual basis.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: **ETPS 1132**

- I. THAT the report of the Manager, Transportation Operations and Manager, Performance Measurement and Business Case dated June 2, 2026, entitled "Response to CQ 2-2026 - Feasibility of Parking Revenue Sharing with Business Improvement Areas - City Wide" **BE RECEIVED** for information.
- II. THAT Administration **BE DIRECTED** to develop a framework for a 2-year parking revenue reinvestment pilot project that would allocate 10% of net revenue generated from on-street parking meters and municipal surface parking lots within participating Business Improvement Areas to the BIA's, and that parking garages, monthly parking permits and annual parking permits be excluded from this pilot; and,

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- III. THAT Administration **BE DIRECTED** to consult with participating BIAs as part of developing the pilot framework, and that the report include the financial impact on the off-street parking revenue eligibility criteria, governance and reporting requirements, eligible uses of the funding, implementation options and high level revenue estimates for BIAs that do not currently have paid parking should they choose to implement it in the future; and,
- IV. THAT Administration **BE DIRECTED** to identify appropriate eligible uses of the funding such as beautification, streetscape improvements, marketing events, accessibility and other public realm initiatives; and,
- V. THAT this information **BE BROUGHT FORWARD** to a future meeting of the Environment, Transportation and Public Safety Standing Committee for consideration.
- Carried.

Report Number: S 58/2026
Clerk's File: MI/14538

11. QUESTION PERIOD

Councillor Kieran McKenzie inquires about Vision Zero reporting timelines and when a Vision Zero update will be coming forward to the committee. Mr. Simpson indicates that they are currently recruiting for a Vision Zero Coordinator and have recently retained a Manager of Road Safety and anticipate a report would come forward possibly in Q4 of 2026.

Councillor Kieran McKenzie inquires about the increasing incidents that have occurred recently regarding crossing busy streets and public safety. Administration indicates that a full data analysis is not yet completed, when it is it will be in the report. Mr. Day adds that they are working on the Road Safety report for Q4 which would come before a vision zero report. Mr. Day adds that most of the recent tragic incidents have come from crossing mid intersection not at the crossing points. Administration does try to encourage people to use the public crossing points which are the safer option.

Councillor Kieran McKenzie inquires about the distance between the crossings and whether that may be a contributing factor. Mr. Day indicates that the City uses OTM standards for crossing points criteria. Grant funding will also assist with completing some pedestrian crossings sooner than scheduled.

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12. ADJOURNMENT

There being no further business, the Environment, Transportation & Public Safety Standing Committee is adjourned at 5:22 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held July 29, 2026.

Carried.

Ward 9 – Councillor Kieran McKenzie
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services



Committee Matters: SCM 229/2026

Subject: Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its Meeting held May 5, 2026



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Tuesday, May 5, 2026

Time: 4:00 P.M.

Location: County of Essex Administration Building
360 Fairview Avenue West, St. Clair Room, 2nd Floor
Essex, Ontario N8M 1Y6

Attendance

Board Members:

Gary Kaschak –Chair	City of Windsor
Kieran McKenzie	City of Windsor (arrived 4:07 p.m.)
Mark McKenzie	City of Windsor
Fred Francis	City of Windsor
Jim Morrison	City of Windsor (arrived 4:07 p.m.)
Gary McNamara – Vice Chair	County of Essex
Hilda MacDonald	County of Essex
Michael Akpata	County of Essex
Rob Shepley	County of Essex

EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
James Bryant	Manager of Waste Disposal
Natalie Byczynski	Project Manager
Chris Gregg	Supervisor of Waste Diversion
Teresa Policella	Executive Assistant

City of Windsor Staff:

Stacey McGuire	Acting Executive Director of Operations
Lorie Gregg	Executive Director, Financial Planning/Deputy Treasurer
Rachel Chesterfield	Manager, Performance Measurement and Business Case Development
Stuart Diotte	Manager of Waste Collection Contracts

County of Essex Staff:

Melissa Ryan	Director of Financial Services/Treasurer
David Sundin	Director, Legislative and Legal Services

Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Cathy Copot-Nepszy	Manager of Waste Diversion
Tony Ardochini	Deputy Treasurer Financial Planning (City of Windsor)
Jim Leether	Manager of Environmental Services (City of Windsor)
Claire Bebbington	Deputy County Solicitor (County of Essex)

1. Call to Order

The Chair called the meeting to order at 4:00 p.m.

2. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest, and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the meeting that it would be noted at that time.

3. Approval of the Minutes

Moved by Fred Francis

Seconded by Mark McKenzie

That the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated April 15, 2026, be ***approved and adopted***.

**27-2026
Carried**

4. Business Arising from the Minutes

No items were raised for discussion.

5. Correspondence

There were no correspondences for May 5, 2026.

6. Delegations

There were no delegations for May 5, 2026.

7. Waste Disposal

A. Regional Landfill Heavy Equipment – Landfill Compactor Replacement Strategy

The report provided an overview of the condition of the Authority's existing landfill compactor and outlined the operational risks associated with relying on a single unit. Several options were reviewed, including maintaining the current compactor, replacing it, or adding a second compactor.

Administration recommended a two-phase strategy to address the Authority's compactor requirements. Phase 1 involves acquiring a rebuilt compactor in 2026 using funds currently available in the approved 2026 budget. Phase 2 proposes allocating resources in the 2027 budget to rebuild the Authority's existing compactor. This approach would reduce the risk of operational disruptions should one unit become unavailable, improve compaction efficiency,

thereby helping to extend landfill capacity, and provide greater flexibility when scheduling maintenance.

