CITY OF WINDSOR AGENDA 11/09/2020

City Council Meeting

Date: Monday, November 9, 2020
Time: 12:30 o'clock p.m.

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

Clerk's Note: All members will be participating electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings during a declared emergency. The minutes will reflect this accordingly.

MEMBERS:
Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Rino Bortolin

Ward 4 – Councillor Chris Holt

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Jeewen Gill

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item # Item Description

1. **ORDER OF BUSINESS**

1.1. In the event of the absence of the Mayor, Councillor Holt has been Appointed Acting Mayor for the month of November, 2020 in accordance with By-law 176-2018, as amended

2. **CALL TO ORDER**

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

4. **ADOPTION OF THE MINUTES**

5. **NOTICE OF PROCLAMATIONS**

Illumination
"Hiatus House – Shine the Light" – November 2, 2020

6. **COMMITTEE OF THE WHOLE**

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

7.2. Summary of Ministry of Labour (MOL) visits from January to June 2020 - City Wide (**CM 23/2020**)

7.3. Ministry of Labour (MOL) Orders issued to the Corporation March 5th 2020 - City Wide (**CM 24/2020**)

7.4. Council Question CQ 23-2019 - Payday Loan Establishments - City Wide (**C 187/2020**)

7.5. Compliance with Applicable Laws & Regulations, 2020 Q3 - City Wide (**CM 22/2020**)

8. **CONSENT AGENDA**

8.1. Delegation of Authority to Execute Agreements under Section 27 of the Development Charge Act - City Wide (**C 208/2020**)

8.2. 2020 Third Quarter Operating Budget Variance Report (**C 192/2020**)

8.3. Award of RFP 88-20 | Howard Avenue Corridor Improvement Project | Detailed Design & Procurement for the Realignment of the Howard/South Cameron Intersection | Ward 9 (**C 207/2020**)

CONSENT COMMITTEE REPORTS

8.4. Transit Windsor - Non Union Salary Market Review-City Wide (**SCM 291/2020**) (**S 109/2020**)

8.5. In Response to Council Question CQ12-2020 Regarding Net Zero Neighbourhood Plan for Sandwich South Development Area (**SCM 290/2020**) (**S 116/2020**)

8.6. Temporary Exhibition Look Again! Installed Outdoors at Eight Downtown Locations - Ward 3 (**SCM 299/2020**) (**S 125/2020**)

8.7. Ontario Health Teams Status Update (**SCM 300/2020**) (**S 128/2020**)

8.8. One-Year Renewal of Agreement with Aramark Canada for Caretaking Services at Huron Lodge-Ward 9 (**SCM 301/2020**) (**S 131/2020**)

8.9. Public Art Vandalism 2020 and 2021 Ongoing Maintenance - City Wide (**SCM 302/2020**) (**S 132/2020**)

8.10. Zoning By-law Amendment Application for 0 Hawthorne Dr., N/E CNR of Hawthorne Dr. and Enterprise Way intersection; Applicant: 2356976 Ontario Inc.; File No. Z-010/20, ZNG/6072; Ward 8 (**SCM 307/2020**) **(S 134/2020**)

8.11. Rezoning - Baker Investments Ltd. – 8380-8474 Wyandotte Street East - Z-014/20 ZNG/6122 - Ward 6 (**SCM 308/2020**) **(S 124/2020**)

8.12. Interim Control By-law Exemption 2020-11 - Airport Business Park Inc - 4325-4445 County Road 42 - Ward 9 (**SCM 309/2020**) (**S 130/2020**)

8.13. Zoning By-law Amendment - 1521 Pierre Avenue - Lester Group - Z016-20 [ZNG-6127] - Ward 4 (**SCM 310/2020**) (**S 117/2020**)

8.14. 436 Askin Avenue - Partial Demolition of a Heritage Listed Property (Ward 2) (**SCM 311/2020**) (**S 53/2020**)

8.15. Economic Revitalization Community Improvement Plan (CIP) application submitted by Kadri Family Holdings Ltd. for 1567 Ouellette Avenue (Ward 3) (**SCM 312/2020**) (**S 112/2020**)

8.16. Economic Revitalization Community Improvement Plan (CIP) application submitted by St. Clair-Rhodes Development Corp. for 3355 Munich Court (Ward 9) (**SCM 313/2020**) (**S 129/2020**)

8.17. Minutes of the Windsor Bicycling Committee of its meeting held July 28, 2020 (**SCM 315/2020**) (**SCM 272/2020**)

8.18. Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes of the meeting held August 5, 2020 (**SCM 316/2020**) (**SCM 274/2020**)

8.19. City of Windsor Carbon Budget (**SCM 317/2020**) (**S 135/2020**)

8.20. CQ7-2020 40 km/h Residential Speed Limits - City-wide (**SCM 318/2020**) (**S 111/2020**)

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS AND DELEGATIONS

PRESENTATION: (10 minute maximum)

10.1. Presentation- Update Report: Windsor-Essex Regional Community Safety and Well-Being Plan (**SCM 298/2020**) (**SCM 277/2020**)
a) Leo Gil, Project Manager

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.1. Salary Market Review 2017 - 2018 - CAO and CLT - City Wide (**C 168/2020**)

11.2. Salary Market Review 2017 - 2018 - Non-Union - City Wide (**C 169/2020**)

11.3. Proposed expropriation on Provincial Road for the Cabana/Division Corridor Improvements Project, Phase 2-4 from Owner JBM Capital Inc. municipal address: 3051-4001 Legacy Park and 4611 Walker Road-City Wide (**C 203/2020**)

11.4. Purchase of Six, 2021 Chevrolet Bolt, Fully Electric Vehicles for Building Department - City Wide (**C 211/2020**)

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)

12.2. Adoption of the Minutes of the Corporate Services Standing Committee Meeting held July 29, 2019 (**SCM 330/2019**)

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

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

Moved by Mayor Dilkens, seconded by Councillor _____

That the City of Windsor supports construction of a new regional acute care hospital on the land purchased by Windsor Regional Hospital and asks the Government of Ontario to prioritize funding to move this project forward.

MH/12346

16. **THIRD AND FINAL READING OF THE BY-LAWS**

17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

Community Services and Parks Standing Committee - **CANCELLED**
Wednesday, November 4, 2020

Development and Heritage Standing Committee
Monday, November 16, 2020
4:30 p.m.

Windsor Essex County Environment Committee
Tuesday, November 17, 2020
4:00 p.m., Zoom Video Conference

Regular Council Meeting
Monday, November 23, 2020
Time TBD

21. **ADJOURNMENT**

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: CM 23/2020

Subject: Summary of Ministry of Labour (MOL) visits from January to June 2020 - City Wide

Reference:

Date to Council: November 9, 2020
Author: Julie Ryckman, Occupational Health & Safety & Wellness Manager
519-255-6515, ext. 6408; jryckman@citywindsor.ca
Vincenza Mihalo, Executive Director of Human Resources
519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Human Resources
Report Date: October 14, 2020
Clerk's File #: GP2020

To: Mayor and Members of City Council

Recommendation:

That City Council **RECEIVE FOR INFORMATION** this report from the Executive Director of Human Resources with respect to Field Reports issued by the Ministry of Labour (hereafter known as the MOL) to the Corporation of the City of Windsor (Corporation) from the timeframe of January 1st through June 30th 2020.

Executive Summary:

N/A

Background:

Beginning in 2017 a practice was established involving a two-pronged approach to reporting to City Council when involvement occurs between the MOL and the Corporation. In instances when intervention by the MOL results in orders being issued, a report is provided to City Council at that time. For all other instances resulting in MOL involvement, a summary report is brought to Council twice a year in which an overview of each MOL Field Report is included for the previous six months. This time period has been a particularly busy one with the declaration of a national emergency in March and the increased number of visits from the MOL between March and June resulting from COVID-19-related concerns. The following is a summary of the Field Reports issued to the Corporation for the timeframe from January 1st 2020 through June 30th 2020:

1. A field visit was conducted by the MOL on March 4th 2020 to the Windsor International Aquatic and Training Centre in response to the Corporation's reporting of a worker's claim to an occupational illness, and specifically that the worker reports experiencing respiratory concerns they believe are a result of long term exposure to airborne chlorine in their workplace.

The reporting of this worker's claim to the MOL from the Corporation is in keeping with the requirements of Section 52(2) of the Occupational Health and Safety Act (OHSA).During their investigation of this report, it was reported to the MOL representatives that the WIATC site has a fully functioning and properly maintained Dectron air handling system that ensures proper air quality is maintained on a continuous basis. As a result of their investigation, **no further action was taken by the MOL in relation to this report**.

2. A field visit was conducted by the MOL on March 5th 2020 during which a series of individual site visits were made to three corporate worksites as part of the Ministry's ongoing Proactive Ergonomics Initiative. In June of 2019 the MOL's Ergonomist, Amir Estulin visited the 400 City Hall Square East site to meet with members of the Human Resources Health, Safety and Wellness team along with health and safety representatives of CUPE Locals 543 and 82 for the administrative review portion of the Ergonomics Initiative. The details of this site visit were reported in Council Report CM 13/2020. The March 5th 2020 site visit equates to the second phase of the MOL's Initiative, the worksite inspections, intended to allow the MOL's Ergonomist to assess the actual conditions at corporate worksites and provide recommendations and feedback to increase worker safety and compliance. As a result of this site visit one order was issued. A separate report will be provided to address the 2nd phase of the MOL's Proactive Ergonomic Initiative and the order received as a result of this process.

3. A field visit was conducted by the MOL on March 26th 2020 for the purposes of investigating an anonymous complaint wherein it was alleged that frontline social services workers were not taking proper precautions to safe guard them against COVID 19 and that the Corporation had not provided the workers with protective gloves to wear when sorting mail.

As part of this investigation the Corporation detailed the precautionary measures in place to protect employees. These provisions are in line with the requirements of Health Canada, the Ministry of Health and the directives of the local Medical Officer of Health. In regard to the concern over the provision of disposable gloves for mail sorting, it was reported that the Corporation provides and encourages the regular use of hand sanitizer. As well, washroom facilities located throughout the work area offer the opportunity for employees to wash their hands with soap and water. As a result of their investigation, **no further action was taken by the MOL in relation to the complaint.**

4. On April 8th 2020 the MOL contacted the Corporation in regard to a report of a work refusal involving 6 workers of Windsor Fire and Rescue Services (WFRS). The MOL Inspector investigating the report was advised that the reason for the work refusal stemmed for the employer's attempt to assign driving duties to workers for a worker who had reportedly been in close contact with a COVID-19 positive worker. Information was provided to the Inspector as to the provisions in place to monitor proper protocols for

addressing COVID-19 exposure as well as the precautionary measures and standards established and implemented by WFRS. Based on their investigation the MOL Inspector determined that the reason for the refusal did not meet the requirements of Section 43(3) of the Occupational Health and Safety Act and **no further action was taken by the MOL in relation to this report.**

5. A field visit was conducted by the MOL on May 1st in response to an anonymous complaint regarding failure to ensure social distancing is maintained by all at a worksites; failure to limit public access to the City Hall Campus sites and failing to acquaint workers with hazards present in their newly assigned deployment positions.

The Inspector was provided with documentation to verify the precautionary measures in place to safeguard workers at the City Hall Campus sites including training, policies and procedures, postings, provision of personal protective equipment, hand sanitizer and enhanced cleaning process, and the presence of onsite uniformed security personnel to limit the flow of the public into the site and screen members of the public. **As result of this site visit no further action was taken by the MOL in relation to this complaint.**

6. A field visit was conducted by the MOL on May 13th at WFRS to re-assess the COVID-19 policies, procedures and work instructions that were previously reported to the MOL during their investigation of a work refusal April 8th 2020. Topics reviewed included with the Inspector included: Information and Instruction to Workers; Social/Physical Distancing Measures; Screening Measures; Cleaning and Disinfecting practices; Personal Protective Equipment. In addition to the above-noted topics, documentation on Notices, Orders and Standard Operating Procedures implemented were provided to the Inspector. **As result of this site visit no further action was taken by the MOL in relation to this information.**

7. A field visit was conducted by the MOL on June 4th 2020 to the WFCU site to investigate a complaint. The anonymous complaint allege that social distancing is not being enforced by the employer as it relates to newly hired student workers and that equipment being used in training these workers is not being properly sanitized.

In discussions with the MOL Inspector and workplace parties it was discussed that COVID-19 policies and procedures would continue to be reviewed with the workers and enforcement action taken where necessary. **As result of this site visit no further action was taken by the MOL in relation to this complaint.**

8. A field visit was conducted on June 10th at the 400 City Hall Square East site in order to address a work refusal. The refusing worker is concerned about coming in contact with infectious airborne particles in the course of their work. As a result of their review of the information provided by the workplace parties, the MOL Inspector directed the Corporation to resume their stage one investigation of the refusal in an attempt to resolve the complaint. Following on the Inspector's directions, the Corporation in consultation with CUPE Local 543 and the refusing worker were able to reach a resolve. **As result of this site visit no further action was taken by the MOL in relation to this complaint.**

9. A field visit was conducted by the MOL on June 20th 2020 to the Ontario Works office in Leamington to respond to the report of a work refusal involving a number of workers at this worksite. The reason for the refusal was related to the mail that is delivered to the site and a report that the person who delivered a piece of mail to the site the previous week had received a positive test result for COVID-19. Workers are concerned that no provisions are in place to embargo the mail and no personal protective equipment, and specifically protective gloves, are allegedly not being provided to workers who must handle incoming mail. As a result of their investigation, the MOL Inspector directed the employer to resume the stage one investigation of the refusal to attempt to resolve the worker concerns. **No further action was taken by the MOL in relation to this incident as the Corporation,** working with CUPE Local 543 and workers and management at the worksite were able to find a resolve to the concerns which were reported to have lead to the refusal.

In addition to the Field Visit Report on the Work refusal the MOL Inspector issued an additional report identifying they conducted an assessment of the Corporation's COVID-19 policies and procedures. This documentation addressed the following subject areas: Information and Instruction to Workers; Social/Physical Distancing Measures; Cleaning and Disinfecting processes and Personal Protective Equipment. **As result of this assessment, no further action was taken by the MOL as it relates to COVID-19 precautions.**

Report	Note	Compliance Date	Disposition
Field Visit No. 03564PFGS035 Investigation of a claim to an occupational illness	No orders issued	Not Applicable	No further follow up required as a result of the MOL's review of the standards for air quality maintenance and monitoring at the WIATC.
Field Visit No. 03561PFHL302 Site Assessment as part of Proactive Ergonomic Initiative	One order issued	Complied with at the time of the site visit.	Defective ladder was removed from the workplace.

Field Visit No. 04222PGJQ613 Investigation of anonymous complaint	No orders issued	Not Applicable	Explanation of COVID-19 precautionary measures provided.
Field Visit No. 04482PGZQ009 Investigation of a work refusal	No orders issued	Not Applicable	Determination that the circumstances to not meet the work refusal requirements under Section 43(3) of the OHSA.
Field Visit No. 04222PJDN654 Investigation of anonymous complaint	No orders issued	Not Applicable	Explanation of COVID-19 precautionary measures and the minutes of the 400 City Hall Joint Health and Safety Committee meeting of April 2020 were provided.
Field Visit No. 04481PJSM916 Re-Assessment of COVID-19 Precautionary Measures	No orders issued	Not Applicable	Explanation of COVID-19 precautionary measures provided including department-specific directives and policies.
Field Visit No. 04481PKST981 Assessment of COVID-19 Precautions	No orders issued	Not Applicable	Explanation of COVID-19 precautionary measures provided.
Field Visit No. 04481PKST979 Work Refusal Investigation	No orders issued	Not Applicable	Employer directed to resume stage 1 investigation. Concern resolved following workplace parties shared efforts.
Field Visit No. 04232PKVS214 Investigation of Complaint	No orders issued	Not Applicable	Discussion on COVID-19 measures reviewed between workplace parties and Inspector to resolve of complaint.

Field Visit No. 01248PLDT400 Investigation of Work Refusal	No orders issued	Not Applicable	Employer directed to resume stage 1 investigation. The MOL reviewed the concerns noted. Concern resolved following workplace parties shared efforts.

Discussion:

The Corporation and Transit Windsor will continue to work proactively with both the provincial MOL representatives, as well as those from federal Labour Canada, and comply with all reporting requirements as detailed in the OHSA and the Canada Labour Code (hereafter referred to as the CLC). Specifically our ability to limit workplace injuries and illnesses, provide effective management when injuries or illnesses occur, and to work co-operatively with both internal and external parties to address health and safety concerns proactively.

Our positive relationship and reputation with the MOL continues to benefit the Corporation as demonstrated in the interactions noted in this report and specifically as it relates to our workplace standards for documentation and adherence to reporting requirements. The level of training and comprehension of health and safety requirements demonstrated by our management teams in these site visits was vital to our success in effectively addressing each of the individual site investigations. Our Human Resources staff continue to work co-operatively with both departmental management teams and MOL representatives to address any queries, complaints or other initiatives to demonstrate the effectiveness of the Corporate Health and Safety Program, minimize risk and unnecessary illnesses and injuries.

Risk Analysis:

All protocols were followed and the health and safety concerns were resolved at the source. There are no risks associated with any of the field reports.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

There are no financial issues resulting from any of the MOL Field Visits detailed in this report.

Consultations:

N/A

Conclusion:

Human Resources will continue to work co-operatively with our departments to provide education and support to ensure reporting requirements as identified in the OHSA and the CLC are complied with. As well, Human Resources will continue to work co-operatively with representatives of external agencies such as the MOL and Labour Canada when site investigations occur as per our applicable obligations in the OHSA and CLC to ensure accurate and comprehensive documentation and supporting evidence are provided as requested. Finally, Human Resources, in cooperation with our departments, Unions and Associations, will continue to work towards maintaining an effective internal responsibility system that supports the Corporate Health and Safety Program. Through these processes, our ability to manage and mitigate risk related to health and safety across all corporate sites will continue and thereby enable us to reduce injuries and illnesses, and avoid penalties allowable under the noted legislative standards.

Planning Act Matters:

N/A

Approvals:

Name	Title
Julie Ryckman	Manager, Occupational Health, Safety & Wellness
Vincenza Mihalo	Executive Director, Human Resources
Jan Wilson	Commissioner – Parks, Recreation, Culture and Corporate Facilities (PRCCF)
Shelby Askin Hager	City Solicitor – Corporate Leader for Economic Development and Public Safety
Jelena Payne	Commissioner of Community Development and Health Services
Valerie Critchley	City Clerk – Corporate Leader for Public Engagement and Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: CM 24/2020

Subject: Ministry of Labour (MOL) Orders issued to the Corporation March 5th 2020 - City Wide

Reference:

Date to Council: November 9, 2020
Author: Julie Ryckman, Manager of Occupational Health, Safety and Wellness
(519) 255-6515 ext. 6408; jryckman@citywindsor.ca
Vincenza Mihalo, Executive Director of Human Resources
(519) 255-6515, ext. 6259; vmihalo@citywindsor.ca

Human Resources
Report Date: October 16, 2020
Clerk's File #: GP2020

To: Mayor and Members of City Council

Recommendation:

That City Council **RECEIVE FOR INFORMATION** this report from the Executive Director of Human Resources with respect to a Proactive Ergonomic Initiative conducted by the Ministry of Labour (MOL) and one order issued to the Corporation by the MOL at Crawford Yard on March 5th 2020 as a result of this initiative; and further,

That Council and Administration **BE MADE AWARE** that Public Works Operations and the Human Resources Department have taken action to address this order at the time it was identified and in doing so the Corporation did not appeal this order.

Executive Summary:

N/A

Background:

On March 5th, 2020 MOL Ergonomist, Amir Estulin, conducted proactive inspections at a number of corporate sites as part of the Ministry of Labour's ongoing Ergonomics Initiative. The inspection sites included Crawford Yard, at 1531 Crawford Avenue, Traffic Engineering located at1269 Mercer Street and a roadway worksite on Roxborough Boulevard and where a crew was repairing pot holes. The Field Visit at Crawford Yard included a tour of the garage area, tire shop and inventory store. As part of the tour the MOL Ergonomist noted a blue 10 foot mobile platform ladder which they determined to be damaged, posing a risk of a worker tripping or falling on the step. The Ergonomist issued an order to the Corporation to maintain the ladder in good condition. The damaged ladder was removed from the work area and stored in such a manner that no worker could use the ladder until it could be removed from the workplace.

The Field Visit Reports resulting from the inspections on March 5th 2020 have been communicated to all of the corporate health and safety committees and representatives.

Orders	Note	Compliance Date	Disposition
1 – The employer shall ensure that the 10' blue mobile platform ladder in the truck maintenance garage provided by the employer is maintained in good condition. At the time of the inspection the first step from the ground of the ladder was observed to be in poor repair, increasing the risk of a slip and trip injury to a worker.	No additional orders have been issued to-date as part of the MOL's Ergonomic Initiative.	March 6th 2020	The ladder determined to be damaged was removed from the garage floor the date the order was issued and stored in such a manner that workers could no longer use it until it could be properly disposed of.

Administration determined it was in the best interest of the Corporation to comply with the MOL Ergonomists' order expressed in Field Report # 03561PFHQ304, and as such took steps on March 5th 2020 to have the damaged equipment removed from the work area prior to the compliance date.

Discussion:

In 2018 the Ministry of Labour Ergonomists embarked on a two-part Ergonomics Intiative focusing on ergonomics and musculoskeletal disorder (MSD) prevention targeted to municipalities. The Intiative has two parts, a site visit that involves an administrative assessment that included a review of workplace procedures and accident incident reporting, and site visits designed to allow the MOL Ergonomist to view worksites and identify possible improvements with the goal of reducing MSD's.

The administrative review site visit occurred June 18th 2019 and involved a number of workplace parties, including Human Resources Health and Safety staff and the Corporate Ergonomist and Wellness Specialist and the Health and Safety Coordinator for Local 82. On March 5th, 2020, the MOL Ergonomist conducted the second part of the Initiative, the site visits. The sites visits included stops at Public Works Operations sites at Crawford Yard, Traffic Engineering as well as a roadway worksite on Roxborough Boulevard where workers were performing pothole patching.

In the course of the tour of Crawford Yard, and specifically the truck maintenance garage, the MOL Ergonomist noted a platform ladder the bottom step of which was damaged. In order to reduce the risk of a worker being injured while using this piece of equipment, the Ergonomist issued an order to the Corporation to ensure the ladder is maintained in good condition. The ladder was removed from the work area the same day and stored in such a manner as to prevent a worker from using this equipment until it could be disposed of.

No other contraventions were noted throughout the remainder of the site visits on March 5th 2020. We anticipate an additional visit will occur involving the MOL Ergonomist when the MOL resumes their usual compliance monitoring activities.

Risk Analysis:

Resource Risks: As the work required to comply with the order was complied with at the time it was issued, there are no resource risks identified.

Timing Risks: The risk of injury to a worker due to unsafe equipment at the Crawford Yard site was mitigated by the removal of the damaged equipment from the worksite on the date the order was issued and as such there is NO further risk identified.

Cross- Corporation Risks: Administration and the Joint Health and Safety Committees and Health and Safety Representatives will continue to monitor our workplaces for proactive identification of MSD hazards. The Corporation will continue to provide mandatory training to make workers aware of MSD hazards and how to prevent them through safe work practices. Despite these efforts there continues to be the POSSIBLE outcome of a worker suffering an MSD-type injury given the repetitive nature of many of our jobs and as such the risk is MODERATE.

Community Impact Risks: No risks assessed in relation to Community Impact.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

There are no financial issues resulting from the order of Field Visit Report 03561PFHQ304 detailed in this report as the damaged equipment was removed at the time the order was issued.

Consultations:

Roberto Peticca, Supervisor, Signs and Markings, Public Works Operations

Ray MacDonell, Health and Safety Advisor

Rob Carruthers, Health and Safety Advisor

Sarah Fox, Ergonomist and Wellness Specialist

Conclusion:

In order to provide a safe workplace for its employees and to meet its legislated obligations under the *Occupational Health and Safety Act and Regulations,* the Corporation will continue to proactively monitor its workplaces to ensure safe work practices are in place to prevent MSD-type injuries. Further, the Corporation continues to monitor the working conditions for safety and ensures that the equipment is maintained in good condition. Finally, the Corporation continues to provide ongoing training to workers to educate them on ergonomic hazards and how to work safety to prevent MSD- type injuries.

Planning Act Matters:

N/A

Approvals:

Name	Title
Julie Ryckman	Occupational Health & Safety and Wellness Manager
Vincenza Mihalo	Executive Director, Human Resources
Dwayne Dawson	Executive Director, Operations/Deputy City Engineer
Mark Winterton	Corporate Leader for Environmental Protection and Infrastructure Services/City Engineer
Valerie Critchley	City Clerk & Licence Commissioner - Corporate Leader of Public Engagement & Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A – MOL Field Visit Report 03561PFHL302 - Roads Division
2 Appendix B – MOL Field Visit Report 03561PFHQ304 - Fleet Maintenance
3 Appendix C – MOL Field Visit Report 03561PFHR307 - Signs & Markings
4 Appendix D - MOL Field Visit Report 03561NLMP170 - Proactive Inspection of Ergo Programs and Practices

Ministry of Labour — Safe At Work Ontario

Ontario

Operations Division — Occupational Health and Safety

Field Visit Report

OHS Case ID: **03561PFHL301**
Field Visit no: **03561PFHL302** Visit Date: **2020-MAR-05** Field Visit Type: **INITIAL**

Workplace Identification: **CORP OF THE CITY OF WINDSOR, THE: PUBLIC WORKS: MAINTENANCE DIV**
1531 CRAWFORD AVENUE, WINDSOR, ON, CANADA N8X 2A9

Notice ID:

Telephone:	JHSC Status:	Work Force #:	Completed %:
(519) 255-6326	**Active**	**65**	

Persons Contacted: **JULIE RYCKMAN - MANAGER OF OCCUPATIONAL HEALTH, SAFETY & WELLNESS; SARAH FOX - ERGONOMIST; JOHN LEWIS - JHSC WORKER REP; WORKERS**

Visit Purpose: **PROACTIVE INSPECTION OF MUSCULOSKELETAL DISORDER PREVENTION PRACTICES FOR ERGONOMICS INITIATIVE**

Visit Location: **ROXBOROUGH BLVD BETWEEN TECUMSEH RD W AND ALGONQUIN ST.**

Visit Summary: **NO ORDERS ISSUED. SEE NARRATIVE FOR FURTHER DETAILS.**

Detailed Narrative:

A proactive inspection was done onsite at a work location for the Roads department within Public Works for the City of Windsor, specifically through the current Municipalities Initiative with regards to compliance to the Occupational Health and Safety Act (OHSA) with a focus towards ergonomics and musculoskeletal disorder (MSD) prevention.

At the time of the inspection the workers were tasked with repairing the asphalt on a roadside in a residential area with some vehicular traffic. At the time of the inspection the workers on the crew were observed to shovel the cold patch into the holes, and tamp the areas . The workplace parties stated that the cold patch and asphalt repair crews have a heating box available for use by some cold patch crews, which allows for the patch to be retrieved from the truck with decreased risk of musculoskeletal disorder based on both the working height for workers being approximately waist height, but also to allow for the mixture to stay more malleable. The workers were observed to use a standard flat shovel to fill the areas . Workers stated that when the materials are required to be accessed from the back of the 3 tonne dump truck, they commonly tilt the back to have the cold patch mix slide closer to the tailgate . Access to the back of the truck was stated as being an infrequent task, but that there was an access ladder observed to assist workers .

The workplace parties stated that prior to the work commencing, the workers are assigned to specific areas of repair and that a hazard assessment for traffic management is discussed to ensure that the correct equipment and control measures are in place for the team going out to perform the work . The workers were aware of the required traffic controls for the job and were observed to utilize hand signals and communication methods while a worker worked behind the truck and the truck was being driven forward by the driver. The worker was observed to work with his body behind the work vehicle for protection from oncoming traffic .

No orders issued.

Recipient	Inspector Data	Worker Representative
Name: Julie Ryckman	**AMIR ESTULIN** ERGONOMIST PROVINCIAL OFFENCES OFFICER 217 YORK STREET, 5TH FLOOR LONDON, ON N6A 5P9 **Tel: (519) 878-3201** **Fax: 519-672-0268**	Name: Chris Ferrigan
Title: Man of Oths & Wellness		Title: Worker Rep
Signature:	Signature:	Signature:

You are required under the Occupational Health and Safety Act to post a copy of this report in a conspicuous place at the workplace and provide a copy to the health and safety representative or the joint health and safety committee if any. Failure to comply with an order, decision or requirement of an inspector is an offence under Section 66 of the Occupational Health and Safety Act. You have the right to appeal any order or decision within 30 days of the date of the order issued and to request suspension of the order or decision by filing your appeal and request in writing on the appropriate forms with the Ontario Labour Relations Board, 505 University Ave., 2nd Floor, Toronto, Ontario M5G 2P1. You may also contact the Board by phone at (416) 326-7500 or 1-877-339-3335 (toll free), mail or by website at http://www.olrb.gov.on.ca/english/homepage.htm for more information.

Do you have a comment or feedback about your inspection? Call the Ministry of Labour Contact Centre 1-877-202-0008

OHS Case ID: **03561PFHQ303**
Field Visit no: **03561PFHQ304** Visit Date: **2020-MAR-05** Field Visit Type: **INITIAL**

Workplace Identification: **CORP OF THE CITY OF WINDSOR, THE: PUBLIC WORKS: MAINTENANCE DIV**
1531 CRAWFORD AVENUE, WINDSOR, ON, CANADA N8X 2A9

Notice ID:

Telephone:	JHSC Status:	Work Force #:	Completed %:
(519) 255-6326	**Active**	**65**	

Persons Contacted: **JULIE RYCKMAN - MANAGER OF OCCUPATIONAL HEALTH, SAFETY & WELLNESS; SARAH FOX - ERGONOMIST; JOHN LEWIS - JHSC WORKER REP.**

Visit Purpose: **PROACTIVE INSPECTION OF MUSCULOSKELETAL DISORDER PREVENTION PRACTICES FOR ERGONOMICS INITIATIVE**

Visit Location: **FLEET MAINTENANCE GARAGE AT CRAWFORD RD: TIRE STORAGE BAY, WASH BAY, MAINTENANCE BAYS, EQUIPMENT STORAGE AREA, SUPPLY ROOM.**

Visit Summary: **ORDER ISSUED. SEE NARRATIVE FOR FURTHER DETAILS.**

Detailed Narrative:

A field visit was conducted at the Fleet maintenance garage areas as part of the current musculoskeletal disorder (MSD) prevention initiative within Public Works departments of Municipalities, specifically with a focus towards ergonomics and MSD prevention .

The tasks observed at the time of the inspection involved the maintenance of fleet vehicles within the City of Windsor. At the time of the inspection trucks were observed to be set to safe working heights based on the task that was being performed . Specifically with regards to the handling of the large tires and rims off the trucks. The workplace currently has tire handling equipment available for the trucks . The workplace parties are encouraged to ensure that the equipment is being used for the handling of the truck tires on an ongoing basis as the manual forces to lift and handle the tires can exceed safe handling guidelines . As a best practice, the employer is also encouraged to identify if there is available equipment to minimize awkward postures during the removal and replacement of the tires and rims . During inspection of the wheel storage areas of the garage, large oversized truck tires were observed to be stored on racking in an upright position . The workplace parties should review their handling practices for these tires to ensure that the measures and procedures for removing the tires from the stands and racking is done in a safe manner to ensure that the workers are able to move the tires without them becoming unbalanced and at risk of falling onto a worker, and to ensure that the force requirements for a worker lifting, pushing or pulling the tires from the racking does not exceed safe handling guidelines .

At the time of the inspection several styles of ladders were observed within the workplace, including extension ladders, step stools, step ladders, and mobile platform ladders . At the time of the inspection the bottom step of the 10' blue mobile platform ladder was found to be damaged which can increase the risk of a worker tripping or falling on the step . AN ORDER IS ISSUED to the employer to maintain the ladder is good condition . The workplace parties must ensure that the ladders and platforms within the workplace place are inspected on a regular basis to ensure that they are in good condition . The workplace parties are encouraged to review

Recipient	Inspector Data	Worker Representative
Name Julie Ryckman	**AMIR ESTULIN**	Name Chris Ferrigan
Title Manager OHS + Wellness	ERGONOMIST	Title Worker Rep
Signature	PROVINCIAL OFFENCES OFFICER	Signature
	217 YORK STREET, 5TH FLOOR	
	LONDON, ON N6A 5P9	
	Tel: (519) 878-3201	
	Fax: 519-672-0268	
	Signature	

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OHS Case ID: **03561PFHQ303**
Field Visit no: **03561PFHQ304** Visit Date: **2020-MAR-05** Field Visit Type: **INITIAL**
Workplace Identification: **CORP OF THE CITY OF WINDSOR, THE: PUBLIC WORKS: MAINTENANCE DIV**
1531 CRAWFORD AVENUE, WINDSOR, ON, CANADA N8X 2A9 Notice ID:

the elements of safe ladder set up and inspection to ensure that damage and misuse of the equipment is captured.

During inspection of the equipment storage area, a mezzanine area was observed which had no direct access onto the platform . Tailgates were observed to be stored in the area which would be handled by one of two workers at a height above shoulder level . The workplace parties must ensure that a safe method of accessing the mezzanine area is utilized and that the handling of the equipment to, from, and within the mezzanine is done in a safe manner.

The employer is reminded to ensure that workers are trained on safe ladder use on elements such as safe ascending, descending and lifting and handling materials from a ladder or stairs . Some information on this topic can be found on the Ministry of Labour website under the Musculoskeletal Disorders /Ergonomics Publications for Ladder Ergonomics :

Mobile ladders: http://www.labour.gov.on.ca/english/hs/pubs/ladder_mobile.php
Portable ladders: http://www.labour.gov.on.ca/english/hs/pubs/ladder_portable.php
Sliding, Fixed, Portable (Extension, Single) ladders:
https://www.labour.gov.on.ca/english/hs/pubs/ladder_sliding.php
Step Stools: http://www.labour.gov.on.ca/english/hs/pubs/ladder_step.php

Other Resources for workplace parties to consider include :
-A Guide to Automotive Workshop Safety from WorkSafe Victoria (2004)
https://www.worksafe.vic.gov.au/resources/archived-automotive-workshop-safety
-Investigation of Ergonomic Risk Factors in a Car Tyre Service Centre
http://eprints.uthm.edu.my/3469/1/Paper_30.pdf

Recipient	Inspector Data	Worker Representative
Name _____	**AMIR ESTULIN** ERGONOMIST PROVINCIAL OFFENCES OFFICER 217 YORK STREET, 5TH FLOOR LONDON, ON N6A 5P9 **Tel: (519) 878-3201** **Fax: 519-672-0268**	Name _____
Title _____		Title _____
Signature	Signature	Signature

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OHS Case ID: **03561PFHQ303**
Field Visit no: **03561PFHQ304** Visit Date: **2020-MAR-05** Field Visit Type: **INITIAL**

Workplace Identification: **CORP OF THE CITY OF WINDSOR, THE: PUBLIC WORKS: MAINTENANCE DIV**
1531 CRAWFORD AVENUE, WINDSOR, ON, CANADA N8X 2A9

Notice ID:

Order(s) /Requirement(s) Issued To:

To:
THE CORPORATION OF THE CITY OF WINDSOR

Org/Ind Role
Primary Employer

Mailing Address:
400 CITY HALL SQ E, WINDSOR, ON, CA N9A 7K6

Order(s) /Requirement(s) Description:
You are required to comply with the order(s) /requirement(s) by the dates listed below.

No	Type Code	ActReg	Year	Sec.	Sub Sec.	Clause	Text of Order/Requirement	Comply by Date
1 03561PFHR306	Time	OHSA	1990	25	1	b	**The employer shall ensure that the 10' blue mobile platform ladder in the truck maintenance garage provided by the employer is maintained in good condition. At the time of the inspection the first step from the ground of the ladder was observed to be in poor repair, increasing the risk of a slip and trip injury to a worker.**	**2020-MAR-06**

Recipient

Name _____

Title _____

Signature

Inspector Data
AMIR ESTULIN
ERGONOMIST
PROVINCIAL OFFENCES OFFICER
217 YORK STREET, 5TH FLOOR
LONDON, ON N6A 5P9
Tel: (519) 878-3201
Fax: 519-672-0268

Signature

Worker Representative

Name _____

Title

Signature

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Ministry of Labour

Safe At Work Ontario

Ontario

Operations Division | Occupational Health and Safety

Field Visit Report

OHS Case ID: **03561PFHR305**
Field Visit no: **03561PFHR307** Visit Date: **2020-MAR-05** Field Visit Type: **INITIAL**

Workplace Identification: **THE CORPORATION OF THE CITY OF WINDSOR; TRAFFIC OPERATIONS DIVISION**
1269 MERCER STREET, WINDSOR, ON, CANADA N8X 3P4 Notice ID:

Telephone:	JHSC Status:	Work Force #:	Completed %:
(519) 255-6791	**Active**	**25**	

Persons Contacted: **JULIE RYCKMAN - MANAGER OF OCCUPATIONAL HEALTH, SAFETY & WELLNESS; SARAH FOX - ERGONOMIST; ROBERTO PETICCA - SUPERVISOR; WORKERS**

Visit Purpose: **PROACTIVE INSPECTION OF MUSCULOSKELETAL DISORDER PREVENTION PRACTICES FOR ERGONOMICS INITIATIVE**

Visit Location: **SIGN MAKING AREA, SIGNAL WAREHOUSE, SIGNS STORAGE AREA**

Visit Summary: **NO ORDERS ISSUED. SEE NARRATIVE FOR FURTHER DETAILS**

Detailed Narrative:

A field visit was conducted at the Traffic Engineering location as part of the current musculoskeletal disorder (MSD) prevention initiative within Public Works departments of Municipalities, specifically with a focus towards ergonomics and MSD prevention .

During administrative review with the workplace parties, pre -shift meetings are held to discuss and outline the tasks that are being assigned to teams hanging and fixing signs within the city . At the time of the meeting, traffic management measures are discussed to ensure that controls and equipment have been discussed prior to starting jobs . Once teams arrive at the work locations, further clarification and adjustments to the plan can be made to determine if greater assistance if needed . The workplace parties are encouraged to ensure that supervisors are communicated with for any changes to the safety management plans to ensure consistency on plans and to verify that specific safety equipment is available and required for use .

During inspection of the equipment storage areas within the workplace, racks were observed to be loaded with materials on pallets which can be retrieved by forklifts on site . The workplace parties stated that manual retrieval of materials from the top racks is done by forklift . The workplace parties are encouraged to audit the pallets to ensure that the storage of the materials on the pallets does not allow for the materials to tip, or fall from the pallets when a forklift is handling them .

The workplace parties stated that safe ladder use and setup is discussed with the workers . When utilizing a step ladder, forces should be placed on the ladder in a direction that allows for the greatest stability and the considerations for stability of the ladder on the ground surface should be taken before ascending the ladders or performing work from them . The workplace parties stated that where possible, the platforms on the trucks are utilized due to the increased stability and footing for workers .

Recipient	Inspector Data	Worker Representative
Name Julie Ryckman	**AMIR ESTULIN**	Name Chris Ferrigan
Title Man of OHS & Wellness	ERGONOMIST	Title Worker Rep
Signature	PROVINCIAL OFFENCES OFFICER	Signature
	217 YORK STREET, 5TH FLOOR	
	LONDON, ON N6A 5P9	
	Tel: (519) 878-3201	
	Fax: 519-672-0268	
	Signature	

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Ministry of Labour **Safe At Work**

Ontario

Operations Division — Occupational Health and Safety

Field Visit Report

OHS Case ID: **03561NLMP169**
Field Visit no: **03561NLMP170** Visit Date: **2019-JUN-18** Field Visit Type: **INITIAL**

Workplace Identification: **WINDSOR CITY HALL** Notice ID:
400 CITY HALL SQUARE EAST, WINDSOR, ON, CANADA N9A 7K6

Telephone:	JHSC Status:	Work Force #:	Completed %:
(519) 255-5200	**Active**	**3000**	

Persons Contacted: **JULIE RYCKMAN - MANAGER OF OCCUPATIONAL HEALTH, SAFETY & WELLNESS; SARAH FOX - ERGONOMIST; GEORGE FARRUGIA - JHSC WORKER REP; RAY MACDONELL - H&S ADVISOR; ROB CARRUTHERS - H&S ADVISOR**

Visit Purpose: **PROACTIVE INSPECTION OF ERGONOMICS RELATED PROGRAMS AND PRACTICES**

Visit Location: **4TH FLOOR BOARDROOM**

Visit Summary: **NO ORDERS ISSUED AT THIS TIME. SEE NARRATIVE FOR FURTHER DETAILS**

Detailed Narrative:

A proactive inspection was done to the City of Windsor through the current Municipalities Initiative with regards to compliance to the Occupational Health and Safety Act (OHSA) with a focus towards ergonomics and musculoskeletal disorder (MSD) prevention.

MSD are injuries and disorders of bones, muscles, nerves, and other soft tissues in the musculoskeletal system . MSD can occur when a single load is lifted, lowered, pushed, pulled, or carried in a manner that is beyond a worker's capabilities, possibly resulting in an overexertion injury . MSD can also develop over time where workers perform manual handling tasks repeatedly .

During administrative review, there have MSD reported in each of the last few years, varying in severity . The employer requires that an accident investigation be completed by the worker and supervisor for each injury reported to the employer. Through discussion with the workplace parties, the accident investigations include a section for the supervisor to determine a root cause of the injury and provide for corrective actions which address those root causes . The employer provided evidence that an accident /incident investigation is conducted and that the investigation includes aspects for a root cause identification and corrective actions . Through discussion with the workplace parties, some of the accident investigations were observed to not include a focus on the follow up to the root cause of the injury and ensuring that the corrective actions either address the root causes or are adequate and followed upon implementation . As a best practice towards reactive prevention of future injuries, the employer is recommended to audit the investigations to ensure that the root causes are detailed and that the corrective actions are both appropriate to prevent a similar injury in the future, but also to ensure that the corrective actions have been implemented and followed as necessary .

Where MSD hazards are present in the work that is done, employers are expected to identify, assess and control or eliminate MSD hazards . A program including the following elements is beneficial to control the hazards:
• Written measures and procedures that includes task assessment, common practices and procedures to follow, equipment to utilize for specific tasks, and the use and maintenance of the equipment or assistive aids .

Recipient	Inspector Data	Worker Representative
Name JULIE RYCKMAN	**AMIR ESTULIN** ERGONOMIST PROVINCIAL OFFENCES OFFICER 217 YORK STREET, 5TH FLOOR LONDON, ON N6A 5P9 **Tel: (519) 878-3201** **Fax: 519-672-0268**	Name GEORGE FARRUGIA
Title MANAGER OF OCC. Health, Safety & Wellness		Title WORKER REP
Signature	Signature	Signature

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OHS Case ID: **03561NLMP169**
Field Visit no: **03561NLMP170** Visit Date: **2019-JUN-18** Field Visit Type: **INITIAL**
Workplace Identification: **WINDSOR CITY HALL** Notice ID:
400 CITY HALL SQUARE EAST, WINDSOR, ON, CANADA N9A 7K6

• Training and education of workers who conduct the manual handling and work in an area with an increased risk of injury, specifically regarding the use of equipment and assistive aids, appropriate body mechanics during required handling tasks, and for the assessment of risks in the work being conducted .
• Control measures that emphasize engineering methods that reduce or eliminate the hazard (i.e. controls that improve working postures and reduce forces). Administrative controls reduce the exposure duration, but do not eliminate the hazard at the source and require continual follow -up and supervision.

The workplace parties stated that new workers are provided with online orientation for mandatory safety elements of the job, and then there is further training provided to workers based on the specific safety elements on their positions . Training is then followed by on-the-job training through a mentoring and job shadowing period. In conjunction with these training elements, the employer has an online training program which includes several elements including ergonomics and musculoskeletal disorders .

In discussion with the workplace parties, risk assessments that are created internally should include checks on the implementation of control and safety measures for specific jobs, for example, with the use of available tools to assist with manual tasks that have an increased risk of musculoskeletal disorders .

The employer stated that ladder safety training is provided to all workers that utilize ladders and that the training includes material handling to and from ladders .

Some further information for ergonomics related considerations towards ladder training can be retrieved from the Ministry of Labour website :
-Portable Ladders (Step, Platform, or Trestle) -
https://www.labour.gov.on.ca/english/hs/pubs/ladder_portable.php
-Portable Ladders (Mobile Ladder Stand, Mobile Ladder Platform) -
https://www.labour.gov.on.ca/english/hs/pubs/ladder_mobile.php
-Sliding, Fixed, Portable (Extension, Single) Ladders -
https://www.labour.gov.on.ca/english/hs/pubs/ladder_sliding.php

An administrative review was done with regards to considerations for high visibility attire and safety protocols taken during roadwork operations or in areas where vehicle /pedestrian hazards exist . The workplace parties currently go through specific training on roadwork safety, and a safe operating procedure and safety talk on High Visibility Apparel exist which include elements of selection, use, care, and condition . The workplace parties stated that traffic plans are developed by workers and supervisors in advance of work being done on roadways. Some further considerations for the workplace parties to consider is with regards to the position of

Recipient	Inspector Data	Worker Representative
Name	**AMIR ESTULIN** ERGONOMIST PROVINCIAL OFFENCES OFFICER 217 YORK STREET, 5TH FLOOR LONDON, ON N6A 5P9 **Tel: (519) 878-3201** **Fax: 519-672-0268**	Name
Title		Title
Signature	Signature	Signature

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OHS Case ID: **03561NLMP169**
Field Visit no: **03561NLMP170** Visit Date: **2019-JUN-18** Field Visit Type: **INITIAL**
Workplace Identification: **WINDSOR CITY HALL** Notice ID:
400 CITY HALL SQUARE EAST, WINDSOR, ON, CANADA N9A 7K6

the sun and potential glare to public drivers during the assessment of worker visibility to oncoming traffic in the area.

The workplace parties stated that the Public Works department within the City of Windsor includes work such as roadwork maintenance and signs, snow removal and management, catch basin maintenance, waste water treatment, pollution control, garbage transfer station, pump stations, fleet management . A follow up field inspection to a Public Works facility or jobsite may be conducted at a later date .

No orders issued at this time .

Some resources for consideration by the workplace parties include, but not limited to :

The workplace parties can access further information on Vehicle /Mobile Equipment and Visibility Hazards from a bulletin on this topic which can also be found on the Ministry of Labour website (http://www.labour.gov.on.ca/english/hs/pubs/ib_mobileind.php).
CCOHS High-Visibility Safety Apparel Fact Sheet - https://www.ccohs.ca/oshanswers/prevention/ppe/high_visibility.html

The Ministry of Labour Ergonomics page : www.ontario.ca/ergonomics

There is a MSD Prevention Series created with information, effective approaches and tools for reducing the risk of MSD in your workplace. You can find the Prevention Guideline at www .msdprevention .com

Ministry of Labour Hand -Arm Vibration Resource on Hand Arm Vibration - https://www.ontario.ca/page/hand-arm-vibration
Ministry of Labour Hand -Arm Vibration Resource on Whole Body Vibration - https://www.ontario.ca/page/whole-body-vibration

EU Good Practice Guide Hand Arm Vibration - http://resource.isvr.soton.ac.uk/HRV/VIBGUIDE/HAV%20Good%20practice%20Guide%20V7.7%20English%20260506.pdf
EU Good Practice Guide Whole Body Vibration - http://resource.isvr.soton.ac.uk/HRV/VIBGUIDE/2008_11_08%20WBV_Good_practice_Guide %20v6.7h%20English.pdf

Recipient	Inspector Data	Worker Representative
Name	**AMIR ESTULIN**	Name
Title	ERGONOMIST	Title
	PROVINCIAL OFFENCES OFFICER	
	217 YORK STREET, 5TH FLOOR	
	LONDON, ON N6A 5P9	
	Tel: (519) 878-3201	
	Fax: 519-672-0268	
Signature	Signature	Signature

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OHS Case ID: **03561NLMP169**
Field Visit no: **03561NLMP170** Visit Date: **2019-JUN-18** Field Visit Type: **INITIAL**
Workplace Identification: **WINDSOR CITY HALL** Notice ID:
400 CITY HALL SQUARE EAST, WINDSOR, ON, CANADA N9A 7K6

Canadian Centre for Occupational Health and Safety (CCOHS)
http://www.ccohs.ca/oshanswers/ergonomics/mmh/
Health and Safety Ontario Website (Web portal to all of Ontario's safety associations):
http://healthandsafetyontario .ca/
Workers Health and Safety Centre offers fact sheets and training program . www.whsc.on.ca
Occupational Health Clinics for Ontario Workers http ://www.ohcow.on.ca/

Recipient	Inspector Data	Worker Representative
Name	**AMIR ESTULIN** ERGONOMIST PROVINCIAL OFFENCES OFFICER 217 YORK STREET, 5TH FLOOR LONDON, ON N6A 5P9 **Tel: (519) 878-3201** **Fax: 519-672-0268**	Name
Title		Title
Signature	Signature	Signature

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THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 187/2020

Subject: Council Question CQ 23-2019 - Payday Loan Establishments - City Wide

Reference:

Date to Council: 11/9/2020
Author: Mark Nazarewich
Senior Legal Counsel
519-255-6100 ext 6427
mnazarewich@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: 9/18/2020
Clerk's File #: AL2020

To: Mayor and Members of City Council

Recommendation:

That City Council **RECEIVE** the response to CQ23-2019 for information.