Moved by Fred Francis

Seconded by Mark McKenzie

That EWSWA Administration be **directed** to proceed with a Request for Tender to procure a rebuilt landfill compactor in 2026; and further

That the Board **delegate** purchasing authority to the General Manager for a rebuilt landfill compactor, provided that the tender pricing does not exceed 133% of the approved budget; and further

That the Board **direct** the General Manager to report back to the Board at a future meeting with the outcome of the procurement process, and any related costs.

That EWSWA Administration be **directed** to include a capital expenditure in the 2027 budget to rebuild the Authority's existing 836K landfill compactor.

28-2026
Carried

8. Waste Diversion

A. Correspondence to Ministry of Environment, Conservation and Parks – Blue Box Program Data Request

In response to the Board's request, the General Manager reported that correspondence was sent to the Ministry of the Environment, Conservation and Parks (MECP) on Thursday, April 30th, requesting provincial support for Blue Box Program data to assist with municipal waste diversion reporting. She further advised that following discussions with the Chair and Vice Chair, the County will submit a delegation request to the Association of Municipalities of Ontario (AMO). Administration will report back to the Board as additional information becomes available.

Moved by Hilda MacDonald

Seconded by Michael Akpata

That the Board **receive** this report as information.

29-2026
Carried

B. 2026 Green Bin Program: Promotion & Education Update – Campaign 3A
Beat the Heat with these Green Tips

The Supervisor of Waste Diversion provided an update on the next phase of the communications strategy for the Green Bin Program (GBP). Campaign 3A: Beat the Heat with These Green Tips has been developed and will focus on strategies for effective green bin use during the warmer months. Campaign 3A will run concurrently with Campaigns 2A and 2B, which were presented at the previous Board meeting. There are no financial implications associated with these campaigns, as they are included in the approved 2026 Operating Plan and Budget.

The Chair requested an update on Earth Day activities, specifically regarding discussions related to green bins and waste diversion.

The Supervisor of Waste Diversion reported that the event was very successful with strong support from residents. Authority staff engaged in meaningful dialogue with attendees, including many children who were eager to learn about composting. There was significant interest in the orange bins distributed at the event. Overall, the event was a very positive experience.

Moved by Gary McNamara
Seconded by Fred Francis

That the Board **receive** this report as information.

That the Board **direct** Authority Administration to provide a Green Bin Program: Campaign Summary, as applicable to the Clerk's Department at the City of Windsor, County of Essex and seven (7) County Municipalities.

**30-2026
Carried**

9. Finance & Administration

A. January to March 2026 Three-Month Operations Financial Review

The Manager of Finance provided the financial summary for the first quarter of 2026, highlighting the following key figures, variances and operational impacts:

- In the first quarter of 2026, municipal garbage amounted to 22,080 tonnes, which is a decrease of 3,050 tonnes compared to the same period in 2025. The decrease was primarily driven by the launch of the municipal curbside food and organics collection (Green Bin) program. The Authority earned \$949,440 in the period, which is approximately \$131,000 less compared to the same period in 2025.
- The Authority received approximately 2,900 tonnes of food & organic waste from Phase 1 municipalities, which resulted in \$404,000 in

revenue. No period tonnage or revenue comparators were highlighted as the Green Bin Program launched in October 2025.

- The Authority received approximately 22,000 tonnes of Industrial, Commercial and Institutional (IC&I) waste in the first quarter of 2026. The IC&I waste decreased by approximately 1,000 tonnes when compared to the same period of 2025. Despite the decrease in tonnes, the Authority received approximately \$1,129,400 in revenues, an increase of \$47,700 when compared to 2025. The increase is attributable to the raising of the tipping fee rates in 2026.
- The Authority received 19,192 tonnes of Non-Landfillable Material, which is approximately 4,000 fewer tonnes when compared to the same period in 2025. The material primarily consists of daily cover material and auto-shredder fluff.
- Overall, the Regional Landfill received 45,445 tonnes of waste in the first quarter. This sum is approximately 4,000 tonnes less than in the same period of 2025.

He reported no material variances in operating expenditures for the first quarter. Fuel prices continue to be monitored, as the Authority relies heavily on diesel-powered landfill equipment. A more comprehensive report will be provided at the six-month mark.

Mr. McNamara inquired about the impact of fuel costs and whether the Rate Stabilization Reserve would be utilized to cover any unbudgeted fuel variances.

The Manager of Finance explained that fuel cost impacts depend on consumption and equipment utilization. Any increases or decreases would be funded through the Rate Stabilization Reserve.

The General Manager added that the Authority has two areas of exposure to diesel costs: the direct operating cost of heavy equipment and contractual costs related to collection and hauling services. She explained that these contracts include an escalation clause based on 90% CPI and 10% fuel. If fuel prices do not stabilize, the adjustment is calculated based on the previous 12 months. Some variance is expected; however, it is hoped that conditions will improve quickly.

Moved by Rob Shepley
Seconded by Mark McKenzie

That the Board **receive** this report as information.

31-2026
Carried

B. 2025 Financial Statement and Auditors Report

The Manager of Finance presented the audited 2025 financial statements and auditors' report prepared by KPMG. He noted that KPMG issued an "unmodified" audit opinion, meaning the financial statements present fairly. He provided a verbal overview of significant items within the financial statements during his presentation.

Moved by Fred Francis

Seconded by Kieran McKenzie

That the Board **approve** this report, the 2025 financial statements and the associated auditors' report.

**32-2026
Carried**

C. County of Essex Council Notice of Motion Re: Green Bin Program Statistics and Public Education

The General Manager presented a report regarding Essex County Council Resolution 037-2026, which addresses the Regional Green Bin Program in Essex County, including associated costs and public education campaigns. The purpose of the report was to seek the Board's direction on how to respond to the resolution.

She noted that, while the resolution reflects County Council's interest in transparency and accountability, most of the requested information has already been shared with County Council, City Council, and local municipalities through multiple channels and in various formats throughout the implementation of the program.

The General Manager also outlined the proposed next steps. Administration will continue to carry out its established reporting and communication plan for the program, including providing updates on public education initiatives, operations, and overall program performance as new information becomes available.

Mr. Morrison inquired about the contract term with the green bin material processor and long-term planning considerations.

The General Manager provided a summary of the various contract expiration dates and stated that preliminary meetings were beginning to take place regarding next steps.

Mr. Morrison referred to Chatham-Kent Council's approval of an aerobic digester facility.

The Chair asked whether there have been any challenges with Seaclyff Energy.

The General Manager stated that no challenges have been identified. Seaclyff Energy (Seaclyff) has been extremely pleased with the quality of material received, noting that the Authority's material is preferred over the material received from other regions. Contamination levels are approximately 1%, significantly below Seaclyff's acceptable threshold of 16%. The Authority's public education program contributes to maintaining this high standard.

Kieran McKenzie asked when discussions with the elected body would begin.

The General Manager stated that the GHD report provided a comprehensive set of alternatives and a decision-making roadmap. The next step would be to engage GHD to update the roadmap. These discussions are expected to occur during the next term of the Board.

Kieran McKenzie commented that municipalities required significant time to fully understand the volume and complexity of information presented. With eight municipalities involved, each with differing perspectives, the discussion remains complex.

Moved by Hilda MacDonald
Seconded by Gary McNamara

That the Board **receive** the report as information; and further that Authority Administration continue to provide ongoing updates related to the Regional Green Bin Program, including Public Education and Outreach (P&E), program performance, and other relevant information, through established reporting and communication processes as information becomes available.

33-2026
Carried

10. New Business

No items were raised for discussion.

11. Other Items

No items were raised for discussion.

12. By-Laws

A. By-Law 6-2026

Moved by Rob Shepley
Seconded by Michael Akpata

That By-Law 6-2026, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be **adopted** this 5th day of May, 2026.

34-2026
Carried

13. Next Meeting Dates

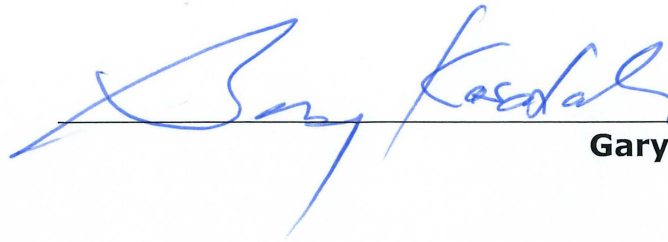
Tuesday, June 2, 2026
Tuesday, July 7, 2026
Wednesday, August 12, 2026
Tuesday, September 1, 2026
Tuesday, October 6, 2026
Tuesday, November 3, 2026 – 2027 Budget deliberation
Tuesday, December 1, 2026

14. Adjournment

Moved by Mark McKenzie
Seconded by Kieran McKenzie
THAT the Board stand ***adjourned*** at 4:39 PM.

35-2026
Carried

All of which is respectfully submitted.

A handwritten signature in blue ink, appearing to read "Gary Kaschak", written over a horizontal line.

Gary Kaschak
Chair

A handwritten signature in blue ink, appearing to read "Michelle Bishop", written over a horizontal line.

Michelle Bishop
General Manager



Committee Matters: SCM 197/2026

Subject: Minutes of the Windsor Licensing Commission of its meeting held June 2, 2026

WINDSOR LICENSING COMMISSION

Meeting held June 2, 2026

A meeting of the Windsor Licensing Commission is this this day commencing at 2:30 o'clock p.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Renaldo Agostino
Councillor Angelo Marignani
Marc Dubois
Sam Sinjari

Guests in attendance:

Jay Abdolrahmanpour, Owner of Canadian Checker Cab
Bill Oag, Vets Cab Administrator

Also present are the following resource personnel:

Steve Vlachodimos, City Clerk and Licence Commissioner
Craig Robertson, Manager Licensing & Enforcement & Deputy Licence Commissioner
Nicole Brush, Supervisor of By-law Enforcement
Rory Sturdy, Supervisor of By-law Enforcement
Marianne Sladic, Senior Licence Issuer
Karen Kadour, Committee Coordinator

1. Call to Order

Councillor Ed Sleiman, Chair calls the meeting to order at 2:30 o'clock p.m. and the Windsor Licensing Commission 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 Angelo Marignani, seconded by Sam Sinjari,

That the minutes of the meeting of the Windsor Licensing Commission held April 23, 2026, **BE ADOPTED** as presented.
Carried.

4. Requests for Deferrals, Referrals or Withdrawals

None.

5. Communications

None.

6. Licence Transfers

None.

7. Applications/Hearings

7(a) Approve Application with Conditions – Livery Vehicle, Class C (Executive)

Craig Robertson, Deputy Licence Commissioner reports that Eric Ceejay Williams, Applicant, Gateway Express Shuttle is supportive of the recommendation, and is not present for the hearing.