Executive Summary:

Council asked Administration to provide options regarding regulation of payday loan establishments ("PLE's") in Windsor. This report describes the extent of municipal authority to regulate PLE's and the perspectives of various departments to assist Council in determining whether it should regulate PLE's and, if it does regulate them, the options available to Council.

Background:

On September 9, 2019, Councillor Bortolin asked the following question:

Assigned to City Solicitor

> Asks that Administration report back on the potential options around licensing payday loan establishments with input from legal, licensing, zoning and social services. As well as how other jurisdictions have proceeded on this issue.

Discussion:

Background to PLE's

A payday loan is a fast, short-term loan with high fees. Payday loans appeared in the Canadian marketplace in the 1990s, operated by privately owned companies, to fill a gap in the finance sector. Approximately 1,400 payday loan establishments are operating in Canada (Buckland et. al, 2018). Payday loan establishments market the loans to cover a cash shortfall usually until the next paycheque. The most recent data indicates over 4.5 million short-term loans, valued at $2.2 billion, were provided to Canadians in 2014, growing to over 6 million short-term loans by 2016 (Bond, 2016).

Laws Regulating Payday Loan Establishments

Laws regulating payday loan lenders can be found across jurisdictions.

The Criminal Code of Canada, R.S.C. 1985, c. C-46 makes it a crime to offer payday loans unless regulated within a province (section 347.1(3)). The Criminal Code defines a “payday loan” as "advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of similar nature but not for any guarantee, suretyship, overdraft protection or security on property and not through a margin loan, pawn broking, a line of credit or a credit card.".

Ontario regulates payday loans through The Payday Loans Act, 2008. The regulation came about in 2018.

In 2015, the Ministry of Government and Consumer Services (MGCS) began consulting with municipalities across the province to strengthen consumer financial protection on payday loans, cheque cashing, money transfer services and experiences with debt collection agencies. The issues put forward for review by the MGCS often have an impact on people living on a low-income. Payday loans are the most expensive form of consumer loans in Ontario, making it difficult to repay in full by the next paycheque. Advocates have expressed caution towards payday loans because of their negative impact on low-income households.

The Community Development & Health Services (CDHS) Department worked closely with the MGCS to schedule, promote and invite stakeholders for input, including members of City Council, administration and local community organizations representing multiple sectors. On July 26 and July 27, 2015, representatives from the MGCS held consultations at MacKenzie Hall Cultural Centre in Sandwich Towne. The

feedback generated from the consultations led to Bill 156 - Alternative Financial Services Statute Law Amendment Act, 2016. Bill 156 never made it past second reading and was referred to the Standing Committee on Social Policy.

In August 2017, CDHS was again contacted by the MGCS to respond to proposals for changes to the regulations under the *Payday Loans Act, 2008* and the *Consumer Protection Act, 2002*. The proposed changes would implement Bill 59, the Putting Consumers First Act (Consumer Protection Statute Law Amendment), 2017. Although CDHS responded about organizing another community consultation, online comment was the only method permitted. CDHS and Pathway to Potential widely shared the online consultation survey and discussion paper through its network for community stakeholders' feedback. On December 19, 2017, CDHS was informed Bill 58 passed, and changes to Payday loans would become effective July 1, 2018.

This legislation defines a payday "lender" as a corporation, partnership, sole proprietor, association or other entity or individual that makes a payday loan to a borrower or that holds oneself out as available to make such a loan and brokers to be licensed in order to operate. Under the Act:

- PLE's cannot charge more than $15 for every $100 that is borrowed;
- PLE's cannot sell or offer goods or services in connection with payday loan;
- A contract for a payday loan can be cancelled within 2 business days without any penalty (e.g., without paying a fee) and without having to give a reason;
- "Rollover" loans are not allowed (You cannot roll what you owe on a payday loan into a second payday loan; you cannot get another payday loan from the same lender before paying your first loan in full).

Payday lenders must:

- Be licensed with the Government of Ontario and follow the rules set by the Payday Loans Act, 2008;
- Include the following information on the first page of a contract:
    - The amount borrowed;
    - The number of days that the loan is for; and
    - The cost of borrowing.
- Never ask for or accept payments by automatic deduction from a borrower's

paycheck (assignment of wages)

The provincial licensing scheme regulates the operation of establishments including their relationship with borrowers and creates a complaint process.

The provincial legislation does not prescribe how many establishments may operate in the province or in any given municipality or where the establishments may operate within a municipality.

The Ontario legislature amended the Municipal Act, 2001 on May 1, 2018 to give municipalities the power to:

- Define the area where PLE's may operate within the municipality and
- Limit the number of PLE's that may operate within a defined area, subject only that a municipality cannot prohibit the operation of all PLE's in the municipality.

Furthermore, municipalities continue to be able to require PLE's to obtain business licences under their licensing regimes.

How other municipalities regulate Payday Loan Establishments

The Cities of Kingston and Hamilton restrict PLE's to one per ward while grandfathering existing establishments. They also restrict the transfer of business licences for PLE's.

It appears that the rationale in the above municipalities for restricting the number of PLE's per ward was to reduce their number in areas considered to be populated by low income persons. It is not clear how that restriction reduces the accessibility of low-income persons to PLE's.

The City of Kitchener restricts PLE's to two per ward to a maximum of ten citywide. It also requires a minimum of 150 metres between PLE's and 150 metres from gaming establishments and from any addiction or gambling counselling service. Kitchener's rationale for restricting PLE's, taken from its Administration report to Council, was "Not to prohibit these businesses but rather to find a balance between protecting consumers and allowing these businesses to operate for those who need them." No rationale is apparent for the distance restrictions.

The City of Brantford allows a maximum of ten PLE's. It requires minimum distancing of 150 metres from group correctional homes, mini-group homes, group homes, group residences, crisis residences, group correctional residences, medical clinics, schools and gaming establishments (unless the PLE was within the minimum distance at the time the by-law was passed). The rationale for the distance restriction other than to keep them away from "sensitive" areas.

The City of Toronto restricts the maximum number of PLE's in the municipality to that which existed on May 1, 2018. It also restricts the maximum number of PLE's in each ward to that which existed on May 1, 2018. It allows PLE's to relocate to another location within the City, subject to the above restriction regarding the maximum number of establishments within a ward. Toronto also restricts PLE's to be no closer than 500 metres to Woodbine Racetrack.

All of the above regulations are contained within the licensing by-laws of those jurisdictions.

The cities of Barrie and Ottawa have amended their zoning by-laws to set minimum buffer areas (150 metres to 500 metres) around existing PLE's to discourage clustering and also around gambling establishments, schools, body rub parlours and treatment centres or any combination of land uses where vulnerable populations are present.

Current PLE's in Windsor

According to the Ministry of Government and Consumer Services, as of September 14, 2020, there were 17 PLE's licensed under the Payday Loans Act in Windsor.

Their street locations are identified in the attached Schedule "A". The number of establishments per ward is as follows:

Ward 1 ---------- none

Ward 2 ----------2

Ward 3 ----------5

Ward 4 ---------- none

Ward 5 ----------2

Ward 6 ---------- none

Ward 7 ---------- none

Ward 8 ----------4

Ward 9 ----------1

Ward 10 ----------3

Departmental input

Legal

The extent of municipal authority to regulate PLE's is described above. In summary, a municipality:

- Can restrict the maximum number of PLE's within its boundaries, subject to not banning PLE's outright within its boundary;
- Can restrict the number of PLE's within defined areas in a municipality, e.g. within a ward;
- Can restrict where PLE's operate within its boundaries.

Furthermore, should Council decide to restrict the number of PLE's, any existing PLE's licensed under the Payday Loans Act will be grandfathered and, assuming they are located in an appropriately zoned location, will be allowed to continue to operate in that location.

Licensing

Ontario's Payday Loans Act, 2008 requires PLE's to obtain a provincial licence and operate in compliance with specific rules outlined under the Act. The legislation does not regulate the restriction on the number of PLE's or where these establishments can operate within the boundaries of a municipality.

The City's current licensing regime does not regulate PLE's. The Municipal Act provides the authority for the municipality to decide what types of businesses should obtain a licence. Generally speaking, municipal licences are issued to ensure health & safety, to provide consumer protection and to prevent public nuisance. Municipal business licences are often subject to various inspections and in almost all cases, require a zoning approval. Should Council decide that a municipal licensing program is required to further regulate these types of establishments, the costs associated would then need to be recovered under licence fees.

From a licensing perspective, capping can lead to monopolies and the benefits versus the costs of capping should be weighed.

Planning

Under Windsor's current planning regime, PLE's are permitted wherever business offices are allowed. Section 3 of the City of Windsor's Zoning Bylaw 8600 defines a Business Office as any one or more of the following uses: commercial business, financial services including a bank, credit union, payday lender, savings and loan office and trust company; government; industrial business; non-profit or charitable organization; professional person.

There are two different beliefs when it comes to regulating land uses. One is to concentrate those uses into a single area, which limits any potential larger adverse impacts to the neighbourhood immediately surrounding those uses while eliminating adverse impacts everywhere else. There is also a better opportunity for policing and safety, and the concentration of uses may encourage competition.

The other is to spread them evenly citywide which usually means a lower adverse impact on the surrounding neighbourhood, but those lower adverse impacts may happen in several places instead of a single area. Having the PLEs spread out may discourage users from travelling to far flung locations. Instead, they have access to a PLE in their neighbourhood or nearby. Competition may be decreased and policing may be more difficult.

Social Services

Literature Review by Social Services:

Recent studies indicate that payday loans can negatively impact clients who cannot repay the original loan or multiple loans on time, leading to a cycle of stress and increased household debt. Epidemiologic research conducted in the United States shows users of payday loans had worse health across various health factors, including cardiovascular, metabolic and other general health indicators (Wysen, 2019) Another epidemiological study identified payday loan use was directly associated with higher blood pressure, body mass index, waist circumference and future healthcare usage (Sweet, Kuzawa, & Mcdade, 2018). Research from the United States indicates payday loan establishments strategically target the most vulnerable consumers, those without good credit or access to traditional banking options and cluster in neighbourhoods home to low-income or minority populations. (Sweet, Kuzawa, & Mcdade, 2018.).

In Canada, one report states, "data suggests (sic) that dependence on payday loans extends costs beyond the borrowing household. The financial strain, health effects, and hindrance to the upward economic mobility of the household increase the burden on our whole society due to costs associated with health care, policing, low-income support, and other social services" (Dijkema, 2016).

The Canadian Payday Loan Association (CPLA), responsible for representing payday lenders collected data on its customers. The data indicated the working poor, who work usually full-time but live near or below the poverty line, were the predominant customer utilizing their services (Momentum, 2014). A separate survey conducted by the Government of Canada, found payday loans are also used primarily by low-to-moderate income households (Canada, 2016. p. 2). Although higher-income households also utilize payday loans, low-income households are two times more likely to have used a

payday loan than their higher-income neighbour (Bond, 2016. p.45). In 2015, as part of the MGCS consultation process, MGCS surveyed 500 payday loan borrowers. The results found that 18 percent took out ten or more payday loans within the last 12 months, and slightly more than half used payday loans to cover recurring expenses. Their findings are consistent with additional research conducted across Canada.

Data collected by the Federal Government of Canada and a multi-provincial review of payday loans across British Columbia, Alberta and Manitoba indicate payday loans are utilized for a variety of factors. Consistent in both reports, the majority of customers identified borrowing using a payday loan to cover necessary expenses due to a lack of income (Canada, 2016). Other reasons included: unexpected expenses (34%), avoiding late charges on routine bills (22%), a temporary reduction in income (20%), and avoiding bouncing cheques and purchasing an item they wanted (13% respectively) (Dijkema, 2018).

The current annual percentage rate of a payday loan in Ontario is 390%. On the Ontario MGCS website, the government cautions individuals from accessing payday loans due to high costs and recommends pursuing other avenues to access capital, including family or friends, a bank or credit union, or credit card. In the Government of Canada's survey, respondents reported lower access to traditional financial series than the typical Canadian (Canada, 2016). In the report, several reasons for not accessing credit from a bank or credit union included:

- 27% said a bank or credit union would not lend them money;
- 15% said they did not have time to get a loan from a bank or credit union;
- 13% said they did not want to get money from a bank or credit union;
- 55% said payday lending offered the best customer service;
- 90% said payday lending was the fastest or most convenient option; and
- 74% said payday lending was the best option available to them.

Most significantly, a high number of respondents (35%) indicated they did not have access to a bank account at the time of their last payday loan, whereas 99% of Canadians reported having access to a bank account (Bond, 2016). Having a bank account is not a reality for some, even for recipients of Ontario Works. Thus, the Executive Director of Employment & Social Services continues to work with City staff and community partners like Family Services Windsor Essex to set up bank accounts and direct deposit for the approximate 12% to 13% of clients on the caseload receiving a physical cheque every month. Working towards a longer term solution regarding lack of access to bank accounts, the Ontario Works Department is launching a pilot with Reloadable Payment Cards. The pilot is supported by the Ministry of Children, Community and Social Services.

Active Payday Loan Establishment in the City of Windsor

Geospatial representation of the City's 17 licensed PLE's illustrates the clustering and relationship between PLE's in Windsor and neighbourhoods with high levels of low-income. Although payday lending has moved to provide options online, 92 percent of licensed payday loans on both a volume and value basis occurs in physical "bricks and mortar" stores, with the remaining 8 percent occurring through online dealers (Bond, 2016).

Schedule B is a standard heat map showing the clustering of payday loans across the City. Within each heat map cluster, the number inside the circle represents how many PLE's are in the cluster. The larger the circle, the greater number of payday loans. Schedule C is a map that plots each PLE location in Windsor and overlays income data from the 2016 Canadian Census. Using the Low-Income Measure – After Tax (LIM-AT), the darker green areas have a higher prevalence of low-income, while the lighter shaded areas have a lower prevalence of low-income. Although the maps indicate where PLE's are located in Windsor, no local data is available about consumers and reasons for using payday loans.

Additional costs attributed to municipalities may be incurred due to an increase in social disorder, crime, and an increase in demand for human and social services (Dijkema, 2018, p.4). An analysis of crime incident reports by the Windsor Police Service associated with PLE's over five years (2015-2019) does not appear to generate an excessive quantity of incidents requiring police response and intervention. However, the data shows a quarter of all licensed PLE's are associated with more substantial volumes of police response in the same five-year span.

The nature of the incidents varies and, in no particular order, includes robbery (thefts that involved violence), disorderly conduct, fraud, threats, and suspicious persons. Although data across Canada do show a relationship between payday lending and adverse outcomes in both the community and individual household, the causal relationship is not clear (Dijkema, 2018).

Additional Considerations: Financial Awareness & Advocacy

Consistent with the City of Windsor's 20 Year Vision, the Quality of Life pillar promotes:

- strengthening neighbourhoods to ensure that they are safe, caring and meet the needs of residents;
- creating the conditions to alleviate poverty and ensuring a high quality of life is accessible for all; and
- choices that support a healthy environment.

City Council could strategically partner with credit unions, banks, community organizations and financial counsellors working with low and moderate-income

households to provide information about alternative lending options. For example, a financial institution in Windsor launched a payday loan alternative in 2016.

This alternative has been cited as an example of a promising affordable alternative to expensive payday loans that other financial institutions could use as a model (Dijkema, 2019). However, a challenge for payday loan alternatives is the difficulty to effectively market its availability to prospective low and moderate-income clients (Dijkema, 2018).

Greater collaboration and information sharing amongst community partners could improve awareness of alternative financial options. Local data on payday loans usage and habits is not readily available. In order to provide a more complete picture of payday loan usage in Windsor, administration could conduct additional research with its existing community partners to better understand the opportunities and challenges associated with the short-term loan market in Windsor.

Although better payday alternative programs may help some with a time sensitive influx of cash to address an immediate need, these programs cannot be actively promoted by the Ontario Works Department to clients using the Reloadable Payment Cards.

Options

We set out several options below. Before settling on any one option or combination of options, we suggest that Council needs to ask whether there is a problem with PLE's in the City that requires municipal regulation and, if so, what is the problem and how should it be addressed.

Regulatory Options for Payday Loan Establishments: Blanket, Targeted and Hybrid Approach

Should Council decide to regulate PLE's, as to location or the permitted number, it could do so through amendments to its zoning by-law or licensing by-law. Zoning amendments to regulate establishments would involve a protracted process. The same result can be achieved expeditiously by amending the licensing by-law. Council has the authority to set a maximum number of payday loan establishments and prescribe where they are permitted to operate.

Blanket Approach

In a blanket approach, municipalities can establish a maximum number of payday loan establishments for the entire city. However, the legislation does not allow the City to regulate away the existing 17 PLE's. Instead, the existing lenders would be grandfathered and permitted to operate even if the maximum number of establishments permitted is set at less than the current number.

The City can also establish a maximum number of PLE's by ward. Some municipalities in Ontario have limited the maximum number of PLE's to one or two per ward (however, the existing grandfathered PLE's outnumber the new limit). Implementing a blanket approach by restricting the number of PLE's by ward or city may lead to negative

consequences in the future. Consumers will have less choice, especially those who are already in a financially vulnerable position (Bond, 2016).

Targeted Approach

In a targeted approach, licensing or the zoning by-law can create buffer areas around specific land uses, such as casinos, addiction and treatment centres and areas where vulnerable populations reside. Buffering should be based on a legitimate land use planning rationale. Prohibiting PLE's from operating within specific districts such as a Downtown Urban Growth Centre has occurred in other municipalities.

Hybrid Approach

A hybrid approach blends elements from both the blanket and targeted approach. Utilizing licensing or zoning by-law, PLE's are restricted to a specific number across the municipality or by ward. Further restrictions are implemented by identifying buffer areas around land uses that have the potential for an adverse impact on the populations in those land use areas.

Payday Loan License Restrictions

In addition to the existing provincial licensing requirement, the City can require PLE's to become licensed with a fee set by Council. Further restrictions could prohibit the transfer of an existing license to another payday loan establishment, effectively reducing the number of active licenses.

Risk Analysis:

The issues covered in this report do not raise issues of risk to the Corporation.

Financial Matters

This report makes no recommendation as to future action. There is no financial impact associated with this report.

Community Impact Risks

Climate Change Risks

Climate Change Mitigation:

Not applicable

Climate Change Adaptation:

Not applicable

Consultations:

Community Development & Health Services – Stephen Lynn, Acting Manager of Social Policy and Planning
Planning – Adam Szymczak, Senior Planner
Licensing – Craig Robertson, Supervisor of Licensing

Conclusion

For the majority of payday loan consumers, one common indicator is the lack of sufficient income. The lack of income to cover basic necessities requires help from someone or somewhere else. However, consumers without sufficient income, good credit or access to traditional financial services turn to the most expensive option, a payday loan, in a time of need.

Data shows PLE's currently fill a gap in the financial market and continue to experience increased demand. Although municipalities have new tools to restrict where PLE's can locate, changes to licensing or zoning by-laws should be seen as one action to protect financially vulnerable residents at risk of getting trapped in a cycle of debt, stress and physical and mental hardship. Stable and adequate household income, strengthening partnerships with community agencies to improve financial literacy and the promotion of local, more affordable financial alternatives could help stabilize residents seeking a short-term loan, rather than trapped in a cycle of debt.

If Council is resolved to regulate payday loan establishments, as to location or number or both, it could do so through amendments to its zoning by-law or to its licensing by-law.

Zoning amendments to regulate establishments would involve a protracted process. The same result can be achieved expeditiously by amending the licensing by-law. All other municipalities that have regulated payday loan establishments, of which we are aware, have done so through their licensing regimes. Therefore, if Council resolves to create a maximum number of PLE's within each ward and regulate the location, we suggest it be done in its licensing by-law.

The City cannot regulate away the existing payday loan establishments. Any existing establishment will be grandfathered and allowed to operate even if the City establishes a maximum number of establishments for the entire City at less than the total number existing in the City as of the date a by-law is passed. However the City can systematically reduce the number of establishments by licensing those currently in

operation and restricting the transfer of those licenses and on the issuance of additional licenses.

Planning Act Matters:

N/A

Approvals:

Name	Title
Mark Nazarewich	Senior Legal Counsel
Shelby Askin Hager	City Solicitor and Corporate Leader, Economic Development and Public Safety
Thom Hunt	City Planner / Executive Director of Planning & Building
Craig Robertson	Supervisor of Licensing
Jelena Payne	Community Development and Health Commissioner and Corporate Leader Social Development and Health
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Schedule A - Payday Loans Establishments - location in Wards
2 Schedule B - Payday Loans Establishment Locations Heat Map
3 Schedule C - Payday Loans Establishment Locations and Poverty Rates - Low Income Status

Schedule A

Ward	No. of payday loan establishments (PLEs)	Addresses of PLEs
1	None	
2	2	1. 1375 HURON CHURCH ROAD WINDSOR, ON N9C 2B4 2. 1584 HURONCHURCH ROAD WINDSOR, ON N9C 2L1
3	5	1. 48 WYANDOTTE STREET E UNIT 110 WINDSOR, ON N9A 3G6 2. 200 WYANDOTTE STREET EAST WINDSOR, ON N9A 3H4 3. 597 WYANDOTTE STREET E WINDSOR, ON N9A 3J1 4. 596 OUELLETTE AVENUE WINDSOR, ON N9A 1B7 5. 605 OUELLETTE AVENUE WINDSOR, ON N9A 4J4
4	None	
5	2	1. 2301 TECUMSEH ROAD E WINDSOR, ON N8W 1E6 2. 4680 WYANDOTTE STREET E WINDSOR, ON N8Y 1H5
6	None	
7	None	
8	4	1. 6574 TECUMSEH ROAD EAST WINDSOR, ON N8T 1E6 2. 6711 TECUMSEH ROAD E UNIT 135B WINDSOR, ON N8T 3K7 3. 7475 TECUMSEH ROAD E WINDSOR, ON N8T 1G2 4. 7755 TECUMSEH ROAD E UNIT 104 WINDSOR, ON N8T 1G3
9	1	1. 4450 WALKER ROAD, UNIT #E6 WINDSOR, ON N8W 3T5
10	3	1. 2726 HOWARD AVENUE WINDSOR, ON N8X 3X5 2. 2385 TECUMSEH ROAD W UNIT 3 WINDSOR, ON N9B 1W2 3. 2730 HOWARD AVENUE, UNIT #3 WINDSOR, ON N8X 3X6

Payday Loan Establishment Locations in the City of Windsor

Payday Loan Establishment Locations in the City of Windsor and Poverty Rates

GEOMATICS ENGINEERING DEPARTMENT CITY OF WINDSOR

WINDSOR ONTARIO, CANADA

Disclaimer: Information on this map was derived from 2016 Census Prevalence of Low Income. Best practices established by Statistics Canada's Data Quality and Confidentiality Standards and Guidelines were adhered to as it pertains to data suppression, random rounding, and postal code aggregation rules. Statistics Canada makes no representation or warranty as to, or validation of the accuracy of any postal code data submitted to Statistics Canada.

N

0 1 2 Kilometers

0 1 2 Miles

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: CM 22/2020

Subject: Compliance with Applicable Laws & Regulations, 2020 Q3 - City Wide

Reference:

Date to Council: October 26, 2020
Author: Marco Aquino
Executive Initiatives Coordinator
519-255-6100 ext 6477
maquino@citywindsor.ca
City Treasurer
Report Date: October 2, 2020
Clerk's File #: AF/11247

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE FOR INFORMATION** the Status Report on Compliance with Applicable Laws and Regulations, 2020 Q3.

Executive Summary:

N/A

Background:

Administration reports quarterly on the status of compliance with applicable laws and regulations.

Discussion:

Departments/divisions were asked to verify compliance by using the Microsoft Outlook voting feature by selecting statements indicating either compliance or non-compliance. Additionally, department/division heads were asked to indicate if any items should be added to or deleted from the listing. If an item was not in compliance, the department/division was instructed to provide a description of the implications associated with not meeting the required deadline.

Appendix A is a listing of items identified by administration that require compliance with applicable laws and regulations / inquiries received from government agencies as of September 30, 2020. Email confirmations of compliance were received from departments as outlined above.

As of September 30, 2020 administration confirms that it is in compliance with all applicable laws, regulations and inquiries received from government agencies. It is noted that due to the current COVID-19 Pandemic situation, the following items have had their respective deadlines extended and will be filed based on those new deadline dates:

Item #4 - Ontario Works Administration & Employment Annual Reconciliation
Item #22 - Energy Consumption Report (O. Reg. 507/18)
Item #31 - Ministry of Education - Child Care & Early ON
Item #44 - Employment Equity Report
Items #46 & #47 - MOECC Annual Plant Report
Items #52 & # 53 - NPRI - LRPCP & LRWRP
Item #57 - Ontario Works - Quarter Program Delivery Reconciliation
Item #61 - Reaching Home

Risk Analysis:

Non-compliance with provincial and federal regulations is subject to fines, suspension of operations, and other penalties. This report is authored on a quarterly basis and provided to City Council to ensure that compliance with these regulations is verified and that administration can correct any deficiencies in a timely manner.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

The original listing was prepared by the Office of the City Treasurer and maintained through the regular contributions of all departments. The following personnel contributed to the verification of this listing:

- Alina Sirbu, Administrator, Huron Lodge
- Debbie Cercone, Executive Director – Housing & Children's Services
- Andrew Daher, Executive Director – Employment & Social Services
- Jake Renaud, Senior Manager of Pollution Control
- Dan Seguin, Deputy Treasurer – Financial Accounting
- Janice Guthrie, Deputy Treasurer – Taxation & Revenue
- Ray Mensour, Executive Director – Recreation & Culture
- Dwayne Dawson, Executive Director – Operations
- Melissa Osborne, Senior Manager Asset Planning

Conclusion:

There are no material exceptions to the corporation's compliance with applicable laws and regulations.

Planning Act Matters:

N/A

Approvals:

Name	Title
Marco Aquino	Executive Initiatives Coordinator
Joe Mancina	Chief Financial Officer & City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Quarterly Compliance List - 2020 Q3

City of Windsor **APPENDIX A**
Compliance List
3rd Quarter 2020
As of Septmeber 30, 2020

	Item	Responsibility	Required Compliance Date											
			January	February	March	April	May	June	July	August	September	October	November	December
	Annual Reports													
1	Building permit fee Report Per sec 7(4) of the Building Code Act	Building					X							
2	Information and Privacy Commission as required by the Municipal Freedom of Information and Protection of Privacy Act.	City Clerk		X										
3	Ministry of Labour, Training & Skills Development (MLTSD) – Employment Services – Statement of Revenue/Expenditures	Employment & Social Services						X						
4	Ontario Works Administration & Employment Annual Reconciliation	Employment & Social Services				X								
5	Ministry of Labour, Training & Skills Development (MLTSD) - Canada-Ontario Jobs Grant - SRER	Employment & Social Services					X							
6	Charity Information Return-United Fund	Finance - Accounting						X						
7	T-4/T-4A Annual Filing with CRA	Finance - Accounting		X										
8	Annual Employer Health Tax Return	Finance - Accounting			X									
9	Councillor Remuneration Reporting	Finance - Accounting			X									
10	OMERS 119 Report	Finance - Accounting						X						
11	Salary Disclosure Filing	Finance - Accounting			X									
12	Annual Financial Information Return to Ministry	Finance - Accounting					X							
13	Signed Declaration of Municipal Treasurer-FIR Sch 02	Finance - Accounting					X							
14	Annual Corporate Tax Returns with CRA	Finance - Accounting						X						
15	Annual Charity Information Return- Willistead Manor Inc.	Finance - Accounting						X						
16	Local Govt- Debenture & Other LTD-New Issues Report Stats Canada	Finance - Accounting						X						
17	Annual Audited Financial Statements (No specific deadline: To be submitted when available - before Dec 31st)	Finance - Accounting												X
18	Publication of Annual Audited FIS on City's Website (written 60-days of receiving audited FIS)	Finance - Accounting												X
19	Federal Gas Tax Reporting (AMO)	Finance - Asset Planning			X									
20	AMP requirements for O.Reg 588/17 (every 2 years)	Finance - Asset Planning							X					
21	Unified Enterprise Survey-Capital Expenditures Prelim. Est Report Stats Canada	Finance - Asset Planning											X	
22	Energy Consumption Report (O. Reg. 507/18)	Finance - Asset Planning							X					
23	Property Tax Assessment Appeals	Finance - Taxation			X									
24	Property Taxation Policy - Bylaws	Finance - Taxation									X			

City of Windsor **APPENDIX A**
Compliance List
3rd Quarter 2020
As of Septmeber 30, 2020

	Item	Responsibility	Required Compliance Date											
			January	February	March	April	May	June	July	August	September	October	November	December
25	Tax Relief Applications - Charity	Finance - Taxation						X						
26	Tax Relief Applications - Vacancy	Finance - Taxation						X						
27	Tax Relief Application - Section 357/358	Finance - Taxation									X			
28	Ministry of Municipal Affairs & Housing - Community Homelessness Prevention Initiative (CHPI) Annual Investment Plan	Housing & Children's Services		X										
29	Canada-Ontario Affordable Housing Program	Housing & Children's Services			X									
30	Service Manager Annual Information Return (Housing)	Housing & Children's Services			X									
31	Ministry of Education - Child Care & Early ON	Housing & Children's Services				X								
32	PHIPPA Report	Huron Lodge		X										
33	Trust Audit	Huron Lodge			X									
34	Revenue / Occupancy Report	Huron Lodge										X		
35	Annual Reconciliation Report	Huron Lodge									X			
36	Ministry of Attorney General reporting requirement	Provincial Offences			X									
37	HWIN registration (oil disposal per site)	PW - Operations		X										
38	Vehicle licensing/Emission testing	PW - Operations				X								
39	Dealer's License per the Motor Vehicle Dealer Act, 2002	PW - Operations						X						
40	Road Salt Annual Report	PW - Operations						X						
41	Motor Vehicle Inspection Station License (by mechanic) - Government	PW - Operations												X
42	Motor Vehicle Inspection Station License (by mechanic) - Private	PW - Operations												X
43	Dedicated Gas Tax Funds for Public Transportation Reporting Template	Transit Windsor			X									
44	Employment Equity Report	Transit Windsor						X						
45	Canadian Urban Transit Association Urban Transit Statistics	Transit Windsor						X						
46	MOECC Annual Plant Report - Little River Pollution Control Plant	Pollution Control			X									
47	MOECC Annual Plant Report - Lou Romano Water Reclamation Plant	Pollution Control			X									
48	MOECC Annual Plant Report - Retention Treatment Basin	Pollution Control	X											
49	HWIN Registration (four sites)	Pollution Control		X										
50	MOECC Landfill Report - East Riverside	Pollution Control								X				
51	MOECC Landfill Report - Malden (every 2 years)	Pollution Control						X						
52	NPRI - Little River Pollution Control Plant	Pollution Control						X						
53	NPRI - Lou Romano Water Reclamation Plant	Pollution Control						X						
54	EC WSER Annual Report - CSO	Pollution Control		X										

City of Windsor **APPENDIX A**
Compliance List
3rd Quarter 2020
As of Septmeber 30, 2020

	Item	Responsibility	Required Compliance Date											
			January	February	March	April	May	June	July	August	September	October	November	December
	Bi-Annual / Quarterly Reports													
55	Ministry of Labour, Training & Skills Development (MLTSD) – Employment Services (QSAR and EER)	Employment & Social Services	X			X			X			X		
56	Ministry of Labour, Training & Skills Development (MLTSD) - Canada-Ontario Jobs Grant (QSAR/EER)	Employment & Social Services	X			X			X			X		
57	Ontario Works - Quarter Program Delivery Reconciliation	Employment & Social Services		X		X			X			X		
58	Community Homelessness Prevention Initiative	Housing & Children's Services	X				X					X		
59	Investment in Affordable Housing (IAH) and Extension (IAH-E) (PDFP)	Housing & Children's Services	X		X				X			X		
60	Social Infrastructure Fund Program Delivery and Fiscal Plan (PDFP)	Housing & Children's Services	X		X				X			X		
61	Reaching Home	Housing & Children's Services	X			X			X			X		
62	High Intensity Needs	Huron Lodge	X			X			X			X		
63	Laboratory Services	Huron Lodge	X			X			X			X		
64	Ministry of Health Staffing Survey	Huron Lodge						X						
65	Society of Composers, Authors and Music Publishers of Canada (SOCAN)	Recreation	X			X			X			X		
66	EC WSER - Plant Report - Little River Pollution Control Plant (Plant 1)	Pollution Control		X			X			X			X	
67	EC WSER - Plant Report - Little River Pollution Control Plant (Plant 2)	Pollution Control		X			X			X			X	
68	EC WSER - Plant Report - Lou Romano Water Reclamation Plant	Pollution Control		X			X			X			X	
69	Immigration, Refugees and Citizenship Canada- Local Immigration Partnership	Employment & Social Services	X			X			X			X		
	Monthly Reports													
70	Ontario Works - Financial Assistance	Employment & Social Services	X	X	X	X	X	X	X	X	X	X	X	X
71	Tax Assessment Minutes of Settlements	Finance - Taxation	X	X	X	X	X	X	X	X	X	X	X	X
72	CRA- Payroll Remittances-Schedule 2 therefore weekly	Finance-Accounting	X	X	X	X	X	X	X	X	X	X	X	X
73	Employer Health Tax Filing	Finance-Accounting	X	X	X	X	X	X	X	X	X	X	X	X
74	Monthly HST Returns	Finance-Accounting	X	X	X	X	X	X	X	X	X	X	X	X
75	OMERS Regular Remittances	Finance-Accounting	X	X	X	X	X	X	X	X	X	X	X	X
76	High Intensity Needs	Huron Lodge	X	X	X	X	X	X	X	X	X	X	X	X
77	Construction Per Diem	Huron Lodge	X	X	X	X	X	X	X	X	X	X	X	X
78	MOECC - MUMPS Report - Little River Pollution Control Plant	Pollution Control	X	X	X	X	X	X	X	X	X	X	X	X
79	MOECC - MUMPS Report - Lou Romano Water Reclamation Plant	Pollution Control	X	X	X	X	X	X	X	X	X	X	X	X

City of Windsor **APPENDIX A**
Compliance List
3rd Quarter 2020
As of Septmeber 30, 2020

Item	Responsibility	Required Compliance Date											
		January	February	March	April	May	June	July	August	September	October	November	December

NOTE: In light of the COVID-19 Pandemic, the following items have had deadlines extended:

Item #4 - Ontario Works Administration & Employment Annual Reconciliation
Item #22 - Energy Consumption Report (O. Reg. 507/18)
Item #31 - Ministry of Education - Child Care & Early ON
Item #44 - Employment Equity Report
Items #46 & #47 - MOECC Annual Plant Report
Items #52 & # 53 - NPRI - LRPCP & LRWRP
Item #57 - Ontario Works - Quarter Program Delivery Reconciliation
Item #61 - Reaching Home

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 208/2020

Subject: Delegation of Authority to Execute Agreements Under Section 27 of the Development Charge Act - City Wide

Reference:

Date to Council: November 9, 2020
Author: Tony Ardovini
Deputy Treasurer, Financial Accounting
519-255-6100 Ext. 6223
tardovini@citywindsor.ca
Financial Planning
Report Date: October 20, 2020
Clerk's File #: GPL/3905

To: Mayor and Members of City Council

Recommendation:

THAT Council **DELEGATE** to the Chief Administrative Officer (CAO) **the AUTHORITY** to approve agreements with any party who is required to pay development charges for rental housing, non profit rental housing and institutional uses, pursuant to Section 27 of the Development Charge Act for the early payment of such development charges (DC), and that the agreements be acceptable in form to the City Solicitor, in technical content to the Chief Building Official, and in financial content to the Chief Financial Officer and City Treasurer, and that By-law 208-2008 being the Delegation of Authority By-law **BE AMENDED** accordingly.

Executive Summary:

N/A

Background:

On March 20, 2020, City Council approved recommendations in order to address the impacts of Bill 108 Development Charges Act (DCA) changes that came into effect on January 1, 2020 (CR 109/2020). These changes required the City to consider new administrative processes to ensure an orderly transition and to preserve revenue neutrality.

Key legislative amendments that came into effect on January 1, 2020 are as follows:

1. The Freezing of Development Charge Fees

> Effective January 1, 2020, the City's DC rates and exemptions will be "frozen" based on the date a site plan application is made for a particular development or, if no site plan application is made, the date a rezoning application is made, whichever is later. If neither of these applications are made, the DC rate continues to be calculated as of the date of the issuance of a building permit. This change thus amends the current practice of calculating DCs with rates in effect on the date of building permit issuance. The City is permitted to charge interest on frozen DCs starting from the date the planning application is received, and deemed complete, until the date of payment. This freezing of DCs is only in effect for a period of two years from the date of the application for site plan control or rezoning.

2. Mandatory Deferral and Installment Payments Development Charges

> Collection of DCs for rental housing developments (excluding non-profit) and institutional uses will be deferred from first building permit issuance until first occupancy and collected in six equal annual installment payments over the course of five years. Interest can be charged on the installment payments for these developments in accordance with s.26.1(7) of the DCA. Collection of DCs for non profit rental housing developments uses will be deferred from first building permit issuance until first occupancy and collected in twenty one equal annual installment payments over the course of twenty years.

The mandatory deferral prolongs the timeframe in which the City would otherwise receive payment of the DCs. An exception to the mandatory deferral is provided pursuant to s.27 of the DCA, which allows for an agreement to be entered into that would establish an alternative payment arrangement such as early payment. Developers are now requesting to enter into agreements with the City to be able to pay DCs when the building permits are issued to avoid paying the interest charges resulting from the mandatory deferral of DCs.

Discussion:

Payment of the DCs on the residential rental housing (multiple dwelling buildings) and institutional uses, pursuant to the amended legislation in effect as of January 1, 2020, will be required to be deferred from building permit issuance until first occupancy and collected in six equal annual installment payments over the course of five years or for non profit housing in twenty one equal annual installments over the course of 20 years. While this deferral was intended to assist smaller developers with cash flow requirements, municipalities are able to set an interest charge during the period of deferral. The rate of interest is dependant upon whether the deferral is secured, usually through a Letter of Credit, which is provided at a cost to the developer. Therefore, over the span of deferral, developers may incur more costs associated with the DCs. That additional cost must be weighed against the benefit of the delayed cash flow impacts.

From a municipal cash flow perspective, the mandatory deferral will delay the timeframe in which the City receives funds used to support future growth related projects and initiatives.

An alternative to the mandatory deferral is provided pursuant to s.27 of the DCA, which allows a municipality to enter into an agreement that would provide for payment of any part or all of the DC prior to or after the required date. Terms may be flexible and reflect the unique structure of each development. Interest, similar to what was allowed and approved in accordance with the provisions of the deferral or other appropriate rate, may also be applied during the period for which the agreement in in place until such time as payment in full is made.

Administration has received and supports several recent developer requests to enter into agreements to be able to pay the applicable DC Fees at the time of building permit issuance and avoid the mandatory deferral of DC, along with the associated interest rates.

Given Administration's ongoing support for entering into such agreements it is proposed, via this report, that the approval of such agreements be standardized via a delegation of authority and that the CAO be granted authority to approve all such agreements going forward. This delegation is in accordance with s.23.1 to 23.3 of the Municipal Act and will serve to avoid numerous separate administrative reports to Council that would simply seek approval to enter into said agreements.

Risk Analysis:

One of the significant risks to municipalities is the collectability of deferred DC payments that remain uncollectible and fall into arrears. These outstanding payments currently do not have priority lien status or the requirement to register agreements on title to land, although they can be added to and collected as taxes. In order to mitigate this risk, we currently require a Letter of Credit be provided as security for the deferred DC payments in order for the lower interest rate to apply. By allowing the developers to enter into an agreement to pay the DCs at time of building permit issuance, this risk is eliminated.

As with any development, project budget and cash flow considerations are a risk factor. An agreement that allows for the upfront payment of DC's based upon a developer's request assists both the developer and the City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

New construction will incorporate the latest building standards for improving residential and institutional structures to withstand extreme weather events. This is an essential

strategy for climate change adaptation. It also results in lower utility bills and other related benefits.

Financial Matters:

By authorizing agreements under s.27 of the DCA, the payment of these DCs can be accelerated. In other words, rather than the DCs being paid over a period of 5 or 20 years beginning after the date of occupancy for each multiple dwelling building or institutional building (the current mandatory requirement), the DCs would be paid, in full, on the date the building permits are issued.

S.27 of the DCA provides that interest may be charged on any part of the DC that is paid after it is required to be paid as set out in the agreement. As part of the report presented to City Council with regards to the changes in DC administration (C11/2020) it was recommended that, with the provision of Letter of Credit, the interest rate be equal to the greater of the Statistics Canada Building Construction Price Index Non-Residential (annual change as at 2nd Quarter) + 1% premium or the Bank of Canada Rate as at June 30th of each year plus one percent (1%) to cover the additional administrative oversight required to manage the programs. In circumstances where a Letter of Credit is not provided, the interest rate would be equal to the greater of the Statistics Canada Building Construction Price Index Non-Residential (annual change as at 2nd Quarter) + 5% premium or the Bank of Canada Rate as at June 30th of each year plus five percent (5%).

The Statistics Canada Non-residential Construction Price index was recommended because it is the same methodology used to apply the annual increase to the calculated DC charges to keep up with the cost of inflation and will maintain consistency and enhance the understanding of the process. The Bank of Canada Prime Rate as at June 30th of each year is also included to offset any significant fluctuation in the Statistics Canada Building Construction Price Index Non-Residential change. By basing deferred DC carrying costs on this methodology, the City is mitigating the risk that the cost of growth exceeds the revenue ultimately received over time thus minimizing the financial impact to existing ratepayers.

For illustrative purposes, using information available for 2020 and assuming that a Letter of Credit will be provided, the rate of interest that would be applicable would be 3.6%. If a Letter of Credit is not provided, the annual rate would be 7.6%. The applicable rate would be applied to any portion of the DC that was due at time of building permit issuance until such time as payment is made.

Consultations:

Wira Vendrasco, Deputy City Solicitor

Joe Baker, Deputy CBO/Manager of Permit

Conclusion:

Council approval is required to be able to enter into a.27 agreement pursuant to DCA in regards to early payment of DCs related to the residential rental development,

institutional and non profit rental housing uses. This agreement will benefit both the developer and City. Given that the task of collecting DCs and the s.27 agreements are really an administrative function, Administraton is recommending that the CAO be delegated the authority to approve DCA s.27 agreements. This delegation is in accordance with s.23.1 to 23.3 of the Municipal Act and will avoid numerous separate reports to Council to get approval.

Planning Act Matters:

N/A

Approvals:

Name	Title
Tony Ardovini	Deputy Treasurer, Financial Planning
John Revell	Chief Building Official
Shelby Askin Hager	City Solicitor
Joe Mancina	City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices: N/A

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 192/2020

Subject: 2020 Third Quarter Operating Budget Variance Report

Reference:

Date to Council: November 9, 2020
Author: David Soave
Manager, Operating Budget Development & Financial Administration
519-255-6100 Ext. 1911
dsoave@citywindsor.ca

Financial Planning
Report Date: October 19, 2020
Clerk's File #: AFB/13467

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE FOR INFORMATION** the 2020 3rd Quarter Operating Budget Variance Report, including the updated COVID 19 financial impacts from the Chief Financial Officer and City Treasurer; and,

THAT the Chief Administrative Officer and the Chief Financial Officer & City Treasurer **BE DIRECTED** to monitor the 2020 Operating Budget and continue to seek further means of offsetting any potential variances that may arise.

Executive Summary:

The projected 3rd Quarter Variance report, including the updated financial implications of the City's response to the COVID-19 Pandemic is summarized in the following chart with the year-end projected variances estimated to the end of 2020. It is projected that once the grant funding announced by senior levels of government is factored in, the total net municipal financial impact for 2020 amounts to a preliminary deficit of approximately $0.4M. Due to the extraordinary circumstances in 2020 resulting from the Pandemic, the 3rd Quarter report this year also includes the financial projections for various Government Business Enterprises (GBEs), namely the Windsor Detroit Borderlink Limited (WDBL) / Windsor Detroit Tunnel Corporation (WDTC) and YQG Windsor International Airport. Given the significant financial impacts to these entities caused by the COVID travel restrictions, the City will be including these losses in our Safe Restart Municipal Phase 2 submission for funding that will be submitted to the Province by November 6th. Once these GBE variances totalling $9.4M are included, the overall corporate shortfall is projected to be **$9.8M**.

Forgone revenues totalling $39.4M when combined with additional costs resulting from the COVID pandemic of $16.7M result in a total financial impact to the City of $56.1M. This amount has been offset by reduced expenditures resulting from mitigation measures taken to date of $17.9M and from grant funding from senior levels of government of $28.7M, thereby resulting in a projected net municipal financial deficit to the City of $9.5M. Once the Non-COVID Y/E estimated positive variance of $9.1M is factored in, the total projected municipal variance exclusive of the impacts of various GBEs is a projected deficit of $0.4M for 2020. It is noted, that the $9.1M positive Non COVID related variance would in normal circumstances be transferred to the City's Budget Stabilization Reserve Fund at year end. Given however, the extraordinary deficits faced in 2020 as a result of the COVID 19 Pandemic it will be necessary to utilize this deferred transfer to the Reserve Fund to address the impacts in 2020.

Summary of COVID 19 & 2020 Year-End Financial Projections (Millions)			
	July 2020	**Oct 2020**	**Variance**
Foregone Revenue	$35.9	$39.4	($3.5)
Additional Expenditures	$16.1	$16.7	($0.6)
Total Estimated COVID 19 Financial Impacts	**$52.0**	**$56.1**	**($4.1)**
Less:			
Reduced (Mitigated) Corporate Expenditures	$16.7	$17.9	($1.2)
Announced Federal and Provincial Grants	$5.6	$28.7	($23.1)
Remaining COVID 19 Financial Deficit to be Offset	**$29.7**	**$9.5**	**$20.2**
Less:			
Projected Q3 Non-COVID 2020 YE Positive Variance		$9.1	
Total Municipal Q3 2020 Y/E Deficit Projection		**$0.4**	
Add Government Business Enterprises (GBEs):			
YQG Windsor International Airport		$3.2	
Windsor Detroit Borderlink Limited (WDBL) / Windsor Detroit Tunnel Corporation (WDTC)		$6.2	
Overall 2020 Projected Y/E Deficit Including GBEs to be Offset by Additional Federal & Provincial Grants		**$9.8**	

Background:

Annual operating budgets for all City departments are set at the beginning of the calendar year based on Council direction. Professional estimates, the current legislative environment, macroeconomic trends (such as currency fluctuations, commodity prices, unemployment figures and business investment, etc.) and other local information available at the time are significant inputs to the operating budget recommended to City Council by administration.

For 2020, the significant unanticipated variable has been the impact of the COVID 19 global pandemic. Since January of this year, the pandemic has spread around the world causing significant uncertainty, and impacting human behaviour and the world's economy.

It important to note that the Province and City are still dealing with the uncertainty of the pandemic and the US Border restrictions have been extended to at least November 21, 2020. Furthermore, while the City of Windsor has moved to Phase 3 of the provincial re-opening plan, many other regions have reverted to a Modified Phase 2 status, requiring increased restrictions on daily activity.

As a result of this crisis, many of the City's operations have been suspended, altered, continued with major restrictions, or increased to meet the demands resulting from the pandemic. An administrative report to Council on July 13, 2020 provided a preliminary status of the financial challenges. This report provides an update to the COVID 19 financial challenges provided in July and includes other Non-COVID related Y/E variance projections by each area.

All departments monitor revenues and expenditures on an ongoing basis and project through to the end of the year to ensure they remain at or as close to their approved budget as possible. This assists in mitigating all material variances as effectively as possible. As is typical with most forecasts, accuracy tends to increase as the year progresses and more information and data becomes available.

The City's 2020 annual budget includes a $1.5 million corporate contingency line item to help offset any unforeseen variances and contingent liabilities that might materialize throughout the year.