Craig Robertson, Deputy Licence Commissioner advises that the application for a Livery Vehicle, Class C (Executive) licence was submitted on April 7, 2026. Administration reviewed the application and was satisfied with the requirements; however, it is being recommended to approve the application with conditions in order to acquire the remaining items and to proceed with the issuance of the licence.

Moved by Marc Dubois, seconded by Sam Sinjari,

THAT the livery vehicle plate holder application, submitted by Eric Ceejay Williams, o/a Gateway Express Shuttle, located at 823 Francois Court, Windsor ON N8Y 3W5, to operate one (1) Class 'C' Livery Vehicle, namely a 2026 Toyota Sienna XLE HEV, **BE APPROVED** with the following conditions:

- Eric Ceejay Williams be given sixty (60) days from the date of this decision to submit a valid business name registration to operate as "*Gateway Express Shuttle*";

- Eric Ceejay Williams be given sixty (60) days from the date of this decision to submit a rate schedule that is in accordance to Public Vehicle Licensing By-law No. 137-2007 as amended;
- Eric Ceejay Williams be given sixty (60) days from the date of this decision to submit a vehicle safety standards certificate not more than thirty (30) days old for the proposed vehicle being a 2026 Toyota Sienna XLE HEV;
- Eric Ceejay Williams be given sixty (60) days from the date of this decision to submit valid insurance for the proposed vehicle being a 2026 Toyota Sienna XLE HEV; Eric Ceejay Williams be given sixty (60) days from the date of this decision to submit the vehicle to and pass an inspection by the By-Law Enforcement Division.

Carried.

8. Reports & Administrative Matters

8(a) Windsor Licensing Report 2026 Age Limit Fee Reduction and one year age exemption for replacement vehicles

Craig Robertson, Deputy Licence Commissioners introduces guests Jay Abdolrahmanpour, Owner of Canadian Checker Cab and Bill Oag, Vets Cab Administrator. Mr Abdolrahmanpour expresses concern that an accessible taxi costs approximately \$100,000. He adds he operates 8 accessible taxicabs.

Councillor Renaldo Agostino asks Administration if licence fees differ from accessible taxicabs and traditional taxis. Craig Robertson remarks that the fees do not differentiate between a wheelchair accessible taxicab and a traditional taxicab.

In response to a question asked by Sam Sinjari regarding if a specific vehicle can “be grandfathered in” if the vehicle is in good shape, Craig Robertson responds Administration is not recommending “grandfathering” and reiterated the recommendation from Administration.

Marc Dubois remarks that the vehicles undergo regular inspections irrespective of the age and asks would those inspections alone certify that the vehicle is safe. Craig Robertson explains it would be safe at the time of the inspection and is more of a due diligence to ensure that the vehicle is being vetted through some type of inspection process. He indicates that in August, they require that these vehicles must submit their safety certificate along with all of the other safety requirements.

The Chair asks what the age requirements in other municipalities are and what is the rate. Craig Robertson advises that when they undertook their analysis, the City of Windsor had one of the most lenient age requirements and adds the licence fees are very comparable if not lower than our counterparts. He states that Windsor’s licence fees had not been raised in over 20 years.

Councillor Angelo Marignani questions if they were to proceed with another year extension, what would the risks be. Craig Robertson responds if they proceed with extending the vehicles, there is some risk associated with the wear and tear on the vehicles which is why municipalities have an 8-year standard for taxicabs.

In response to a question asked by Sam Sinjari regarding if they proceed with another year extension, can they still charge the one-year fee. Craig Robertson responds that they would pay their \$520.00 renewal fee and would not have to pay the replacement fee of \$95.00.

Councillor Renaldo Agostino recommends proceeding with the recommendation presented by Administration and suggests that the renewal fee of \$520.00 should be reduced to \$25.00. He remarks that these accessible amenities serve a very niche amount of people that desperately need this.

Craig Robertson advises that the Windsor Licensing Commission is the governing body for making decisions and hearing municipal licensing matters.

Moved by Councillor Renaldo Agostino, seconded by Councillor Angelo

THAT the Windsor Licensing Commission recommends that City Council **RECEIVE** the report of the Deputy Licence Commissioner *entitled "Response to Increased Age Limits and Reduced Licence Fees for Wheelchair Accessible Taxicab, and a One-Year Extension for all Taxicab Vehicle Replacements"* and,

THAT the age limit for wheelchair accessible taxicabs is to remain the same at twelve (12) model years old; and,

THAT the plate holder licence renewal for wheelchair accessible taxicabs **BE REDUCED** from \$520.00 to \$25.00 for the 2026 licencing period; and further,

THAT City Council **APPROVE** a one (1) year replacement extension for all taxicabs and wheelchair accessible taxicabs that are due at the 2026 licence renewal period.

Carried.

8(b) Expired Business Licence Application(s)

Moved by Marc Dubois, seconded by Councillor Angelo Marignani,

That the report of the Deputy Licence Commissioner dated June 2, 2026, entitled "Expired Business Licence Application(s) **BE RECEIVED**."

Carried.

9. Date of Next Meeting

The next meeting date to be determined.

10. Adjournment

There being no further business, the meeting is adjourned at 3:04 o'clock p.m.



Committee Matters: SCM 230/2026

**Subject: Minutes of the Active Transportation Expert Panel of its meeting held
June 30, 2026**

ACTIVE TRANSPORTATION EXPERT PANEL

Meeting held June 30, 2026

A meeting of the Active Transportation Expert Panel is held this day commencing at 2:30 p.m. via Zoom Video Conference, there being present the following members:

Dr. Paul Henshaw
Teena Ireland
Wayne Lessard
Jocelyn Nikita
Jim Sommerdyk (arrives at 2:42 p.m.)

Also present are the following resource personnel:

Matt Paya, Manager, Road Safety
Clare Amicarelli, Engineer II
Ian Day, Senior Manager Transportation
Anne Ciacelli, Supervisor Council Services, Deputy City Clerk

1. Call to Order

Clare Amicarelli, Chair calls the meeting to order at 2:35 o'clock p.m. and the Expert Panel considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Declaration of Conflict

None disclosed.

3. Adoption of the Minutes

Moved by Dr. Paul Henshaw, seconded by Jocelyn Nikita,
That the minutes of the Active Transportation Expert Panel of its meeting held February 18, 2026, **BE ADOPTED** as presented.
Carried.

4. Business Items

The Chair reviews the disposition of the 2025 funds that were provided to Local 444 Community Services, Bike Windsor Essex and The Safety Village.

It is generally agreed to provide \$1,000 to Bike Windsor Essex for the 2026 Winter Wheels Program.

Moved by Wayne Lessard, seconded by Dr. Paul Henshaw,
That **APPROVAL BE GIVEN** to an expenditure in the upset amount of \$1,000 for the 2026 Winter Wheels Program.
Carried.

Wayne Lessard questions which schools are participating in the Active School Travel Program. The Chair responds that once the schools are determined for the 2026-2027 school year, the information will be provided to the Active Transportation Expert Panel. The Panel expresses interest in partnering with the Transportation Department's Active School Travel Program by providing funding to install wayfinding signage around schools to encourage students to walk or cycle to and from school. The Chair indicates that the cost estimate for installing the wayfinding signage for two (2) schools will be provided to the Panel at a later date.

Moved by Wayne Lessard, seconded by Teena Ireland,
That **APPROVAL BE GIVEN** to provide \$1,000 to the installation of signs through the Active School Travel Program which details the distance to walk to school and to encourage students walk and cycle to and from school.
Carried.

Chair indicates that the Transportation Department will investigate the history of installing wayfinding signage around schools within the city of Windsor.

4.2 Policy/Report Updates

The Chair provides an update on the Bike Parking Policy as it relates to the parking garage and security.

4.3 Bird Canada

The Chair provides a summary of the amended terms of the one-year extension agreement with Bird Canada Inc.

4.4 Earth Day

The Chair advises that 2026 Parks and Trails maps and bike lights were provided at the Earth Day Event. The maps were also distributed to other City departments and community centres.

4.5 Great Waterfront Trail Adventure Cycle Tour

The Chair notifies the Panel that participation in the Great Waterfront Trail Adventure Cycle Tour may be a viable option and states that an update on if the Expert Panel is able to assist with the event, will be provided to the Committee.

5. New Business

Jocelyn Nikita reports that the pathway demarcation and signage previously on the Riverside Trail, appears to no longer be there, leaving cyclists with no markings. The Chair remarks the Transportation Department will investigate and report back on this matter.

Ian Day states that the City is currently working on the Vista alternative trail at this time. Mr. Day also states the construction of an intersection pedestrian signal is in progress at the intersection of Isabelle and Wyandotte. Jefferson, and South National. He indicates that intersection pedestrian signals should be installed this year.

Jim Sommerdyk requests that the Committee keep track of accidents and shared spreadsheets. The Windsor Police Website provides the information for their lists. Mr. Day ensures the panel that the Transportation Department tracks collisions via an engineering software.

6. Date of Next Meeting

The next meeting date to be determined.

7. Adjournment

There being no further business, the meeting is adjourned at 3:45 o'clock p.m.



Council Report: S 85/2026

Subject: Repeal By-law 350-2002 – “A By-law to Appoint Fence Viewers for the City of Windsor” and Pass an Amended By-law – “A By-law to Exempt the City of Windsor from the Line Fences Act and Establish Dispute Resolution Guideline for Boundary Fences” – City Wide

Reference:

Date to Council: July 29, 2026

Author: Brandon Calleja

Senior Manager/Deputy Chief Building Official - Permits

bcalleja@citywindsor.ca

519-255-6267 x6166

Planning & Building Services

Report Date: 7/8/2026

Clerk's File #: AB2026

To: Mayor and Members of City Council

Recommendation:

THAT Council **REPEAL** By-law Number 350-2002 being “A By-law to Appoint Fence Viewers for the City of Windsor” attached as Appendix “A”; and

THAT Council **PASS** the By-law, XX-2026 “A By-law to Exempt the City of Windsor from the Line Fences Act and Establish Dispute Resolution Guideline for Boundary Fences” attached as Appendix “B”.

Executive Summary:

N/A

Background:

The *Line Fences Act*, R.S.O. 1990, c. L.17 (*Line Fences Act*) is an Ontario law that helps resolve disputes between neighbouring property owners about boundary fences. It allows either party to request the appointment of local officials called fence viewers, who inspect the property and decide whether a fence is needed, the type of fence, and how the costs should be shared. The *Line Fences Act* provides a legal process for enforcing these decisions, including cost recovery through property taxes.

By-law Number 350-2002 being “A By-law to Appoint Fence Viewers for the City of Windsor” (Fence Viewers By-law), passed on November 18, 2002, appoints designated municipal officers, such as Property Standards Officers, By-law Enforcement Officers, Compliance Officers, and Provincial Offences Officers, as fence viewers under the *Line*

Fences Act to resolve boundary fence disputes, and sets their compensation at \$30 per attendance.