In addition to the City's main operating budget, which is funded by the property tax levy, certain expenditures are funded by specific non-property tax levy sources such as Legislated Building Permits, On/Off Street Parking Operations and the Sewer Surcharge Operating Fund. It is noted that for this report, YQG and Windsor Tunnel operations have also been included in the variance projections given the magnitude of financial impacts these two entities are facing and in order to communicate the shortfalls they face as a result of the COVID 19 travel restrictions. The discussion section of this report provides additional detail and analysis of the current and projected status of these other entities.

Discussion:

Property Tax Supported Variances

The financial position of the Corporation is directly affected by uncontrollable factors such as COVID 19, weather conditions, unemployment rates, tax appeals, fuel and utility costs, interest rates, settlement of litigation brought against the City and social assistance caseloads. As a result, material fluctuations in the projected variances could occur in the wake of significant unforeseen events.

Based on information as at August 31st, 2020, Administration is projecting an estimated Corporate (including GBEs) year-end **deficit of $9,806,000** (COVID-19 Deficit of ($18,764,000) offset by Non-COVID-19 positive variance of $8,958,000). This projection does not take into account the previously noted $1.5 million contingency amount, which is expected to be transferred to the budget stabilization reserve and/or other appropriate reserves as may be determined at year end. Past practice as been to also transfer any year-end positive variance to the budget stabilization reserve. Given the financial impacts resulting from the COVID 19 pandemic on City operations, this will not be feasible this year. It is expected that a majority of any remaining positive variance at year-end will be required to offset deficits resulting from COVID 19 impacts.

Table A below provides a summary of the 2020 projected year-end variances as of the 2020 3rd quarter, from the largest dollar deficit to the largest surplus, for each of the City Departments and Agencies, Boards, Commissions & GBEs.

	DEPARTMENT	2020 Gross Budget	2020 Net Budget	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection	% of Gross Budget
	CITY DEPARTMENTS						
33	Recreation & Culture	$25,364,844	$13,350,466	($2,200,000)	$0	($2,200,000)	(8.7%)
16	Fire & Rescue	$51,947,069	$50,465,903	($567,000)	($182,000)	($749,000)	(1.4%)
9	Council Services	$11,098,636	$7,699,385	($345,000)	$0	($345,000)	(3.1%)
14	Legal	$17,542,706	$6,776,133	($700,000)	$462,000	($238,000)	(1.4%)
5	Finance	$11,632,943	$6,698,016	($538,000)	$446,000	($92,000)	(0.8%)
22	Public Works	$59,855,262	$29,225,856	($439,000)	$418,000	($21,000)	(0.0%)
7	Information Technology	$8,224,564	$6,949,125	($75,000)	$65,000	($10,000)	(0.1%)
3	Mayor's Office	$905,235	$905,235	$0	$0	$0	0.0%
11	Human Resources	$6,296,537	$5,632,658	$50,000	$0	$50,000	0.8%
39	Huron Lodge	$24,747,809	$7,797,303	($506,000)	$559,000	$53,000	0.2%
2	City Council	$1,031,469	$846,469	$43,000	$12,000	$55,000	5.3%
4	CAO's Office	$1,336,637	$1,336,637	$0	$100,000	$100,000	7.5%
20	Engineering	$26,928,097	$1,803,675	($67,000)	$202,000	$135,000	0.5%
12	Windsor Public Library	$9,276,250	$8,204,629	$138,000	$0	$138,000	1.5%
18	Planning & Building	$11,386,647	$4,869,545	$0	$207,000	$207,000	1.8%
29	Parks & Facilities	$41,450,753	$27,937,707	($687,000)	$1,226,000	$539,000	1.3%
37	Housing & Children Services	$121,172,301	$23,767,957	$123,000	$732,000	$855,000	0.7%
25	Transit Windsor	$36,294,433	$15,119,343	$0	$1,257,000	$1,257,000	3.5%
35	Employment & Social Services	$116,969,007	$8,086,562	$1,201,000	$293,000	$1,494,000	1.3%
42	Corporate Accounts *	$242,097,940	$24,349,243	$219,000	$1,405,000	$1,624,000	0.7%
	Sub-Total: City Depts	**$825,559,139**	**$251,821,847**	**($4,350,000)**	**$7,202,000**	**$2,852,000**	**0.3%**
	AGENCIES, BOARDS & COMMITTEES						
47	Agencies	$19,996,396	$19,895,798	($1,345,000)	($65,000)	($1,410,000)	(7.1%)
49	Roseland Golf & Curling Club **	$0	$0	($476,000)	$216,000	($260,000)	n/a
50	Police Services	$109,490,813	$92,126,606	($750,000)	$750,000	$0	0.0%
	Sub-Total: ABC's	**$129,487,209**	**$112,022,404**	**($2,571,000)**	**$901,000**	**($1,670,000)**	**(1.3%)**
	Net Operating Budget Variance	**$955,046,348**	**$363,844,251**	**($6,921,000)**	**$8,103,000**	**$1,182,000**	**0.1%**
	OTHER FUNDING SOURCES						
	Off Street Parking Reserve	$2,844,276	$0	($2,470,000)	($30,000)	($2,500,000)	(87.9%)
	Sewer Surcharge Reserve	$70,989,803	$0	($65,000)	$786,000	$721,000	1.0%
	Building Permit Reserve	($169,408)	$0	$0	$217,000	$217,000	(128.1%)
	Sub-Total: OFS's	**$73,664,671**	**$0**	**($2,535,000)**	**$973,000**	**($1,562,000)**	**(2.1%)**
	Total Municipal	**$1,028,711,019**	**$363,844,251**	**($9,456,000)**	**$9,076,000**	**($380,000)**	**(0.0%)**
	Windsor Airport (YQG) * **	**$5,442,420**	**$2,667,738**	**($3,178,000)**	**$0**	**($3,178,000)**	**(58.4%)**
	Windsor Detroit Border Link * **	**$12,158,543**	**$37,704**	**($6,130,000)**	**($118,000)**	**($6,248,000)**	**(51.4%)**
	Total: Including Government Business Enterprises (GBE's)	**$1,046,311,982**	**$361,138,809**	**($18,764,000)**	**$8,958,000**	**($9,806,000)**	**(0.9%)**

Notes:

** Included in the City's variance is a deficit of $2 million in forgone dividends from Windsor Airport (YQG) & Windsor Detroit Border Link (WDBL).*

*** Roseland Golf & Curling Club's gross / net budgets are not funded within the City's net operating budget.*

**** The Windsor Airport (YQG) & Windsor Detroit Border Link (WDBL) net budgets are revenue budgets.*

Administration is working to reduce the identified projected departmental variances by incorporating appropriate mitigating measures in the departments and reporting to Council on a quarterly basis. **Appendix A** identifies each department's variance, a detailed description of the variance, along with any mitigating measures.

Building Permit Reserve

Budgeted Transfer to Reserve	Projected Transfer to/(from) Reserve	Projected Year-End Operating Surplus
$0	$217,000	$217,000

Administration at this time forecasts a $217,000 operating surplus within the Building Services portion of the budget (direct costs). Staff gapping will contribute significantly to the operating surplus, due to delayed hiring of several positions and staff turnover during the year. Permit revenue estimates are based on the best information available and applications currently in process. Administration is not able to confirm whether the virus pandemic has had any material impact on permit activity, as activity has remained quite busy. However, typically larger scale projects tend to provide the majority of the permit fee revenue received and those types of projects are currently lower than observed in prior periods.

Administration makes concerted efforts to hold the line where possible on discretionary expenses within its control including delayed staff recruitments, while simultaneously navigating the challenging situation of this past year and striving to maintain a respectable and safe level of service within the community.

In addition, it should be noted that the projected operating surplus may be offset at year-end after the allocation of indirect costs upon the completion of the Annual Building Permit Reserve report, which could result in a potential draw from the reserve.

On/Off Street Parking Operations

COVID Projection	Non-COVID Projection	Overall Projection
($2,470,000)	($30,000)	($2,500,000)

The On-Off Street Parking Division is projecting an overall deficit for 2020 of ($2,500,000). The projected deficit is the net of all surpluses and deficits expected for the year related to overtime, professional and contracted services, salary gapping, equipment purchases and maintenance, miscellaneous operating supplies, transfer to reserve, and revenue from all sources.

Due to the ongoing pandemic, surplus of $30,000 is expected for staff overtime and $20,000 for professional / contracted services due to reduced usage of parking garages

during the initial pandemic period of shut down and Phase II. Some reduction of usage is expected to continue through to the end of the year.

Surpluses of $19,000 are expected related to salary gapping due to retirements and job transfers and $15,000 for reduced equipment purchases and maintenance. Both surpluses are not directly related to the ongoing pandemic.

Deficits as a direct result of the ongoing pandemic are projected and include ($8,000) for miscellaneous operating supplies required for PPE, office, and general staff items required. A deficit of ($1,038,789) will be realized resulting from the required transfer to reserve for the year. Also included is an overall deficit of ($1,473,000) related to all sources of revenue in garages, lots, and at meters. In addition to the pandemic related deficit, Administration is also expecting a regular deficit of approximately ($64,000) for monthly parking revenue due to the delay in implementing a 2020 approved monthly fee increase.

The majority of the variance in the On-Off Street Parking Division is directly related to the ongoing pandemic.

Sewer Surcharge Funded Operations- Overall Surplus of $721,000 is projected. The various components as noted below:

Pollution Control: ($244,000) Deficit

Pollution Control is reporting an estimated deficit of ($244,000) from its Sewer Surcharge funded operations.

Key Highlights:

- *The department is reporting an anticipated surplus of $842,000 in Labour and Benefits net of work authorization recoveries, mostly due to gapping of hourly staff. Offsetting this surplus is an estimated amount of $16,000 additional expenses in overtime and shift premiums that were needed due to COVID-19.*

- *Revenues received from WUC for the processing of backwash are anticipated to add a $279,000 surplus.*

- *The department is also reporting an estimated surplus of $119,000 in Utilities and Taxes, due to Utilities. The Utilities surplus was a result of various process and equipment upgrades that increased utilities efficiencies within Pollution Control.*

- *Revenues received from Sewage Treatment contribute a ($55,000) anticipated deficit. This was caused by a drop in Leachate loads and septic that were processed . A portion of this would be related to COVID-19 as less outside septic haulers were having to use our services.*

- *Minor Capital expenses partially offset the previously identified surpluses by ($857,000), with the majority of the expenses being comprised of a deficit of ($803,000) in Maintenance Parts & Materials. This was due to a number of*

emergency projects as well as aging facilities that require more maintenance as items are breaking down. A portion of this was due to a broken down Blower that needed to have specialized repairs to be completed offsite.

- *Additionally, offsetting these surpluses was an estimated shortfall in Purchased Services ($259,000). As with the minor capital expenses, emergency expenses that are caused by aging facilities were needed to keep the plant running. Included in this was the emergency work completed on damaged sludge line and re-lining of Tank #3.*
- *A further anticipated deficit of ($289,000) is due to increased Chemicals usage and pricing.*
- *Due to COVID-19, First Aid Safety Supplies is contributing an anticipated deficit of ($23,000).*
- *Miscellaneous estimated deficits totalling $1,000 make up the remaining net deficits in the area.*

PW Operations: ($104,000) Deficit

Public Works Operations has an anticipated surplus of $139,000 for salary, wage, and fringe benefits due to various vacancies resulting in gapping. Offsetting this is an anticipated deficit of ($243,000) for 2020 Flooding Mitigation expenditures incurred to combat overland/shoreline flooding.

Other Sewer Surcharge Related Expenses: $1,069,000 Surplus

Other Sewer Surcharge-related expenses are anticipated to be in a surplus of $1,069,000. Refunds and General Expenses, as well as EnWin administrative fee, are estimated to be in a surpluses of $218,000 and $171,000, respectively. Revenues are estimated to be in a surplus of $680,000 from what was budgeted.

Windsor Detroit Tunnel & YQG Windsor Airport

The Windsor Detroit Tunnel and YQG Windsor Airport both have faced significant reductions in revenue in 2020 due to the pandemic and the resulting reduced air travel and the border restrictions imposed. The current year-end variance deficit projections for Windsor Detroit Tunnel and YQG are $6.2M and $3.2M respectively. As sole shareholder of these entities, these losses, while perhaps not directly reflected in the City's operating budget, have a significant impact on the City resulting in paused dividends, the requirement for the provision of cash flow loans, and permanent and long term equity/reserve reductions that will impact future capital investments in both facilities.

Given these concerns, Administration reached out to our contacts at the Ministry of Municipal Affairs & Housing and we recently received confirmation that financial relief for municipally owned GBEs (i.e. Windsor Tunnel, YQG) will be considered for funding as part of the Phase 2 Municipal Relief submissions. As such, Administration is

currently working with YQG & Windsor Tunnel staff to put forward a case to secure financial relief for these two entities which is due on Nov 6th.

As these organizations are wholly owned by the City, there is a high likelihood the City may be required to provide them financial assistance due to their losses in order to ensure they remain viable. To date the City is working with Windsor Detroit Borderlink Limited (WDBL) to establish a $5 million intercompany open line of credit to assist with anticipated cash flow shortfalls expected in early 2021. As the Phase 2 funding for municipal operations includes recognition of external transfers and loans, and seeks to understand what unique circumstances a municipality may have to support the need for funding, Administration will include the projected losses for these GBEs in our Phase 2 submission request.

While there is no certainty that our application for financial relief will be successful, we feel it is necessary to put forth our submission for financial assistance to the Province for this unique situation. It is clear, that the extraordinary 2020 revenue losses of both entities are permanent foregone revenues that will not be recovered and therefore represent a permanent reduction in reserves/equity for future investments in the infrastructure requirements for both entities.

2020 Flooding Prevention

Throughout this year, water levels have remained extremely high, bringing with it the risk of localized flooding. The City has undertaken various flood mitigation measures, including offering sand and sandbags, where and as needed.

Although there have been costs of approximately $275,000 associated with this event, departments have been able to generally absorb these expenditures within their departmental budgets. It is however possible that these costs may have an impact on the final corporate variance for 2020. Any variances will be reported at year-end.

Risk Analysis:

The largest risk by far this year has been the implications of the COVID 19 Pandemic and its impact on City operations.

Administration has attempted to quantify the impact of the COVID pandemic to the City's finances for the remainder of the year with the use of significant assumptions and uncertainty. As the situation continues to change daily due to COVID 19, it is extremely difficult to provide any degree of certainty as to the full financial impacts to the Corporation. There remain many variables, including:

1. The length of the crisis. It is still unknown when the restrictions will be fully lifted or if additional restrictions will need to be reinstated. Although we have projected the financial impacts to the end of the year, there remain significant uncertainties as to the recovery from the COVID 19 crisis.

2. The length of the transition period for things to return to “normal”. In some cases, entire seasons may be lost even if all restrictions are lifted.

3. The residents’ hesitation to return to their normal activities once the restrictions are lifted may further delay the financial recovery for the City.

4. The additional requirements and regulations that the City and others must follow as we transition and eventually return to a normal state.

5. The amount of additional senior level funding that will be made available to municipalities to offset the financial burden of the COVID Pandemic in 2020 and future budget years.

6. Pollution Control – There is a risk of significant maintenance and/or replacement costs for pumps caused by the increased use of disinfecting wipes that are being disposed of in the City’s sewer system due to the COVID pandemic. Staff will continue to monitor this area and report any significant variances.

As usual in a normal year, there are a number of other potential risks that can impact the year-end financial results as follows:

1. The Net Tax Additions/Reductions account is extremely difficult to project with certainty. There are still some significant appeals in progress and any variances in this account will vary dramatically based on the outcomes and timing of the settlements.

2. Current macro and micro economic conditions such as fuel costs, changes to local unemployment rates, volatility of energy costs, commodity prices and interest rates, as well as supply and demand for products and services.

3. Seasonal variability with respect to revenues (e.g. Recreation fees) and expenses (e.g. winter control).

4. Potential increase in staffing costs due to factors such as sick call replacement, modified duties (particularly in mandated or 24/7 operational areas), WSIB, joint job evaluation or other arbitration decisions, health benefit usage (Green Shield) and such other. Some of these costs may be covered by corporate provisions/reserves.

5. Potential increase to unavoidable expenditures such as unavoidable repairs and maintenance, related purchases of materials and supplies, legal expenses, streetlight maintenance, etc.

6. The significant use of estimates, historical knowledge and judgment in developing budgets and projecting actual expenses for the year implies that actual year-end revenues and expenditures may differ significantly from quarterly projections. One way to mitigate this risk and help to offset any unexpected or one-time variances is by way of the annual $1.5 million corporate contingency account.

Financial Matters:

Refer to **Appendix A** for detailed descriptions of the projected year-end variances for each department separated between COVID 19 and Non-COVID 19 impacts, along with any mitigating measures.

Appendix B of this report has been updated to provide additional data. It includes a list of relevant operational and economic statistics (extracted from various sources) as background information and is depicted graphically for the current quarter, along with each of the preceding nine years for ease of reference and comparison purposes.

Consultations:

All departments, ABCs and GBEs provided comments to augment and clarify the analysis performed by the Finance Department.

Conclusion:

Administration is projecting a potential corporate (including YQG & Windsor Tunnel) year-end deficit estimated to be $9.8M.

As indicated throughout the report, given the uncertainty around COVID 19 impacts and additional grant funding from senior levels of government, the third quarter operating budget year-end variance projection is subject to significant refinements as the fiscal year nears completion. Measures and steps have and will be implemented where possible in order to mitigate the negative budget risks. This includes apply for the additional Safe Restart Phase 2 funding for both municipal & transit operations.

Planning Act Matters:

N/A

Approvals:

Name	Title
David Soave	Manager, Operating Budget Development & Financial Administration
Tony Ardovini	Deputy Treasurer - Financial Planning
Joe Mancina	Chief Financial Officer & City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Appendix A – Detailed Descriptions of the Projected Year-end Variances

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Appendix A
2020 Operating Budget Variance (Q3)

CORPORATE SUMMARY

	DEPARTMENT	2020 Gross Budget	2020 Net Budget	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection	% of Gross Budget
	CITY DEPARTMENTS						
33	Recreation & Culture	$25,364,844	$13,350,466	($2,200,000)	$0	($2,200,000)	(8.7%)
16	Fire & Rescue	$51,947,069	$50,465,903	($567,000)	($182,000)	($749,000)	(1.4%)
9	Council Services	$11,098,636	$7,699,385	($345,000)	$0	($345,000)	(3.1%)
14	Legal	$17,542,706	$6,776,133	($700,000)	$462,000	($238,000)	(1.4%)
5	Finance	$11,632,943	$6,698,016	($538,000)	$446,000	($92,000)	(0.8%)
22	Public Works	$59,855,262	$29,225,856	($439,000)	$418,000	($21,000)	(0.0%)
7	Information Technology	$8,224,564	$6,949,125	($75,000)	$65,000	($10,000)	(0.1%)
3	Mayor's Office	$905,235	$905,235	$0	$0	$0	0.0%
11	Human Resources	$6,296,537	$5,632,658	$50,000	$0	$50,000	0.8%
39	Huron Lodge	$24,747,809	$7,797,303	($506,000)	$559,000	$53,000	0.2%
2	City Council	$1,031,469	$846,469	$43,000	$12,000	$55,000	5.3%
4	CAO's Office	$1,336,637	$1,336,637	$0	$100,000	$100,000	7.5%
20	Engineering	$26,928,097	$1,803,675	($67,000)	$202,000	$135,000	0.5%
12	Windsor Public Library	$9,276,250	$8,204,629	$138,000	$0	$138,000	1.5%
18	Planning & Building	$11,386,647	$4,869,545	$0	$207,000	$207,000	1.8%
29	Parks & Facilities	$41,450,753	$27,937,707	($687,000)	$1,226,000	$539,000	1.3%
37	Housing & Children Services	$121,172,301	$23,767,957	$123,000	$732,000	$855,000	0.7%
25	Transit Windsor	$36,294,433	$15,119,343	$0	$1,257,000	$1,257,000	3.5%
35	Employment & Social Services	$116,969,007	$8,086,562	$1,201,000	$293,000	$1,494,000	1.3%
42	Corporate Accounts *	$242,097,940	$24,349,243	$219,000	$1,405,000	$1,624,000	0.7%
	Sub-Total: City Depts	$825,559,139	$251,821,847	($4,350,000)	$7,202,000	$2,852,000	0.3%
	AGENCIES, BOARDS & COMMITTEES						
47	Agencies	$19,996,396	$19,895,798	($1,345,000)	($65,000)	($1,410,000)	(7.1%)
49	Roseland Golf & Curling Club **	$0	$0	($476,000)	$216,000	($260,000)	n/a
50	Police Services	$109,490,813	$92,126,606	($750,000)	$750,000	$0	0.0%
	Sub-Total: ABC's	$129,487,209	$112,022,404	($2,571,000)	$901,000	($1,670,000)	(1.3%)
	Net Operating Budget Variance	$955,046,348	$363,844,251	($6,921,000)	$8,103,000	$1,182,000	0.1%
	OTHER FUNDING SOURCES						
	Off Street Parking Reserve	$2,844,276	$0	($2,470,000)	($30,000)	($2,500,000)	(87.9%)
	Sewer Surcharge Reserve	$70,989,803	$0	($65,000)	$786,000	$721,000	1.0%
	Building Permit Reserve	($169,408)	$0	$0	$217,000	$217,000	(128.1%)
	Sub-Total: OFS's	$73,664,671	$0	($2,535,000)	$973,000	($1,562,000)	(2.1%)
	Total Municipal	$1,028,711,019	$363,844,251	($9,456,000)	$9,076,000	($380,000)	(0.0%)
	Windsor Airport (YQG) ***	$5,442,420	$2,667,738	($3,178,000)	$0	($3,178,000)	(58.4%)
	Windsor Detroit Border Link ***	$12,158,543	$37,704	($6,130,000)	($118,000)	($6,248,000)	(51.4%)
	Total: Including Government Business Enterprises (GBE's)	$1,046,311,982	$361,138,809	($18,764,000)	$8,958,000	($9,806,000)	(0.9%)

Notes:

** Included in the City's variance is a deficit of $2 million in forgone dividends from Windsor Airport (YQG) & Windsor Detroit Border Link (WDBL).*

*** Roseland Golf & Curling Club's gross / net budgets are not funded within the City's net operating budget.*

**** The Windsor Airport (YQG) & Windsor Detroit Border Link (WDBL) net budgets are revenue budgets.*

CITY COUNCIL

DEPARTMENTAL OVERVIEW

Ontario Municipalities are governed by municipal councils. The job of municipal councils is to pass resolutions and by-laws governing municipal services, finances and the various regulatory frameworks. These functions are performed based on the delegated authority contained within the Municipal Act and other legislation and regulations. In Windsor, City Council is composed of the Mayor (Head of Council) and 10 Councillors (1 for each of the 10 Wards).

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	$0	$0	($277,165)	($185,000)
Annual Expense Budget	$647,058	$639,777	$1,008,389	$1,031,469
Annual Net Budget	$647,058	$639,777	$731,224	$846,469
Annual Net Variance	$4,242	$34,987	($8,275)	$55,000 *
Variance as a % of Gross Budget	0.7%	5.5%	(0.8%)	5.3%

** Projected*

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Salary Gapping	$23,000	$12,000	$35,000
Committees of Council	$20,000	$0	$20,000
Net Total	$43,000	$12,000	$55,000

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$55,000* *Surplus*

Salary Gapping: $35,000

The by-election for Ward 7 was postponed from April until October 5th, 2020. A new Councillor will start in the middle of October, resulting in a savings in salary of approximately $35,000 (January until October).

Committees of Council: $20,000

The Committees of Council are anticipating a $20,000 surplus since COVID-19 has prevented most of the committees from being able to spend their budget throughout 2020.

MAYOR'S OFFICE

DEPARTMENTAL OVERVIEW

The Mayor is the Head of City Council the Chief Executive Officer (CEO) of the Corporation of the City of Windsor. As Head of Council he presides over all meetings of Council. The Mayor ensures that the laws governing the Municipality are properly executed and enforced. The Mayor has primary responsibility for seeing that the policies of the Municipality are implemented, and he works closely with Council to ensure that this occurs.

As CEO, the Mayor has responsibility for all actions taken on behalf of the municipal corporation. Based on the approval of Council, the Mayor has responsibility for directing municipal spending priorities in accordance with local needs and preferences, and oversees the Municipality's administration to ensure that all actions taken by administration are consistent with Council policies.

The Mayor has a staff of contract employees hired directly by the Mayor to facilitate the operations of the Mayor's Office.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	$0	$0	$0	$0
Annual Expense Budget	$504,157	$504,753	$905,325	$905,235
Annual Net Budget	$504,157	$504,753	$905,325	$905,235
Annual Net Variance	$0	$9,687	$0	$0 *
Variance as a % of Gross Budget	0.0%	1.9%	0.0%	0.0%

** Projected*

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$0*

No significant variances projected at this time.

CAO'S OFFICE

DEPARTMENTAL OVERVIEW

MISSION : To provide consistent corporate direction and leadership for the planning and delivery of municipal services and the achievement of corporate goals, while encouraging the establishment of processes and procedures that promote accountability to established standards and policies.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($157,271)	($169,459)	($30,000)	$0
Annual Expense Budget	$1,333,810	$1,320,807	$1,315,018	$1,336,637
Annual Net Budget	$1,176,539	$1,151,348	$1,285,018	$1,336,637
Annual Net Variance	$172,228	$170,118	$123,090	$100,000 *
Variance as a % of Gross Budget	12.9%	12.9%	9.4%	7.5%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Senior Management:	1.0	FTE
Management:	1.0	FTE
Non-Union:	5.0	FTE
Total	7.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Salary Gapping	$0	$29,000	$29,000
Various Miscellaneous Accounts	$0	$71,000	$71,000
Net Total	$0	$100,000	$100,000

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$100,000* *Surplus*

The CAO's Office budget contains provisional budgets for corporate matters and it is difficult to anticipate until very close to year end, what these budgets may be used for. Therefore, while a surplus is projected as of 3rd quarter 2020, there is a possibility that a portion of these funds may be used by year end.

FINANCE

DEPARTMENTAL OVERVIEW

MISSION : To provide timely, responsive, efficient and innovative financial services to all our customers in compliance with all legislative requirements, while fostering a spirit of trust through accountability.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($3,215,920)	($3,791,723)	($4,533,756)	($4,934,927)
Annual Expense Budget	$9,445,098	$10,259,010	$11,261,685	$11,632,943
Annual Net Budget	$6,229,178	$6,467,287	$6,727,929	$6,698,016
Annual Net Variance	$877	$873	($120,985)	($92,000) *
Variance as a % of Gross Budget	0.0%	0.0%	(1.1%)	(0.8%)

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Senior Management:	1.0	FTE
Management:	19.0	FTE
Non-Union:	43.0	FTE
Local 543:	31.0	FTE
Total	94.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
External Revenues	($538,000)	$288,000	($250,000)
Consulting Fees	$0	$75,000	$75,000
Salaries	$0	$89,000	$89,000
Various Miscellaneous	$0	($6,000)	($6,000)
Net Total	($538,000)	$446,000	($92,000)

FINANCE

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($92,000)* *(Deficit)*

External Revenue: ($250,000)

External revenue is trending towards an overall net deficit of approximately ($250,000). Contributing to this deficit is an estimated shortfall of ($538,000) directly related to the ongoing pandemic, which includes: ($195,000) suspension of Tax Lien Registrations resulting from emergency measures that have been implemented, ($115,000) related to External Tax Inquiries, ($112,000) related to Letters of Default, ($100,000) in Ownership Charges, and ($11,000) which is related to Tax Certificates. Offsetting these shortfalls is an estimated surplus of approximately $265,000 in Mortgage Administration Fees, and $18,000 in Administrative Fees.

Salaries: $89,000

Salaries within the department are currently trending towards a year-end surplus of approximately $89,000, primarily due to gapping and the timing of recruitments.

Consulting Fees: $75,000

A year end surplus of $75,000 is anticipated as a result of decisions to maintain a status quo approach to property tax policy and administration as well as the deferral of the 2021 reassessment by MPAC which resulted in less reliance upon MTE Consulting Services.

Various Miscellaneous: ($6,000)

Various miscellaneous line items within the department are projected to contribute an estimated deficit of approximately ($6,000) by year-end.

INFORMATION TECHNOLOGY

DEPARTMENTAL OVERVIEW

MISSION : To lead the City of Windsor in Information Technology by providing infrastructure, project management and support services with an underlying focus on customer service.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($1,275,439)	($1,275,439)	($1,415,439)	($1,275,439)
Annual Expense Budget	$7,744,735	$7,954,334	$8,260,494	$8,244,564
Annual Net Budget	$6,469,296	$6,678,895	$6,845,055	$6,969,125
Annual Net Variance	$88,104	$114,264	$17,909	($10,000) *
Variance as a % of Gross Budget	1.1%	1.4%	0.2%	(0.1%)

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	6.0	FTE
Non-Union:	14.0	FTE
Local 543:	44.6	FTE
Total	64.6	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
COVID Related Expenditures	($75,000)	$0	($75,000)
Salary Gapping	$0	$30,000	$30,000
Various Miscellaneous	$0	$35,000	$35,000
Net Total	($75,000)	$65,000	($10,000)

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($10,000)* *Deficit*

COVID Related Expenditures: ($75,000)

As a result of the ongoing pandemic, the Information Technology department has incurred a number of expenditures required to assist the Corporation in maintaining and altering services to meet the needs of our internal and external customers. In order to accommodate the increased volume in virtual meetings, the department has incurred license costs for Zoom, WebEx and MiCollab. The ability to work remotely has resulted in license fees for LogMeIn software which provides our employees the capability to work from home by accessing the City's software and network as if they were onsite. New SIP trunks for additional phone lines, PPE for Helpdesk staff and tablets for Huron Lodge residents so that they could virtually meet with family members have also contributed to the additional costs.

INFORMATION TECHNOLOGY

Salary Gapping: $30,000

Included in the estimated year-end projection is a surplus of approximately $30,000 related to salary gapping. Recruitments are currently under way to fill vacancies within the existing staff complement, however, an overall surplus is anticipated by year-end.

Various Miscellaneous: $35,000

Various miscellaneous line items within the department are projected to contribute an estimated surplus of approximately $35,000 by year-end.

COUNCIL SERVICES

DEPARTMENTAL OVERVIEW

MISSION : To help connect staff and residents with the corporate information they need.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($3,204,973)	($3,332,831)	($3,867,442)	($3,399,251)
Annual Expense Budget	$10,193,204	$10,483,425	$10,843,660	$11,098,636
Annual Net Budget	$6,988,231	$7,150,594	$6,976,218	$7,699,385
Annual Net Variance	$341,293	$182,128	$27,925	($345,000) *
Variance as a % of Gross Budget	3.3%	1.7%	0.3%	(3.1%)

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Senior Management:	1.0	FTE
Management:	12.0	FTE
Non-Union:	15.0	FTE
Local 543:	53.5	FTE
Total	81.5	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Licensing and Gaming Program	($545,000)	$0	($545,000)
Marriage Licences and Civil Ceremonies	($100,000)	$0	($100,000)
By-Law Dirty Yards Revenue	($50,000)	$0	($50,000)
Staff Gapping	$310,000	$0	$310,000
Miscellaneous Expenditures	$40,000	$0	$40,000
Net Total	($345,000)	$0	($345,000)

COUNCIL SERVICES

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($345,000)* *(Deficit)*

Licensing and Gaming Program: ($545,000)

The Policy, Gaming, Licensing and Enforcement division is projecting a deficit of ($400,000) in the E-bingo sites based on closures of Bingo Halls from mid March up until August, and reopening at reduced capacity. A deficit of ($145,000) in business licence sales is forecasted due to business closures and 60% of taxis are not expected to renew their licences in 2020.

Marriage Licences and Civil Ceremonies: ($100,000)

Council Services is expecting to have a deficit of ($100,000) from lost revenue in Marriage Licence sales and civil ceremonies due to City Hall being shut down for 3 months during March to June because of COVID-19, as well as having reduced services after reopening.

By-Law Dirty Yard: ($50,000)

By-law officers were only enforcing social distancing from April – June, not resuming normal By-law enforcement until June 1st 2020, which is resulting in a forecasted deficit of ($50,000) related to by-law revenue.

Salary Gapping: $310,000

An overall savings of $310,000 is forecasted from Council Services and Policy, Gaming and Licensing. A surplus of $200,000 is the result of vacant positions in Council Services throughout 2020 and some employees being on unpaid leave of absence due to COVID-19. An additional $110,000 surplus within the Policy, Gaming and Licensing division is due to employees being on unpaid leave of absence due to COVID-19.

Other Miscellaneous Expenditures: $40,000

The remaining surplus balance is made up of several expenditure accounts being under spent, most notably, office supplies and Pound and Board Fees.

HUMAN RESOURCES

DEPARTMENTAL OVERVIEW

MISSION : Human Resources is committed to providing a full range of employee services to all Corporate departments by means of a consistent, cost effective, innovative, valid and reliable service in an expedient fashion while observing the collective agreements and all legislative requirements.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($291,657)	($376,406)	($1,031,013)	($663,879)
Annual Expense Budget	$5,015,420	$5,364,825	$6,440,414	$6,296,537
Annual Net Budget	$4,723,763	$4,988,419	$5,409,401	$5,632,658
Annual Net Variance	$209,632	$4,268	$141,250	$50,000 *
Variance as a % of Gross Budget	4.2%	0.1%	2.2%	0.8%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	4.0	FTE
Non-Union:	38.0	FTE
Total	42.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Various Programs	$50,000	$0	$50,000
Net Total	$50,000	$0	$50,000

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$50,000* *Surplus*

Human Resources has not been able to move forward with their regular corporate training, audiograms, and some health and safety reviews that were initially planned for 2020 due to COVID-19, resulting in a forecasted $50,000 surplus.

WINDSOR PUBLIC LIBRARY

DEPARTMENTAL OVERVIEW

MISSION : The mission of the Windsor Public Library is to enrich our community by providing access to resources that inform and entertain. We believe in the freedom to read, learn and discover

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($1,063,348)	($1,182,552)	($1,251,871)	($1,071,621)
Annual Expense Budget	$9,173,305	$9,386,489	$9,271,926	$9,276,250
Annual Net Budget	$8,109,957	$8,203,937	$8,020,055	$8,204,629
Annual Net Variance	$175,824	$322,389	$278,838	$138,000 *
Variance as a % of Gross Budget	1.9%	3.4%	3.0%	1.5%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	6.0	FTE
Non-Union:	1.0	FTE
Local 2067.1	68.4	FTE
Total	75.4	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Salary & Benefits	$345,000	$0	$345,000
COVID Related Supplies	($105,000)	$0	($105,000)
Lost Revenue	($102,000)	$0	($102,000)
Net Total	$138,000	$0	$138,000

WINDSOR PUBLIC LIBRARY

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$138,000* *Surplus*

Salary & Benefits $345,000 Surplus

Salary savings resulting from branch closures since mid-March and re-opening in stages - bringing back laid-off Pages and supply staff as well as resuming Sunday Service by mid-September have resulted in salary & benefit cost savings estimated to be approximately $345,000.

COVID Related Supplies ($105,000) Deficit

Additional costs relating to COVID expenditures including signage, plexi-glass barriers, PPE, cleaning supplies & services are anticipated to be approximately ($105,000) across all locations.

Lost Revenue ($102,000) Deficit

Due to the closing of branches and the waiving of overdue fees until the end of the year, fees revenue will be approximately ($102,000) under budget for the year.

LEGAL

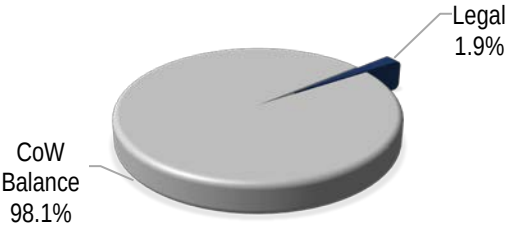
DEPARTMENTAL OVERVIEW

MISSION :To provide cost-effective, responsive, innovative and high-quality legal, real property, purchasing and risk management services, and effective Provincial Offences administration, to the City of Windsor and its business partners.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($10,991,009)	($10,390,026)	($10,593,655)	($10,766,573)
Annual Expense Budget	$17,009,347	$17,162,635	$17,623,980	$17,542,706
Annual Net Budget	$6,018,338	$6,772,609	$7,030,325	$6,776,133
Annual Net Variance	($1,522,981)	($87,047)	$165,609	($238,000) *
Variance as a % of Gross Budget	(9.0%)	(0.5%)	0.9%	(1.4%)

** Projected*

2020 Portion of Net Municipal Tax Levy



2020 Budgeted Full Time Equivalent (FTE)

Senior Management:	1.0	FTE
Management:	7.0	FTE
Non-Union:	33.0	FTE
Local 543:	8.0	FTE
Total	49.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Provincial Offences Division	($700,000)	$0	($700,000)
Risk Management Division	$0	$300,000	$300,000
Legal Division	$0	$87,000	$87,000
Real Estate	$0	$75,000	$75,000
Net Total	($700,000)	$462,000	($238,000)

LEGAL

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($238,000)* *(Deficit)*

Provincial Offences Division: ($700,000)

The Provincial Offences Division (POA) was impacted greatly by Ministry ordered court closures and suspension of POA timelines due to Covid-19. The substantial impact to revenue is attributed to the order not allowing suspension of driver's licenses, and therefore no action has been required by defendants to pay their fines. Until the removal of the suspension of POA timelines, which will occur on Dec.2, 2020 at the earliest, there will be a significant decline in revenue collected. Another contributing factor to the reduced revenue is that all Part III offences need to be heard in court before a conviction. Therefore, there is a backlog of Part III tickets that have not been convicted and paid. In addition, there is also a significant decline in offences issued during the March to October 2020 timeframe, which has also affected revenue collection. It should also be noted that POA is not incorporating any surplus from the Westcourt Rent Budget ($316,000) in this analysis. Now located in 400 City Hall, administration is recommending to Council the use of this budget to fund renovations.

Risk Management Division: $300,000

The $300,000 in projected surplus is mostly comprised of claim costs and insurance premium surpluses. However, the intention of the department is to transfer any surplus to the Self Insurance Reserve Fund at year-end, as per normal practice to fund that reserve.

Legal Division: $87,000

$87,000 projected surplus in external legal fees and salaries due to positional vacancies and a new employee at a lower step than budgeted.

Real Estate: $75,000

$75,000 projected salary surplus due to a leave of absence.

MITIGATING STEPS

Provincial Offences Division

Starting September 14, 2020 the Master Court schedule came back into affect to allow POA to hold remote Early Resolution meetings and pleas. These matters are dealt with and convicted allowing the collection on the outstanding fines.

Also, as of September 28, 2020, remote non-trial court appearances are approved to be held in POA courts which will allow POA to get through the backlog of Part III tickets. This should increase the revenue collected from October onwards as it relates to Part III matters.

POA also continues to strategize collection efforts on previous outstanding offences and will utilize as much court time as able to with available Judiciary resources.

POA will put forward a budget request of one-time funding for projected revenue loss due to Covid-19 in 2021 if the order is in effect passed Dec.2, 2020.

FIRE & RESCUE

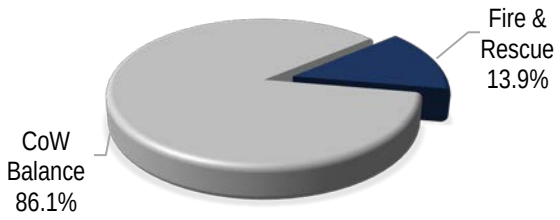
DEPARTMENTAL OVERVIEW

MISSION : The mission of Windsor Fire & Rescue Services is to preserve life and property, promote public safety, and provide community support in a professional manner. (Strategic Plan 2018-2023)

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($975,789)	($990,689)	($1,098,503)	($1,481,166)
Annual Expense Budget	$46,176,988	$46,493,654	$51,711,505	$51,947,069
Annual Net Budget	$45,201,199	$45,502,965	$50,613,002	$50,465,903
Annual Net Variance	$52,982	($457,162)	($87,219)	($749,000) *
Variance as a % of Gross Budget	0.1%	(1.0%)	(0.2%)	(1.4%)

** Projected*

2020 Portion of Net Municipal Tax Levy



2020 Budgeted Full Time Equivalent (FTE)

Management:	3.0	FTE
Non-Union:	2.0	FTE
WFA:	299.0	FTE
Total	304.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Net Salary Variance	($457,000)	($182,000)	($639,000)
Fire Prevention User Fees	($100,000)	$0	($100,000)
PPE & Cleaning Supplies	($60,000)	$0	($60,000)
Temp. Addition of Assist. Deputy Fire Chief	($30,000)	$0	($30,000)
Miscellaneous Surplus Accounts	$80,000	$0	$80,000
Net Total	($567,000)	($182,000)	($749,000)

FIRE & RESCUE

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($749,000)* *(Deficit)*

Net Salary Variance: ($639,000)
A deficit of ($639,000) is projected in Net Salary variance for WFRS. This consists of overtime, gapping and COVID-19 impact. Overtime is projected to be in the amount of ($284,000) which has reduced significantly by over complement staff since June recruit graduation (Q2 projection was $550,000 deficit), and gapping shortfall of ($125,000) is due to over complement staff regular salary cost. WFRS also added a projected COVID-19 staffing cost in the event that there is an additional 4 firefighters testing positive at a cost of ($230,000). Since the beginning 4 FF's have tested positive and 3 resulted in exposure to other staff members. Due to the number of staff involved and length of time for isolation, it becomes a costly event in order to maintain service for emergency calls. Screening and physical distancing protocols were established and PPE was provided to staff to be worn when a 2m distance cannot be maintained which should reduce future impacts associated with a positive case amongst the fire rescue division. No measures can eliminate the risk entirely and the resulting assumption is 4 additional cases resulting in staff quarantines will occur before the end of this year.

Fire Prevention User Fees: ($100,000)
A deficit of ($100,000) is projected in User fee revenue for Fire Prevention department when activities came to a complete stop due to a provincial shut down of businesses at the beginning of the COVID-19 pandemic. Activities like general inspections slowly began over the summer, while others like summer events continued to be restricted and most of them cancelled.

PPE, Medical and Cleaning Supplies: ($60,000)
A deficit of ($60,000) is projected for COVID-19 related expenses. Medical, PPE and cleaning supplies usage has increased since March and continues to be in regular use in order to reduce the risk if infection.

Temporary Addition of Assistant Deputy Fire Chief: ($30,000)
As COVID-19 pandemic came upon us, Fire Chief became involved in the pandemic response full time alongside management of the existing high water situation, resulting in a significant reduction in availability to provide effective management of the fire department. At the same time, operational needs increased significantly in order to mitigate the impact of COVID-19 on internal staff. The hiring of Assistant Deputy Fire Chief on a temporary basis allowed a dedicated person to fill the operational gaps and address the needs of frontline firefighting staff as well as ensure quality. This included establishing new COVID-19 policies, overseeing the implementation of the new procedures and ongoing daily review of incident run reports. This cost was partially offset by a surplus in an existing account but approximately ($30,000) remains unfunded.

Miscellaneous Surplus Accounts: $80,000
A surplus of $80,000 is projected for Fire & Rescue division as a result of provincial shut down of businesses not allowing for regular procurement to occur. Accounts like machinery and equipment, office supplies, publications & manuals, etc. and programs like public education were significantly reduced or cancelled

MITIGATING STEPS

The Fire and Rescue Services division will continue to mitigate overtime variances through the attendance management process and take reasonable steps to reduce COVID-19 related expense variances, while maintaining approved service levels.

PLANNING & BUILDING

DEPARTMENTAL OVERVIEW

MISSION : To advance and guide the future growth of Windsor as a vibrant and sustainable city.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($5,129,542)	($5,862,004)	($6,031,370)	($6,517,102)
Annual Expense Budget	$8,742,973	$9,743,666	$10,487,849	$11,386,647
Annual Net Budget	$3,613,431	$3,881,662	$4,456,479	$4,869,545
Annual Net Variance	$553,784	($42,184)	$2,777	$207,000 *
Variance as a % of Gross Budget	6.3%	(0.4%)	0.0%	1.8%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	8.0	FTE
Non-Union:	30.0	FTE
Local 543:	55.0	FTE
Total	93.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Staff Gapping	$0	$302,000	$302,000
Revenue Shortfall	$0	($200,000)	($200,000)
Miscellaneous Expense Savings	$0	$105,000	$105,000
Net Total	$0	$207,000	$207,000

PLANNING & BUILDING

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$207,000* *Surplus*

Staff gapping will contribute significantly to the overall variance due to delayed hiring of several positions and staff turnover during the year. Planning is projecting a fee revenue surplus of $200,000 in the area of development applications while Building By-law Enforcement at this time is possibly looking at a ($400,000) fee revenue shortfall. That by-law fee revenue relates to the enforcement of property standards, rental property conditions and upkeep of vacant buildings. The virus pandemic was definitely a major factor in this shortfall for a host of reasons including: the economy lock down, suspension of the court system and the covid-19 impact on land lords and tenants alike of which City staff were accommodating and strived to work in unison. The department does expect to find savings among various expense line items totalling $105,000 as a result of reduced travel and training and other general operating expenses.

MITIGATING STEPS

Administration has made concerted efforts to hold the line where possible on discretionary expenses within its control including delaying of staff recruitments while navigating the challenging situation of the past year and striving to maintain a respectable and safe level of service.

ENGINEERING

DEPARTMENTAL OVERVIEW

MISSION : To exceed the expectations of our customers and clients on a continual basis in providing service in the areas of engineering and corporate project administration, geographic information systems and related services, right of way permitting, and administration.

The overall mission of Pollution Control is to provide a sustainable, healthy environment through the efficient and cost-effective management of sanitation and wastewater streams and by anticipating and responding to the changing environmental needs of the community.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($23,804,979)	($24,080,241)	($24,186,509)	($25,124,422)
Annual Expense Budget	$31,517,465	$27,449,528	$27,422,762	$26,928,097
Annual Net Budget	$7,712,486	$3,369,287	$3,236,253	$1,803,675
Annual Net Variance	$323,829	($454,241)	$45,851	$135,000 *
Variance as a % of Gross Budget	1.0%	(1.7%)	0.2%	0.5%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Senior Management:	1.0	FTE
Management:	17.0	FTE
Non-Union:	23.0	FTE
Local 543:	32.7	FTE
Local 82:	44.0	FTE
Total	117.7	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Pollution Control			
Salaries	$26,000	$11,000	$37,000
Miscellaneous Line Items	$0	$10,000	$10,000
Engineering			
Other Gen. Rev./User Fees/GIS User Fees	$0	$183,000	$183,000
Miscellaneous Line Items	($5,000)	$25,700	$20,700
Salaries / Work Auth Recoveries	$0	$16,300	$16,300
Bank Charges	($8,000)	($15,000)	($23,000)
Consulting Services (Tank Removal)	$0	($29,000)	($29,000)
Licenses & Permits	($80,000)	$0	($80,000)
Net Total	($67,000)	$202,000	$135,000

ENGINEERING

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$135,000* *Surplus*

Pollution Control - The Pollution Control division, specifically the Environmental Master Plan area, is projecting a surplus of $47,000.

Salaries: $37,000
Majority of the anticipated surplus resulted from situations that occurred due to COVID-19. This included a LOA and not hiring summer students within the Environmental Master Plan area.

Miscellaneous Line Items: $10,000
Miscellaneous line item variances, specifically within the Environmental Master Plan area, is projecting a surplus of $10,000. This is due to COVID-19 as public events, such as Earth Day, could not be conducted this year.

Engineering and Office of the City Engineer - The Engineering and Office of the City Engineer division are projecting a surplus of $ 88,000, made up of the following:

Other General Revenue / User Fees / GIS User Fees: $183,000
User Fees, largely driven by GIS Surcharge Fees on building permits, are anticipated to contribute a surplus of $178,000 to the Division. Miscellaneous revenues make up the remaining $5,000 in surpluses.

Miscellaneous Line Items: $20,700
Miscellaneous line item variances contribute a $20,700 surplus. Offsetting this surplus is an anticipated deficit of ($5,000) related to COVID-19 additional expenses. These expenses were for additional cell phones and computer supplies (i.e. headsets) that were needed to accommodate virtual meetings.

Salaries / Work Auth Recoveries: $16,300
The department is reporting an anticipated surplus of $16,300 in Labour and Benefits, due to gapping that has occurred throughout the year.

Bank Charges: ($23,000)
Offsetting the surpluses for the Division is an anticipated deficit of ($23,000) in bank charges. This item has traditionally been in a deficit as credit card payments are on the rise. With COVID-19, more transactions were done via credit card transactions and higher charges were being put through as credit card transactions.

Tank Removal: ($29,000)
Offsetting the surpluses for the Division was a tank removal from the public right-of-way that resulted in a deficit of ($29,000). The tank was discovered during the installation of telecommunication cables within the public right-of-way. The removal required registry with the Ministry of Environment, hiring of qualified contractor, disposal of the unit and restoration of the area.