Under Section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, municipalities may pass by-laws respecting matters within the sphere of jurisdiction for structures, including fences and signs, and the health, safety and well-being of persons.

Under Section 98(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, Council can exempt part of or all of the municipality from the *Line Fences Act* and, instead, pass a by-law to establish a dispute resolution guideline for boundary fences.

The Fence Viewers By-law is separate and distinct from By-law 170-2012 being “A By-law to prescribe the height and description of fences in the City of Windsor” (Fence By-law), which regulates the height, type, and maintenance of fences within the City of Windsor (City). It also ensures fences are safe, visually appropriate, and do not obstruct visibility or public access. If a property owner has a concern with a fence (e.g. height, type, and maintenance), they can submit a formal complaint through 311, which is the standard municipal procedure for private property complaints.

The City does not determine property line locations and if property boundaries are unknown, a property owner should retain a Professional Ontario Land Surveyor to conduct a legal survey. Concerns about fence compliance or safety can be reported to 311.

Discussion:

The Fence Viewers By-law has been updated to exempt the municipality from the *Line Fences Act* and has been amended to give property owners a suggested clear process for resolving fence disputes independently, without involving the City. Neighbour-to-neighbour conflicts can sometimes escalate, posing risks to staff and the public. Since these are private matters, the taxpayers should not incur costs and the responsibility to address private property disputes that lack a broader public benefit.

Proposed Fence Dispute Resolution Process

The Fence Viewers By-law is meant to be a guideline to assist property owners and reflects what City staff would likely recommend should they attend the property in person. To promote fairness and consistency in resolving boundary fence disputes between adjoining property owners, the City proposes the following structured process to replace the existing mediation process. When neighbouring owners cannot reach mutual agreement regarding the construction, repair, or replacement of a boundary fence, the initiating owner must serve a formal Notice of Intent by registered mail.

This notice must include:

- Three written quotes for the proposed work;
- A statement of intent to begin construction no sooner than fourteen (14) days from the date of notice; and
- A copy of the applicable Fence By-law.

The adjoining owner may submit alternative quotes within ten (10) business days. Where a cost dispute arises, the adjoining owner will be responsible for fifty percent (50%) of the lesser of the actual costs, with the initiating owner covering the remaining balance.

Example:

- Initiating owner (Owner A) wants to replace a shared boundary fence and serves a Notice of Intent with three written quotes:
 - Quote 1: \$6,000
 - Quote 2: \$6,500
 - Quote 3: \$7,200
- Adjoining owner (Owner B) submits an alternative quote within 10 business days for \$5,500.
- After considering all quotes, a cost dispute arises because Owner A prefers the \$6,000 contractor, while Owner B believes the \$5,500 quote is more reasonable.
- Under this By-law, the adjoining Owner (B) is responsible for fifty percent (50%) of the lesser of the actual costs.
- Therefore:
 - Lesser cost = \$5,500
 - 50% of \$5,500 = \$2,750
- If Owner A proceeds with the \$6,000 contractor, then:
 - Owner B pays \$2,750 (50% of the lesser quote)
 - Owner A pays the balance of \$3,250

This framework promotes transparency, equity, identifies legal recourses through the Ontario courts, and is intended as a non-binding guideline.

The City's exemption from the *Line Fences Act* directly addresses ongoing budget pressures by eliminating the need for City staff to act on inquiries and formal fence viewing in private fence disputes. Maintaining this service requires staff time and administrative coordination, all of which are added costs to the City. By providing an effective framework and guiding property owners for boundary fence disputes, the City reduces unnecessary expenditures and aligns its limited resource allocation with core municipal enforcement priorities, thereby improving overall functional efficiency.

Additionally, the amended By-law's formatting will mirror that of other City by-laws, improving consistency and making it easier for industry professionals and the public to navigate. These changes align with harmonizing terminology with other City by-laws.

Several other Ontario municipalities, such as Burlington, Toronto, Brampton, and Wasaga Beach, have exempted themselves from the *Line Fences Act* and have implemented their own by-laws regarding fence construction and cost sharing.

More substantive changes to the amended By-law are as listed below:

SECTION 1 SHORT TITLE

The short title of the By-law was amended to Fence Dispute Resolution Guideline By-law.

SECTION 2 DEFINITIONS OF WORDS

This section was added to ensure the By-law is clear in its expectations, as well as consistent with other City by-laws, such as Fence, Zoning and Property Standards By-laws.

SECTION 3 AUTHORITY

This section was added to explain that the City Clerk is responsible for both administering and enforcing this by-law.

The Building Department collectively assists with administering through conducting field inspections, hearing evidence from owners and witnesses, record keeping, preparing a written award, and preparing and issuing invoicing for the service.

SECTION 4 APPLICATION

This section establishes the rules and responsibilities for fences located on private property and does not apply to fences abutting the public right of way or lands designated for public highways or future road use. Property owners are permitted to construct and maintain boundary fences, and if neighbouring owners agree, they must share the costs and responsibilities fairly. If they cannot agree, the initiating owner can use this guideline to notify the adjoining owner by registered mail, provide quotes, and follow specific steps before proceeding with construction or repairs.

This section will also set the framework for how costs are to be divided and establishes a special rule in cases of natural disasters or fallen trees.

This section outlines what happens if an owner defaults on their obligations. It states the other party may seek legal enforcement through the *Provincial Offences Act*.

The framework in this section is intended as a guideline only and shall not be interpreted as creating binding obligations or limiting the application of any other applicable legislation or by-law.