Licenses & Permits: ($80,000)
Due to COVID-19 Licenses & Permits are anticipated to be in a deficit of ($80,000). This is due to Sidewalk Cafe fees being waived, as well as a general trend of less Right of Way permits being issued in the first three quarters.

PUBLIC WORKS

DEPARTMENTAL OVERVIEW

MISSION : To provide for the safe and efficient movement of people and goods on the public right-of-way in Windsor in a manner complimentary to existing and planned land development. To continually improve our service delivery to meet the needs of the citizens of the city for the care and maintenance of all municipal infrastructure and the environment.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($27,404,099)	($27,113,327)	($28,785,172)	($30,629,406)
Annual Expense Budget	$54,304,502	$54,455,439	$55,964,369	$59,855,262
Annual Net Budget	$26,900,403	$27,342,112	$27,179,197	$29,225,856
Annual Net Variance	($1,332,256)	$2,391	$46,727	($21,000) *
Variance as a % of Gross Budget	(2.5%)	0.0%	0.1%	(0.0%)

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	31.0	FTE
Non-Union:	18.0	FTE
Local 543:	78.0	FTE
Local 82:	82.2	FTE
Total	209.2	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Salary and Wage – All Staff and Students	$306,000	$646,000	$952,000
Corp. Fleet Costs – Fuel, Licencing & Parts	$553,000	$12,000	$565,000
Winter Control	$0	$350,000	$350,000
Contracted Services – Parking Enforcement	$100,000	$0	$100,000
Gravel Maintenance	$0	($25,000)	($25,000)
Containerized Garbage Collection Revenue	($63,000)	$0	($63,000)
Miscellaneous Operating Supplies	($82,000)	$0	($82,000)
Field Services Recovery Revenue	$0	($100,000)	($100,000)
MTO Registered Owner Requests – Pkg Enf.	$0	($125,000)	($125,000)
Roll-Off Truck Service Revenue	($50,000)	($110,000)	($160,000)
Streetlight Maintenance – Contracted Services	$0	($230,000)	($230,000)
Garbage Collection Costs – Contracted Servic	($515,000)	$0	($515,000)
Parking Ticket Revenue	($688,000)	$0	($688,000)
Net Total	($439,000)	$418,000	($21,000)

PUBLIC WORKS

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($21,000)* *Deficit*

Salary and Wage – All Staff and Students: $952,000

A projected overall surplus of approximately $952,000 is estimated for 2020 related to salary and wage for all staff and students. The projected surplus is the net total of the surpluses and deficits expected related to salary and wage gapping due to a number of vacancies across the department resulting from retirements and staff appointments into new positions offset with the hiring of extra staff to accommodate heavy work load situations where required. Of this projected surplus, $306,000 is attributable to the ongoing pandemic with salary and wage savings for staff on unpaid leaves of absence due to the ongoing pandemic and to savings related to students as a result of a delay in hiring for the 16-week summer term in 2020.

Corporate Fleet Costs – Fuel, Licencing, and Parts: $565,000

A surplus of $565,000 related to fuel, licencing, and parts costs in the Fleet Division is estimated for 2020. The variance projections are based on reduced consumption and pricing of fuel to date as well as a reduction in parts purchases and reduced licencing costs resulting from prorated licencing deferrals implemented by the Province. $553,000 of this projected surplus is directly attributable to the ongoing pandemic.

Winter Control: $350,000

A surplus of approximately $350,000 is possible for 2020 related to the winter control service should Windsor experience average winter conditions in the latter part of the year. The final variance is dependent upon actual winter conditions and resulting service in the final quarter of 2020.

Contracted Services – Parking Enforcement: $100,000

A surplus of approximately $100,000 is estimated for 2020 related to reduced payments of parking enforcement services directly attributable to the ongoing pandemic. Full service is expected to resume during the latter month of September onward in 2020.

Gravel Maintenance: ($25,000)

A deficit of ($25,000) is estimated for the year ended 2020 resulting from additional gravel work required during the year to address safety conditions related to gravel shoulders along EC Row and other high volume roadways throughout the City. Additional gravel road maintenance is also required to prepare gravel roads in advance of the winter season.

Containerized Collection Revenue: ($63,000)

A deficit of approximately ($63,000) is estimated for 2020 related to the containerized collection revenue collected from school boards directly attributable to the ongoing pandemic and school closures from March to June 2020.

Miscellaneous Operating Supplies: ($82,000)

A deficit of approximately ($82,000) is estimated for 2020 related to miscellaneous operating supplies required because of the ongoing pandemic and requirements for additional PPE, in-office supplies, in-vehicle supplies etc.

PUBLIC WORKS

Field Services Recovery Revenue: ($100,000)

A deficit of approximately ($100,000) is estimated for 2020 related to recovery revenue shortfalls attributable to unrecoverable work completed such as 311-call response, Police requests, and reduced recoveries for construction field services due to construction delays in 2020.

MTO Registered Owner Requests: ($125,000)

A deficit of ($125,000) is estimated for 2020 related to the cost of registered owner requests with the Ministry of Transportation related to parking tickets. The registered owner requests were behind schedule due to software issues and staffing levels in 2019, and are now up to date in 2020.

Roll Off Truck Service Revenue: ($160,000)

A deficit of ($160,000) is estimated for 2020 related to the new roll off truck service revenue uncollected in 2020 due to delays purchasing and receiving the new truck required for the new service as approved during the 2020 budget deliberations. In addition to the standard purchase delays due to budget approval schedules and truck build processes, additional delays will be experienced due to the ongoing pandemic.

Streetlight Maintenance Contracted Services: ($230,000)

A deficit of ($230,000) is estimated for 2020 related to contracted services for streetlight maintenance due to the higher cost of maintaining aging infrastructure.

Garbage Collection Costs – Contracted Services and Landfill Tipping Fees: ($515,000)

A deficit of approximately ($250,000) is estimated for 2020 related to landfill tipping fees because of increased garbage tonnage of approximately 6% to date as a direct result of the ongoing pandemic. An additional deficit of approximately ($265,000) is estimated related to the City's contracted services for the collection of increased garbage also directly attributable to the ongoing pandemic. This includes additional collection resulting from the one-bag garbage limit increase in April and May of this year and increased residential garbage to date.

Parking Ticket Revenue: ($688,000)

A deficit of approximately ($688,000) is estimated for 2020 related to a reduction in parking ticket revenue resulting from an average reduction of ticket issuance of 46% from March to August and a projected reduction of 25% for September to December, directly attributable to the ongoing pandemic.

MITIGATING STEPS

Public Works Administration will continue to monitor budgets closely and will mitigate variances within the Department if feasible. Budget issue submission will be considered for items that are expected to continue beyond one-year/one-time should there be no available budget reductions to facilitate a reallocation of currently budgeted funds.

TRANSIT WINDSOR

DEPARTMENTAL OVERVIEW

MISSION : To provide safe, reliable and affordable public transit for the community through continuous improvement in service levels, vehicle fleet, customer care, environmental stewardship and employee excellence so that all residents can have equal access to work, education, health care, shopping, social and recreational opportunities through convenient and affordable public transit service.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($20,395,748)	($20,659,589)	($21,635,263)	($21,175,090)
Annual Expense Budget	$33,504,338	$33,931,108	$36,061,034	$36,294,433
Annual Net Budget	$13,108,590	$13,271,519	$14,425,771	$15,119,343
Annual Net Variance	($133,396)	($195,008)	$123,288	$1,257,000 *
Variance as a % of Gross Budget	(0.4%)	(0.6%)	0.3%	3.5%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	22.0	FTE
Non-Union:	6.0	FTE
Hourly	244.0	FTE
Total	272.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Transit Revenue	($9,422,000)	$0	($9,422,000)
Fees and Service Charges Expense	($99,000)	($68,000)	($167,000)
Commissions	($37,000)	($3,000)	($40,000)
Advertising Revenue	($51,000)	$20,000	($31,000)
Vehicle Maintenance Parts/Materials	($49,000)	$18,000	($31,000)
Other Prof Services-External	$15,000	($45,000)	($30,000)
Facility Operations-Labour INTERNAL	$36,000	$5,000	$41,000
Advertising	$57,000	$16,000	$73,000
Commissions Expense	$67,000	$11,000	$78,000
Other Miscellaneous	$0	$94,000	$94,000
Program Supplies	$112,000	$0	$112,000
Workers Comp. - Admin.	$0	$130,000	$130,000
Municipal Transit Enhanced Cleaning	$178,000	$0	$178,000
Motor Fuels & Oils and Lubricants	$1,100,000	$504,000	$1,604,000
Salary, Wages and Overtime	$2,277,000	$575,000	$2,852,000
Government Funding (COVID)	$5,816,000	$0	$5,816,000
Net Total	$0	$1,257,000	$1,257,000

TRANSIT WINDSOR

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$1,257,000* *Surplus*

Transit Windsor is projecting a COVID-related deficit of ($5,816,000) and a non-COVID surplus of $1,257,000. Due to COVID government funding, the COVID-related deficit will be funded in full and therefore Transit is expecting to end the year with a surplus of $1,257,000. Transit was granted $6,523,962 in government funding to assist with mitigating COVID-19 deficits. This funding is eligible to cover costs from April 1, 2020 to March 31, 2021. Any funding not used during 2020 will be eligible to assist with covering COVID-19 negative variances until March 31, 2021.

Transit Revenue: ($9,422,000)

During 2020, Transit Windsor suspended Transit service for the entire month of April and then after, provided service free of any fares in order to allow for rear door access to mitigate the risk of spreading the Corona virus. This rear door boarding policy became a national trend in order to protect employees with limited contact with transit riders. Transit Windsor's intention is to start collecting fares near the end of October, however with ridership still at an all time low, the fares collected will be substantially reduced from expected levels. The lack of fares has lead to a significant loss of revenue for Transit leading to a projected year end deficit of ($9,422,000) in the Transit Revenue account.

Fees and Service Charges Expense: ($167,000)

Due to covid19 and in order to reduce the risk of spreading the virus, Transit Windsor suspended transit service during the month of April. In order to provide riders who had purchased a fare over this suspended service period with a means for recuperating part of their pass expense, transit offered a rebate program for those pass holders who had purchased during a specific period of time. This rebate program provided over $300,000 in rebates to eligible pass holders. This account also was impacted by tunnel toll charges which were not paid while the Detroit International Border was closed. The net year end impact for this account is projected to be a deficit of ($167,000).

Commissions: ($40,000)

During 2020, Greyhound shut down service in order to mitigate travel and the spread of the Coronavirus. With this shutdown, no tickets were sold for Greyhound and therefore no commissions have been earned during this time. Transit is anticipating that Greyhound will remain shut down for the remainder of the year and is projecting a ($40,000) deficit for these commissions not earned.

Advertising Revenue: ($31,000)

Due to suspended service, as well as third party companies requesting fees to be waived in order to manage business costs, Transit Windsor is projecting a ($31,000) deficit in the advertising revenue account. This revenue is made up of both bus and shelter advertisements.

Vehicle Maintenance and Parts: ($31,000)

Transit Windsor is anticipating a ($31,000) deficit in the vehicle maintenance and parts account. Although the reduction in service during 2020 due to Covid19 has allowed for a reduction in fleet maintenance, in order to mitigate the spread of the Coronavirus, Transit Windsor was required to install personal protective equipment in the buses which led to additional costs.

TRANSIT WINDSOR

Other Prof Services-External: ($30,000)

Transit is projecting a deficit in the professional services external account due to additional security needed in order to monitor the public at the Windsor International Transit Terminal (WITT) and ensure proper capacity limits are followed as well as other Covid19 requirements. This security was implemented during September 2020 and the security will be in place for 12 hour days to provide needed security service.

Facility Operations-Labour INTERNAL: $41,000

Due to the pandemic impact, both the caretaking and general facility maintenance charges are projected to end 2020 with a surplus. With Transit Windsor operating at a lower service for most of 2020 and with Greyhound shut down for this time, the traffic at the Windsor International Transit Terminal (WITT) decreased significantly over the last 6 months and therefore the need for facility repairs has also been reduced. This reduction in required maintenance and cleaning has lead to a projected surplus for this account.

Advertising Expenses: $73,000

Due to Covid19, Transit Windsor reduced regular advertising throughout the community as the entire City of Windsor was on a limited interaction requirement. This led to less advertisement needed as the directive was to reduce unnecessary travel throughout the community.

Commissions Expense: $78,000

Transit Windsor pays commissions to third party vendors for the sale of passes and tickets. With the suspension of fares during a substantial part of 2020, minimal passes and tickets were sold by third parties and therefore Transit is projecting a surplus for year end of $78,000 in the commissions expense account.

Other Miscellaneous: $94,000

Transit Windsor has various expense and revenue accounts that are projected to run a small variance for 2020. Each individual account included in this total is projected to run less than a $30,000 variance.

Program Supplies: $ 112,000

The customer sales and service department is responsible for purchasing the required inventory for bus passes and tickets in order to sell to riders. Due to Covid19, Transit provided free service for approximately 6 months and suspended service during the month of April. With no fares required to ride Transit, the required inventory was significantly less as passes and tickets were not sold for this period of time which led to a projected surplus of $112,000 in the program supplies account.

Workers Compensation: $130,000

Transit Windsor's worker's compensation expenses varies based on the required compensation claims. At quarter three (3), Transit is projecting a $130,000 surplus.

Municipal Transit Enhanced Cleaning (MTEC) Provincial funding (COVID): $178,000

Due to the impacts Covid19 has had on Transit systems in the industry related to additional cleaning, the Provincial Government has granted Transit Windsor with $178,000 in provincial funding to reduce the risk of exposure to Covid19 and assist with cleaning costs.

TRANSIT WINDSOR

Motor Fuels: $1,604,000

Covid19 has lead to Transit Windsor providing a reduced service during a significant part of 2020. This reduced service has led to less kilometres travelled for the transit fleet and therefore less litres of fuel consumed. Transit is estimating a year end surplus of $1,604,000 in fuel due to the lower volume of fuel required to provide service during 2020.

Salary, Wages and Overtime: $2,852,000

2020 has been a difficult time for Transit Windsor with the decision to suspend service for a period of one month, and then after provide reduced service, moving from an enhanced Sunday service beginning in May, to a Saturday service starting the beginning of September. The reduction in service required less buses to be on the road and therefore less operators required to provide the service. Transit made the difficult decision to lay off a number of employees during this time, however with additional Covid19 bus cleaning and disinfecting, along with additional janitorial cleaning and disinfecting requirements, was able to bring back a number of employees. Due to the reduced workforce required to provide the necessary service, Transit experienced a surplus in the salary, wages and overtime accounts. Due to the reduction in employees paid during 2020, Transit is anticipating a $2,852,000 surplus in the salary, wage and overtime accounts.

Government Funding (COVID): $5,816,000

Transit Windsor has received almost $6,524,000 in total funding to mitigate pandemic-related deficits between April 1, 2020 and March 31, 2021. It is anticipated that $5,816,000 will be required to offset the deficit related to 2020 and the balance of $708,000 will be carried forward to offset any shortfalls related to 2021.

MITIGATING STEPS

Transit has worked hard to install driver barriers in order to move back to front door entry and begin to collect fares. Fare collection has resumed which will assist with reducing revenue deficits and result in less of a negative variance Transit will incur overall during this pandemic.

PARKS & FACILITIES

DEPARTMENTAL OVERVIEW

MISSION : The Parks Department is committed to the development and protection of our parks, natural areas and greenspaces for present and future generations of Windsor residents & visitors. We are committed to showcasing our city's appearance to the highest standards possible.

To ensure our parks and facility systems are safe, clean and accessible to all.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($14,703,128)	($14,909,176)	($13,313,211)	($13,513,046)
Annual Expense Budget	$39,518,665	$41,239,338	$40,059,107	$41,450,753
Annual Net Budget	$24,815,537	$26,330,162	$26,745,896	$27,937,707
Annual Net Variance	($401,766)	($4,890)	($419,133)	$539,000 *
Variance as a % of Gross Budget	(1.0%)	(0.0%)	(1.0%)	1.3%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Senior Management:	1.0	FTE
Management:	30.0	FTE
Non-Union:	10.0	FTE
Local 543:	71.3	FTE
Local 82:	93.4	FTE
Total	205.7	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Parks Division			
Revenue Reductions	($179,000)	$0	($179,000)
Cost Recovery & Temp Staffing Reductions	$106,000	($109,000)	($3,000)
COVID-19 Incremental Costs	($53,000)	$0	($53,000)
Salary Gapping and Overtime Savings	$120,000	$0	$120,000
Holiday Lighting Program	$195,000	$0	$195,000
Facilities Dvision			
Maint. Material & Housekeeping Supplies	($856,000)	$402,000	($454,000)
Contracted Services	($106,000)	$554,000	$448,000
Salary Gapping	($246,000)	$501,000	$255,000
Cost Recovery	$332,000	($122,000)	$210,000
Net Total	($687,000)	$1,226,000	$539,000

PARKS & FACILITIES

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$539,000* *Surplus*

Parks Division

The Parks division is reporting an estimated deficit of ($115,000) for the year ended December 31st, 2020 that represents a 0.6% variance from the annual operating budget. The Parks department was able to mitigate some of the negative impact of the pandemic with reductions seasonal, temporary staffing, and overtime expenditures. In addition, there were cost savings achieved from salary gapping as a result of the delay in filling positions that were vacant for permanent staffing in various divisions across the Department. The Department throughout the year worked diligently to mitigate expenditures in order to stay within the approved Council approved budget for 2020. The following budget variances are detailed for the year within the department.

Revenue Reductions ($179,000) Deficit

As a result of COVID-19 pandemic the Parks department experienced lost revenues for services related to park use and services provided to the public related to rental space and various user fees involving parkland. As required by provincial legislation, restrictions were mandated at the commencement of pandemic and Parks administration responded to adjust the provision of services which is estimated to result in reduced revenues of ($110,000). In addition as s result of the COVID-19 pandemic Parks administration closed the Ojibway nature centre which eliminated lease rentals for rooms, concessions and programming related to user fees. The revenues lost from the services no longer provided at the Ojibway nature centre amounted to ($69,000).

Cost Recovery Reductions ($3,000) Deficit

The commencement of the COVID-19 pandemic related to the Parks department to reduce services to vacant and transitional properties maintained by Parks Operations as result of lower staffing compliments available to maintain parkland throughout the City. During the spring periods the student program was delayed which had a significant impact on the resources available to maintain parks and as a result staffing was reallocated to core parkland maintenance. The reduction in services for maintenance related to vacant properties is expected to yield a deficit of ($74,000) as expenditures are recovered from the Real Estate division or capital reserve funding. In addition there has been a reduction in recoverable work charged to other divisions from Parks departments as staff have been redeployed to meet high priority needs and the costs recovery reduction is estimated to be ($47,000)

The delay in capital work that resulted in the spring from the COVID-19 pandemic also resulted in a reduction if salary recoveries from the Parks Development division that apply charges to capital projects. The deficit that is resulting in reduction of salary recovery from capital work is estimated to be ($165,000) for the delay of capital during the spring periods.

There have been some offsetting positive variances in costs recoveries in the Horticulture and Forestry divisions which have yielded a surplus of $205,000. The Forestry tree maintenance program has yielded additional recovery of salaries for Local 82 and management staff working to reduce the backlog of work order and offset reduced cost recoveries in this category.

At the commencement of the COVID-19 pandemic in March, Parks administration elected to delay the student lottery program as provincial regulations were being mandated and changes were evolving on a weekly basis. In addition seasonal and part-time staff were notified of temporary lay offs in the spring periods. The delay and reduction of temporary staffing had yielded an estimated savings in the year of $167,000. This savings also included temporary employees related to the Ojibway nature centre that provide programming to school groups and the public. The temporary salary savings has been reduced by additional requirement to backfill a position with temporary staffing for an employee in Parks administration division working on the Work Force Management payroll system implementation which has resulted in an estimated annual deficit of ($89,000).

PARKS & FACILITIES

COVID-19 Incremental Costs ($53,000) Deficit

As a result of the COVID-19 pandemic there was restrictions that were placed upon the Parks department. There was a requirement to close playgrounds for health reasons to prevent the spread of the virus to visitors to parkland. Signage was required to highlight to the public that the playgrounds were closed and materials were used to restrict the access to these park amenities. In addition there were social distancing requirement that were adopted by Parks to be applied by staff which placed restrictions upon the number of people allowed in vehicles. As the Parks remained open during the pandemic the maintenance of expected levels of service was challenging and required the commencement of the student lottery program which was temporarily suspended at the beginning of the pandemic. Additional seasonal vehicles were required to be requested from the Fleet division to accommodate the restrictions of the number of staff that were assigned to vehicles. These costs are estimated to be $115,000 for Parks department and the offsetting revenues are allocated to the Fleet Division in the Public Works department for net impact of zero to the organization. The incremental costs for the pandemic, not including the seasonal vehicle, is estimated to be ($53,000).

Holiday Lighting Program

As a result of the COVID-19 pandemic, there is a projected surplus of $195,000 within this program.

Facilities Division

Facilities is estimating a surplus of $459,000 as at December 31, 2020.

Maintenance Material & Housekeeping Supplies ($454,000) Deficit

Facilities is projecting a deficit of approximately ($454,000) in Maintenance Parts & Materials and Housekeeping supplies. Of the total deficit, ($856,000) is for COVID related expenses, including the purchases for COVID-19 PPE's and cleaning supplies for the entire corporation. Without the COVID impact, Facility Operations would be reporting a surplus in this category.

Contracted Services $448,000 Surplus

Facilities is projecting a surplus of approximately $448,000 in Contracted Services, net of the COVID related deficit of ($106,000). In 2020, the needs for contracted facility maintenance and repair work have decreased overall due to the closure or reduced services at various facilities as the result of the pandemic. The savings from the reduced contracted maintenance work is offset by the increased in the contracted security service costs. The 3rd party security company provides COVID related screening service at a number of facility locations to ensure the safety of the patrons in the building.

Salary Gapping $255,000 Surplus

Facility Division has a number of vacant positions due to retirement, reassignment, or open position that have not been filled in the year. Facilities is estimating a surplus of $255,000 at the end of 2020, net of the COVID negative impact of ($246,000.) The COVID negative impact is caused by the additional hours of enhanced cleaning performed by the redeployed Temporary Part Time employees from Recreation Divisions over and above the budgeted amount, as well as the projection of 35 temporary caretakers to carry out facility enhanced cleaning in November and December.

Cost Recovery $210,000 Surplus

Facility Division is projecting an overall surplus of approximately $210,000 for department cost recoveries. The main cause for the surplus variance is due to recovery revenue projected for the COVID Enhanced Cleaning services carried out at Windsor Justice Facility and the Major FA Tilston VC Armoury. This projected COVID enhanced cleaning revenue of approximately $332,000 was not budgeted and it is offsetting the negative variance of approximately ($122,000) from the reduced revenue received from Windsor Public Library for the supervisory recovery due to library branch closures and decreased maintenance work orders.

PARKS & FACILITIES

MITIGATING STEPS

Parks Division

As a result of the increased costs and reductions in both revenues and recoveries of operating expenditures detailed above for the COVID-19 pandemic Parks administration conducted a review of the operating budget. In order to mitigate the negative impacts on the Parks operating budget there were the following decisions made to reduce the projected deficit for the year as follows:

Salary Gapping Savings- $120,000 Surplus

In light of COVID-19 pandemic many vacant position throughout Park divisions were delayed and not filled. As a result there has been some savings from staff retirements or employees transitioning to other department that have not yet been replaced. In addition, the overtime costs are expected to be reduced for the year with limited activity for sports field maintenance and other service provided for recreational purposes. The value of the salary gapping savings for the year for full time staffing is estimated to be $120,000. Parks and Recreation department share Local 82 staffing that work in rinks during fall and winter periods. There are expected changes in costs from their budgets which are fixed however, where one department has a surplus the other department will have a deficit to offset.

Facilities Division

Facilities is projecting a surplus at the end of 2020. The main reason for the overall surplus is relating to the decreased facility maintenance and repairs required at various facilities as a result of pandemic closure or reduced services. Facility Operations Department will continue to monitor variances throughout 2020 and take any reasonable steps to reduce or eliminate variances while mitigating any negative impact on service levels.

RECREATION & CULTURE

DEPARTMENTAL OVERVIEW

MISSION : The Recreation and Culture Department ensures that excellent recreation and cultural programs, services and facilities are available to everyone in our city, aimed at improving their quality of life at a reasonable cost and contributing to the health and social welfare of the community. We facilitate community development and promote expanding community partnerships.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($11,835,330)	($11,298,165)	($11,704,711)	($12,014,378)
Annual Expense Budget	$23,789,014	$24,114,601	$24,647,287	$25,364,844
Annual Net Budget	$11,953,684	$12,816,436	$12,942,576	$13,350,466
Annual Net Variance	$38,751	$238,860	($81,695)	($2,200,000) *
Variance as a % of Gross Budget	0.2%	1.0%	(0.3%)	(8.7%)

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	20.0	FTE
Non-Union:	10.0	FTE
Local 543:	34.7	FTE
Local 82:	20.5	FTE
Total	85.2	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Programming and User Fee Revenue	($7,400,000)	$0	($7,400,000)
Avoided Costs	$5,200,000	$0	$5,200,000
Net Total	($2,200,000)	$0	($2,200,000)

RECREATION & CULTURE

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($2,200,000)* *(Deficit)*

The Recreation & Culture Department is projecting a year-end variance totalling approximately $2.2M. This is as a result of $7.4M in foregone programming and user fee revenue. These negative financial impacts are being partially offset by $5.2M in avoided costs resulting from reduced part-time salary & wages, program supplies and other programming related costs.

Assumptions used to develop this forecast Assumptions include:

• Limited fall programming and all recreation facilities remaining closed with exception of the WFCU Centre, Capri Pizzeria Recreation Complex and the Windsor International Aquatic Training Centre (it is acknowledged that this issue continues to be closely monitored and may change for some services based on the circumstances)
• Operation of 5 ice pads being 3 at WFCU Centre and 2 at Capri Pizzeria Recreation Complex.
• Lane swims and Aquafit programs provided at the Windsor International Aquatic Training Centre and WFCU Centre.

Please note that the Recreation and Culture Department shares full-time Local 82 staffing with the Parks Department however, these budgets are fixed. Where one Department has a surplus in this account, the other Department will have a deficit to offset.

MITIGATING STEPS

• Applied for grants (i.e. Museum grant, after school program grant used for day camps as well)
• Continue to reduce costs where possible
• Operate efficiently by minimizing the number of venues that are open

EMPLOYMENT & SOCIAL SERVICES

DEPARTMENTAL OVERVIEW

MISSION : "Enhancing Quality of Life" Through leadership and collaboration we are committed to enhancing the quality of life for people and our community.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($109,093,399)	($110,779,385)	($109,838,509)	($108,882,445)
Annual Expense Budget	$118,491,577	$118,666,766	$117,503,235	$116,969,007
Annual Net Budget	$9,398,178	$7,887,381	$7,664,726	$8,086,562
Annual Net Variance	$1,032,339	$691,753	$346,682	$1,494,000 *
Variance as a % of Gross Budget	0.9%	0.6%	0.3%	1.3%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Senior Management:	1.0	FTE
Management:	18.0	FTE
Non-Union	4.0	FTE
Local 543	194.0	FTE
Total	217.0	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
CDHO & Social Policy & Planning	$0	$0	$0
Ontario Works (OW) Program Delivery:	$1,201,000	$273,000	$1,474,000
Salary and Benefit (OW)	*$503,000*	*$63,000*	*$566,000*
Employment Related Costs (OW)	*$698,000*	*$172,000*	*$870,000*
Other Miscellaneous Expenses (OW)	*$0*	*$38,000*	*$38,000*
Other Employment Services	$0	$0	$0
100% Municipal Assistance	$0	$20,000	$20,000
Net Total	$1,201,000	$293,000	$1,494,000

EMPLOYMENT & SOCIAL SERVICES

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$1,494,000* *Surplus*

Community Development and Health Office (CDHO) & Social Policy & Planning - $0

No significant year-end variance is expected for the Community Development and Health Office & Social Policy & Planning.

Ontario Works (OW) Program Delivery - $1,474,000

Ontario Works Program Delivery is projected to end the year with an estimated net City surplus of $1,474,000 comprised of the following:

Staffing costs are expected to be lower than budget by approximately $566,000 net City. The filling of vacant positions in large part was delayed due to COVID-19 restrictions. During this period, staff leaves of absence and COVID-19 related recruitment delays accounted for about $503,000 of the projected $566,000 surplus. This projected year-end surplus may increase if positions remain vacant beyond October 31, 2020. In addition, Employment Related Expenses (ERE) decreased significantly, adding $870,000 to the surplus. The majority of this surplus is COVID-19 related (i.e. Transit Windsor not charging for ridership/monthly bus passes). These ERE expenditures are expected to increase in the final quarter as business begins to resume operations and the Ontario Works caseload begins to normalize. Other miscellaneous accounts contributed $38,000 to the surplus as various planned initiatives did not go forward due to the pandemic.

Other Employment Services - $0

Other Employment Services, which include Employment Ontario Programs funded by Ministry of Labuor, Training and Skills Development, project to be on budget.

100% Municipal Assistance - $20,000

Higher than budgeted recoveries for Funerals and Burials is expected to result in a Net City surplus of $20,000.

MITIGATING STEPS

n/a

HOUSING & CHILDREN SERVICES

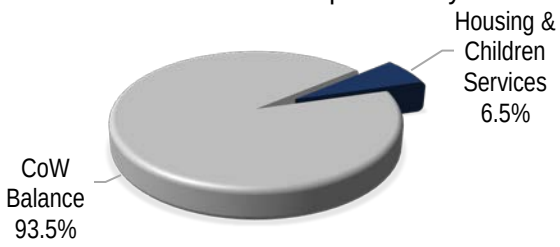
DEPARTMENTAL OVERVIEW

MISSION : "Enhancing Quality of Life" Through leadership and collaboration we are committed to enhancing the quality of life for people and our community.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($80,879,810)	($98,824,330)	($97,771,797)	($97,404,344)
Annual Expense Budget	$103,721,182	$122,107,176	$121,414,027	$121,172,301
Annual Net Budget	$22,841,372	$23,282,846	$23,642,230	$23,767,957
Annual Net Variance	$641,991	$217,503	$50,377	$855,000 *
Variance as a % of Gross Budget	0.6%	0.2%	0.0%	0.7%

** Projected*

2020 Portion of Net Municipal Tax Levy



2020 Budgeted Full Time Equivalent (FTE)

Management:	8.0	FTE
Non-Union	7.0	FTE
Local 543	59.5	FTE
Total	74.5	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Hsg. Ser./WECHC Lower Subsidy Pymts	$0	$938,000	$938,000
WECHC Covid-19 Deficit	($362,000)	$0	($362,000)
Federal Block Funding Loss	$0	($317,000)	($317,000)
Hsg Serv. / WECHC County Rev. Increase	$0	$43,000	$43,000
Child. Services County Revenue Increase	$0	$68,000	$68,000
Early On Redeployed Staff	($55,000)	$0	($55,000)
Pathway to Potential	$540,000	$0	$540,000
Net Total	$123,000	$732,000	$855,000

HOUSING & CHILDREN SERVICES

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$855,000* *Surplus*

As detailed below, a combined year-end City surplus of $855,000 is projected for Housing and Children's Services and Windsor Essex Community Housing Corporation (WECHC).

Housing Services and Windsor Essex Community Housing Corporation combined is expected to realize a surplus of $302,000. A net city surplus of $938,000 is projected in Housing due to lower mandated subsidy payments being required by WECHC and other service providers in 2019, as well as from the reconciliation of service provider fiscal year-end reports. In addition, a net City WECHC Covid-19 deficit is projected of ($362,000) as a result of the purchase of Personal Protective Equipment (PPE), increased cleaning expenses, increased capital expenses related to offices renovations to ensure staff and visitors are safe. In addition, WECHC experienced additional costs related to Information Technology and other expenses to allow staff to work from home and maintain physical distancing during the pandemic. A net City deficit of ($317,000) will reduce the surplus due the loss of Federal Block Funding from the Federal government. This deficit, however, is expected to be offset by higher than budgeted County revenue of $43,000 because of a change in weighted assessment rates after the budget was set.

The Community Homelessness Prevention Initiative (CHPI) budget is not projecting a City variance at this time. On April 1, 2020, the Province advised that the City of Windsor would be allocated $3,704,000 through Phase I of the 2020-21 Social Services Relief Fund (SSRF) to support vulnerable populations throughout the COVID-19 outbreak. On July 13th, a report was brought to council indicating the Covid-19 cost pressures for 2020 would be approximately ($1.27 million). Since then, the Covid-19 cost pressures are expected to lessen to approximately ($610,000) by 2020 year end. The Province announced Phase II SSRF funding of $4,475,031 which can be used to help offset eligible operating costs incurred on or after July 2, 2020. A business case to outline the planned utilization of the funds was recently submitted to the Province for approval. If the additional Phase II business plan is approved, the potential 2020 deficit of $610,000 may be offset, therefore this deficit was not included in the year end projection.

Children Services is projecting a surplus variance of $13,000 at this time. A surplus of $68,000 is attributed to higher than budgeted County revenue as a result of the shift in weighted assessment rates after the budget was set. This surplus is offset by a potential deficit of approximately ($55,000) due to re-deployment of Early On staff to other departments due to Covid19 Pandemic requirements.

Pathway to Potential (P2P) is projecting a surplus of $540,000 due to the impact of COVID -19. Savings of $380,000 for Recreation programs and $160,000 for Transit's Affordable pass program are expected as the programs were not offered or were operating at reduced levels during the Emergency Closure period. Any P2P Recreation or APP saving realized in Housing & Children's Services, will be offset by corresponding revenue losses in Recreation and Transit departments.

HURON LODGE

DEPARTMENTAL OVERVIEW

MISSION : Huron Lodge is a community that provides a heartfelt circle of care for individuals of all ages through team work, compassion and trust.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($15,600,256)	($16,109,537)	($16,508,537)	($16,950,506)
Annual Expense Budget	$22,883,479	$23,427,040	$23,995,061	$24,747,809
Annual Net Budget	$7,283,223	$7,317,503	$7,486,524	$7,797,303
Annual Net Variance	($77,582)	($131,868)	$2,296	$53,000 *
Variance as a % of Gross Budget	(0.3%)	(0.6%)	0.0%	0.2%

** Projected*

2020 Portion of Net Municipal Tax Levy

2020 Budgeted Full Time Equivalent (FTE)

Management:	8.0	FTE
Non-Union	4.0	FTE
ONA:	23.0	FTE
Local 543	170.7	FTE
Total	205.7	FTE

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Ministry of Long-Term Care Funding	$529,000	$545,000	$1,074,000
Accommodation Revenue	($60,000)	$0	($60,000)
Equipment	($75,000)	$0	($75,000)
Purchased Services	($115,000)	$0	($115,000)
Supplies	($160,000)	$14,000	($146,000)
Salary	($625,000)	$0	($625,000)
Net Total	($506,000)	$559,000	$53,000

HURON LODGE

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$53,000* *Surplus*

Ministry of Long-Term Care Funding: $1,074,000

The surplus is attributed to Huron Lodge's substantial Case Mix Index (CMI) increase which adjusts the Nursing and Personal Care Per Diem for the home's resident acuity commencing August 1, 2020. The Case Mix Index is calculated from resident health assessments submitted to the Ministry. In addition to Huron Lodge's CMI adjustment, there was a per diem increase. Taking into consideration the formula for calculating the CMI, Basic Accommodation Revenue Deduction from the funding, and the Per Diem increase, it is estimated that Huron Lodge will receive approximately $545,000 in additional Ministry of Long-Term Care funding. In addition, COVID-19 funding in the amount of $529,000 is expected and to be used for the prevention and containment activities directly related to COVID-19. It is unknown at this time if additional COVID-19 funding will be provided for these incremental expenses. Note, COVID-19 Pandemic Pay Funding is directly offset with the actual pandemic pay paid and is not part of this variance report.

Accommodation Revenue: ($60,000)

The Ministry of Long-Term Care has deferred Long-Term Care (LTC) Home accommodation rate changes for a period of six months. The new rates that were scheduled to be applied on July 1, 2020 have now been deferred to January 1, 2021 to provide relief to residents and families that may be experiencing financial challenges due to COVID-19. The Ministry will be providing the Long-Term Care Homes funding to cover the portion of increases and forms part of the surplus in the Ministry of Long-Term Care Funding account described above.

Equipment: ($75,000)

To operate under COVID-19 legislation, the department has purchased various types of equipment. Technology equipment to support virtual family visits as it is mandated to provide this to the residents. Medical equipment was purchased in order to comply with the active screening of all staff, visitors and residents. In order to meet the protocols for infection control, carts and sanitizing stations were also purchased. Larger tables were purchased to facilitate the prescribed 2 metre distance during meal times. Other equipment such has in-room dining trays were also purchased as newly admitted residents complete their 14 day self-isolation in their own room.

Purchased Services: ($115,000)

Additional costs for security and caretaking purchased services are expecting to see a deficit of approximately ($115,000) at December 31, 2020. Security services protects the entrance and exit points of the building. Due to the pandemic environment and the new visitor policy in place, additional security hours are required in order to have a post at the visitor entrance as well as the main entrance. Furthermore, the security personnel aid in the sanitizing of all items entering the facility as well as support the screener functions. The Security personnel oversee all products and people who enter and leave the building and it is expected that the additional costs will continue to the end the year with an unfavourable variance of ($30,000).

The caretaking services at Huron Lodge are a purchased service. In order to meet the increased legislative requirements for enhanced cleaning protocols, the hours in which the caretaking service provider have increased. It is estimated that those increased hours will continue contributing ($85,000) to the deficit.

HURON LODGE

Supplies: ($146,000)

In order to prevent the spread of COVID-19 and adhere to the additional COVID-19 legislation called Directive #3 for Long-Term Care Homes under the Long-Term Care Homes Act, 2007, additional supplies relating to PPE, sanitizing agents are purchased in order to protect all staff, residents and visitors of Huron Lodge. The department expects to continue this trend throughout 2020.

Salary Accounts: ($625,000)

It is expected that the salary accounts will end the year in a deficit position of approximately ($625,000). Additional shifts in the nursing and dietary divisions are required at Huron Lodge due to resident need and the COVID-19 pandemic environment. The Residents at Huron Lodge are frailer with more complexities than in previous years as proven in the CMI increase which triggered the substantial funding increase. Additional duties have been downloaded to the staff as a result of the COVID-19 pandemic. For instance, funeral home coroners do not enter the facility and all steps when the death of a resident occurs lies with the nursing staff. The implementation of enhanced infection control to prevent the spread of infections requires all personnel assist. Residents returning from hospital, newly admitted residents and any residents experiencing signs of infectious disease are required to self-isolate for 14 days in their rooms. This requires additional resident care hours for one-on-one care, application and removal of PPE and enhanced symptom monitoring. Since residents are required to remain 6 feet apart for meals, additional staff are required for serving, feeding, porting residents, monitoring residents in the dining room. Managing essential visitors on the units requires additional infection control and ensure compliance of PPE application and removal. The provision of required staffing is ultimately the responsibility of the licensee and homes are legislated to have a staffing plan which addresses the needs of the residents.

MITIGATING STEPS

Huron Lodge continues to closely monitor expenses and identify, as much as possible, areas for savings. The process of comparing prices for PPE and other required supplies is ongoing with the support from Purchasing and Facilities. The department uses employees who are on modified duties to the full extent of their capabilities.

At any time, the Ministry of Long-Term Care may increase restrictions which will likely result in negative variances in various expense categories.

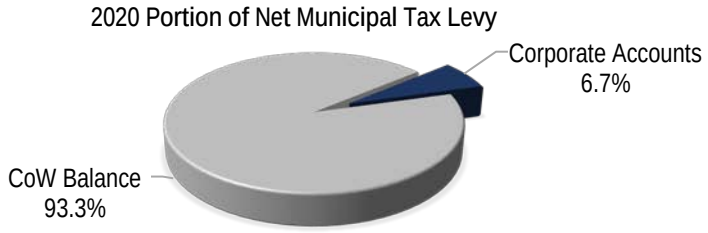
CORPORATE ACCOUNTS

DEPARTMENTAL OVERVIEW

The Corporate Accounts encompass a number of financial revenue and expense accounts which are not directly attributable to specific departments of the Corporation. The budgets contained in this section relate to expenditures incurred or revenues generated that impact on the Corporation as a whole as opposed to a specific department.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($200,932,217)	($205,382,413)	($216,031,073)	($217,748,697)
Annual Expense Budget	$220,184,625	$228,641,359	$237,806,759	$242,097,940
Annual Net Budget	$19,252,408	$23,258,946	$21,775,686	$24,349,243
Annual Net Variance	$1,245,869	$2,329,094	$1,682,005	$1,624,000 *
Variance as a % of Gross Budget	0.6%	1.0%	0.7%	0.7%

** Projected*



VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
OLGC Casino Revenue	($8,700,000)	$0	($8,700,000)
YQG & Windsor Detroit Border Link Dividends	($2,000,000)	$0	($2,000,000)
Interest & Penalties	($2,070,000)	$600,000	($1,470,000)
Municipal Accommodation Tax (MAT)	($1,300,000)	$0	($1,300,000)
Property Tax Vacancy Rebates	($500,000)	$0	($500,000)
Capital Interest Income	($425,000)	$0	($425,000)
Property Tax Relief	($263,000)	$0	($263,000)
Bad Debt Expense	($200,000)	$0	($200,000)
Workforce Management Project (WFM)	($150,000)	$0	($150,000)
Waiver of Fees	$0	($65,000)	($65,000)
Corporate Travel, Training & Conf. Savings	$500,000	$0	$500,000
Corporate Provisions	$0	$955,000	$955,000
Fringe Benefit Savings	$2,000,000	($780,000)	$1,220,000
Corporate Utilities	$1,300,000	$695,000	$1,995,000
Government Funding (COVID)	$12,027,000	$0	$12,027,000
Net Total	$219,000	$1,405,000	$1,624,000

CORPORATE ACCOUNTS

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$1,624,000* *Surplus*

OLGC Casino Revenue: ($8,700,000)

Caesars Windsor, along with many other establishments in the city, has been closed during the pandemic. It is estimated that the City will lose approximately $8.7M in slot revenue in 2020. The forecast of foregone revenue assumes that casino revenue will begin to increase gradually in October and possibly reach 25% capacity in December. Depending on the actual opening date of the casino, revenue losses for the balance of 2020 may be materially different depending on the impacts of social distancing on Caesar Windsor's operations.

YQG and Windsor Detroit Border Link Dividends: ($2,000,000)

Cross border and air travel has been severely restricted during this period resulting in significant revenue losses for tunnel toll revenues and airport operations. It is expected that the $1M dividends received from each of these entities will not materialize for 2020. This would result in a $2M variance in the City's operating budget.

Interest & Penalties: ($1,470,000)

The foregone revenue due to Covid-19 on waived interest and penalties for property taxes until the end of June 30, 2020 is estimated to costs ($1.2M) and is expected to be offset by $600,000 which will be levied against taxpayers who have remained or who have subsequently fallen into arrears. The lost interest revenue due to investment returns was mitigated through the deferral of outgoing cash flows and strategic investment opportunities.
A deficit of ($870,000) is projected in Interest Income. As a result of COVID-19, the City undertook proactive measures to ensure that sufficient liquidity in terms of working capital was available to support ongoing municipal operations. Investments which matured where not renewed in full and portions of available funds were invested at lower yields than previous available. Funds retained in bank accounts were also subject lower yields as a result of the Federal Governments actions to drop interest rates of total of three (3) times since January 1, 2020. The current Federal overnight rate is 0.25%.

Municipal Accommodation Tax (MAT): ($1,300,000)

The COVID crisis has had a severe impact on the hotel industry with many facilities being partially or fully closed beginning on or around mid-March. Occupancy rates for the 1st quarter of 2020 are typically lower than in the spring and summer months where travel is more prominent due to vacations and sports travel. Based upon the quarterly results from 2019, Administration has projected a decline in revenues of 15% during this 1st quarter and further reductions for both the 2nd and 3rd quarter. The actual gross revenue decline for the 1st quarter (Jan to March) as compared to 2019 was approximately $140,000. The actual gross revenue decline for the 2nd quarter (April to June) as compared to 2019 was approximately $585,000. With the City moving into Phase 3 of the Provincial reopening, it is hoped that some of the revenue loss can be mitigated. Current projections, which are based upon prolonged periods of low occupancy for this industry, suggest that the total shortfall could be in the range of $1.3M. Any shortfall may limit future investments in the tourism industry as the MAT tax revenues are shared equally between TWEPI and the City's Tourism Development Infrastructure and Program Reserve.

Property Tax Vacancy Rebates: ($500,000)

The City of Windsor maintains a property tax rebate program that provides commercial and industrial property owners with an annual tax rebate on occupied property that meets the conditions of being vacant. Property owners have until February of the year following the taxation year in which to apply for the property tax rebate. As such, Administration must estimate the current year rebate based upon current economic conditions. Given the impact of COVID-19 on many commercial business operators, many of which were forced to cease operations, Administration conservatively projects that an increase of approximately $500,000 which will be required to be set aside to fund applications for the vacancy rebate in addition to what is generally received each year.

CORPORATE ACCOUNTS

Capital Interest Income: ($425,000)

A year-end deficit of ($425,000) is being projected largely due to declining interest rates resulting from the Bank of Canada's response to the economic fallout of COVID-19.

Property Tax Relief: ($263,000)

As a result of an application submitted by a property owner, property tax relief in an amount estimated to be approximately ($263,000) will be expensed in 2020. This expense is directly related to the reconfiguration of a hotel into an accommodation facility for hospital staff, a direct result of actions taken in response to COVID-19. This expense, is considered to be one-time in nature and is in addition to what would normally be provided in a given year as a result of municipal property tax relief programs. Funding for this expense will need to come from either the Tax Appeal Reserve or a direct reduction in supplemental tax revenue that would otherwise be available to support regular ongoing 2020 municipal operations.

Bad Debt Expense: ($200,000)

A deficit of $200,000 is projected as a result of an increased provision for doubtful customer accounts which have balances owing to the City and may not be collected in full. These amounts are owing from customers who have contracted with the city for services however due to the impact of COVID-19 are unable to pay the balance owing. These balances are unsecured in that the amounts cannot be added to property taxes. While collection activity will be pursued, the amounts will be included in the annual provision for doubtful accounts. Any recovery of an amount will be recognized as revenue in the year that it is received.

Workforce Management Project (WFM): ($150,000)

Due to COVID-19 the Workforce Management System (WFM) was not able to adhere to the planned go-live schedule for 2020. In 2020, work effort by project resources had to be redirected to assist with the pay implications of COVID-19 such as, Pandemic pay for essential workers and a modified go-live plan. It should be noted that the current estimate does not include any future phases of pandemic pay which may lead to additional efforts from the project team resulting in an increased deficit. The project team was limited by social distancing restrictions to provide system training to employees that required in-person training sessions. Approximately 400 employees were added in 2020 when the City of Windsor moved to stage 3 of the pandemic. Therefore, the one-time dollars previously approved for the project are still required to continue the implementation of the WFM system in a phased-in approach for the remaining groups. The variance of ($150,000) represents the deficit in funding resulting from the redirection of the project team's efforts related to COVID-19.

Waiver of Fees: ($65,000)

In 2012, Council approved a new Waiver of Fees policy to provide a consistent and systematic approach in assessing requests for waiving fees for the various services that the City offers. In addition to approving the policy, Council also approved the recommendation that a corporate account be established to track all costs related to the waiver of fees. Fees approved to date this year amounts to $65,000 consisting of $47,000 for Habitat for Humanity and $18,000 for the Windsor International Film Festival (WIFF). No specific operating budget allocation has been approved related to the Waiver of Fees policy.

Corporate Travel, Training & Conference Savings: $500,000

In light of the current pandemic, a majority of training and conference opportunities have been cancelled in an effort to minimize the spread of the virus. As a result, savings in travel, training and conference accounts have been realized corporate wide.

CORPORATE ACCOUNTS

Corporate Provisions: $955,000

The Corporate Provision account is projected to end the year with a surplus of approximately $955,000. This budget contains provisions for JJE, unanticipated WSIB costs, an overtime provision for eligible non-union members, and a general contingency provision. This account contains provisions and accruals for various collective agreements that have been updated to reflect expected costs for the current year. It should be noted that the surplus in this account is offset by various deficits experienced across various line items in departmental budgets.

Fringe Benefit Savings: $1,220,000

For the majority of the Corporation's fringe benefits (Canada Pension Plan, Employment Insurance, and OMERS) it is business as usual and no savings are projected at this time. Medical and dental benefits through Green Shield, are forecasted to have an annual savings of approximately $2 million. This has been estimated by the Corporation's benefits consultant, due to the closures throughout the year as a result of COVID-19. The Short Term Disability Program for Transit Windsor is projecting a deficit of ($130,000) due to increased claim activity. LTD Payments is forecasting a ($400,000) deficit, due to the unpredictability of the number of employees who are expected to be approved for LTD in a given year, the amount of their LTD benefit and the length of time they are claiming the benefit. In addition, Transit Windsor settlement increased the cap on the LTD payments, which in turn increased the premiums paid. The Group Life Insurance account is trending in a ($250,000) deficit based on 2020 budget deliberations where it was decided not to bring forward the budget increase request and to assume the risk and maintain a zero budget increase.