SECTION 5 EXEMPTIONS

This section was included to exempt the municipality and its Agencies, Boards, and Commissions from this By-law and the *Line Fences Act*.

SECTION 6 – REPEAL AND TRANSITION

Subsection 6.1 and Subsection 6.2 were amended to add the most recent by-law numbers.

SECTION 7 – EFFECTIVE DATE

This section was included so it was not a stand-alone sentence.

Risk Analysis:

Without exemption from the Line Fences Act, the City remains responsible for arbitrating private fence disputes. While fence disputes are infrequent, they can demand a disproportionate amount of staff time when they do arise and any attendance by City staff at a property carries an element of safety risk. The mediation role, preparation of documentation, and follow up with property owners can be intensive, placing strain on limited administrative capacity.

The most significant risk lies in the lack of specialized training for staff tasked with mediating disputes. Staff should not function as mediators because they are not formally trained in conflict resolution and may lack the skills necessary to handle sensitive issues. These situations require conflict resolution skills, yet due to their rarity, staff are not consistently exposed to or trained in handling them. This gap in expertise can lead to inconsistent outcomes and increased frustration for all parties involved. Involving staff in mediation efforts can also blur professional boundaries and compromise their perceived neutral position. Without specialized training, there is a risk that staff involvement may not support the most effective resolution of already sensitive disputes.

In turn, providing a proposed framework to resolve fence disputes will ensure that disagreements are addressed with the objectivity, confidentiality, and competence required for effective and sustainable resolution.

While there is a minor risk that disputes could escalate to litigation, this is considered a private cost and not a municipal liability. Overall, the proposed By-law minimizes financial and operational risks, reduces municipal involvement, and aligns with strategic goals of efficiency, consistency, and responsible governance.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

John Revell – Chief Building Official

Jessica Barlow – Senior Manager/Deputy Chief Building Official – Inspections

Shannon O'Moore – Executive Initiatives Coordinator

Steve Vlachodimos – City Clerk

Anna Ciacelli – Deputy City Clerk

Aaron Farough – Senior Legal Counsel

Craig Robertson – Manager of Licensing & Enforcement/Deputy Licence Commissioner

Conclusion:

Repealing By-law 350-2002 and adopting this amended By-law to establish a dispute resolution guideline for boundary fences represents a proactive and modernized approach to managing private fence disputes. The updated By-law aligns with current legislative authority under the Municipal Act and removes the municipality from direct involvement in private fence matters, thereby reducing legal and operational risks. It proposes a clear, consistent, and self-directed framework for property owners to resolve neighbour-to-neighbour fence issues – an approach that reflects what City staff would likely recommend if attending the property in person. This change supports responsible governance by ensuring public resources are not expended on private disputes and by minimizing the municipality's exposure to legal and reputational liabilities.

Planning Act Matters:

N/A

Approvals:

Name	Title
Brandon Calleja	Senior Manager / Deputy Chief Building Official - Permits
Wira Vendrasco	City Solicitor
Jelena Payne	Deputy CAO & Commissioner Economic Development
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A – By-law Number 350-2002 - “A By-law to Appoint Fence Viewers for the City of Windsor”
- 2 Appendix B – Draft By-law “A By-law to Exempt the City of Windsor from the Line Fences Act and Establish Dispute Resolution for Boundary Fences”

B Y - L A W N U M B E R 350-2002

A BY-LAW TO APPOINT FENCE VIEWERS
FOR THE CITY OF WINDSOR

Passed the 18th day of November, 2002.

WHEREAS Section 2 of the Line Fences Act, R.S.O. 1990, Chapter L.17, provides that the Council of every local municipality shall by by-law appoint such number of fence viewers as are required to carry out the provisions of this Act, and the by-law shall fix the per diem remuneration to be paid to the fence viewers;

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

1. That four (4) persons designated from the following areas are hereby appointed fence viewers for the City of Windsor namely:
 - a) Property Standards Officers
 - b) By-law Enforcement Officers
 - c) Compliance Officers
 - d) Provincial Offences Officers
2. That each fence viewer shall be paid the sum of \$30.00 per attendance or re-attendance, plus mileage for each file while engaged in carrying out their duties pursuant to the provisions of the Line Fences Act, R.S.O. 1990, Chapter L.17.
3. That By-law Number 9305 is repealed.
4. This by-law shall come into force and take effect on the day of the final passing thereof.

MICHAEL HURST, MAYOR

JOHN SKOROBHACZ, CITY CLERK

First Reading - November 18, 2002
Second Reading - November 18, 2002
Third Reading - November 18, 2002

BY - LAW NUMBER XX-2026

A BY-LAW TO EXEMPT THE CITY OF WINDSOR FROM THE LINE FENCES ACT AND ESTABLISH DISPUTE RESOLUTION GUIDELINE FOR BOUNDARY FENCES

Passed the XX day of XXX, 2026.

WHEREAS Section 2 of the *Line Fences Act*, R.S.O. 1990, Chapter L.17, provides that the Council of every local municipality shall by By-law appoint such number of fence viewers as are required to carry out the provisions of this Act, and the By-law shall fix the per diem remuneration to be paid to the fence viewers;

AND WHEREAS Section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, municipalities may pass By-laws respecting matters within the sphere of jurisdiction for structures, and the health, safety and well-being of persons.

AND WHEREAS structures including fences and signs are one of the named spheres of jurisdiction over which single-tier municipalities have exclusive authority.