Corporate Utilities: $1,995,000

The analysis below for Electricity, Water and Natural Gas is reflective of information available for the months of January to July 2020. District Energy analysis is reflective of year to date June data.

Electricity: $650,000

A budget surplus of $650,000 is being projected to year end. Consumption data indicates a decrease of (3.67%) and a corresponding decrease in costs of (9.79%) compared to 2019. The consumption/cost decrease is primarily related to the shut down of various facilities as a result of COVID-19 $620,000 Surplus and mitigating electricity rate adjustments by the IESO $30,000 surplus. Efforts to reduce electricity consumption and contain operating costs are critical and continue to be a central focus of the Corporate Energy Initiatives. An additional savings of $346,000 is related to sewer surcharge and $4,000 in Parking are not included in the total $650,000 surplus.

Water: $335,000

A budget surplus of $200,000 is being projected to year end. Consumption has decreased by (28.09%) with a corresponding cost increase of 12.95% compared to 2019. The consumption decrease is primarily the result of the COVID-19 shut down. The cost increase of 12.95% is associated with the sewer surcharge rate increase. While the COVID saving is projected to be an estimated $400,000 surplus it is being offset by a projected year-end deficit of ($65,000) relating to sewer surcharge rate increases. An additional deficit of ($135,000) is related to sewer surcharge and is not included in the total $335,000 surplus.

Natural Gas: $810,000

A budget surplus of $810,000 is being projected to year end. Consumption data indicates a decrease of (9.84%) and a corresponding decrease in costs of (8.55%) compared to 2019. The consumption/cost decrease is a result of the following factors: The CHP at WIATC is projected to operate only 3 months in 2020 compared to initially estimates of 12 months $245,000 surplus, formulation error during 2020 budget preparations $240,000 surplus, overstated WBPF consumption adjustment $245,000 surplus and projected COVID savings related to the shut down of various facilities $80,000 surplus. An additional deficit of ($25,000) is related to sewer surcharge and is not included in the total $810,000 surplus.

CORPORATE ACCOUNTS

District Energy: $200,000

A budget surplus of $200,000 is being projected to year end as a result of COVID-19. Chilled and Hot Water consumption has decreased by (19.04%) and (26.43%) respectively compared to 2019. This consumption decrease is associated with COVID-19. While Hot Water costs are trending (20.2%) lower, Chilled Water costs are trending higher at 23.7%. This cost increase is the result of DEW rate adjustments which is currently the subject of further review and analysis by City administration and Enwin staff.

Government Funding (COVID): $12,027,000

The City of Windsor has received $12,027,000 in grant funding to assist in mitigating any COVID related deficits.

Tourism Windsor Essex Pelee Island (TWEPI)

The City provides funding to TWEPI in accordance with the revenue cost sharing agreement developed in conjunction with the MAT program. Previous to this agreement, the City's annual contribution to TWEPI, as an agency, was set at $923,300. As part of the initial first few years of the MAT program and until the revenues could be more reasonably estimated, City Council has maintained an expenditure within the budget of $923,300 which is transferred to the Tourism Infrastructure and Program Development Reserve Fund. TWEPI has received news from the province that they will be receiving a $629,788 grant to assist tourism with the impacts of the COVID 19 pandemic. This grant will help mitigate the expected loss of MAT revenue. Any remaining shortfall in funding for TWEPI can be funded from the transfer to the reserve.

Enwin Utilities

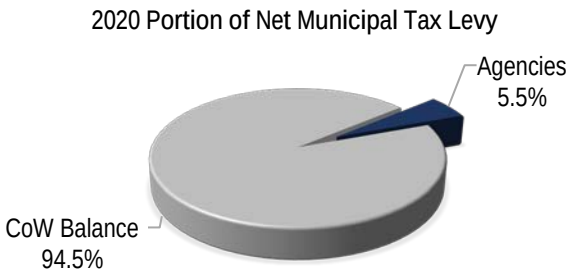
The City budgets a $4M dividend from Enwin. Preliminary indications are that payment of this dividend may be delayed to accommodate cash flow requirements at Enwin. While, it is still premature to determine when and if all of the budgeted dividend will be received, overall water usage is trending similar last year. Any reduction in water consumption may result in decreased revenue to the City from the wastewater (sewer surcharge) fees collected by Enwin on the City's behalf. Administration will continue to monitor consumption trends.

AGENCIES

DEPARTMENTAL OVERVIEW

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($100,598)	($825,598)	($100,598)	($100,598)
Annual Expense Budget	$18,010,674	$20,195,286	$19,420,107	$19,996,396
Annual Net Budget	$17,910,076	$19,369,688	$19,319,509	$19,895,798
Annual Net Variance	$504,004	$429,914	$376,627	($1,410,000) *
Variance as a % of Gross Budget	2.8%	2.1%	1.9%	(7.1%)

** Projected*



VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
EMS / Land Ambulance	($1,300,000)	$0	($1,300,000)
Essex Region Conservation Authority (ERC/	$0	($65,000)	($65,000)
Handi Transit	($45,000)	$0	($45,000)
Windsor Essex County Health Unit	$0	$0	$0
Net Total	($1,345,000)	($65,000)	($1,410,000)

AGENCIES

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($1,410,000)* *(Deficit)*

EMS / Land Ambulance: ($1,300,000) Deficit

Based on current information, EMS / Land Ambulance is projecting the City of Windsor's share of the year-end deficit to be approximately ($1,300,000).

EMS / Land Ambulance has updated their projections based on August activity and additional information from WSIB regarding their NEER (New Experimental Experience Rating) assessment, which has resulted in significantly higher projected future costs than first expected for several 2019 claims. There is significant risk that those individuals won't be back to work prior to the September 30th NEER cut off date, resulting in an estimated variance of approximately ($600,000).

Salaries and benefits are anticipated to be $1.2 million over budget, largely due to response efforts related to COVID-19 (hiring of temporary staff to assist with donning/doffing personal protective equipment (PPE), backfilling of sick leaves, managing overtime, and the inability to allow vacations). It should be noted that this does not include unbudgeted costs related to Temporary Pandemic Pay, as this was 100% funded by the Province.

The purchase of PPE, higher than normal laundry / disinfection costs (related to COVID-19 protocols), and increases in unit costs for medical supplies & equipment (resulting from global increases) is expected to cause an additional deficit of approximately $1.2 million.
Offsetting these variances are positive competitive procurement results related to the purchase of stretchers and door access improvements and the deferral of certain projects / equipment replacement which have generated significant savings. Additional savings resulting from the unexpected decline in fuel prices have materialized. Finally, adjustments were made to the methodology used for distribution of Paramedics funding within the region resulting in additional base funding for the VPN (vulnerable patient navigator) program.

Essex Region Conseration Authority ($65,000)

The Essex Region Conservation Authority's budget was approved subsequent to the City's budget being approved and will result in a ($65,000) deficit.

Handi Transit ($45,000)

Handi Transit is projected to end 2020 with a ($45,000) overall deficit. Due to Covid19, Handi Transit has experience a reduction in ridership which resulted in reduced revenue. Handi Transit also incurred additional expenses for building and vehicle cleaning in order to ensure all areas met Covid19 cleaning requirements. The department did see saving in the salary and wage accounts due to a reduction in temporary employees required to provide necessary service. At quarter 3, the department is anticipating a year end deficit of ($45,000).

Windsor Essex County Health Unit: $0

The Windsor-Essex County Health Unit (WECHU) received funding approvals from the Ministry of Health in the latter part of August 2020 and is currently assessing the application of those approvals to actual and forecasted financial expenditures for the 2020 fiscal year. Although it is estimated at this time that the projected deficit previously communicated in July may be offset by funding received from the Ministry, updated forecasts will be made available in October of 2020 which may change the final year-end position.

ROSELAND GOLF & CURLING CLUB

DEPARTMENTAL OVERVIEW

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($2,322,000)	($2,248,000)	($2,547,000)	($2,590,000)
Annual Expense Budget	$2,322,000	$2,342,000	$2,545,000	$2,590,000
Annual Net Budget	$0	$94,000	($2,000)	$0
Annual Net Variance	($255,000)	($217,000)	($380,000)	($260,000) *
Variance as a % of Gross Budget	(11.0%)	(9.3%)	(14.9%)	(10.0%)

** Projected*

VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Revenues	($1,140,000)	$196,000	($945,000)
Expenses	$664,000	$20,000	$685,000
Net Total	($476,000)	$216,000	($260,000)

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *($260,000)*

The 2019/2020 curling season was ended several weeks early, therefore revenue for the remaining weeks of the season was not realized. Further, the 2020/2021 season is expected to be canceled as well.

Golf at the main Roseland course, and associated par 3, would typically open in late March. Due to provincial COVID restrictions, golf did not begin until May 16, resulting in lost revenue. Further, PPE and additional staff were needed to operate safely.

The Roseland Clubhouse, which has a restaurant and hosts golf tournaments and other events, has remained closed since March. Food and beverage has only been available at the course half way hut and from the beverage cart.

Golf at the secondary 9 hole course, Little River, was not resumed in 2020, as there was no electronic tee sheet to control the number of golfers attending the course at any time and insufficient management resources to safely direct golf operations.

There have been measures taken to mitigate the revenue lost due to COVID, such as laying off staff and limiting the maintenance of closed operations.

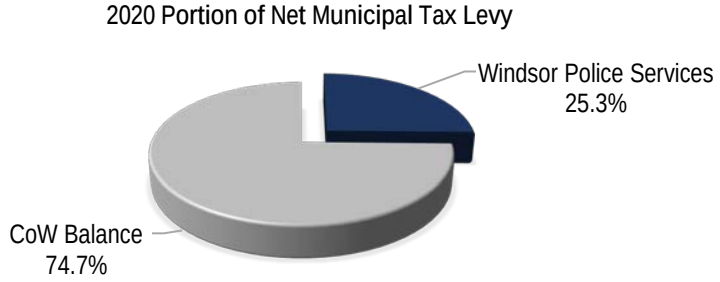
WINDSOR POLICE SERVICES

DEPARTMENTAL OVERVIEW

MISSION: The Mission of the Windsor Police Service is to serve our community. Working together, we prevent and investigate crime and provide support to those in need. We perform our duties with professionalism, accountability, and integrity, to ensure the safety of all the members of our diverse community.

Financial Summary	2017	2018	2019	2020
Annual Revenue Budget	($10,336,742)	($11,656,835)	($17,775,338)	($17,364,207)
Annual Expense Budget	$92,773,764	$95,600,360	$106,512,992	$109,490,813
Annual Net Budget	$82,437,022	$83,943,525	$88,737,654	$92,126,606
Annual Net Variance	($148,382)	($587,065)	($480,124)	$0 *
Variance as a % of Gross Budget	(0.2%)	(0.6%)	(0.5%)	0.0%

** Projected*



VARIANCE SUMMARY

Description	Q3 COVID Projection	Q3 Non-COVID Projection	Q3 Overall Projection
Revenues	($750,000)	$0	($750,000)
Expenses	$0	$750,000	$750,000
Net Total	($750,000)	$750,000	$0

VARIANCE DESCRIPTION

The total departmental year-end variance is projected to be approximately: *$0*

Based on current information, the Windsor Police Service (WPS) is projecting to be on target with a 0% budget variance at year-end.

WINDSOR POLICE SERVICES

Revenues:

All fee based revenues are trending below budget due to the COVID-19 pandemic. Projections based on current trends estimate a $750,000 deficit at year-end.

Expenses:

WPS Administration recognized early in the year the financial pressures imposed by the COVID-19 pandemic. In response to these pressures, WPS adapted quickly and deployed very stringent cost mitigation measures to reduce discretionary spending. While significant costs were incurred to procure personal protective equipment, savings were realized in forgone travel, training, community outreach programs, and other initiatives. The net impact of these temporary cost mitigation measures has realized a net savings of $750,000. The WPS Administration has taken a very proactive approach to mitigate a budget variance and will continue to do so.

Appendix B
2020 ECONOMIC & OPERATIONAL STATISTICS (Q3)

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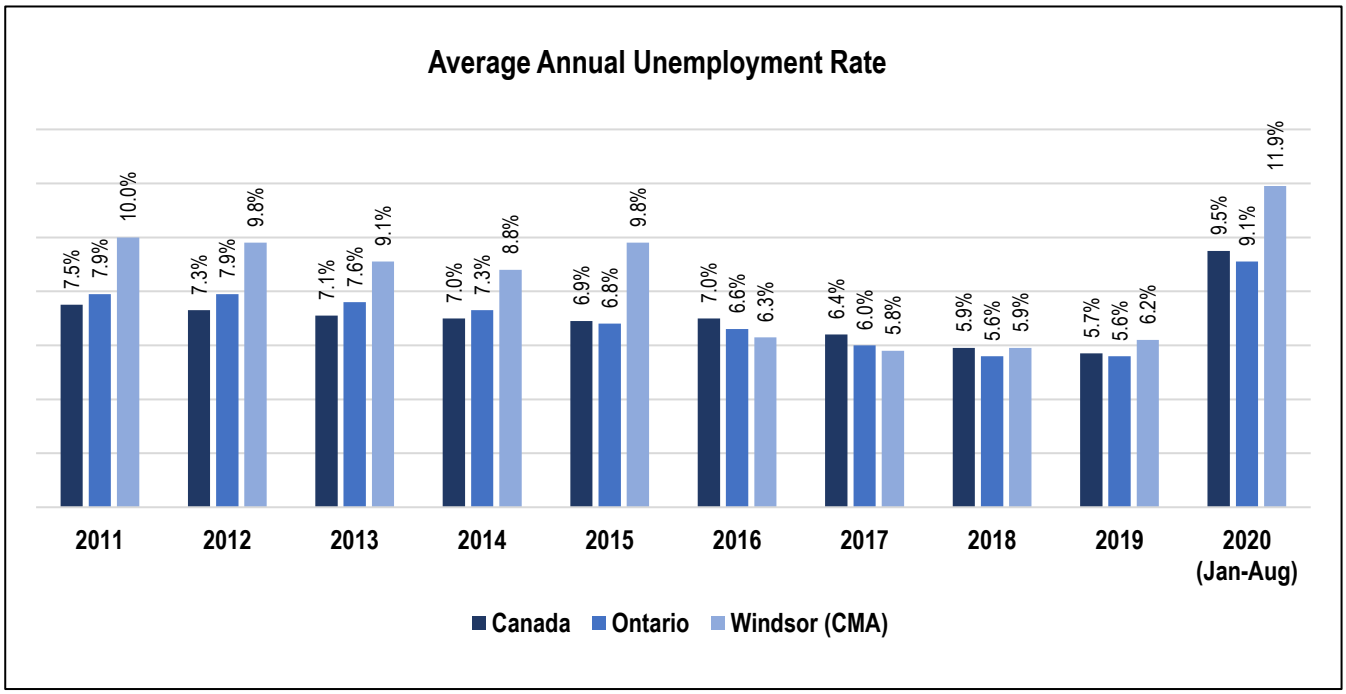
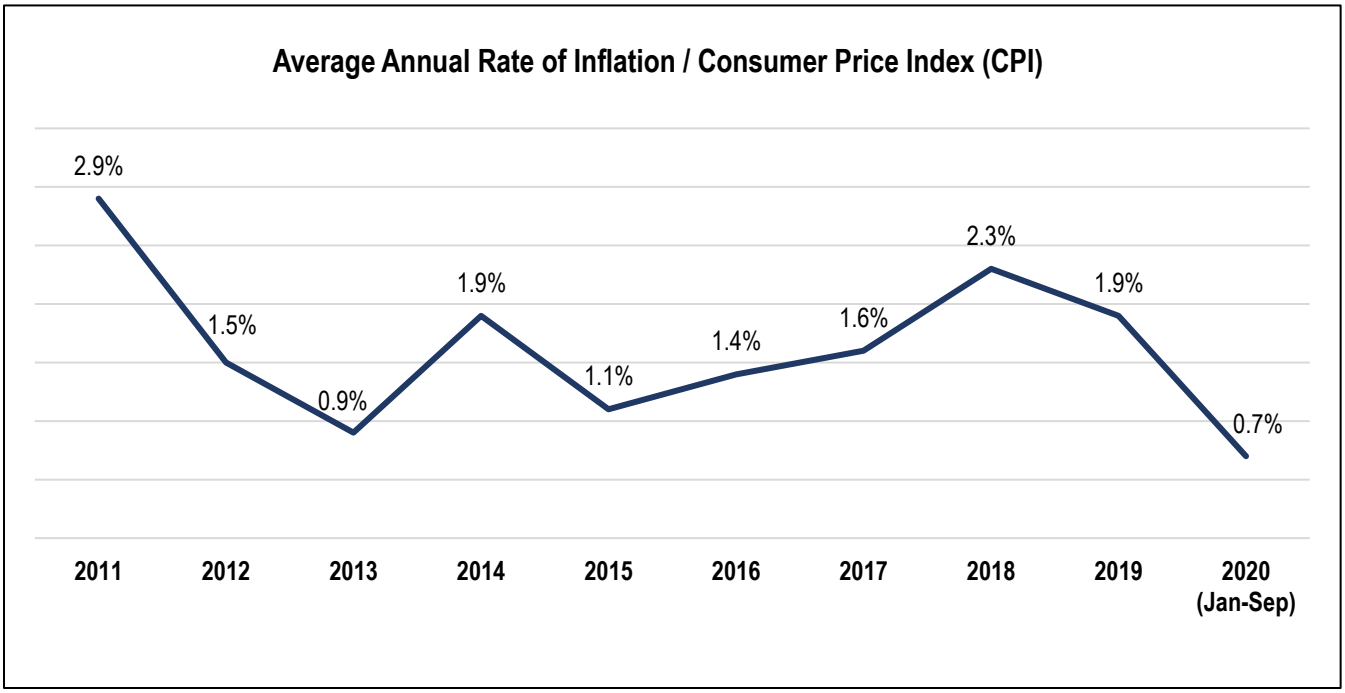
Appendix B
2020 ECONOMIC & OPERATIONAL STATISTICS (Q3)

ECONOMIC STATISTICS

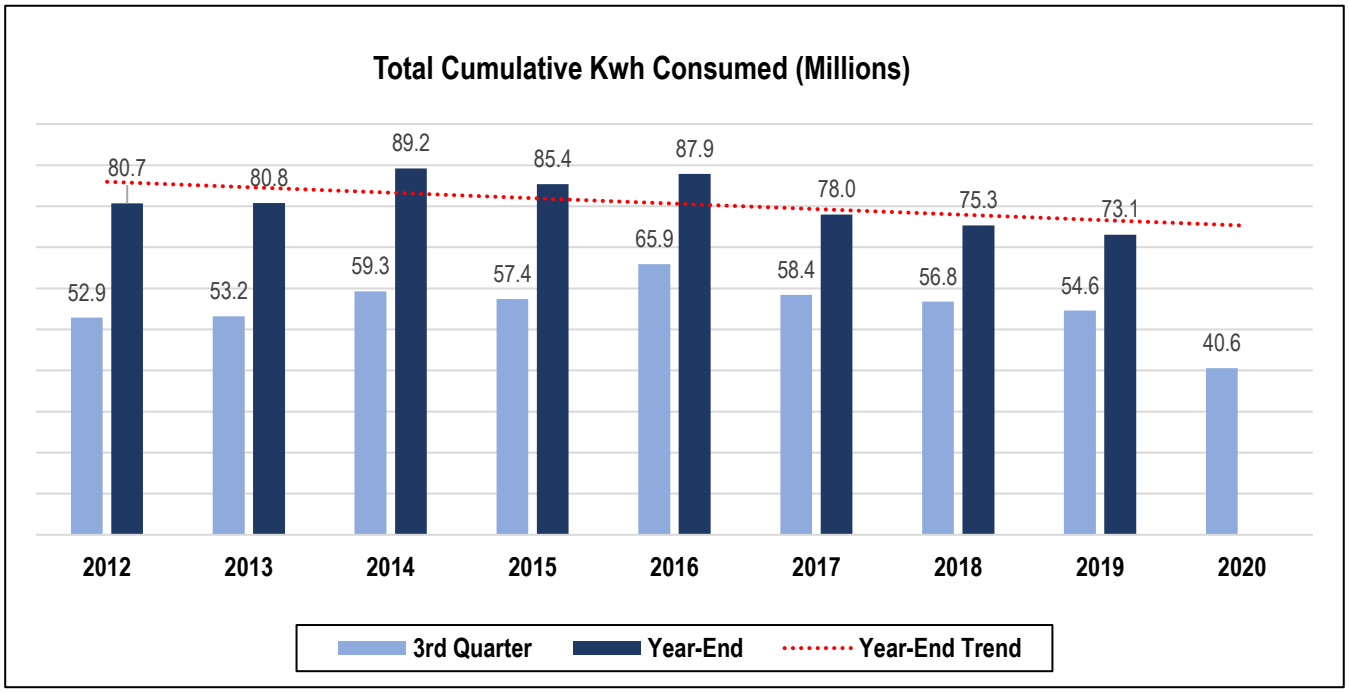


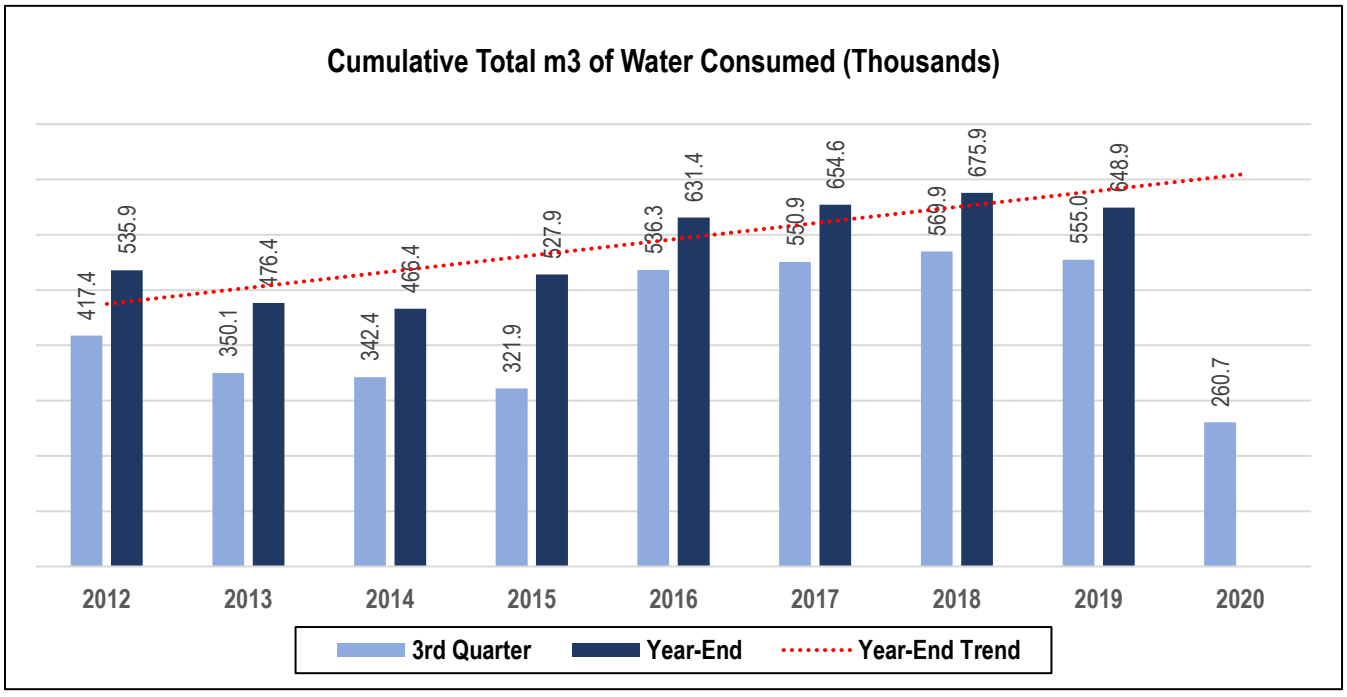
Source: Statistics Canada (3-Month Moving Average, Unadjusted)



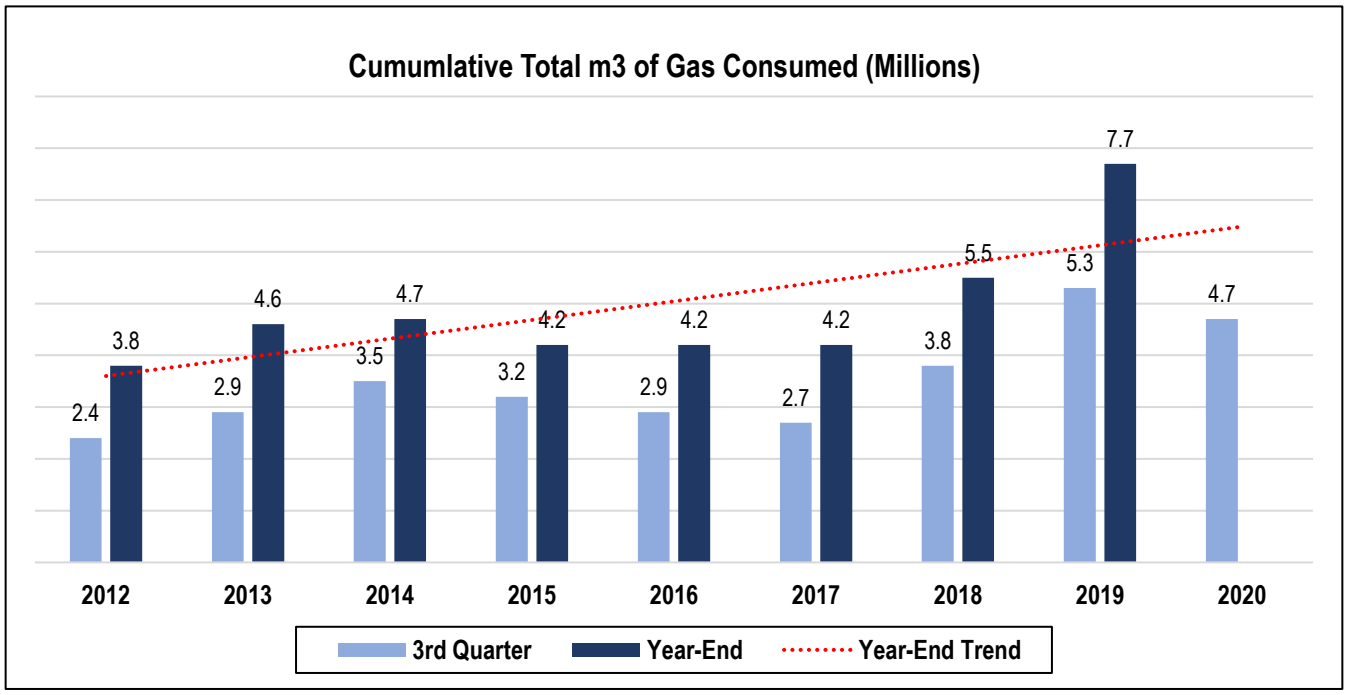
Source: Statistics Canada (All Items, Unadjusted)

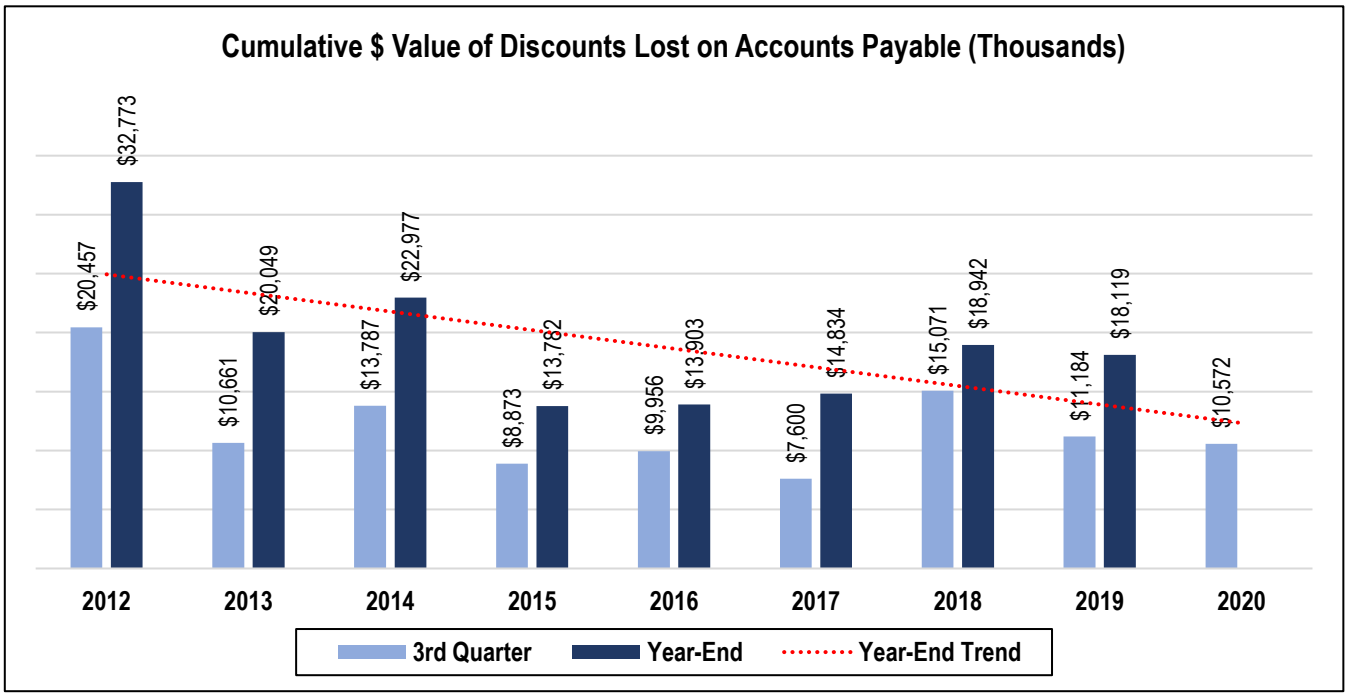
FINANCE


Total Cumulative Kwh Consumed (Millions)
52.9
80.7
53.2
80.8
59.3
89.2
57.4
85.4
65.9
87.9
58.4
78.0
56.8
75.3
54.6
73.1
40.6
2012
2013
2014
2015
2016
2017
2018
2019
2020
3rd Quarter
Year-End
Year-End Trend

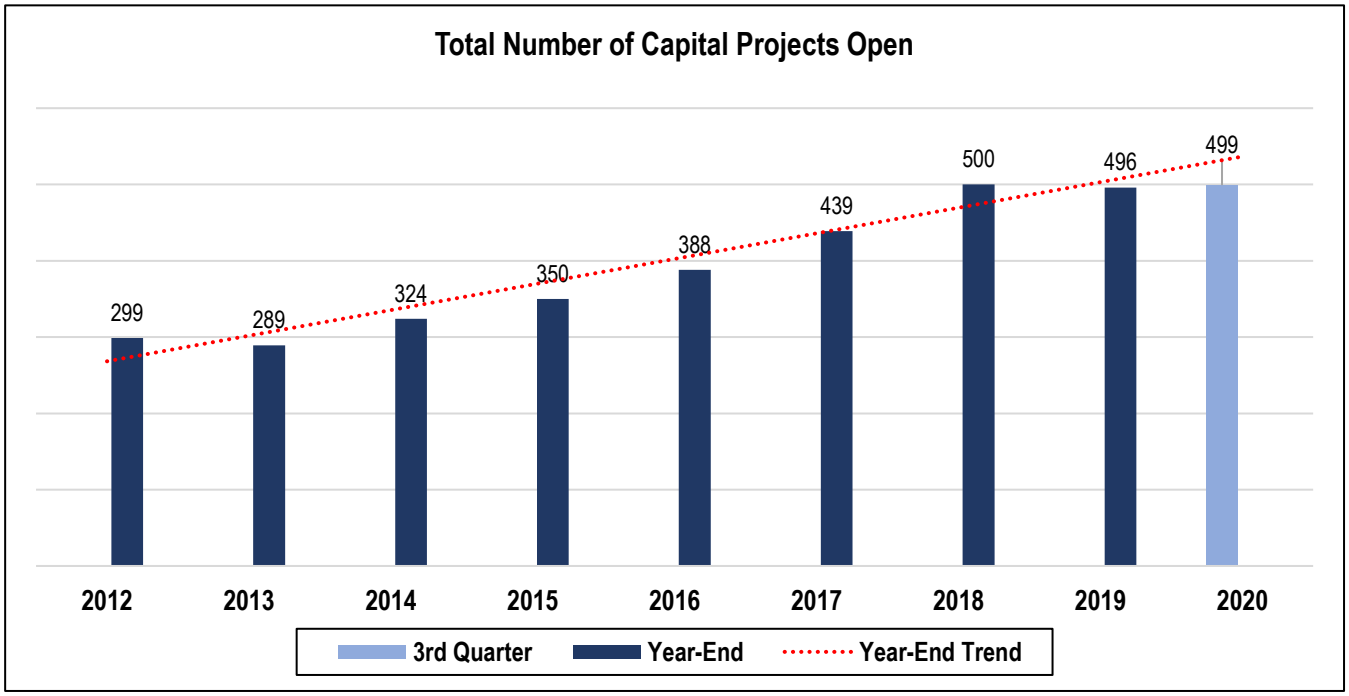

Cumulative Total m3 of Water Consumed (Thousands)
417.4
535.9
350.1
476.4
342.4
466.4
321.9
527.9
536.3
631.4
550.9
654.6
569.9
675.9
555.0
648.9
260.7
2012
2013
2014
2015
2016
2017
2018
2019
2020
3rd Quarter
Year-End
Year-End Trend

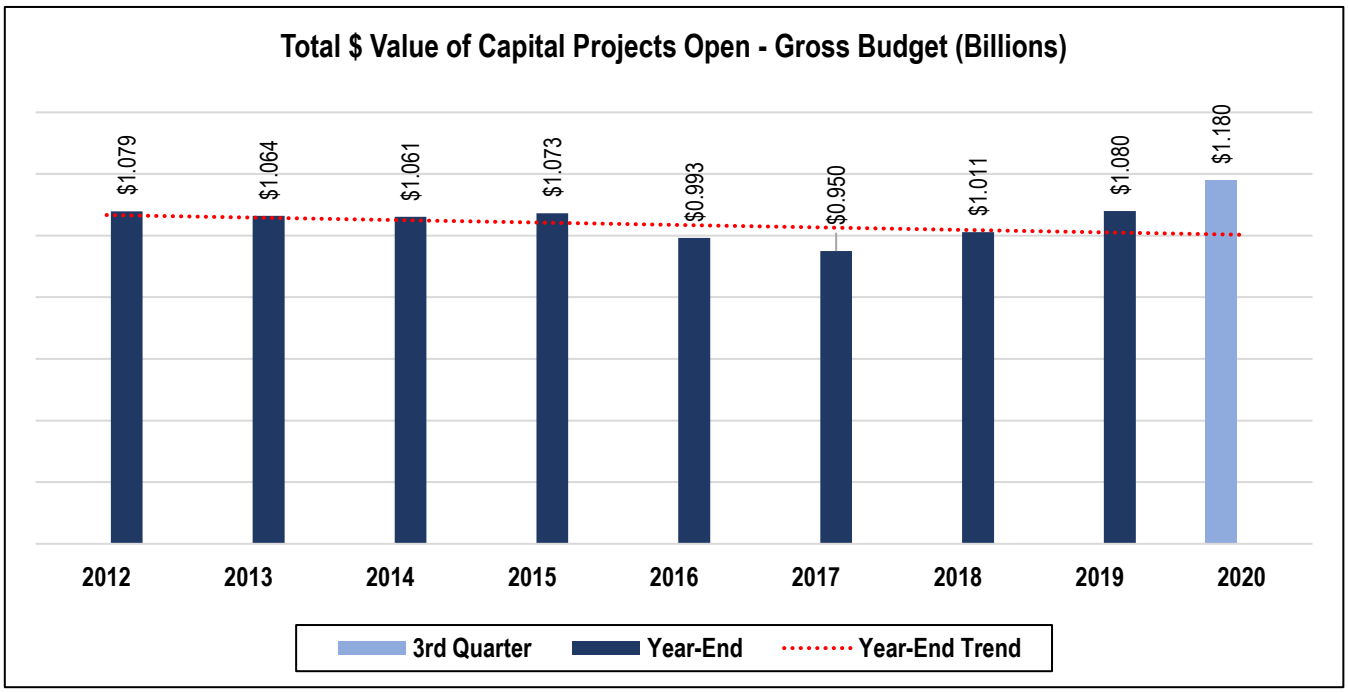
FINANCE


Cumumlative Total m3 of Gas Consumed (Millions)
2.4
3.8
2.9
4.6
3.5
4.7
3.2
4.2
2.9
4.2
2.7
4.2
3.8
5.5
5.3
7.7
4.7
2012
2013
2014
2015
2016
2017
2018
2019
2020
3rd Quarter
Year-End
Year-End Trend


Cumulative $ Value of Discounts Lost on Accounts Payable (Thousands)
$20,457
$32,773
$10,661
$20,049
$13,787
$22,977
$8,873
$13,782
$9,956
$13,303
$7,600
$14,834
$15,071
$18,942
$11,184
$18,119
$10,572
2012
2013
2014
2015
2016
2017
2018
2019
2020
3rd Quarter
Year-End
Year-End Trend

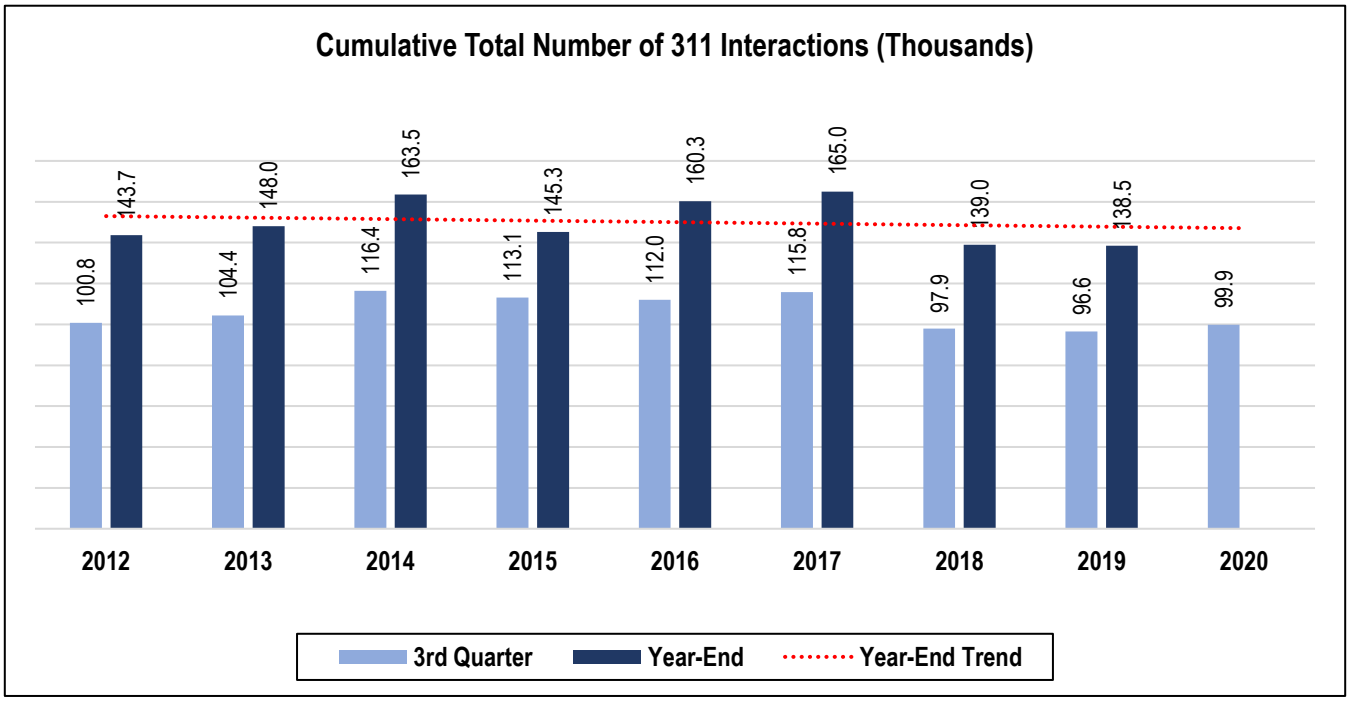
FINANCE


Total Number of Capital Projects Open
299
289
324
350
388
439
500
496
499
2012
2013
2014
2015
2016
2017
2018
2019
2020
3rd Quarter
Year-End
Year-End Trend


Total $ Value of Capital Projects Open - Gross Budget (Billions)
$1.079
$1.064
$1.061
$1.073
$0.993
$0.950
$1.011
$1.080
$1.180
2012
2013
2014
2015
2016
2017
2018
2019
2020
3rd Quarter
Year-End
Year-End Trend

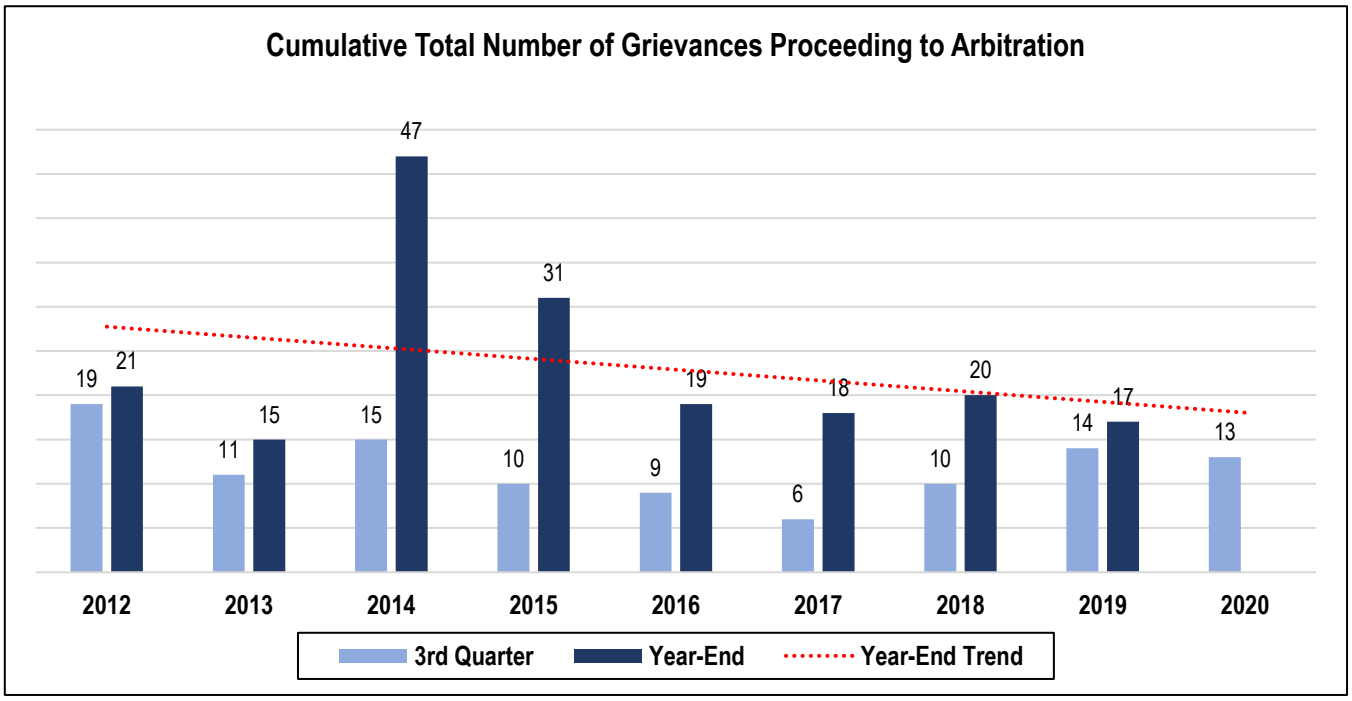
Appendix B
2020 ECONOMIC & OPERATIONAL STATISTICS (Q3)

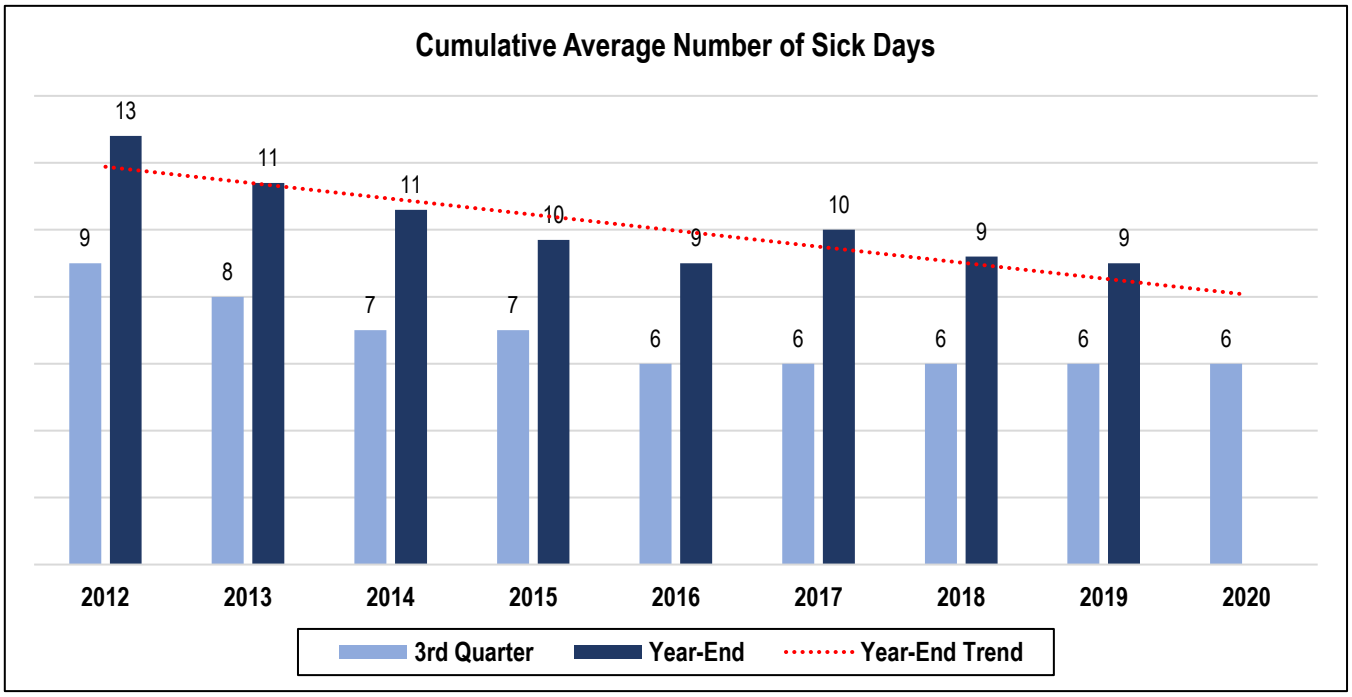
COUNCIL SERVICES



Appendix B
2020 ECONOMIC & OPERATIONAL STATISTICS (Q3)