AND WHEREAS Section 98(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, a local municipality may provide that the *Line Fences Act* does not apply to all or any part of the municipality.

AND WHEREAS a By-law may be passed for determining how the cost of Boundary Fences shall be apportioned, and for providing that any amount so apportioned shall be recoverable under the *Provincial Offences Act*;

AND WHEREAS it is deemed expedient to repeal By-law 350-2002 replace it with an amended By-law;

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

SECTION 1 SHORT TITLE

1.1 This By-law may be cited as the Fence Dispute Resolution Guideline By-law.

SECTION 2 DEFINITIONS

2.1 In this By-law:

ACTUAL COST means the total cost of the construction, reconstruction, maintenance and/or repair of a Boundary Fence, and includes the value of the material used and the value of the labour performed to complete the work.

ADJOINING OWNER means the person who owns land adjacent to land on which another landowner seeks to build a Boundary Fence.

BASIC COST means the cost of constructing, reconstructing, maintaining or repairing (as applicable) a four (4) foot high, 1-1/2 inch mesh, steel chain link fence.

BOUNDARY FENCE means a fence marking the boundary between adjoining parcels of land.

CITY means The Corporation of the City of Windsor.

CITY CLERK means the person duly appointed as Clerk for the City.

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

- 2.2 Any word or term not defined in this By-law shall have the meaning ascribed to it in the Building Code Act or the Ontario Building Code.

SECTION 3 AUTHORITY

- 3.1 The City Clerk shall administer this By-law.

SECTION 4 APPLICATION

- 4.1 This By-law applies only to fences located on private property.
- 4.2 The process set out herein is provided as a non-binding guideline only and reflects a recommended approach that City staff would generally advise if attending on-site. It is not mandatory and does not limit the rights of any party under applicable law.
- 4.3 An Owner of land may construct and maintain a Boundary Fence.
- 4.4 Where the Owners of adjoining lands are in agreement or are able to reach agreement on the details of construction, repair or replacement of a Boundary Fence, each of them shall construct, repair, replace or maintain a reasonable proportion of the Boundary Fence, or shall bear a reasonable and just proportion of the cost of any work required to do so, in accordance with the agreement reached between the Owners, regardless of any provision to the contrary in this By-law.
- 4.5 Where the Owners of adjoining lands cannot agree or reach an agreement as referred to in Section 4.4, on the details of construction, repair or replacement of a Boundary Fence, an Adjoining Owner desiring to construct, reconstruct or repair a Boundary Fence may do so subject to complying with the following requirements:
- (a) The Owner should serve the Adjoining Owner(s) with a notice of intent to construct, repair or replace ("the Notice of Intent"), by registered mail, of his or her intention to construct a Boundary Fence; and
 - (b) The notice of intent should contain the following information:
 - (i) The Owner should provide the Adjoining Owner with 3 written quotes for the actual or basic costs for fencing work to be undertaken;
 - (ii) "The construction, repair or replacement of the Boundary Fence located at" (address) "will commence after fourteen (14) days of the mailing of this notice of intent and the Owner may seek payment of a contribution for the construction of the Boundary Fence, from the Adjoining Owner(s) in accordance with the formula set out in Sections 4.6, 4.7, 4.8 and 4.9 of this by-law";
 - (iii) The Adjoining Owner may obtain additional quotes to be presented not later than ten (10) business days from the date of the Notice of Intent, sent by registered mail; and
 - (iv) A copy of this By-law should be attached to the Notice of Intent.
- 4.6 In cases where the cost of construction of a Boundary Fence is in dispute, costs should be assigned as follows:
- (a) the Adjoining Owner should pay fifty percent (50%) of the basic cost or

fifty percent (50%) of the actual cost, whichever is the lesser of all of the fencing quotes submitted; and

(b) the Owner should pay the balance of the actual cost.

- 4.7 The cost of reconstruction or maintenance of a Boundary Fence should be borne equally by the Owner and the Adjoining Owner.
- 4.8 The cost of repairs to a Boundary Fence should be borne by the Owner if their invitees caused the damage necessitating the repair. The cost of repairs to a Boundary Fence should be borne by the Adjoining Owner if their invitees caused the damage necessitating the repair. Subject to Section 4.9, the cost of repairs to a Boundary Fence should be borne equally by the Owner and the Adjoining Owner if the damage necessitating the repair was caused by natural disaster.
- 4.9 If a tree comes down by accident or otherwise so as to cause damage to a Boundary Fence, the Owner of the land on which the tree stood should at their sole expense forthwith remove the tree and repair the fence.
- 4.10 Where an Owner or Adjoining Owner is in default of their obligations pursuant to this By-law, a person desiring to enforce the provisions of this By-law should, within ninety days after completion of the construction of the Boundary Fence, serve or cause to be served on the defaulting person, a notice by registered mail requiring compliance with this By-law. The notice should specify that if the default is not rectified within thirty (30) days after service of the notice, the person enforcing this By-law may rectify the default by making an application to the Ontario Court of Justice and initiate proceedings pursuant to Part IX of the *Provincial Offences Act* for an order to recover the proportionate share of the cost of the work from the defaulting person.

SECTION 5 EXEMPTIONS

- 5.1 Lands under the control of the City and its Agencies, Boards, and Commissions are exempt from this By-law and the *Line Fences Act*.

SECTION 6 REPEAL

- 6.1 By-law Number 350-2002 is hereby repealed.

SECTION 7 EFFECTIVE DATE

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

DREW DILKENS, MAYOR

CLERK

First Reading -
Second Reading -
Third Reading -