HUMAN RESOURCES





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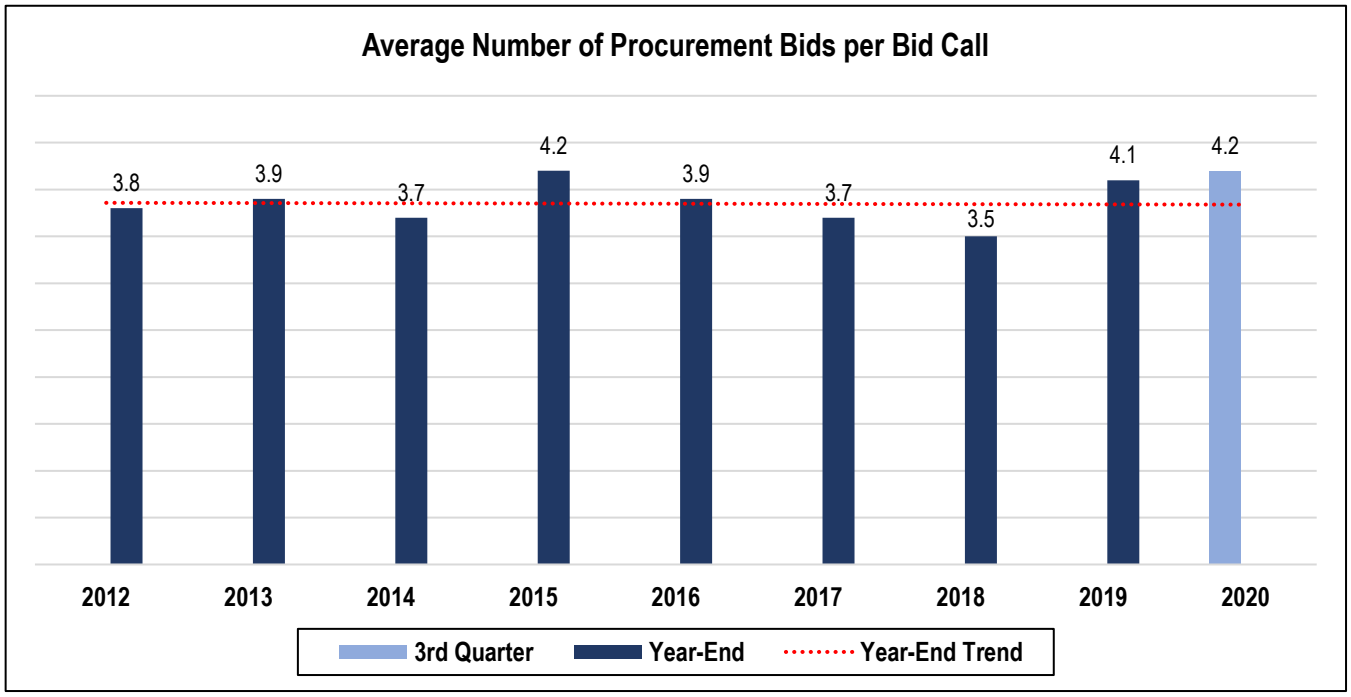
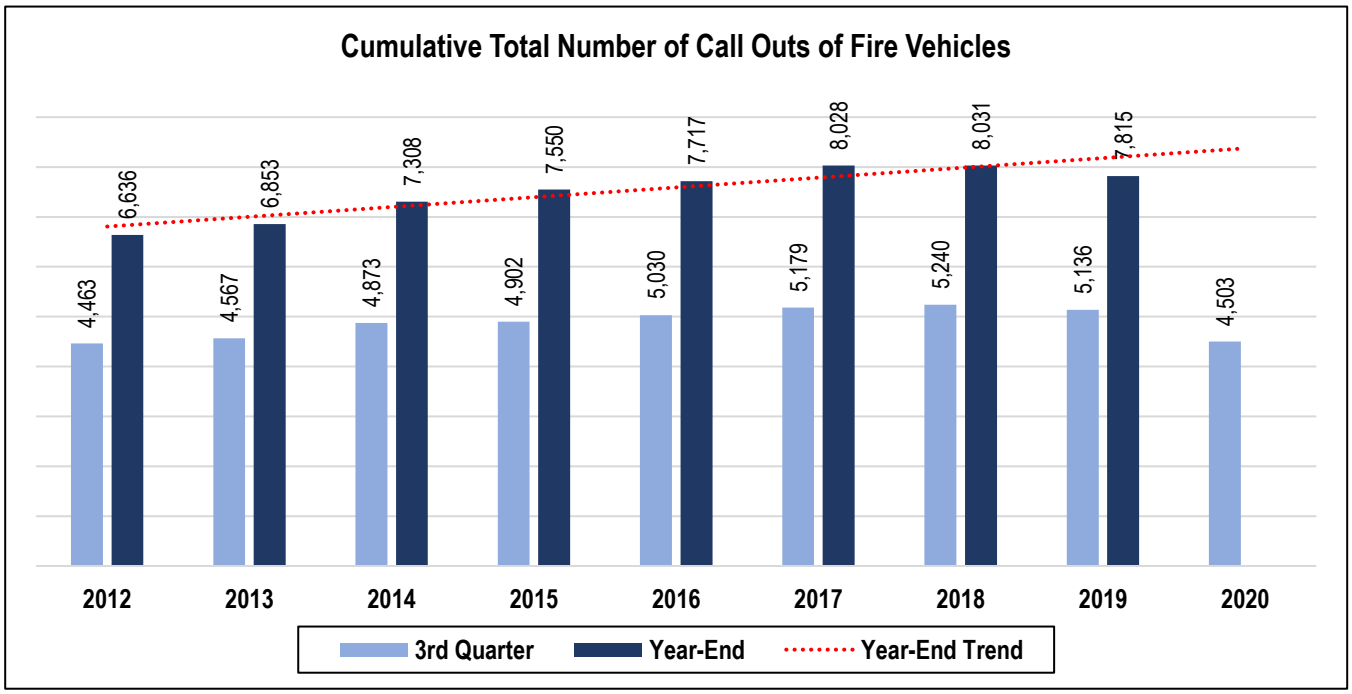
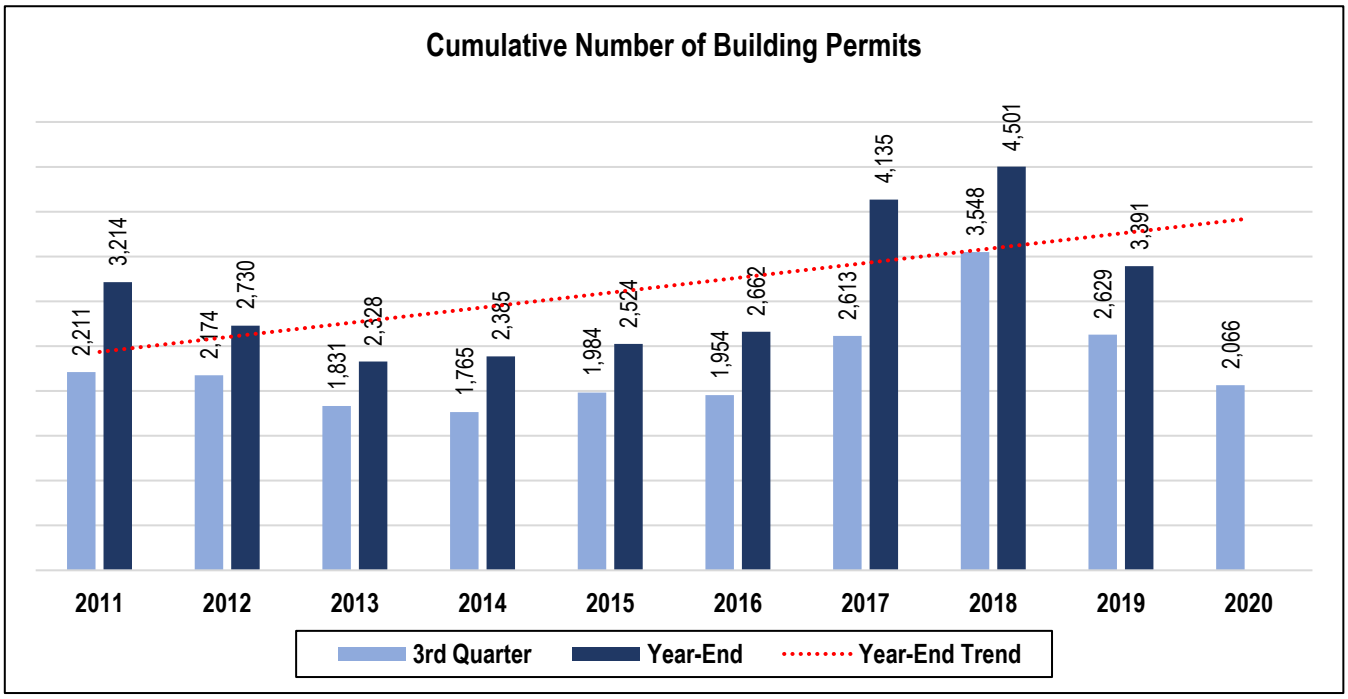
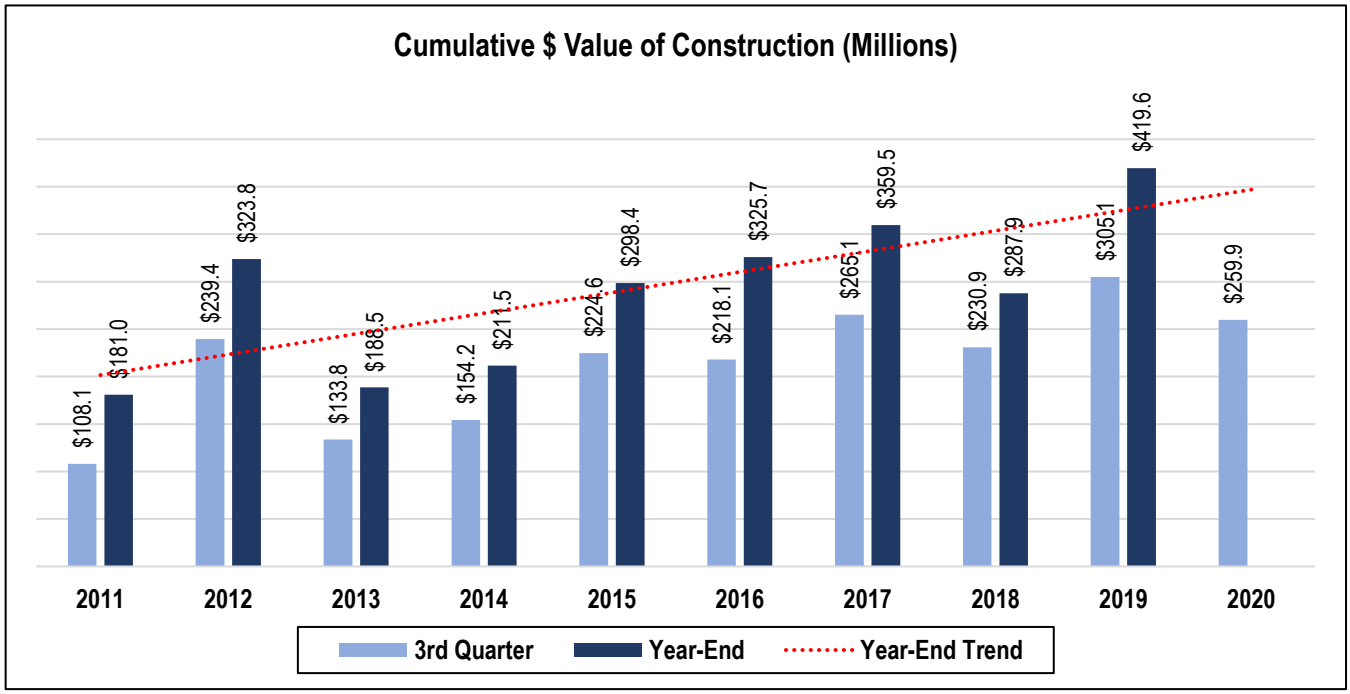


FIRE & RESCUE

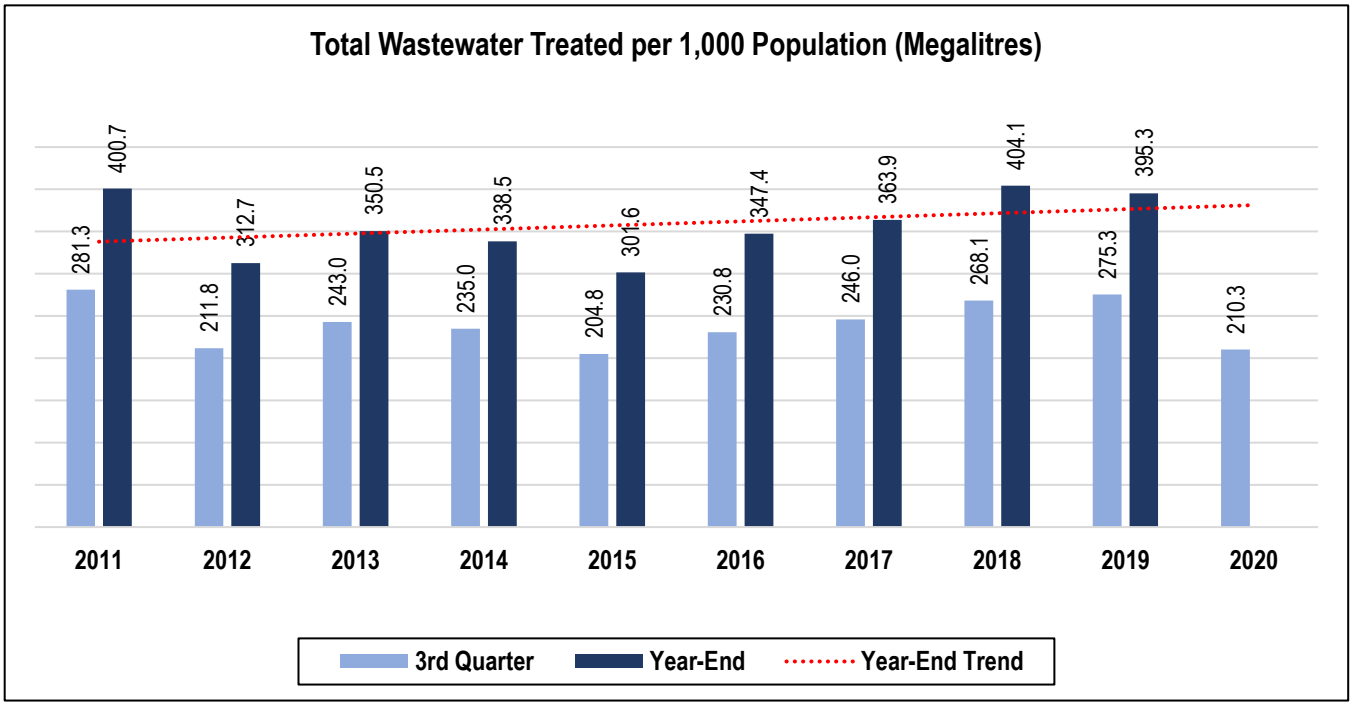


PLANNING & BUILDING

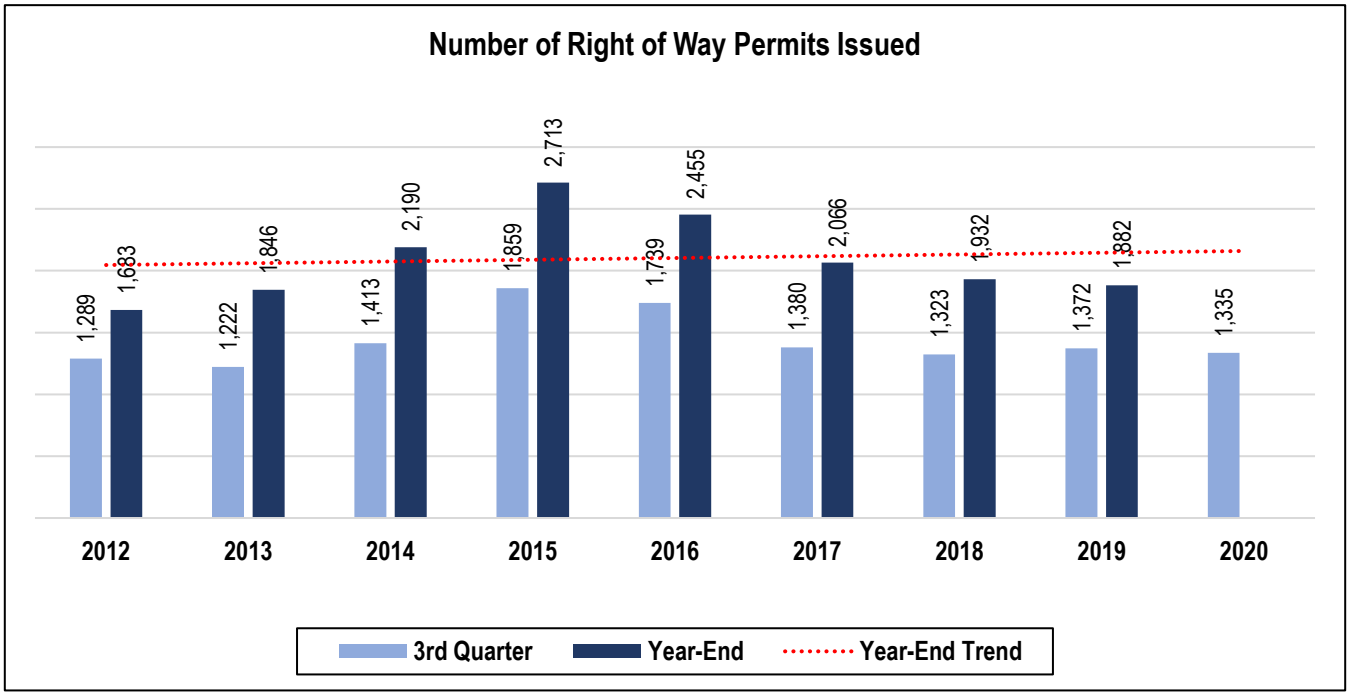




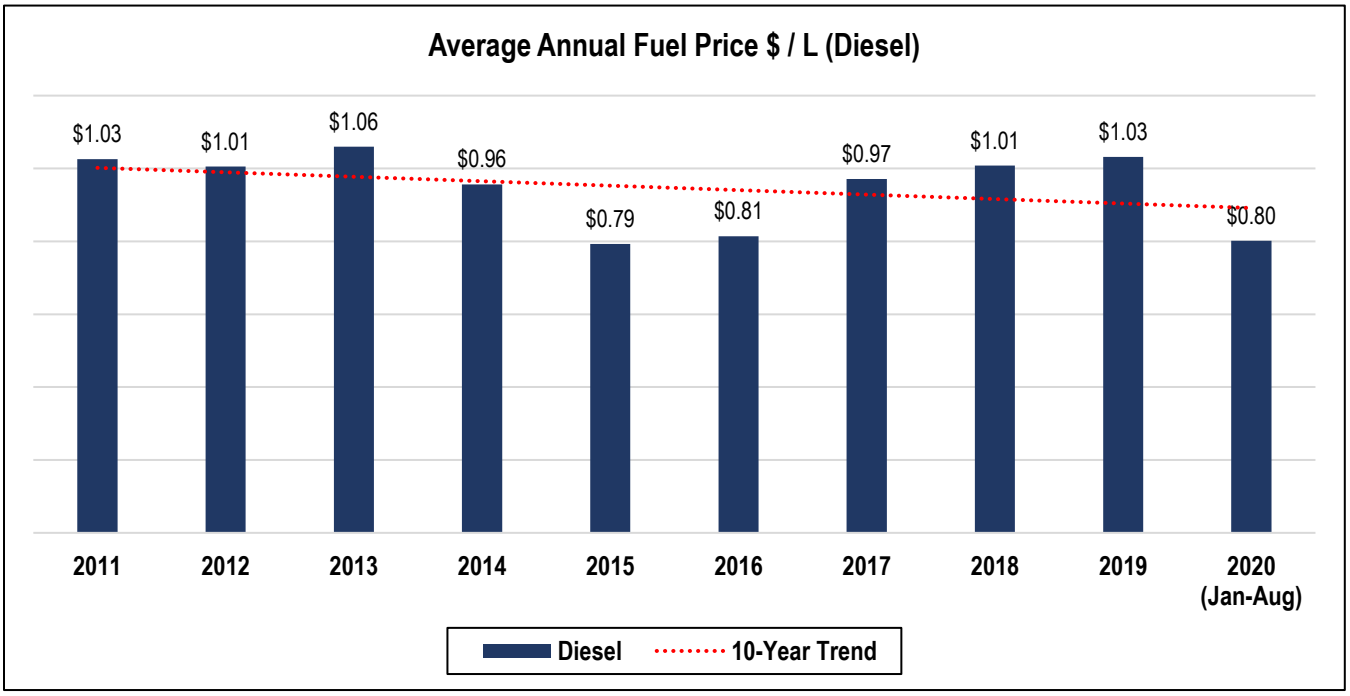
ENGINEERING

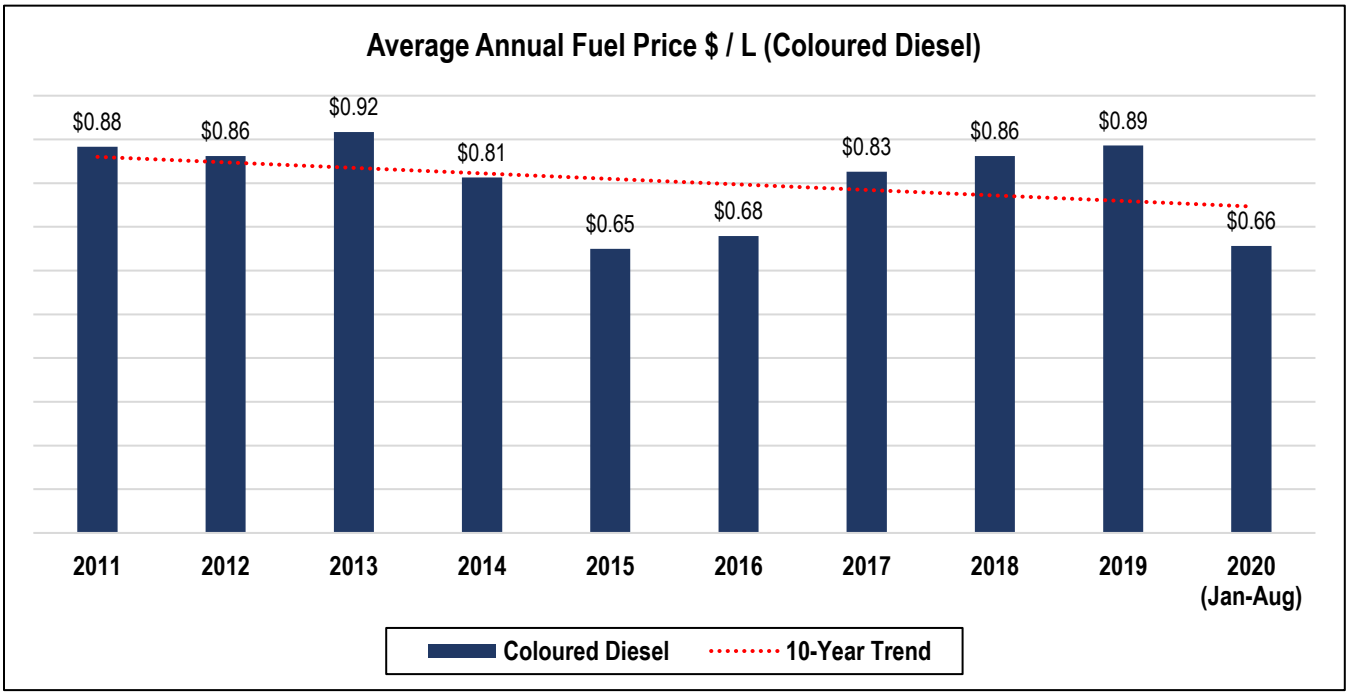


Fluctuations are partially due to changes in precipitation patterns as additional water is treated during heavy storms due to combined sewers.

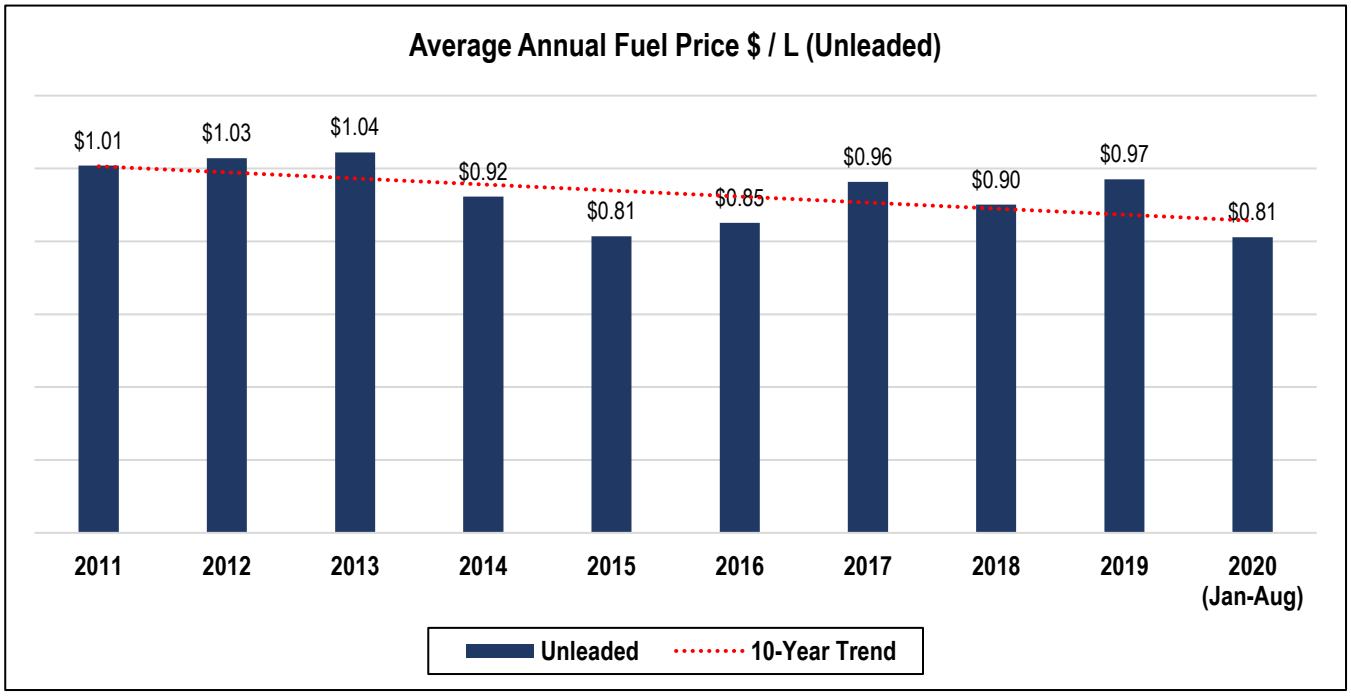


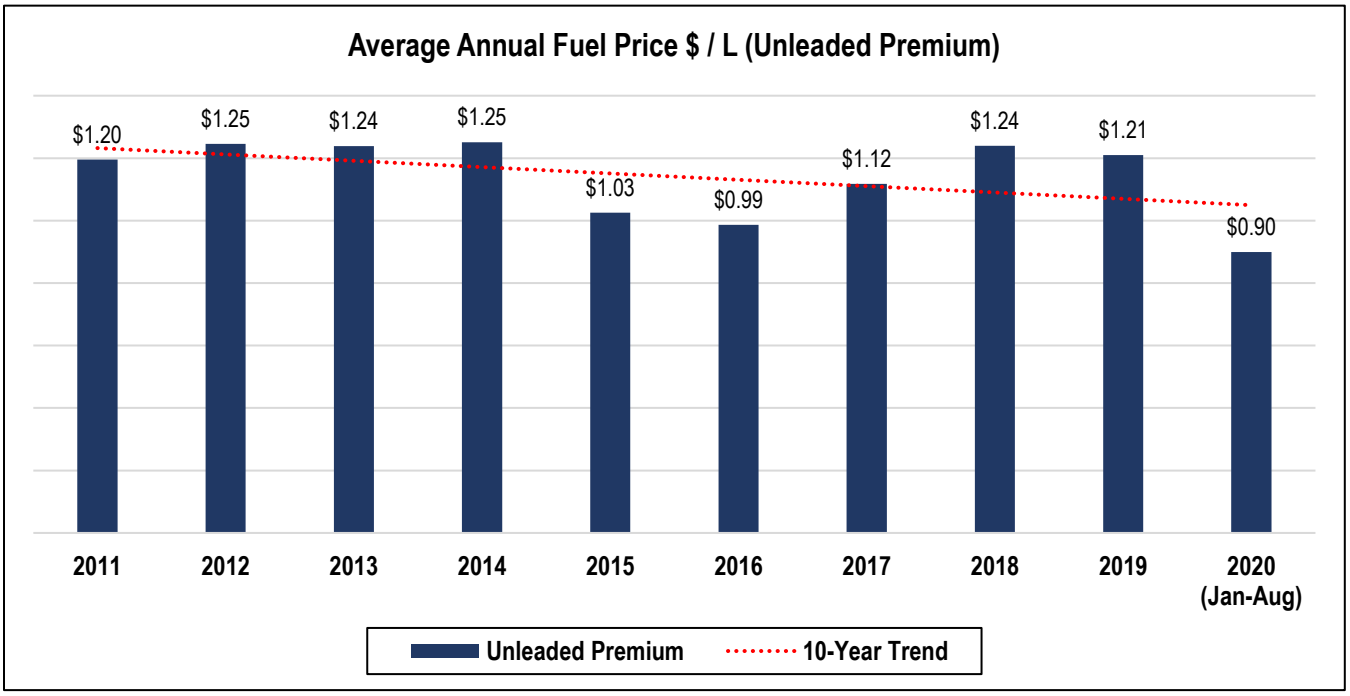
PUBLIC WORKS



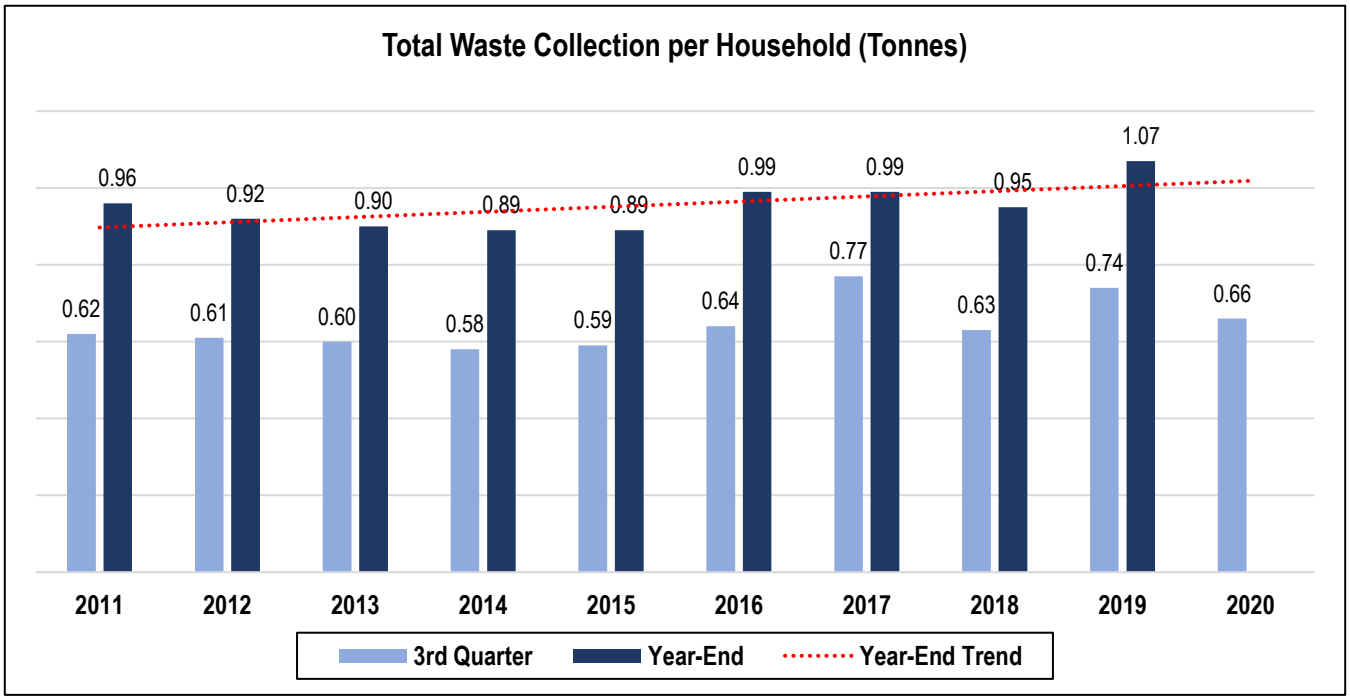


PUBLIC WORKS

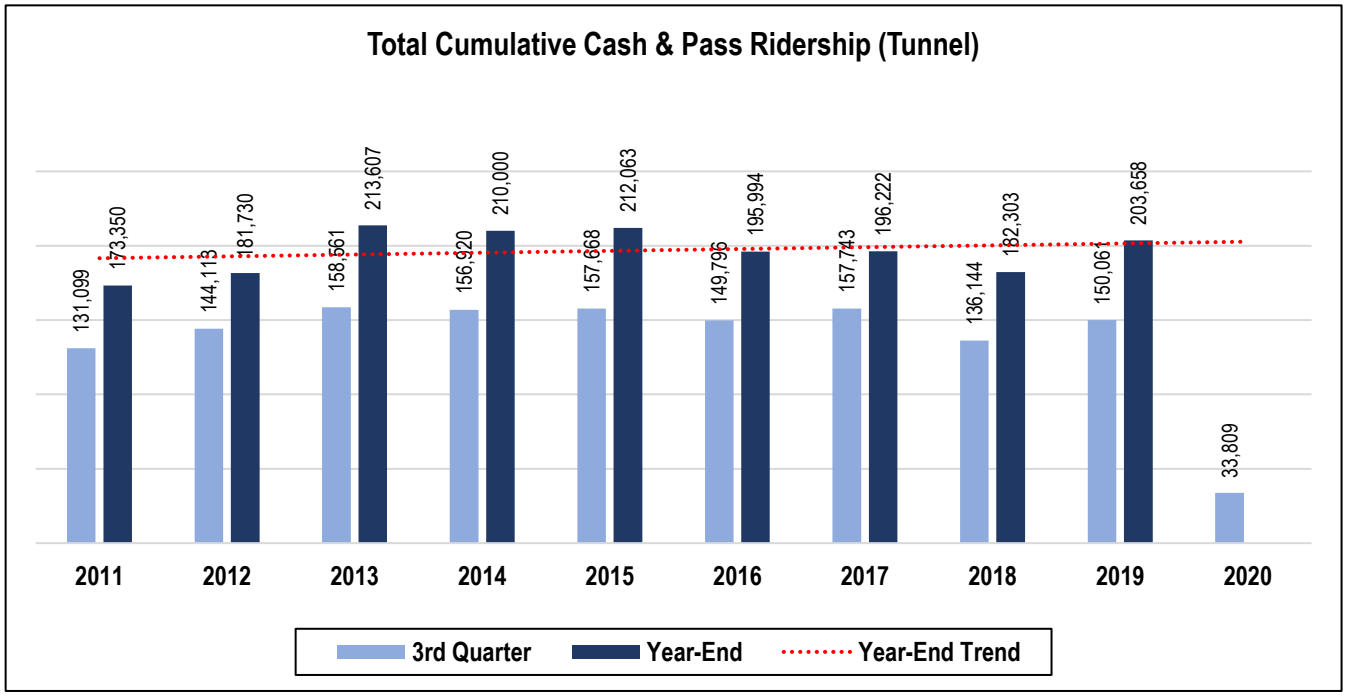


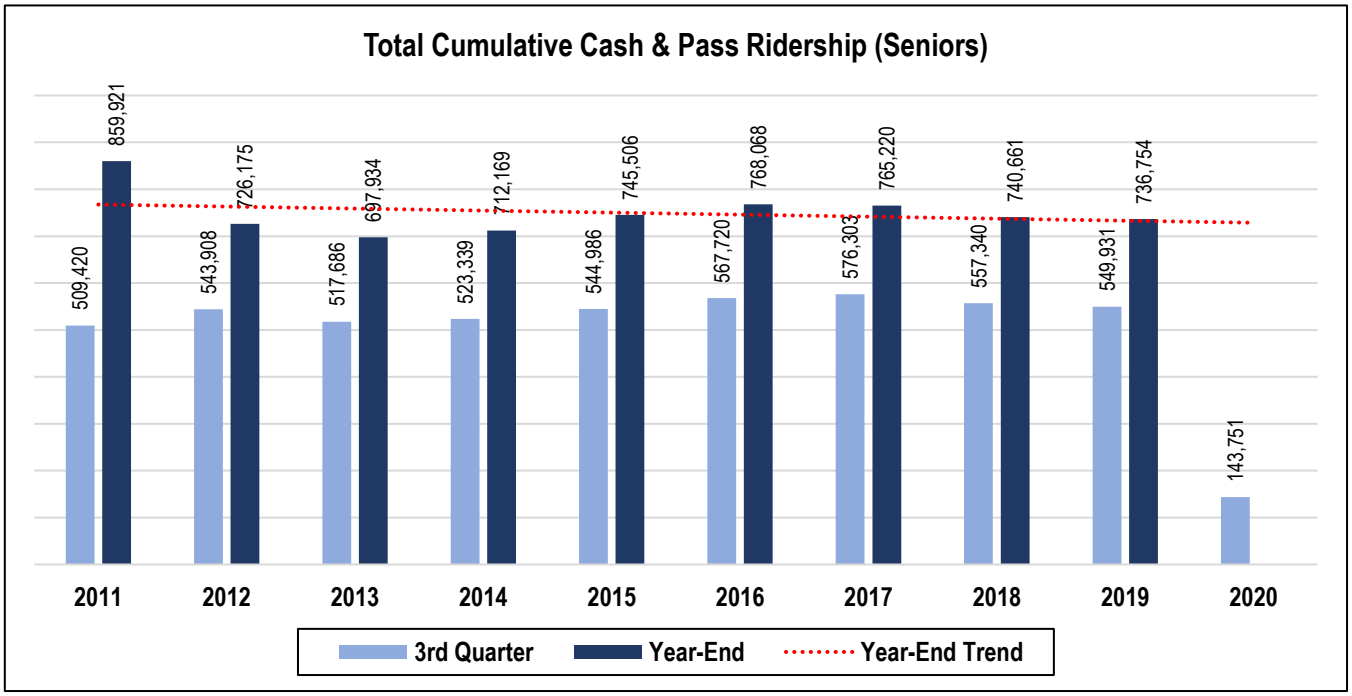


PUBLIC WORKS

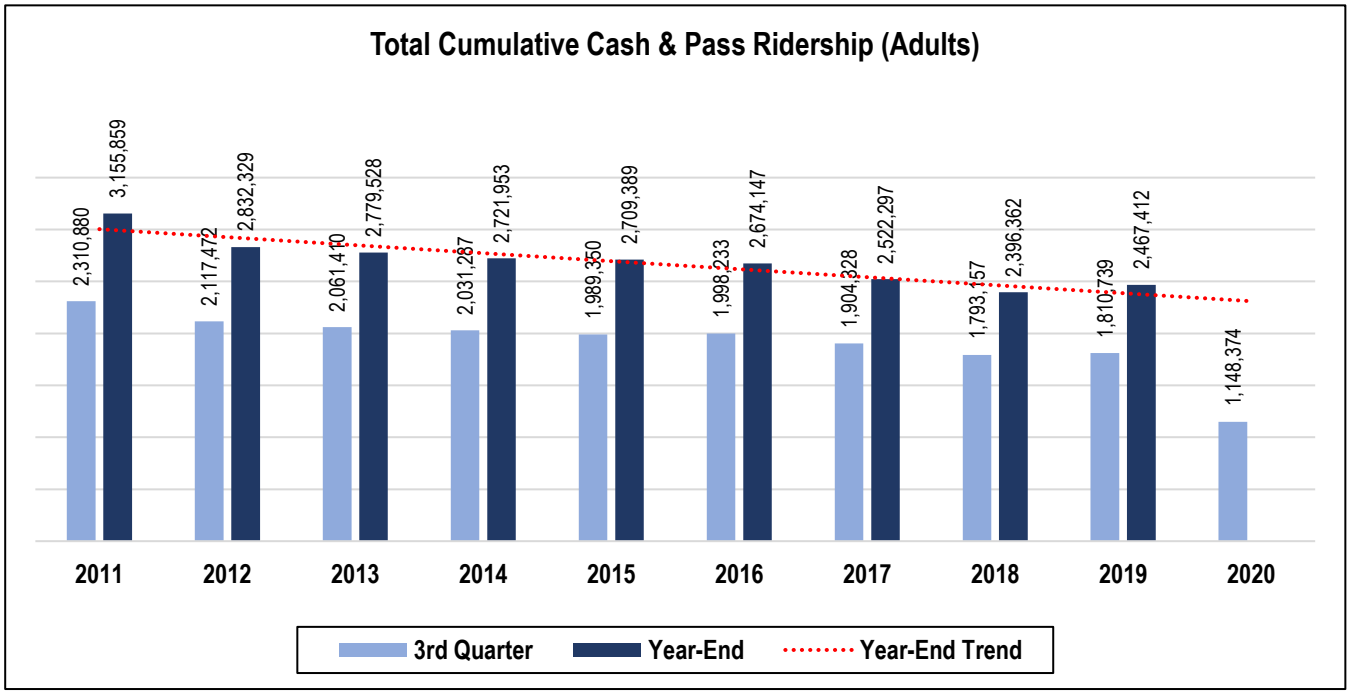


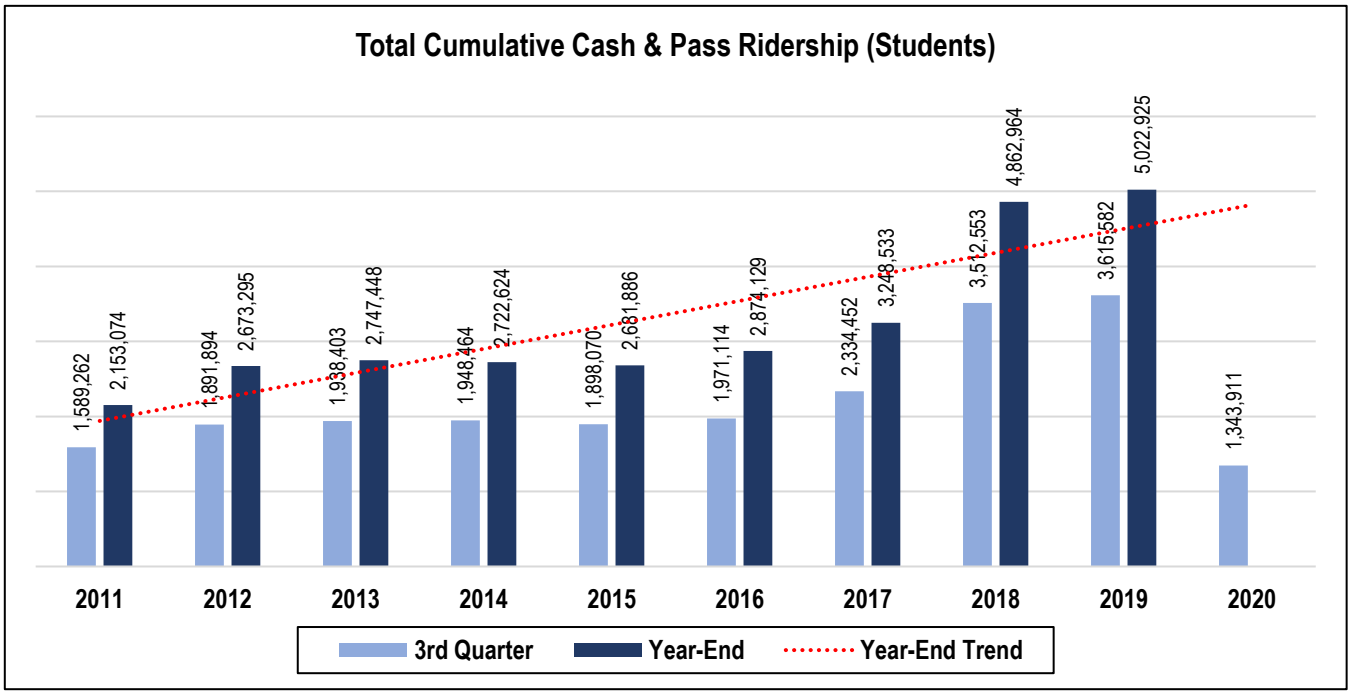
TRANSIT WINDSOR



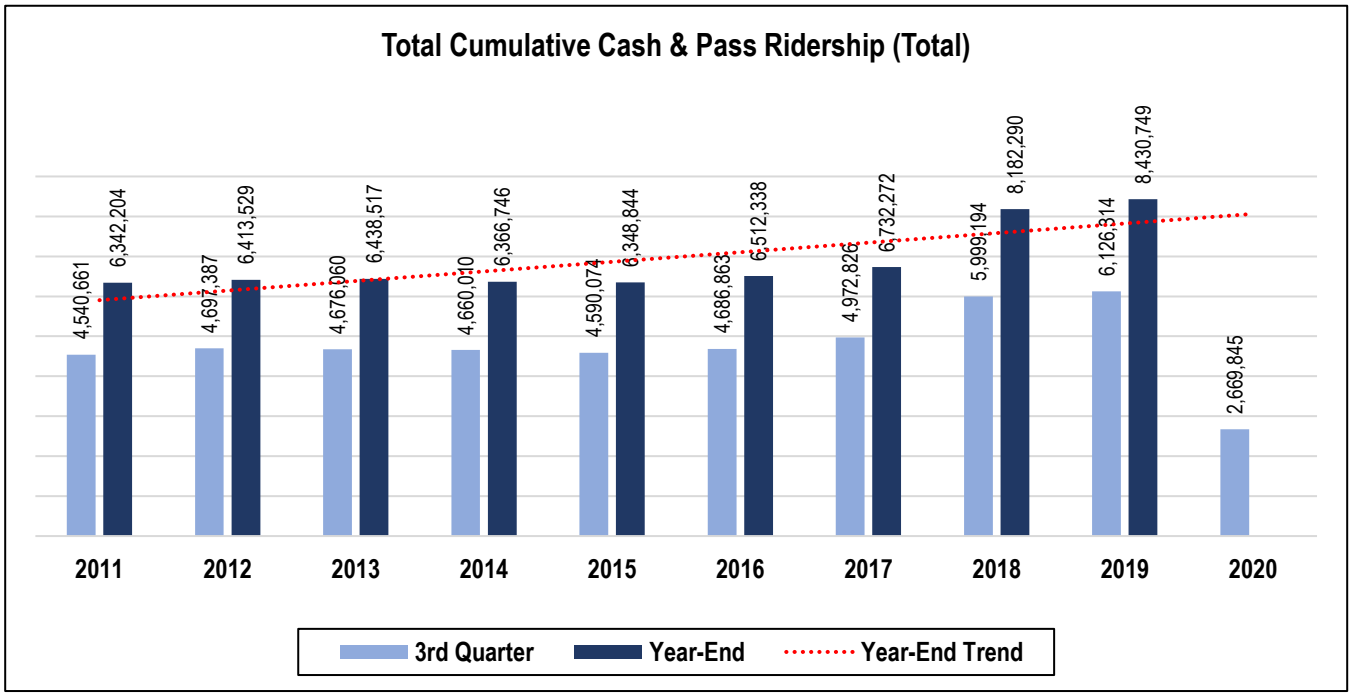


TRANSIT WINDSOR

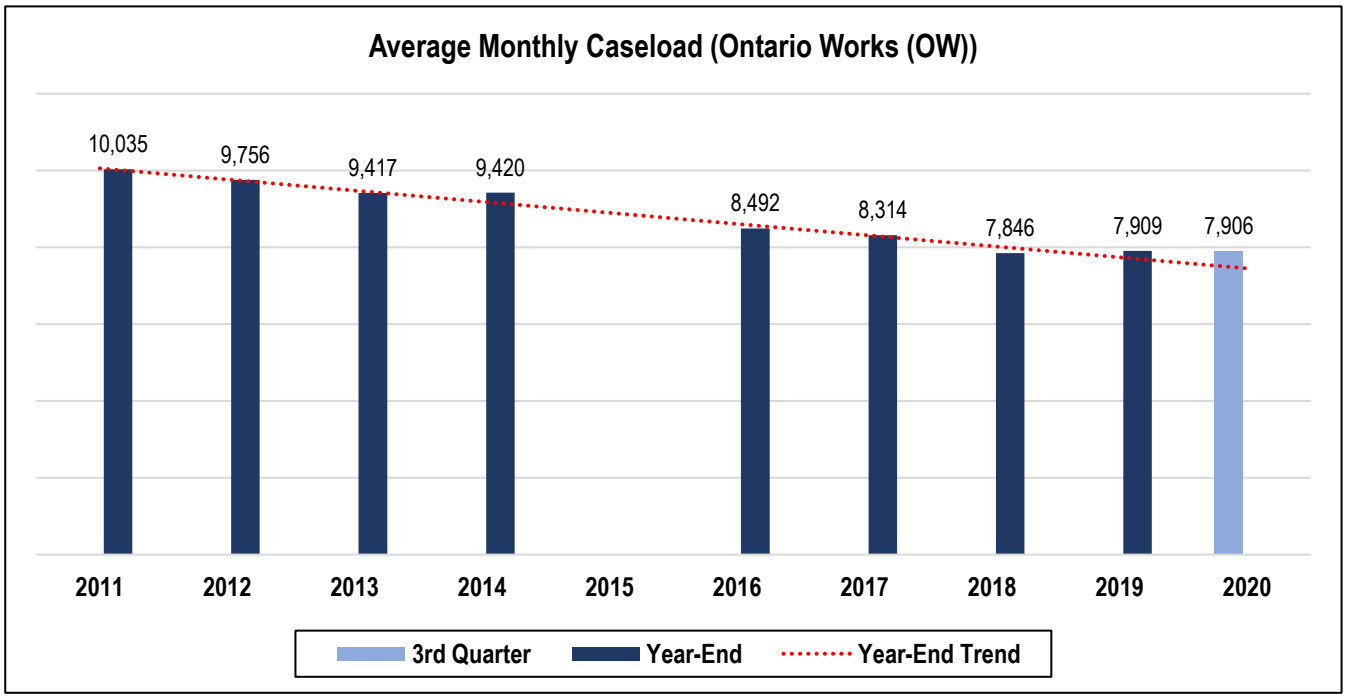




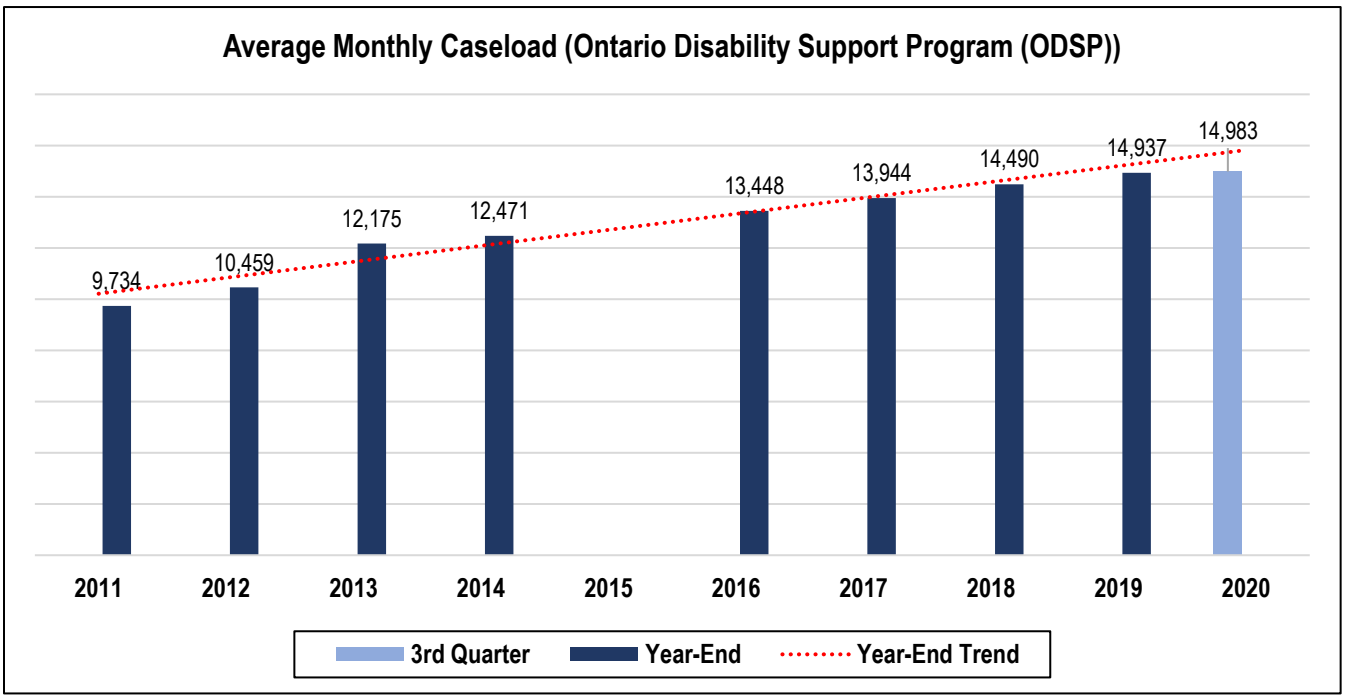
TRANSIT WINDSOR



EMPLOYMENT & SOCIAL SERVICES

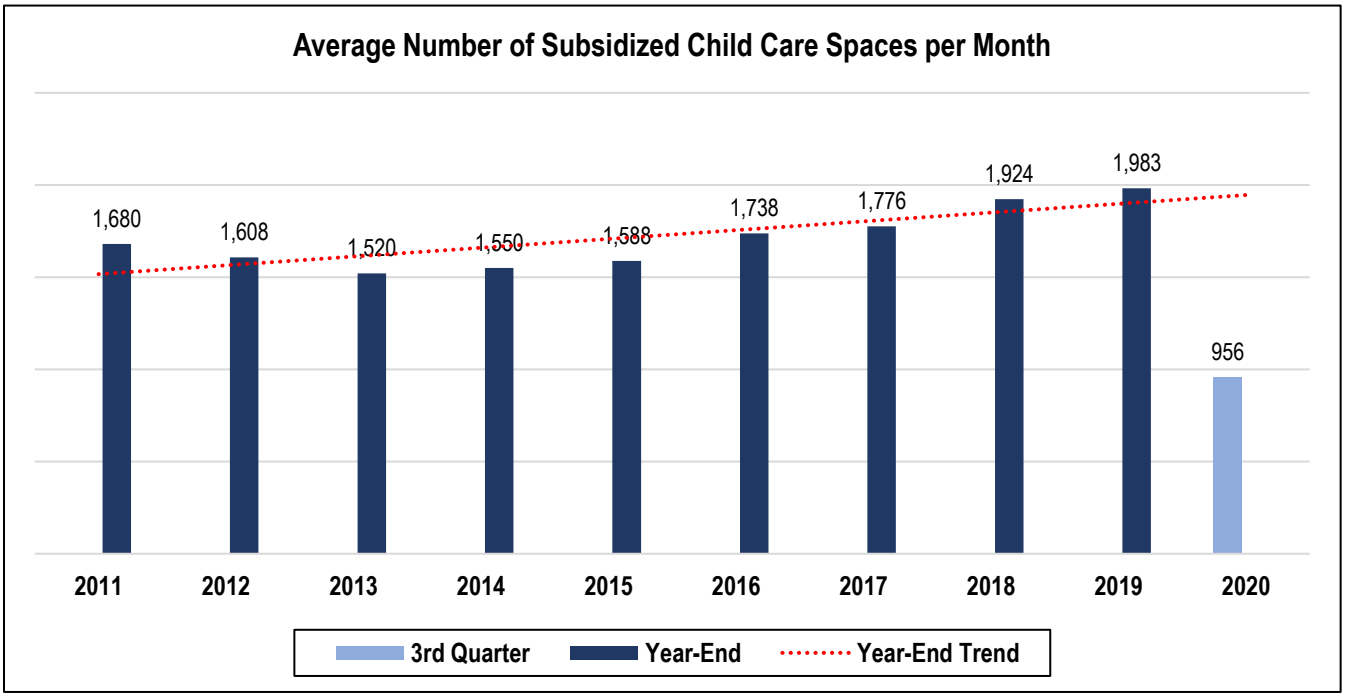


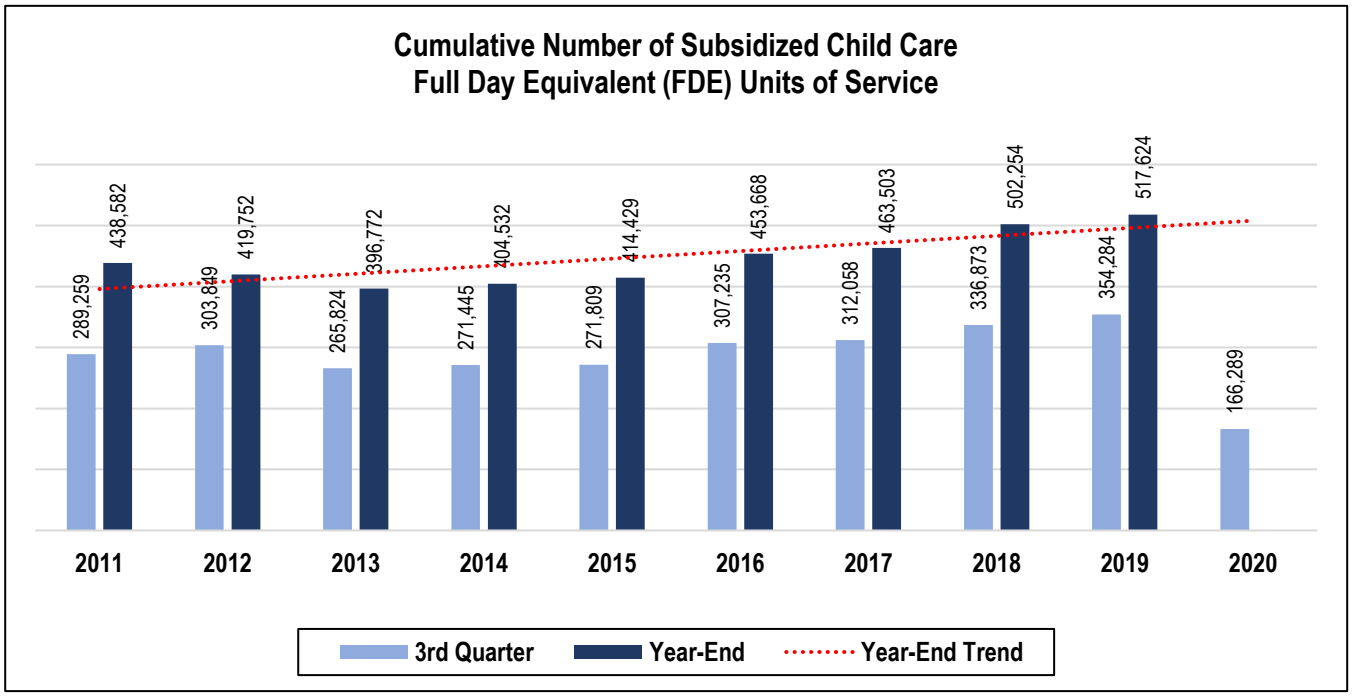
Please note that due to the Provincial OW database change in October 2014, 2015 OW caseload figures are not directly comparable to previous years as the methodology used to calculate the caseload has also changed.



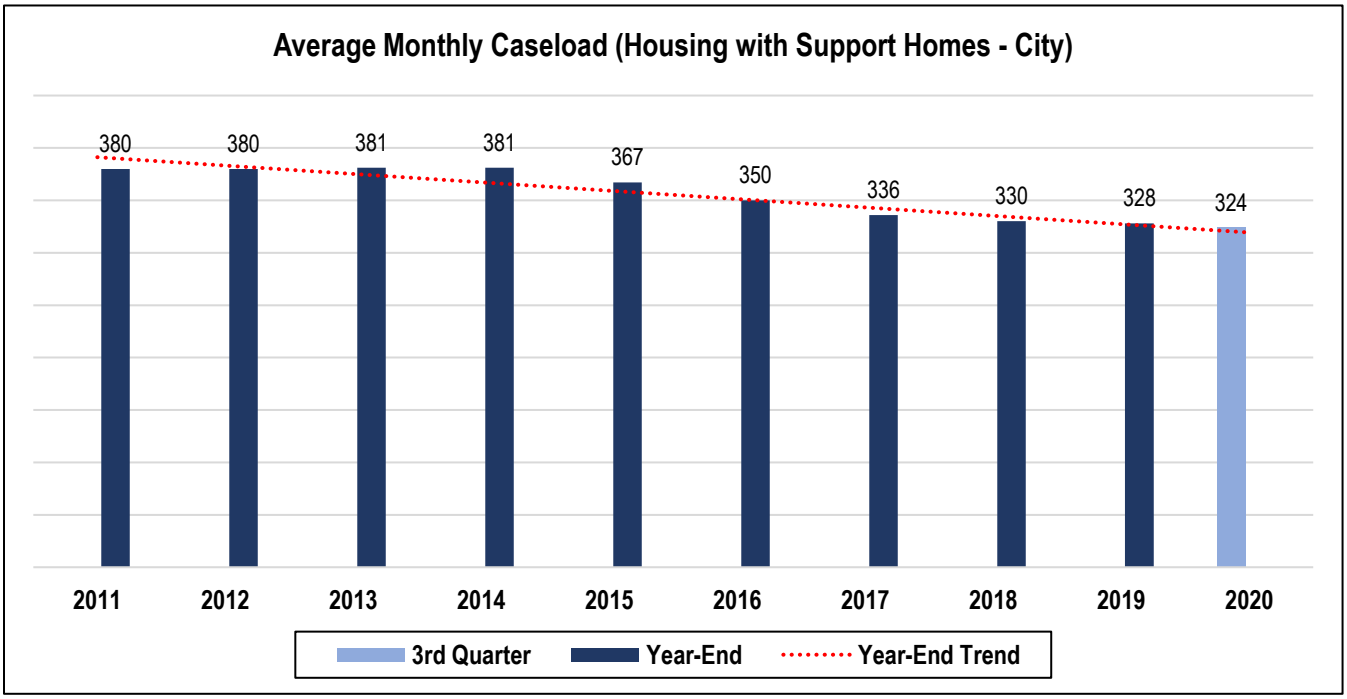
Please note that due to the Provincial ODSP database change in October 2014, 2015 ODSP caseload figures are not directly comparable to previous years as the methodology used to calculate the caseload has also changed.

HOUSING & CHILDREN SERVICES

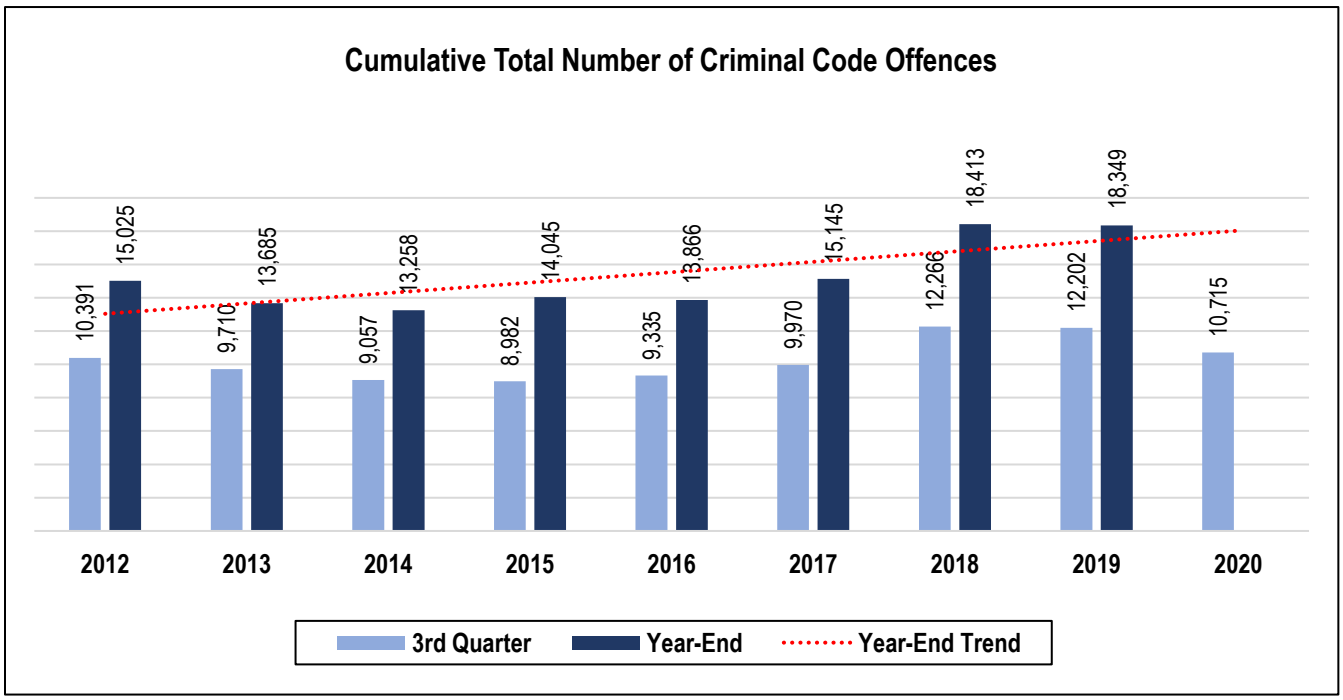




HOUSING & CHILDREN SERVICES



WINDSOR POLICE SERVICES



THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 207/2020

Subject: Award of RFP 88-20 | Howard Avenue Corridor Improvement Project | Detailed Design & Procurement for the Realignment of the Howard/South Cameron Intersection | Ward 9

Reference:

Date to Council: 11/9/2020
Author: Pat Winters
Development Engineer
(519)255-6257 x 6462
pwinters@citywindsor.ca
Design and Development
Report Date: 10/19/2020
Clerk's File #: SW/13959

To: Mayor and Members of City Council

Recommendation:

That Council **APPROVE** to enter into an agreement with Dillon Consulting Limited for the provisions of consulting services related to the Howard/South Cameron intersection realignment, RFP 88-20, in the amount of $711,856 plus applicable taxes; and,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the agreement with Dillon Consulting Limited, satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer.

Executive Summary: N/A

Background:

Under ECP-003-08 (Howard Ave - South Corridor Improvements) Council has committed to long term infrastructure upgrades on Howard Avenue from South Cameron Boulevard to Highway 3. The upgrades for this section of Howard Avenue are identified within the recommended alternatives for two environmental assessments previously completed for the area. ECP-003-08 was originally funded for the implementation of the recommended alternatives within the Howard Avenue Class Environmental Assessment Study, Environmental Study Report [Howard Avenue ESR, final version dated May 2003], with the limits of the study being South Cameron Boulevard to Highway 3.

More recently, under CR655/2016 Council received for information the Central Box Study Area Class Environmental Assessment, Environmental Study Report [Central Box ESR, final version dated January 27, 2017]. The study area contained within the Central Box ESR was bound by Eugenie Street to the north, Howard Avenue to the

east, West Grand Boulevard/South Cameron Boulevard to the south, and Dominion Boulevard to the west. As it relates to ECP-003-08, the Central Box ESR identified long-term solutions for the realignment/reconstruction of the Howard Avenue/Division Road/South Cameron Boulevard/CN Rail Complex. At the direction of Council, Administration has issued RFP 88-20 which deals with the detailed engineering design and procurement for the implementation of the recommended design alternative for the Howard/South Cameron/Division/CN Rail Complex. The purpose of this report is to request the approval to award the RFP.

Discussion:

During 2020 Capital Budget deliberations a total of $2,934,000 was approved in principal for 2023 and 2024 relating to detailed engineering design, and procurement for the reconstruction/realignment of the South Cameron/Howard Avenue intersection (ECP-003-08) in accordance with the approved alternative for the 20+ year horizon of the Central Box ESR. Under a subsequent council resolution [CR269/2020] these funds were pre-committed in order to expedite the design work for the project. Administration issued RFP 88-20 on Monday July 13, 2020 and it closed Wednesday July 29, 2020, with one submission being received from Dillon Consulting in the amount of $711,856.

The scope of work covered under the RFP includes detailed engineering design, preparation and issuance of contract documents, as well as contract administration and construction inspection following the award of tender to a successful proponent. Based on preliminary scheduling, the project is anticipated to commence immediately upon award with detailed design and utility relocations occurring throughout 2021, with the goal being to tender the project for spring 2022 construction.

Risk Analysis:

There are no significant or critical risks associated with the recommendations of this report. Delays in the overall project timelines may be realized should the award of the RFP not be carried forward. Other items, such as advance utility relocation and property acquisition could also potentially delay the implementation phase of the project. It should be noted that the required property acquisition has not yet been finalized. While that cost is anticipated to come in under the remaining funding for the project, there is a risk it may not. Construction is anticipated to commence in 2022, pending the completion of detailed engineering design, property acquisition, and utility relocations.

Climate Change Risks

Climate Change Mitigation:

The reconstruction/realignment of the Howard/South Cameron/Division/CN Rail complex is a recommended alternative resulting from the completion of the Central Box ESR. As part of the completion of any ESR, the Municipal Class Environmental Assessment Process requires the definition of a problem, followed by the identification and evaluation of alternative solutions in order to arrive at a preferred solution(s). During the evaluation of alternative solutions, many environmental factors related to climate change mitigation are taken into consideration, one main factor being the

promotion of active transportation through the incorporation of bike and pedestrian facilities. Based on this, the continued implementation of the preferred alternatives within the Central Box ESR, as well as other recently completed ESR's should result in a compound mitigation against some effects of climate change over the life cycle of the municipal infrastructure being constructed.

Climate Change Adaptation:

In 2018, the City of Windsor, together with our partner municipalities and under the direction of ERCA developed a new regional guideline for stormwater management [Windsor/Essex Region Stormwater Management Standards Manual – by Stantec Consulting, Initial Publication dated December 6, 2018]. One of the driving factors for the creation of the new standard was to attempt to address more significant rainfall events being realized as a result of climate change in our area. Detailed Engineering Design completed as part of this project will be required to be done in accordance with this new standard as it relates to stormwater management.

Financial Matters:

The table below provides estimated costs for this phase of the Howard Avenue project based on the scope of work and cost proposal submitted by Dillon Consulting for RFP88-20:

RFP 88-20 Costs		
#	Description	Cost
	Dillon Cost Proposal Items	
1	Engineering Design	$ 411,198.00
2	Enwin Watermain Design	$ 12,428.00
3	Contract Administration and Construction Inspection	$ 246,830.00
4	Howard Avenue Storm Drainage Study	$ 41,400.00
	Sub Total Dillon Costs	$ 711,856.00
	Other Costs	
5	City Internal Staff Time	$ 50,000.00
6	Misc Costs	$ 26,514.00
7	Contingency	$ 10,000.00
	Overall Design and Procurement Sub Total	$ 798,370.00
	Non Recoverable HST	$ 12,530.00
	Total Design and Procurement Costs	$ 810,900.00

Under CR269/2020 Council pre-committed $2,934,000 in 2023 and 2024 for property acquisition as well as the engineering work included under RFP88-20.. It should be noted that the costs relating to required property acquisition will be realized prior to the commencement of construction, and have not been included in the above design and procurement costs. Including estimated property acquisition costs, it is anticipated that there is sufficient funding in this project to move forward with this stage of the project.

Under ECP-003-08 there is also $8,666,000 identified and approved in principal for construction in 2026 and 2027 for this phase of the project. Following procurement Administration will report back to Council with a request to award the construction tender to the successful proponent. Updated financials will be brought forward at that time for consideration.

Consultations:

Carrie McCrindle – Financial Planning Administrator – Engineering

Conclusion:

Administration recommends the award of RFP 88-20 to Dillon Consulting.

Planning Act Matters: N/A

Approvals:

Name	Title
Fahd Mikhael	Manager – Design and Development
France Isabelle - Tunks	Senior Manager of Engineering/Deputy City Engineer
Mark Winterton	City Engineer and Corporate Leader Environment Protection and Infrastructure Services
Joe Mancina	Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Susan St. Louis	130 Dufferin Avenue, Suite 1400, London, ON, N6A 5R2	sstlouis@dillon.ca

Appendices:

1 Appendix A - Dillon Cost Proposal
2 Appendix B - Design Plate 16A - Central Box ESR

DILLON CONSULTING

75 YEARS

THE CITY OF WINDSOR

Engineering Consulting Service for the Howard Avenue Corridor Improvement Project

RFP No.: 88-20
July 31, 2020

Cost Proposal

Submitted to
City of Windsor
Purchasing Department

Submitted by
Dillon Consulting Limited

Commercial Confidentiality Statement

This document contains trade secrets or scientific, technical, commercial, financial and labour or employee relations information which is considered to be confidential to Dillon Consulting Limited ("Dillon"). Dillon does not consent to the disclosure of this information to any third party or person not in your employ. Additionally, you should not disclose such confidential information to anyone in your organization except on a "need-to-know" basis and after such individual has agreed to maintain the confidentiality of the information and with the understanding that you remain responsible for the maintenance of such confidentiality by people within your organization. If the head or any other party within any government institution intends to disclose this information, or any part thereof, then Dillon requires that it first be notified of that intention. Such notice should be addressed to: *Dillon Consulting Limited, 235 Yorkland Boulevard, Suite 800, Toronto, Ontario M2J 4Y8, Attention: President.*

Table of Contents

1.0	Cost Control	1
2.0	Fee	1

1.0 Cost Control

Dillon is a project-based, client-focused organization that has developed proven tools and methods for organizing, monitoring and delivering our projects with our clients' success in mind. Our projects follow a comprehensive Quality Management System (QMS) based on guiding principles that reflect our culture and define Dillon's commitment to technical quality, client satisfaction, risk management and employee health and safety. In addition, the Dillon QMS includes a rules-based component, consisting of standard business procedures to ensure consistency in project administration.

Dillon Project Managers are committed to operating within our defined business procedures, along with the flexibility available to adapt our quality principles to suit the project requirements and our client's specific needs. Our Project Managers also have a variety of tools at their disposal, including Microsoft Project, BST Enterprise financial management software, and an Earned Value Method that allows them to monitor project charges (time and expenses) relative to the budgeted schedule, level of effort, and the value of the work that has been accomplished (earned value).

Our Project Manager and Project Team are supported by our Client Relationship Manager for the City of Windsor, who will be accountable for our team's level of service and client satisfaction.

2.0 Fee

We have developed our all-inclusive lump sum fee to provide optimum value to the City, while addressing the City's objective for cost-competitive services. We have therefore presented a project team that has the required skills and experience, while appropriately balancing each individual's level of effort to ensure cost effective performance of this project on time and on budget. We have carefully assigned tasks and hours to individual members of the project team to effectively make use of the budget that we have determined appropriate for this project.

Our cost offer has been attached in the form that has been defined in the RFP ("Appendix 'C' – Cost Proposal") for this project. The cost offer includes all fees and expenditures required for the successful completion of this project, as outlined herein, but excludes the harmonized sales taxes.

As defined in the Request for Proposal, we have included in our costs the following fixed credits for the additional engineering studies required for this project.

We will notify you of any scope changes that we feel are reasonably justified based on our proposal submission, including any adjustments to our scope of work that may be requested by the City or by others. We will define the associated implications to our budget and schedule for the City's review and approval before proceeding.

APPENDIX "C" – COST PROPOSAL

TO: The Corporation of the City of Windsor
Attention: Purchasing Department
Legal Services Department
400 City Hall Square
Suite 403
Windsor, ON N9A 7K6

Name of Proponent:

Dillon Consulting Limited

Business Address:

130 Dufferin Ave., Suite 1400

London, ON N6A 5R2

Phone: 519-438-6192 **Fax:** 519-672-8209

Contact name for future correspondence and inquiries:

Name Susan St. Louis **Title:** Project Manager

Phone: 519-571-9833 ext. 3102 **Fax:** 519-571-7424

E-mail: sstlouis@dillon.ca

We have read and we fully understand the requirements of the RFP, including the scope and nature of the services, the applicable timelines, the Contract, and any addenda issued by the City. We acknowledge that the opening of the Cost Proposal constitutes an offer from the City to enter the Evaluation Contract described in the RFP. We also acknowledge that, by submitting a Submission which substantially complies with the material requirements of the RFP, we accept that offer.

Having carefully examined the RFP, including all of the Appendices and including addendum numbers 1, 2 and 3, having fully investigated and ascertained existing conditions, circumstances and limitations affecting the services required under the Contract:

1. We offer to enter into the Contract with the City to provide the services required under the Contract for the fixed, All-Inclusive lump-sum price for preliminary field work, data collection, design & tendering work:

   CANADIAN DOLLARS ($ 411,198.00).

The above fixed All-Inclusive lump-sum price:

(a) excludes the harmonized sales tax, but includes all other taxes and duties;

(b) excludes WUC watermain work;

(c) is a fixed, All-Inclusive lump sum price for the provision of the services contemplated by the Contract.

2. We offer to enter into the Contract with the City to provide the services required under the Contract for the fixed, All-Inclusive lump-sum price for Enwin watermain design and tendering work:

   CANADIAN DOLLARS ($ 12,428.00).

The above fixed All-Inclusive lump-sum price:

(d) excludes the harmonized sales tax, but includes all other taxes and duties;

(e) is a fixed, All-Inclusive lump sum price for the provision of the services contemplated by the Contract.

3. We offer to enter into the Contract with the City to provide the services required under the Contract for the fixed, All-Inclusive lump-sum price for contract administration and on-site inspection:

   CANADIAN DOLLARS ($ 246,830.00). Fee Based on 110 Working Days

The above fixed All-Inclusive lump-sum price:

(f) excludes the harmonized sales tax, but includes all other taxes and duties;

(g) excludes WUC watermain work;

(h) is a fixed, All-Inclusive lump sum price for the provision of the services contemplated by the Contract.

4. We offer to enter into the Contract with the City to provide the services required under the Contract for the fixed, All-Inclusive lump-sum price for engineering and design work for drainage study portion of this project.

   CANADIAN DOLLARS ($ 41,400).

The above fixed All-Inclusive lump-sum price:

(i) excludes the harmonized sales tax, but includes all other taxes and duties;

(j) is a fixed, All-Inclusive lump sum price for the provision of the services contemplated by the Contract.

5. We offer the following fixed, All-Inclusive hourly rates for the provision of any services not contemplated by the Contract:

A.	CANADIAN DOLLARS ($ 210 /hr).	Project Manager/Senior Engineer
B.	CANADIAN DOLLARS ($ 110 /hr).	Junior Engineer
C.	CANADIAN DOLLARS ($ 130 /hr).	Inspector
D.	CANADIAN DOLLARS ($ 110 /hr).	Technologist
E.	CANADIAN DOLLARS ($ 95 /hr).	Administration Support
TOTAL Sum of A+B+C+D+ E = ($ 655 /hr).		

The above fixed All-Inclusive hourly rate:

(a) excludes the harmonized sales tax, but includes all other taxes and duties;

(b) is a fixed, All-Inclusive hourly rate for the provision of the services not contemplated by the Contract.

DECLARATIONS

A. We declare that our Submission is free of Qualification(s).

B. We declare that our Submission is not made in connection with any other Proponent and is, in all respects, fair and made without collusion or fraud.

C. We declare that our Submission applies and complies with any applicable fair wage practices.

D. We acknowledge and agree that our Submission is irrevocable and open for acceptance by the City for a period of one hundred and twenty (120) days starting from the day after the Submission Deadline.

We acknowledge and agree that, if awarded the Contract, we will:

execute the Contract and deliver the executed original to the City within seven (7) business days of our receipt of the same;

deliver to the City, within seven (7) business days of our receipt of notice of selection:

proof of all insurance required by the Contract; and,

a current WSIB clearance certificate if applicable.

We acknowledge and agree that we will be in breach of the Evaluation Contract if we fail to comply with any of the above.

Signed, sealed and submitted for and on behalf of:

PROPONENT Dillon Consulting Limited

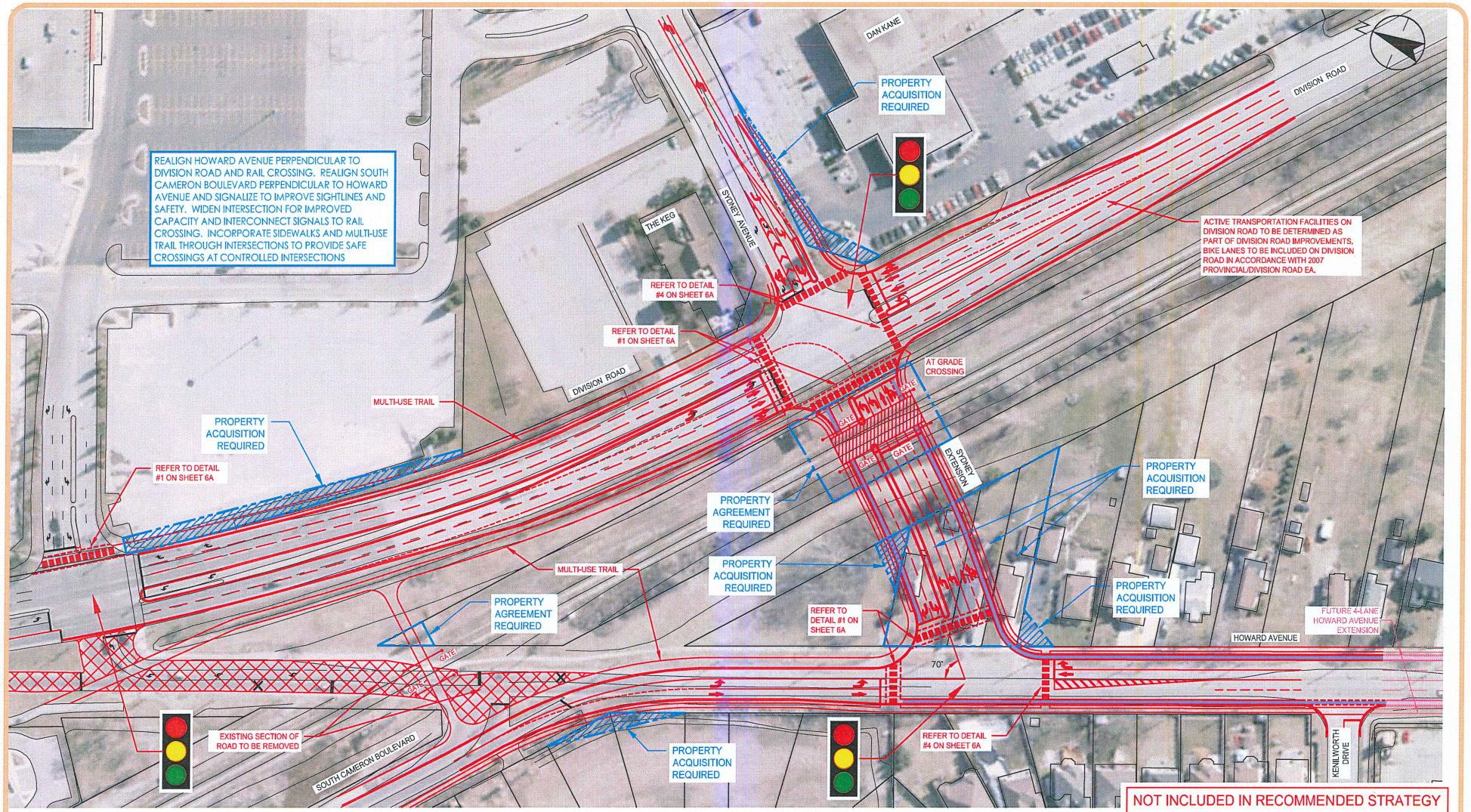
DATE July 31, 2020

SIGNATURE Susan E St. Louis

Name and Title Susan St. Louis, Partner/Officer

I have authority to bind the Proponent named above

-END OF APPENDIX "C"-



LEGEND

N.B.L.	- NORTHBOUND LANE	P.L.	- PARKING LANE
S.B.L.	- SOUTHBOUND LANE	S/W	- SIDEWALK
W.B.L.	- WESTBOUND LANE	B.A.	- BUFFER AREA
E.B.L.	- EASTBOUND LANE	M.T.	- MULTI-USE TRAIL
R.T.L.	- RIGHT TURN LANE	B.L.	- BIKE LANE
L.T.L.	- LEFT TURN LANE		
T.W.L.T.L.	- TWO WAY LEFT TURN LANE		

BIKE LANES (COLOR USED FOR ILLUSTRATIVE PURPOSE ONLY)

NOTES:

1. PROPOSED CORRIDOR IMPROVEMENTS IN CONJUNCTION WITH SIGNAL TIMING ADJUSTMENTS AND PROMOTION OF HIGHER USE OF ALTERNATE MODES OF TRANSPORTATION.
2. ALL PAVEMENT MARKINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY.

THE CITY OF WINDSOR

Stantec

CITY OF WINDSOR
CENTRAL BOX STUDY AREA
ENVIRONMENTAL ASSESSMENT

HOWARD AVENUE / SOUTH CAMERON BOULEVARD / RAIL CROSSING – OPTION 5
AT GRADE SIGNALIZED INTERSECTION AT SYDNEY AVENUE

PROJECT NO. 165620021

1:1250 (0, 12.5, 37.5, 62.5m)

DRAWING NO. PLATE 16A

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 291/2020

Subject: Transit Windsor - Non Union Salary Market Review-City Wide

Moved by: Councillor McKenzie
Seconded by: Councillor Francis

Decision Number: **ETPS 786**
THAT the Salary Market Review completed by Annetts & Associates, reporting on the compensation of Transit Windsor Non Union Employee group **BE RECEIVED** for information; and,

THAT the recommended 2017 salary increase of 5.4%, for the non union employee group **BE APPROVED**; and**,**

THAT the recommended effective date of April 1, 2017 for the recommended increase **BE APPROVED**; and,

THAT the estimated retroactive cost (April 1, 2017 – September 30, 2020) of approximately $573,740.33 **BE APPROVED** and that it **BE FUNDED** from the City's Salary & Wage Provision; and,

THAT the estimated variance (October 1, 2020 – December 31, 2020) of approximately $44,662.15 **BE APPROVED** and that it **BE FUNDED** from the City's Salary & Wage Provision; and,

THAT the estimated 2021 budget impact of approximately $158,388.63 **BE APPROVED** and that it **BE FUNDED** from the City's Salary & Wage Provision.
Carried.

Report Number: S 109/2020
Clerk's File: MT/13708

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: Transit Windsor - Non Union Salary Market Review-City Wide

Reference:

Date to Council: September 23, 2020
Author: Vincenza Mihalo, Executive Director of Human Resources
519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Human Resources
Report Date: 8/10/2020
Clerk's File #: MT/13708

To: Mayor and Members of City Council

Recommendation:

THAT the Salary Market Review completed by Annetts & Associates, reporting on the compensation of Transit Windsor Non Union Employee group **BE RECEIVED** for information; and,

THAT the recommended 2017 salary increase of 5.4%, for the non union employee group **BE APPROVED;** and**,**

THAT the recommended effective date of April 1, 2017 for the recommended increase **BE APPROVED;** and,

THAT the estimated retroactive cost (April 1, 2017 – September 30, 2020) of approximately $573,740.33 **BE APPROVED** and that it be funded from the City's Salary & Wage Provision; and,

THAT the estimated variance (October 1, 2020 – December 31, 2020) of approximately $44,662.15 **BE APPROVED** and that it be funded from the City's Salary & Wage Provision; and,

THAT the estimated 2021 budget impact of approximately $158,388.63 **BE APPROVED** and that it be funded from the City's Salary & Wage Provision.

Executive Summary:

N/A

Background:

In 2000, the Transit Windsor Board of Directors approved a salary market comparison survey for their non-union group to be conducted every three (3) years targeting the 50th market percentile. Given the various restructuring efforts by the City of Windsor that affected Transit Windsor, the surveys were not completed. In late 2009, Transit Windsor Board of Directors reaffirmed their direction to Administration to conduct a salary market comparison for their non-union group every three (3) years, similar to the approach conducted by the City of Windsor for their non-union staff.

The above requested Salary Market Review commenced in 2011 and the recommendations were presented for approval to the Transit Windsor Board of Directors in October 2013. The recommendation was accepted and the salaries of the non union group were adjusted to align with the 50th percentile. The recommendation to complete the salary market review every two (2) years was also accepted.

In 2015, a Salary Market Review was completed for 2013 and 2014. With the inclusion of the negotiated increases provided to the non union employee group, there was no salary adjustment required to maintain the 50th percentile for 2013 and 2014.

In 2017, a Salary Market Review was completed for 2015 and 2016. With the inclusion of the negotiated increases provided to the non union employee group, there was no salary adjustment required to maintain the 50th percentile for 2015. In 2016, the findings of the survey required a 0.7% adjustment to the non union salary schedule to continue to align with the 50th percentile.

Discussion:

Prior to starting the salary market review for 2017-2018, administration met with Colette Annetts, of Annetts and Associates (the "consultant") to discuss the previous 2015-2016 recommendation, which was to review the comparator organizations for Transit to ensure appropriate matches. To better align Transit with its comparator groups, the Consultant was asked to review the Canadian Urban Transit Associations (CUTA) data and determine the most appropriate comparators. The Consultant recommended removing three comparator municipalities, namely Thunder Bay, Oakville and Mississauga and replacing them with Guelph and Kingston. The change was recommended as it better aligned Transit Windsor to comparator municipalities when looking at such criteria as ridership, number of buses and number of employees. Council approved the changes from "Appendix A" as recommended by the consultant, administration and the Steering Committee to the comparator municipalities for the 2017-2018 salary market review (Council Report S 57/2019).

The salary market comparison was subsequently completed and the consultant's summary report is attached as "Appendix B" for review and reference. The following market comparators were used:

- City of St. Catherines
- City of Burlington
- City of Guelph

- City of Kingston
- Greater Sudbury
- City of Brampton
- Region of Waterloo
- City of London
- Region of Durham
- City of Hamilton

It should be noted, the City of London communicated to the consultant that they would not have time to complete the survey, therefore they did not participate.

Consultant Recommendation #1: Implement the required percentage increase for the organization.

Administrative Comments: Administration is in support of the recommendation to apply a 5.4% increase to all non union Transit Windsor employees effective April 1, 2017. Furthermore, past negotiated increases for Transit took place in October, however in 2017 Transit had two negotiated increases (April 1st and October 1st). As such, Administration is recommending the effective date of the salary market adjustment should take effect April 1, 2017 which aligns with the first scheduled 2017 increase. In order to maintain wages at no less than the 50th percentile, a salary market adjustment must be applied to all negotiated increases already received, as outlined in the chart below:

	Negotiated Increase	**Salary Market Adjustment**
April 2017	*1%*	*5.4%*
October 2017	*1%*	*0%*
April 2018	*1%*	*0%*
October 2018	*1.25%*	*0%*
April 2019	*1%*	*N/A*
October 2019	*1%*	*N/A*
April 2020	*1%*	*N/A*

The acceptance of this recommendation will provide the appropriate salary adjustments, assisting in the retention of current employees, succession planning efforts, knowledge sharing and attraction of skilled and qualified candidates when filling vacancies. The

loss of historical knowledge without a job shadowing component could be detrimental to providing our customers with appropriate public transit services. This increase also fulfills the previous recommended approvals by both the Transit Standing Committee and City Council, to maintain wages for the Non Union Transit employees at no less than 50 percentile of the comparator groups.

Consultant Recommendation #2: Consider reviewing the build of the current Transit Windsor Salary structure to create a better balance in Bands 9, 11 and 12 for the market salary survey. For this review all positions in Band 9, 11 and 12 are below the median. With the application of the 5.4% salary increase only one position moves to the 50th percentile or above, the other remaining positions remain below the 50th percentile, with 1-6% below the median in real salary dollars. This would indicate the percentile ranking issues will not be fixed with the across the board increase and is more structural in nature.

Administrative Comments: Administration will continue to monitor the salary structure to ensure there is an appropriate balance between the salary bands, specific to Band 9, 11 and 12. Administration is not recommending changes to be made to the current salary band differential at this time to allow for a more thorough review and trend analysis to be conducted.

Risk Analysis:

Administration is in support of the recommended salary adjustment of 5.4% for 2017 to ensure the average salary increase aligns at the 50th percentile with the comparator municipalities. Should the recommended increase not be implemented, there is a risk that Transit Windsor salaries would not remain competitive relative to the market average. Maintaining a competitive salary and total compensation package will assist the Corporation with recruitment and retention. Not applying the increase to align to the 50th percentile at this time would further erode the comparator salary for the NU Transit employees.

Administration supports the Consultant's second recommendation and will consider reviewing and monitoring the above-noted salary bands for appropriate balances.

Financial Matters:

In order to align with Transit Windsor's negotiated increase dates, the salary market review increase for 2017 is effective April 1, 2017. As such, the 2017 salary schedules and all subsequent salary schedules have been adjusted to reflect the salary market review recommended increase of 5.4% effective April 1, 2017 inclusive of the approved negotiated increases. The estimated retroactive impact is summarized in the table below.

Estimated Retroactive Cost (April 1, 2017 - September 30, 2020)

Time Period	Salary	Overtime	OMERS*	EHT	Total
04/01/2017 - 09/30/2017	$63,917.10	$2,108.59	$9,331.90	$1,287.50	$76,645.09
10/01/2017 - 03/31/2018	$67,451.74	$3,312.88	$9,847.95	$1,379.91	$81,992.48

04/01/2018 - 09/30/2018	$66,057.95	$3,728.80	$9,644.46	$1,360.84	$80,792.05
10/01/2018 - 03/31/2019	$66,898.42	$5,093.13	$9,767.17	$1,403.84	$83,162.56
04/01/2019 - 09/30/2019	$64,989.10	$5,326.01	$9,488.41	$1,371.14	$81,174.66
10/01/2019 - 03/31/2020	$68,682.37	$3,091.03	$10,027.63	$1,399.58	$83,200.61
04/01/2020 - 09/30/2020	$73,387.55	$1,215.98	$10,714.58	$1,454.77	$86,772.88
Total	**$471,384.23**	**$23,876.42**	**$68,822.10**	**$9,657.58**	**$573,740.33**

** Assumed Enrollment*

As per the above table, the total retroactive impact of the 5.4% salary market review adjustment from April 1, 2017 to September 30, 2020 is estimated to be $573,740.33. A portion of the required funds have been accrued for this purpose and the required balance is budgeted within the 2020 approved salary & wage provision. It is therefore, recommended that this one-time retroactive amount be funded from existing funds within the City's 2020 approved budget.

The table below represents the estimated impact of the salary market review adjustment on the balance of the 2020.

Estimated Variance (October 1, 2020 - December 31, 2020)

Time Period	Salary	Overtime	OMERS*	EHT	Total
10/01/2020 - 12/31/2020	$36,693.78	$1,705.46	$5,514.13	$748.79	$44,662.15
Total	**$36,693.78**	**$1,705.46**	**$5,514.13**	**$748.79**	**$44,662.15**

** Assumed Enrollment*

The new salary schedules would be effective October 1, 2020 and would have an incremental impact on the 2021 budgeted salaries on a go-forward basis. These new rates would result in an estimated 2020 year-end variance of approximately $44,662.15. Sufficient funds are available within the corporate salary & wage provision to offset this variance and therefore, would not have an overall impact on Transit Windsor's year-end position.

The table below includes the total on-going budget impact of the salary market review adjustment.

Estimated Budget Impact (2021)

Time Period	Salary	Overtime	OMERS*	EHT	Total
1/01/2021 - 12/31/2021	$136,178.00	$0.00	$19,555.16	$2,655.47	$158,388.63

Total	**$136,178.00**	**$0.00**	**$19,555.16**	**$2,655.47**	**$158,388.63**

** Assumed Enrollment*

The total impact on the 2021 operating budget is estimated to be approximately $158,388.63. Sufficient funds have previously been estimated and included in the City's base budget to offset this increase.

Consultations:

David Soave, Manager of Operation Budget Development & Financial Administration

Dan Iatonna, Employment & Consulting Services Manager

Kristin Toniolo, Total Compensation Specialist (A)

Conclusion:

The objective of the salary market comparison review is to ensure our pay practices continue to achieve the compensation goal of paying employees fairly and competitively in order to attract and retain highly qualified transit employees and to maintain the 50th percentile in salaries when measured against comparable municipalities. As shown above, the objectives will have been met with the approval of the suggested salary increase for 2017 as we are maintaining our market position relative to comparator municipalities.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Patrick Delmore	Executive Director, Transit Windsor
Tony Ardovini	Deputy Treasurer Financial Planning
Dave Soave	Manager, Operating Budget Development & Finance Administration
Joe Mancina	Chief Financial Officer/City Treasurer/Corporate Leader – Finance and Technology

Mark Winterton	City Engineer/Corporate Leader – Environmental Protection and Infrastructure Services
Valerie Critchley	City Clerk/Licence Commissioner, Corporate Leader – Public Engagement & Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Comparator municipalities for the 2017-2018 salary market review (Council Report S 57/2019)
2 Appendix B - Transit Windsor 2017-2018 Non-Union Salary

Subject: Transit Windsor's Non Union Salary Market Comparison 2017-2018

Reference:

Date to Council: March 20, 2019
Author: Vincenza Mihalo, Executive Director, Human Resources
519-255-6515 ext 6259, vmihalo@citywindsor.ca

Human Resources
Report Date: March 4, 2019
Clerk's File #: AS2019

To: Mayor and Members of City Council

Recommendation:

THAT Council **APPROVE** changes to the comparator municipalities to be used in the 2017-2018 salary market review for Transit Windsor

Executive Summary:

N/A

Background:

In 2000, the Transit Windsor Board of Directors approved a salary market comparison survey for their non-union group to be conducted every three (3) years targeting the 50th market percentile. Given the various restructuring efforts by the City of Windsor that affected Transit Windsor, the surveys were not completed. In late 2009, Transit Windsor Board of Directors reaffirmed their direction to Administration to conduct a salary market comparison for their non-union group every three (3) years, similar to the approach conducted by the City of Windsor for their non-union staff.

The Salary Market Review commenced in 2011 and the recommendations were presented for approval to the Transit Windsor Board of Directors in October 2013. The recommendation was accepted and the salaries of the non union group were adjusted to align with the 50th percentile. The recommendation to complete the salary market review every two (2) years was also accepted.

In 2015, a Salary Market Review was completed for 2013 and 2014. With the inclusion of the negotiated increases provided to the non union employee group, there was no salary adjustment required to maintain the 50th percentile for 2013 and 2014.

In 2017, a Salary Market Review was completed for 2015 and 2016. With the inclusion of the negotiated increases provided to the non union employee group, there was no

salary adjustment required to maintain the 50th percentile for 2015. In 2016, the findings of the survey required a 0.7% adjustment to the non union salary schedule to continue to align with the 50th percentile. The Transit Windsor Board of Directors and City Council approved this increase through decision numbers, ETPS 554 and B35/2018, respectively.

Discussion:

In conducting the 2015-2016 salary market review the Colette Annetts, Annetts & Associates, the "Consultant" made the following recommendation:

"Consideration should be given to reviewing the comparator organization for Transit. Currently, the selection is based on budget, employee size and population. Additional criterion should be added – number of buses, routes and size of transit budget. The organizations used for Transit comparisons do not have to match the organizations used for the City of Windsor. Not all municipal comparators for the City of Windsor have transit services. Some Municipal organizations contract out this service. It is important to find appropriate matches for Transit Windsor that meets its unique needs separate from the City's needs."

Prior to starting the salary market review for 2017-2018, administration met with the consultant to discuss the above recommendation. To better align Transit Windsor with its comparator group, the Consultant was asked to review the Canadian Urban Transit Associations (CUTA) data and determine the most appropriate comparators for Transit Windsor.

The comparator group used for the 2015-2016 salary market review are as follows:

- City of Greater Sudbury
- City of Thunder Bay
- City of Burlington
- City of Mississauga
- City of St. Catharines
- City of Oakville
- Regional Municipality of Durham
- City of London
- Regional Municipality of Waterloo
- City of Hamilton
- City of Brampton

The Consultant has reviewed the CUTA data and based on this assessment, has recommended removing Mississauga, Oakville and Thunder Bay and replacing them with Guelph and Kingston. This better aligns Transit Windsor to comparator municipalities when looking at such criteria as ridership, number of buses and number of employees.

Risk Analysis:

It is recommended that the Salary Market Review 2017-2018 be completed using the agreed to methodology with updated comparator municipalities. The risk is moderate given Transit Board of Directors directive requiring the Salary Market Review be completed every 2 years using the agreed upon methodology.

Financial Matters:

As the 2017-2018 Salary Market Comparison Review only recently got underway the financial impact of this review is unknown. The future impact of changes to the non union salary grid will have to be calculated once the Committee has reviewed the information provided by the Consultant. At that time calculations will be included within the final recommendations to the Transit Windsor Board of Directors and Council.

Consultations:

Colette Annetts, Annetts & Associates

Sara Ouellette, Total Compensation Specialist

Conclusion:

Undergoing a Salary Market Comparison Review for 2017-2018 with a good set of sample comparison data allows Transit Windsor to meet its obligation to the Transit Windsor Board of Directors, assisting in the maintenance of our market competitiveness and providing a competitive compensation package that will retain and attract the most talented and productive non-union employees, management and senior leaders.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Patrick Delmore	Executive Director, Transit Windsor
Mark Winterton	City Engineer/Corporate Leader – Environmental Protection and Infrastructure Services

Joe Mancina	Chief Financial Officer/City Treasurer/Corporate Leader – Finance and Technology
Valerie Critchley	City Clerk/Licence Commissioner, Corporate Leader – Public Engagement & Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Transit Windsor
2017-2018
Non-Union Salary Survey

Prepared by:
Annetts and Associates
February 2020

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Executive Summary

- Transit Windsor has a policy of being a median paying employer and employing a median pay line in the development of its pay policy.

- Transit Windsor's average percentile ranking for 2017 was 31.5%, and 44% in 2018. Both years' averages are below the 50th percentile pay policy for Transit Windsor.

- In 2017, there was a 63% response rate for data, meaning that there were 90 cases (data points) returned out of a possible 144.

- 15 positions were surveyed in 2017 and 16 were surveyed in 2018. 2 positions were removed from the survey in both years because of lack of appropriate data (3 or less data points). One position, Planning Supervisor, was added in 2018. Therefore, in 2017, 13 positions with valid data were included in the survey and in 2018, 14 position with valid data were included in the survey.

- In 2017, 15% (2/13) of Transit Windsor's salaries surveyed were above the median. In 2018, 29% (4/14) were slightly above the median.

- In 2017, 77% (10/13) of Transit Windsor's salaries surveyed were below the median. In 2018, 64%, (9/14) were below the median.

- 8% (1/13) positions was at the median or 50th percentile. In 2018, 7% (1/14) were at the median or 50th percentile.

- The average salary increases for the participating transit organizations in 2017 was 1.7%. The average salary increases in 2018 for participating transit organizations was 2.0%. Transit Windsor's increases are given in two stages. 1% in April and 1% in October for 2017 and in 2018, 1% in April and 1.25% in October.

- Transit Windsor requires retroactive increases for 2017 of approximately 5.4% and a 0% increase for 2018 to meet a 50% pay policy. 0% is required in 2018 because once retro active 2017 payments are made to salaries; these increases once applied to the 2018 survey are enough to push the percentile ranking to above the 50th percentile in 2018. See Table 4, page 10.

Introduction

Annetts and Associates was engaged by the City of Windsor to complete a salary survey and compensation review for the Transit Windsor non-union employee group. This report provides the following: project implementation, general findings, summary of findings, and recommendations.

Project Implementation

Data Collection

1. Identification of Market Comparator Group

The 10 organizations chosen for this survey changed since 2015-2016.

Thunder Bay, Oakville and Mississauga were removed. Mississauga was replaced by Guelph as a better comparator as Mississauga's transit has significantly different ridership characteristics. Thunder Bay and Oakville were removed since neither provided good data in 2015/2016.

Guelph, Kingston were added as communities with similar ridership characteristics. Universities playing a major role in ridership for both communities.

Table 1: Survey Participants

Rank	Organization	Population	FTE	Total Expenditure (millions)
1	City of St. Catherines	133.1	866	217.2
2	City of Burlington	176.8	940	261.8
3	City of Guelph	131.7	1323	428.9
4	City of Kingston	123.9	1323	428.9
5	Greater Sudbury	161.5	2012	582.6
6	City of Brampton	642.8	3543	780.4
7	City of Windsor	224.1	2734	804.1
8	Region of Waterloo	601.2	3840	1078.6
9	City of London*	393.1	3200	1150.4
10	Region of Durham	691.5	4819	1252.8
11	City of Hamilton	572.5	6595	1763.9
	Windsor's Percentile Ranking	**50%**	**50%**	**60%**

* Did not participate
Data by FIR

2. Survey Questionnaire

A survey questionnaire was sent to each participating organization. Data Collected was;

- Position match job title,
- What position, match reports to,
- the minimum and maximum salaries,
- salary band,
- differences between the jobs being matched, if any,
  (examples provided below combined with how good a match a job is provides us with enough data to determine if a position should be included in the survey)
  - Combined with fleet coordinator position
  - Coaching, mentoring and managing bus operator performance
  - Monitoring adherence to a highly time sensitive schedule
- if the job is a good match and how close of a match job is as a percentage,
- and effective date of salary.

Data Analysis

1. What did we do?

Once data was collected it was compiled for analysis by position. Data was collected for 15 positions in 2017 and 16 positions in 2018. One position, Planning Supervisor, was added to the organization in 2018. (See Appendix B). 2 positions were removed from the survey due to lack of sufficient data. (3 or less data points).

- Manager, Sales and Marketing
- Maintenance Manager, Facilities

In 2017, 13 positions with valid data were included in the survey and in 2018, 14 position with valid data were included in the survey.

Positions were analyzed on the basis of mean, median,25th, 65th and 75th percentile. Windsor's salaries were also looked at as a percentile ranking within the reported data range. This analysis can be found in Tables 1 & 2 on Pages 8 and 9. (The definitions of statistical measures appear in Appendix B.)

Once data was compiled and statistical measures applied, each position's current salary for 2018 was plotted against the market median data. This graph provides a visual picture of Transit Windsor's position against the survey comparators and can be found on page 7.

Compiled data can be found:

Chart 1: Graph of Current Salaries vs Market Median Data Page 7
Table 2: Transit Windsor Non-Union Survey Summary 2017 Page 8
Table 3: Transit Windsor Non-Union Survey Summary 2018 Page 9

General Findings: 2017-2018 Salary Survey

Our overall finding is that Transit Windsor's salaries continue to lag significantly in the market with the 2017 average percentile ranking at 31.5% and the 2018 average percentile ranking at 44%. A number of factors have played a role in the results of the survey. Windsor lagged slightly in annual salary increases in 2017 and 2018 by .2% and .87% respectively. In addition, various organizations had spot adjustments for individual positions varying from 2.8% (norm of 1.3%) to 14.2%. Examples of increases were a 10% increase for the Executive Director, Hamilton (2016-2017); a 14.2% increase for a Transit Scheduler in Durham, a 12.5% increase for a Fleet Coordinator in Sudbury and an 8.3% increase for a Operations Supervisor in Waterloo. Overall, there were 6 extraordinary increases between 2016-2017 with no extraordinary increases in 2017-2018. Additional small increases of approximately 1% above the identified increases were seen 4 times in various transit groups in both years.

Chart 1 on page 7 shows that the biggest issue between the market and Transit Windsor's internal salary structure can be found in Bands 9, 11 and 12. Moving Transit Windsor to a 50-percentile average will not solve the median market deficit in Bands 9, 11 or 12. Only one positions moves to a 50% or above median position with the recommended salary increases. The issue is in the salary structure build which requires a greater discussion than the scope of this study.

In 2017, 15% (2/13) of Transit Windsor's salaries surveyed are above the median. In 2018, 29% (4/14) were above the median. Table 2 & 3, Column 3 (pages 8 & 9) provides a more detailed picture of the median survey data. In 2018, half the positions above the median are within 5% of the median in real dollar value. (Column 10, page 9)

In 2017, 77% (10/13) of Transit Windsor's salaries surveyed are below the median. In 2018, 64%, (9/14) were below the median. Table 2 & 3, Column 3 (pages 8 & 9) shows median survey data. In 2018, 5/9 of the positions below the median are within 5% of the median in real dollar value. (Column 10, page 9)

8% (1/13) positions are at the median or 50th percentile. In 2018, 7% (1/14) were at the median or 50th percentile. Table 2 & 3, Column 3 (pages 8 & 9) shows median survey data.

2017/2018 Survey Summary Table Description

Table 2 & 3, Column 1 shows Windsor's current salaries per position.

Table 2 & 3, Column 2 shows the Position Match for each position. This is the number of viable matches found for each position.

Table 2 & 3, Columns 3 shows the median or 50th percentile. This is defined in the appendix.

Table 2 & 3, Column 4, 5, and 6 shows the 25th, 65th and 75th percentile for each data set. This provide a perspective to the width of the data range.

Table 2 & 3, Column 7 shows the mean or the average salary of the salary range. The mean when compared to the median data shows if the data range is skewed high or low. In Windsor's survey the mean and median for each survey position generally fall within a few thousand dollars of each other, showing an even distribution of salary data.

Table 2 & 3, Column 8 shows the percentile ranking of Windsor's salary within the comparator data set. (See Appendix A – page 12 for an explanation of how this is determined)

Table 2 & 3, Column 9 and 10 shows how close Windsor's salary is to the median in dollars and the dollar amount as a percentage change.

Chart 1: Transit Windsor Salary Data vs Market Median Data (2018)

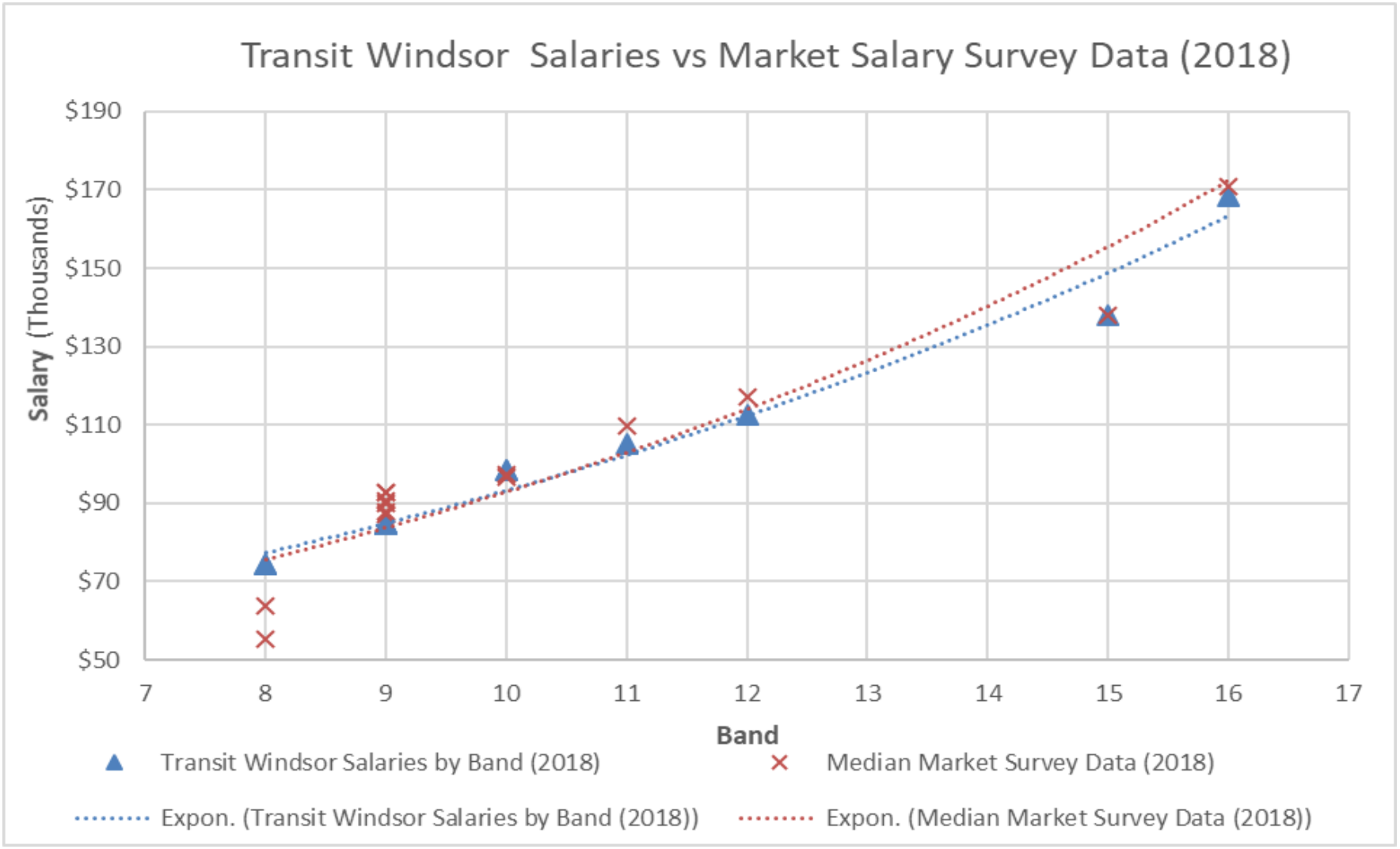


Table 2: Transit Windsor Salary Survey Summary 2017

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Row Labels	Windsor	N	Median	25th Percentile	65th Percentile	75th Percentile	Mean	Windsor %ile	Windsor $ From Med	Windsor % From Med
NTW										
Band 16										
NTW026										
Executive Director- Transit	$164,689.90	8	$ 170,334	$144,235	$171,204	$171,265	$163,500	38%	-$5,644	-3%
Band 15										
NTW025										
Sr. Manager Fleet and Support Services	$134,822.54	4	$ 134,823	$119,214	$138,858	$141,549	$132,518	50%	$0.00	0%
Band 12										
NTW011										
Manager Operations	$110,055.31	9	$ 113,543	$108,719	$122,068	$127,422	$118,885	44%	-$3,487	-3%
Band 11										
NTW004										
Maintenance Manager - Fleet	$102,855.33	8	$ 108,379	$104,614	$118,215	$122,957	$113,761	13%	-$5,523	-5%
Band 9										
NTW012										
Operations Supervisor	$82,868.26	8	$ 85,908	$82,868	$93,589	$95,572	$91,398	25%	-$3,040	-4%
NTW013										
Maintenance Supervisor– Transit Windsor	$82,868.26	7	$ 90,983	$84,779	$93,086	$96,837	$92,388	14%	-$8,115	-9%
NTW014										
Coordinator Its– Transit Windsor	$82,868.26	5	$ 95,003	$87,795	$95,761	$97,132	$92,552	0%	-$12,135	-13%
NTW015										
Transportation Scheduler– Transit Windsor	$82,868.26	9	$ 88,230	$82,915	$95,639	$97,540	$87,898	22%	-$5,361	-6%
NTW016										
Fleet Coordinator	$82,868.26	5	$ 90,983	$84,544	$92,708	$93,337	$88,290	20%	-$8,115	-9%
NTW018										
Supervisor Sales Marketing	$82,868.26	5	$ 86,151	$83,505	$88,934	$93,028	$87,209	20%	-$3,283	-4%
NTW028										
Operations Coordinator	$82,868.26	4	$ 92,394	$85,416	$94,002	$95,075	$90,853	0%	-$9,525	-10%
Band 8										
NTW006										
Executive Administrative Assistant - Transit Windsor	$72,691.13	5	$ 62,611	$56,103	$66,466	$70,616	$63,964	80%	$10,081	16%
NTW020										
Payroll Coordinator	$72,691.13	6	$ 54,250	$52,944	$54,499	$63,609	$60,235	83%	$18,441	34%

Average Percentile 31.5%

# above 50%	2	= 15%
# below 50%	10	= 77%
# at median	1	= 8%

Table 3: Transit Windsor Salary Survey Summary 2018 with no retroactive increase

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Row Labels	Windsor	N	Median	25th Percentile	65th Percentile	75th Percentile	Mean	Windsor %ile	Windsor $ From Med	Windsor % From Med
NTW										
Band 16										
NTW026										
Executive Director- Transit	$168,416.01	9	$170,867	$145,165	$174,419	$177,161	$163,006	44%	-$2,451.29	-1%
Band 15										
NTW025										
Sr. Manager Fleet and Support Services	$137,872.90	4	$137,873	$121,300	$143,423	$147,123	$135,461	50%	$0.00	0%
Band 12										
NTW011										
Manager Operations	$112,545.31	9	$117,092	$110,485	$124,849	$129,730	$121,184	44%	-$4,546.85	-4%
Band11										
NTW004										
Maintenance Manager - Fleet	$105,182.43	7	$109,767	$107,226	$116,525	$124,021	$115,112	14%	-$4,584.14	-4%
Band 10										
NTW014										
Coordinator Its– Transit Windsor	$98,301.88	5	$97,445	$96,523	$98,486	$98,855	$96,457	60%	$857.24	1%
NTW028										
Operations Coordinator	$98,301.88	4	$96,501	$94,390	$97,582	$98,302	$95,311	75%	$1,800.88	2%
Band 9										
NTW012										
Operations Supervisor	$84,743.15	8	$86,982	$84,297	$95,281	$97,483	$93,239	38%	-$2,238.67	-3%
NTW013										
Maintenance Supervisor– Transit Windsor	$84,743.15	7	$92,765	$86,529	$94,758	$98,642	$94,310	14%	-$8,021.94	-9%
NTW015										
Transportation Scheduler– Transit Windsor	$84,743.15	9	$89,778	$84,409	$97,855	$100,149	$89,666	33%	-$5,034.54	-6%
NTW016										
Fleet Coordinator	$84,743.15	5	$92,765	$86,342	$94,557	$94,891	$89,923	20%	-$8,021.94	-9%
NTW018										
Supervisor Sales Marketing	$84,743.15	5	$87,770	$85,338	$90,437	$94,480	$89,093	20%	-$3,026.65	-3%
NTW029										
Planning Supervisor	$84,743.15	7	$90,665	$82,890	$97,080	$98,242	$90,876	43%	-$5,922.13	-7%
Band 8										
NTW006										
Executive Administrative Assistant - Transit Windsor	$74,335.77	5	$63,702	$57,062	$67,602	$72,091	$65,118	80%	$10,633.77	17%
NTW020										
Payroll Coordinator	$74,335.77	6	$55,335	$53,674	$55,394	$64,868	$61,247	83%	$19,000.77	34%

Average Percentile	44%		
# above 50%	4	=	29%
# below 50%	9	=	64%
# at median	1	=	7%

Table 4: Transit Windsor Salary Survey Summary 2018 with 5.4% retroactive increase applied (as of Jan 1, 2018)

*no 2018 salary increases have been applied to the Windsor salaries other than the 5.4% increase to move 2017 to the 50th percentile, these new salaries in 2018 result in a 54% overall percentile ranking. October 2017 rates were used as the base for the 5.4% increase since salary increases are provided April and October of each year.

2018	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Row Labels	Windsor	N	Median	25th Percentile	65th Percentile	75th Percentile	Mean	Windsor %ile	Windsor $ From Med	Windsor % From Med
NTW										
Band 16										
NTW026										
Executive Director- Transit	$173,583.15	9	$170,867	$145,165	$174,458	$177,161	$163,522	56%	$2,715.85	2%
Band 15										
NTW025										
Sr. Manager Fleet and Support Services	$142,102.96	4	$137,873	$121,300	$145,115	$147,123	$136,307	50%	$4,230.06	3%
Band 12										
NTW011										
Manager Operations	$115,998.30	9	$117,092	$110,485	$124,849	$129,730	$121,529	44%	-$1,093.86	-1%
Band11										
NTW004										
Maintenance Manager - Fleet	$108,409.52	7	$109,767	$108,284	$116,525	$124,021	$115,516	29%	-$1,357.05	-1%
Band 10										
NTW014										
Coordinator Its– Transit Windsor	$101,317.87	5	$97,445	$96,523	$99,576	$100,650	$96,959	100%	$3,873.23	4%
NTW028										
Operations Coordinator	$101,317.87	4	$96,501	$94,390	$98,743	$100,237	$95,914	100%	$4,816.87	5%
Band 9										
NTW012										
Operations Supervisor	$87,343.15	8	$86,982	$84,297	$95,281	$97,483	$93,528	50%	$361.33	0%
NTW013										
Maintenance Supervisor– Transit Windsor	$87,343.15	7	$92,765	$87,288	$94,758	$98,642	$94,635	29%	-$5,421.94	-6%
NTW015										
Transportation Scheduler– Transit Windsor	$87,343.15	9	$89,778	$85,059	$97,855	$100,149	$89,926	33%	-$2,434.54	-3%
NTW016										
Fleet Coordinator	$87,343.15	5	$92,765	$88,292	$94,557	$94,891	$90,356	20%	-$5,421.94	-6%
NTW018										
Supervisor Sales Marketing	$87,343.15	5	$87,770	$87,179	$90,437	$94,480	$89,526	40%	-$426.65	0%
NTW029										
Planning Supervisor	$87,343.15	7	$90,665	$82,890	$97,080	$98,242	$91,201	43%	-$3,322.13	-4%
Band 8										
NTW006										
Executive Administrative Assistant - Transit Windsor	$76,616.45	5	$63,702	$57,062	$68,172	$73,802	$65,498	80%	$12,914.45	20%
NTW020										
Payroll Coordinator	$76,616.45	6	$55,335	$53,674	$55,394	$66,009	$61,573	83%	$21,281.45	38%

*2018 rate =2017 rate x 5.4%

Average Percentile 54.0%

Recommendations

1. Implement the required percentage increase for the organization.

2. Consider reviewing the build of the current Transit Windsor salary structure to create better balance in Bands 9, 11 and 12 for the market salary survey. Currently the % change between bands in the survey are as follows:

   Bands 8 to 9 = 12%
   Band 9 to 10 = 14%
   Band 10 to 11 = 7%
   Band 11 to 12 = 7%
   Band 15 to 16 = 18%

   All 6 positions in Band 9 and each position in Bands 11 and 12 are below the median. With the application of the 5.4% salary increase only one position moves to the 50th percentile or above position, the remaining 7 positions remain below the 50th percentile, that is 57% of the positions surveyed. The seven positions below the median are 1-6% below the median in real salary dollars.

   Again, this indicates the percentile ranking issue won't be fixed with across the board increases but is more structural in nature. The development of a structural compensation solution is beyond the scope of this project.

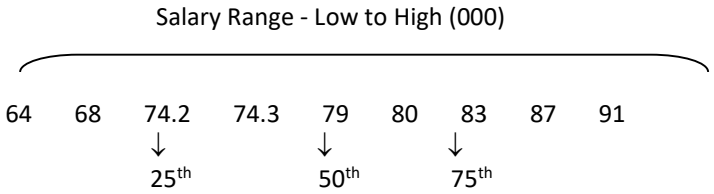
Appendix A

DATA ANALYSIS TERMS

Term	Definition
Position Match	This refers to the technique of comparing positions among the different Counties and Cities based on responsibility, content and scope for the position. Reporting relationship and the number and type of direct reports are considered. Organizations also indicate the position match. A match in the range of 80-120% is considered reasonable for inclusion in the analysis. If an organization indicated a lower or higher percentage match (for example 50%) the data for that position is not included in the analysis.
Cases	This refers to the actual data received for each position match. For example, out of 12 participants for the position of Systems Analyst, there were 12 cases reported or, all participants responded with an appropriate match. For the position of Manager, Operations, out of 10 participants, there were 9 cases or, 9 participants responded with an appropriate match. The other 1 participant in the survey did not have an appropriate match or a similar position within their organization.
Job Rate	The maximum salary within the salary range. All survey data is shown using job rate only.
Mean	As a measure of central tendency, the mean is calculated by summing all salaries within a job classification and dividing by the number of cases. The mean is also the average.
Median	Another measure of central tendency. The median, is the exact middle of the range of ranked data points. For example, in a distribution of 11 salaries, the median is the 6th highest case. 5 cases fall below its value and 5 cases are above its value. The median is by definition equivalent to the 50^{th} percentile. Percentiles are explained below.

Percentiles

Percentile is a statistical calculation based on the distribution of data points using a formula which defines the lowest case as 1% and the highest case as 100%. The rank order of the cases is between 1 and 100 percent and are then divided into equal intervals.
For example:



50th Also the Median. 50% of the data is below and 50% of the data is above

65th At the 65th percentile, 65% of the data falls below this point and 35% of the data is above this point.

75th At the 75th percentile, 75% of the data falls below this point and 25 % of the data is above this point.

Percentile Ranking Windsor's percentile calculation shows where in the 0-100% range your current salaries fall.

Appendix B

Table 5: Transit Windsor Surveyed Positions 2017

Above Median	At Median	Below Median
Executive Administrative Assistant	Sr. Manager Fleet and Support Services	Coordinator Its
Payroll Coordinator		Executive Director
		Fleet Coordinator
		Maintenance Manager/ Facilities
		Maintenance Supervisor
		Manager Operations
		Operations Coordinator
		Operations Supervisor
		Supervisor Sales Marketing
		Transportation Scheduler

Table 6: Transit Windsor Surveyed Positions 2018

Above Median	At Median	Below Median
Coordinator Its	Sr. Manager Fleet and Support Services	Executive Director
Executive Administrative Assistant		Fleet Coordinator
Operations Coordinator		Maintenance Manager/ Facilities
Payroll Coordinator		Maintenance Supervisor
		Manager Operations
		Operations Supervisor
		Supervisor Sales Marketing
		Transportation Scheduler

Manager, Sales and Marketing (removed from survey due to lack of data)
Maintenance Manager, Facilities (removed from survey due to lack of data)

Committee Matters: SCM 290/2020

Subject: In Response to Council Question CQ12-2020 Regarding Net Zero Neighbourhood Plan for Sandwich South Development Area

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 785**

1. THAT the report of the Community Energy Plan Administrator dated September 1st, 2020 entitled "In Response to Council Question CQ12-2020 Regarding Net Zero Neighbourhood Plan for Sandwich South Development Area" **BE RECEIVED** for information.

2. THAT City Council **APPROVE** Administration to submit an application to FCM's Green Municipal Fund for grant funding ("the Grant") to complete a Sustainable Neighbourhood Action Plan, along with the following recommendations:
    a. That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the application to the Grant;

    b. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer;

    c. That in the event the City receives written confirmation of the Grant funding being awarded to the City, implementation of the Project does not result in a need for additional City funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:

        i. The Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents required as part of the request for payment to the Supervisor, Environmental Sustainability & Climate Change or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,

ii. The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors / proponent / bidders satisfactory in technical content for all projects to the City Engineer, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,

iii. The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders or RFPs as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the City Engineer, in legal content to the City Solicitor and in financial content to the City Treasurer.

3. THAT City Council **APPROVE** the use of $123,500 in funding from the Climate Change Reserve Funds (Fund 223) as the City's matching funding for the development of the Sustainable Neighbourhood Action Plan, which includes a building energy audit.

Carried.

Report Number: S 116/2020
Clerk's File: EI/10822

Clerk's Note: The recommendation of the Standing Committee and Administation are the same.

Subject: In Response to Council Question CQ12-2020 Regarding Net Zero Neighbourhood Plan for Sandwich South Development Area.

Reference:

Date to Council: September 23, 2020
Author: Kyle Bassett
Community Energy Plan Administrator
kbassett@citywindsor.ca
519-253-7111 x 3224
Pollution Control
Report Date: September 1, 2020
Clerk's File #: EI/10822

To: Mayor and Members of City Council

Recommendation:

1. That the report of the Community Energy Plan Administrator dated September 1st, 2020 entitled "In Response to Council Question CQ12-2020 Regarding Net Zero Neighbourhood Plan for Sandwich South Development Area" **BE RECEIVED** for information.
2. That City Council **APPROVE** Administration to submit an application to FCM's Green Municipal Fund for grant funding ("the Grant") to complete a Sustainable Neighbourhood Action Plan, along with the following recommendations:
    - **a.** That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the application to the Grant;
    - **b.** That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer;
    - **c.** That in the event the City receives written confirmation of the Grant funding being awarded to the City, implementation of the Project does not result in a need for additional City funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:
        - **i.** The Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such

documents required as part of the request for payment to the Supervisor, Environmental Sustainability & Climate Change or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,

ii. The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors / proponent / bidders satisfactory in technical content for all projects to the City Engineer, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,

iii. The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders or RFPs as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the City Engineer, in legal content to the City Solicitor and in financial content to the City Treasurer.

3. That City Council **APPROVE** the use of $123,500 in funding from the Climate Change Reserve Funds (Fund 223) as the City's matching funding for the development of the Sustainable Neighbourhood Action Plan, which includes a building energy audit.

Executive Summary:

N/A

Background:

In 2015, The City of Windsor began the process of developing a long-term comprehensive plan to address energy and greenhouse gas emissions through the completion of a Community Energy Plan (CEP) and associated Corporate Climate Action Plan. These plans were approved by City Council in July 2017 (CR426/2017).

The vision of the Community Energy Plan is to create economic advantage, mitigate climate change, and improve energy performance. It strives to position Windsor as an energy center of excellence that boasts efficient, innovative, and reliable energy systems that contribute to the quality of life of the residents and businesses.

The Community Energy Plan (CEP) included a community-wide goal to reduce greenhouse gas (GHG) emissions by 40% of 2014 levels and to reduce per-capita energy consumption by 40%. Increasing efficiency of new-build developments was identified as an important element of the GHG reduction pathway.

In June of 2020, a council question was brought forth as part of the City's Climate Emergency Declaration. The question is as follows:

CQ 12-2020 Further to recommendations previously approved by Council regarding Climate Change that Administration prepare a report outlining how the City of Windsor could proceed with a neighbourhood energy and climate change strategy for the

This report serves to address the council question.

Discussion:

What is a Net-Zero Energy Neighbourhood?

A net zero energy district is a place where no more energy is consumed than is supplied by non-fossil fuel sources to approach zero emissions. In practice this means:

1) Minimizing energy consumption;

2) Maximizing efficiency of energy conversion; and

3) Maximizing use of low-carbon/renewable energy sources at both the building-scale, as well as the block/district scale

While the priority is utilizing low-carbon energy sources from within the Sandwich South Planning District (SSPD) the word "net" recognizes that there will still be a connection to utilities and that energy imported from the electricity/natural gas grids will be offset by exports. Regeneration and renewal activities with the objective of achieving net zero energy import in the SSPD will assist in both addressing pressing environmental issues, as well as contributing to the City's ambitious greenhouse house reduction target of 40% below 2014 levels by 2041.

To proceed with a net-zero community, the City must have planning policies in place to provide a framework to work with developers to achieve the ambitious goals of the Community Energy Plan, Environmental Master Plan, and Active Transportation Masterplan.

Guidelines for a Net-Zero Neighbourhood

The Sandwich South lands represents the largest greenfield development area in the City. With a relatively blank slate, there is high potential and opportunity for development of net-zero (or near-zero) neighbourhoods. If the City of Windsor, wishes to achieve its environmental and sustainability goals, it is important to develop greenfield areas in a manner consistent with those goals. Those goals include emissions reduction, low-carbon economic development, and climate change resilience. The SSPD represents a unique opportunity for Windsor due to its central location, size and greenfield nature. Unlike most areas throughout the city, development is being completed after both the approval of the Community Energy Plan as well as the Climate Change Emergency Declaration. This creates the policy framework to create new,

sustainable, mixed-use communities alongside the proposed Regional Hospital, which can act as the anchor of the area.

In order to prepare the SSPD to be net-zero (or near-zero), administration is recommending that a Sustainable Neighbourhood Action Plan (SNAP) be developed for the area. The proposed SNAP would include analysis and recommendations for sustainable development in the SSPD under these strategies.

1) **High energy efficiency for constructed buildings**
    - Investigate building energy standards for new construction with a goal that new construction be at least 40% more energy efficient and result in 40% GHG reduction compared to similar buildings constructed in 2014.
    - To support this strategy, Administration is recommending completing the Building Efficiency Audit, as outlined in the Climate Change Emergency Declaration. As part of the Climate Change Emergency Declaration priority actions the Building Efficiency Audit was identified as a framework for improving efficiency of new-build developments throughout the city. The Building Efficiency Audit may provide guidance for future updates to policies within of the City's Official Plan aimed at implementing Community Energy Plan strategies.

2) **Building-scale renewable energy solutions**
    - Explore opportunities for building-scale renewable energy solutions to address building energy consumption or demand that cannot be addressed through efficiency measures. Such solutions include, but are not limited to:
        - Solar PV
        - Wind
        - Geothermal
        - Biomass
        - Waste heat recovery

3) **Block-scale energy networks**
    - Identify, designate and reserve easements for energy networks, including rights of way for linear infrastructure.
    - During more detailed planning exercises, identify, designate and reserve strategically located small parcels (underground or above ground) for low-carbon energy solutions, which may include: Sewer heat energy transfer stations; Solar PV systems; Biomass combined heat and power plants
    - Create a framework for energy network implementation, including reference to business models (i.e. franchise, lease), easements, and reserved development parcels to attract private investment from energy developers for energy solutions towards a net zero district.

- Explore opportunities and approaches that would encourage developers to invest in energy network-ready buildings, and building-scale energy plants designed to share energy with neighbouring buildings.
- Potential for future large-scale institutional/industrial developments to act as anchor location for a district energy network.

4) **Resilience to climate change and other disruptions**
   - Explore opportunities to strengthen resilience to power outages in multi-unit residential buildings, including, but not limited to: Powering additional loads such as domestic water pumps and elevators; Creating refuge areas; Backup power systems designed for at least 72 hours of continuous operation.
   - Identify and designate community reception centres within the SSPD.

5) **Low-carbon transportation**
   - In accordance with direction emerging through the City of Windsor Active Transportation Masterplan, encourage transit-supportive development and complete streets with high-quality pedestrian and cycling amenities to reduce reliance on the personal automobile;
   - Provide the necessary infrastructure and space allocation in buildings to support electric personal vehicles and car sharing fleets.

6) **Water and wastewater**
   - Encourage high levels of water conservation through low-flow fixtures and water efficient appliances.
   - Explore opportunities for grey water recycling systems within buildings to avoid using high quality and energy intensive drinking water for non-potable purposes (e.g. toilets flushing irrigation, etc.).
   - Explore opportunities for heat exchange with water infrastructure, including heat exchange with water supply mains and pumping stations, as well as heat recovery from sewage pumping stations, sewer lines, and buildings drains. This recovered waste heat can be utilized within the district energy network to further reduce GHG from heating/cooling.

7) **Solid waste**
   - Encourage highest levels of solid waste diversion including strategies in moving towards a circular economy.

8) **Innovation**
   - Due to the long-range nature of the SSPD, ensure continued flexibility such that innovations and emerging technologies, at the building, block,

neighbourhood and/or regional scales, can be implemented over time and that would further contribute to the objective of achieving a Net Zero district.

9) **Integration with other plans and studies**
   - Ensure that other studies in the area which may be on-going or that are to come, consider the opportunities identified in this energy plan and integrate them towards a Net Zero district

10) **Incentives for developers**
   - Identify opportunities to incentivise early action that will build expertise and improve market uptake.

Integration into City Official Plan

It is intended that the resultant policies arising from the SNAP will be integrated into the City Official Plan. Results from the SNAP can also be used to inform green development standards for other areas of the city. It is understood that many of these recommendations would need to be adapted for infill and redevelopment projects within the established areas of the City.

Building on the approved Community Energy Plan, Environmental Sustainability and Climate Change staff will work with the City Planning department as well as qualified consultants to complete the SNAP as outlined above.

Similar Activities at other Ontario Municipalities

Toronto – The City of Toronto has a significant history of completing SNAP plans for different districts within city-limits. One comparable example is the Port Lands Energy plan, which outlines guidelines for Net Zero District including consideration of block-scale energy networks linked through district energy heating and cooling.

London West Five Community SNAP – The City of London has completed a SNAP for the West Five neighbourhood with the goals of Net Zero energy usage. This plan was undertaken along with a third party energy developer S2E Technologies and features beyond-code energy efficiency standards for buildings as well as solar PV renewable energy and district energy elements.

Risk Analysis:

These is no risk associated with applying to FCM for grant funding. In the event that the grant application is not successful, the Climate Change Reserve Funds will likely not cover the consultant's costs and additional funding will be needed.

Climate Change Mitigation Risks

The SNAP will aid in climate change mitigation efforts as it will ensure that new development will be designed and built in accordance with the climate change mitigation goals of the city. This is consistent with strategy 4 of the Community Energy Plan which states

"Create a Net Zero Neighbourhood as an opportunity for transformative change at the neighbourhood scale"

This SNAP creates a significant opportunity to develop green development standards which can be applied to other areas of the city.

Climate Change Adaptation Risks

The SNAP will aid in climate change adaptation as climate resilience measures are included in the proposed report. Windsor's climate future will be used as basis of design for project development.

Financial Matters:

Administration proposes the utilization of funds allocated during the Climate Emergency Declaration to complete the proposed study and audit. The Federation of Canadian Municipalities has a current grant opportunity through the Green Municipal Fund to support Sustainable Neighbourhood Action Plans (SNAP) such as this. As part of this grant program FCM would fund 50% of eligible costs to a maximum of $175,000 for the creation of plans to develop sustainable, green initiatives in neighbourhoods.

It is intended that existing Climate Change Reserve Funds (Fund 223) will be leveraged with FCM funding for the project. In the event that the grant application is not successful, the Climate Change Reserve Funds will likely not cover the consultants costs and additional funding will be required to be identified and approved by Council.

Estimated Expenses

External Costs	
Consultant budget for SNAP study (eligible)	$200,000
Consultant budget for building energy audit (eligible)	$47,000
Total Expenses	**$247,000**

Funding Sources

Source	

Climate Change Reserve fund (F223) for SNAP and building energy audit	$123,500
FCM matching funds for eligible costs	$123,500
Total Funding Sources	**$247,000**

Consultations:

Planner III – Economic Development

Planner III - Subdivisions

Conclusion:

The Sandwich South planning district presents a unique opportunity to develop the area towards sustainability goals consistent with the Community Energy Plan including net-zero. Leveraging FCM funds to complete the SNAP study is a significant first step towards this goal.

Greenfield development towards net-zero is significantly simpler than retrofitting existing developments. The SNAP study can be used to inform future development throughout the city.

Planning Act Matters:

n/a

Approvals:

Name	Title
Karina Richters	Supervisor, Environmental Sustainability and Climate Change
Carrie McCrindle	Manager, Performance Measurement & Financial Administration
Jake Renaud	Senior Manager of Pollution Control
Thom Hunt	City Planner
Mark Winterton	City Engineer
Shelby Askin-Hager	City Solicitor
Joe Mancina	Chief Financial Officer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices: N/A

Committee Matters: SCM 299/2020

Subject: Temporary Exhibition Look Again! Installed Outdoors at Eight Downtown Locations - Ward 3

Moved by: Councillor Gignac
Seconded by: Councillor McKenzie

Decision Number: **CSPS 120**
THAT the request from the Art Gallery of Windsor for the temporary installation of Eight Reproduction Paintings in Frames in the fall of 2020 for up to ONE YEAR **BE APPROVED;** and further,

THAT City Council **AUTHORIZE** the City Solicitor or designate to develop an Agreement between The Corporation of the City of Windsor and the Art Gallery of Windsor to reflect the installation of the artworks in the City Right-of-Way for a period of up to ONE YEAR; and further,

THAT City Council **AUTHORIZE** the waiver of fees of $1,696.00 for the permit to install 8 temporary art displays as well as the refundable indemnity fee of $400.00; and further,

THAT the installation and maintenance of the artwork **BE SUBJECT TO** appropriate risk and liability insurance, satisfactory to the Manager of Purchasing and Risk Management; and further,

THAT the location of each of the Eight Installations for the duration of the exhibition, **IS SATISFACTORY** to the Manager of Right-of-Way; and further,

THAT the Temporary Art Installation **BE CORRECTLY PERMITTED** as per The City of Windsor's process with an indemnity clause in place for the duration of the installation; and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the Agreement, satisfactory in form to the City Solicitor, and in content to the Executive Director of Recreation and Culture.

Carried.

Report Number: S 125/2020
Clerk's File: SR/13926

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: Temporary Exhibition Look Again! Installed Outdoors at Eight Downtown Locations - Ward 3

Reference:

Date to Council: October 7, 2020
Author: Cathy Masterson, Manager of Cultural Affairs
cmasterson@citywindsor.ca
519-235-2300 ext 2724

Recreation and Culture
Report Date: September 14, 2020
Clerk's File #: SR/13926

To: Mayor and Members of City Council

Recommendation:

THAT the request from the Art Gallery of Windsor for the temporary installation of Eight Reproduction Paintings in Frames in the fall of 2020 for up to ONE YEAR **BE APPROVED;** and further,

THAT City Council **AUTHORIZE** the City Solicitor or designate to develop an Agreement between The Corporation of the City of Windsor and the Art Gallery of Windsor to reflect the installation of the artworks in the City Right-of-Way for a period of up to ONE YEAR; and further,

THAT City Council **AUTHORIZE** the waiver of fees of $1,696.00 for the permit to install 8 temporary art displays as well as the refundable indemnity fee of $400.00; and further,

THAT the installation and maintenance of the artwork be subject to appropriate risk and liability insurance, satisfactory to the Manager of Purchasing and Risk Management; and further,

THAT the location of each of the Eight Installations for the duration of the exhibition, is satisfactory to the Manager of Right-of-Way; and further,

THAT the Temporary Art Installation be correctly permitted as per The City of Windsor's process with an indemnity clause in place for the duration of the installation; and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the Agreement, satisfactory in form to the City Solicitor, and in content to the Executive Director of Recreation and Culture.

Executive Summary:

N/A

Background:

The City of Windsor's Public Art Policy was approved by City Council in November 7, 2005 by CR679/2005. The Policy supports the installation of Public Art in Public Spaces through the following sections:

2.2 Temporary Art in Public Places

An increased emphasis will be given to promoting temporary public art works, which enliven our environment, raise awareness and engender debate about Public art. The proposed Public Art Advisory Committee, formed to implement aspects of this Policy, will have a role in actively promoting and facilitating temporary public art works. A list of possible sites where artists could locate public art works will be developed, and a process established for artists seeking to create a temporary exhibition/art work. There may be opportunities for promoting temporary public art works, possibly with a focus on regular temporary exhibitions.

2.3 Community Art in Public Places

Community public art aims to assist communities towards self celebration and self definition, through the expression of a sense of identity and the creation of community consciousness. It encourages active participation from community members while also developing audiences as in the case of the international art installation CarTunes on Parade. Other forms of community art expression may also include murals created by students around construction projects (e.g. 400 City Hall square). City Council will provide opportunities to continue to work with the community to support and develop community-based quality arts programmes and activities, including community-based public art.

Discussion:

The Art Gallery of Windsor (AGW) is a non-profit art gallery focused on presenting the visual arts of Canada. The Gallery was formed on October 1, 1943 and incorporated on June 8, 1944 with the mandate of serving the southwestern Ontario region and the international border community of Windsor, Ontario, Canada and Detroit, Michigan, USA. In the intervening years, it has become a cultural pillar situated in a premium and purpose-built downtown riverfront locations overlooking the Detroit River and downtown skylines. The AGW has a long and well respected position within the cultural community.

On September 11, 2020 the Art Gallery of Windsor submitted a request (Appendix A). The AGW is interested in enhancing the cultural vibrancy of the downtown by installing temporary reproductions of paintings in their collection for audiences to enjoy.

In discussion with the Manager of Right-of-Way, permits will be required for the installation as it will be located within the Right-of- Way in 8 locations. The AGW has noted in their request that they are flexible on the locations in order to respect sightlines for traffic and foot traffic moving through the space. They have indicated that they will install the framed art on sidewalks using the guidelines as provided by the Manager of Right-of-Way and included in their request. The AGW has requested that fees be waived for the ONE YEAR duration of the project.

The AGW will work with the appropriate partner to fine tune the locations to ensure locations are suitable. The eight suggested locations are as follows:

1. University of Windsor School of Social Work at Ferry & Chatham OR University of Windsor School of Creative Arts at University Avenue & Freedom Way
2. Senator Croll Park near the intersections of Goyeau Street and University Avenue
3. St. Clair College at the Chrysler Theatre
4. The Bus Terminal at 300 Chatham Street
5. The Capitol Theatre at 121 University Avenue
6. Maiden Lane and Pelisser Street
7. Along the riverfront near the Bistro at 75 Riverside Drive
8. At the Windsor Public Library near the intersection of Pitt Street and Ferry Street in the parking lot.

The AGW has approached all the organizations including the City of Windsor, the Windsor Symphony Orchestra, St. Clair College, the University of Windsor, the Windsor Public Library, Transit Windsor, Parks department and the Downtown Business Improvement Area to gain interest and support in the project. All are enthusiastic in their support of this project.

Risk Analysis:

Community Impact Risks: The cultural community of Windsor has welcomed the temporary art exhibitions that have been placed into the downtown core in the past. They view the installations as further evidence of the support that Council is directing towards the grassroots cultural community.

Other Risks: the Public Art Policy supports temporary art installations with the City of Windsor.

Financial Matters:

The permit fee to install one sign within the Right-of-Way is $212.00. The request to install 8 signs will result in a total waiver of fee request of $1,696.00.

While it is noted that the request for the Waiver of Fees does not specifically meet the City's policy requirements in two key areas (ie. the AGW is a registered charity as recognized by CRA and the request in being made outside the 90 day requirements for requests of Waiver of Fees) a number of criteria support this request as the social/community benefits outweigh the nominal cost of the waiver. As such,

Administration supports the provision of the Waiver of Fees in this circumstance. The organization has a history of delivering effective exhibitions and programming that are impactful and supportive of the arts community in Windsor. In addition, the City's Public Art Policy supports the temporary exhibition of art within our pubic spaces.

The AGW will provide an insurance certificate to the City of Windsor at the start of the exhibition that is satisfactory to our Risk Management department. The AGW will be responsible for all copyright costs, reproduction costs, framing, installations, repair/maintenance and removal of the exhibition at the end of the project. The installation/exhibit must at all times meet with the approval of the City of Windsor.

Consultations:

Adam Pillon, Manager of Right-of-Way

Pat Delmore, Executive Director, Transit Windsor

Kitty Pope, Chief Executive Officer, Windsor Public Library

James Chacko, Senior Manager, Parks

Conclusion:

Through this Art Gallery of Windsor project, a public art installation will be available for the community to enjoy 24 hours a day, seven days a week. It is an excellent complement to the City of Windsor's existing collection of contemporary public art. The City of Windsor has made a significant contribution to the cultural fabric of the community and is working to develop a cultural hub within the downtown core. This temporary public art installation will continue to support and enhance opportunities within the creative community.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cathy Masterson	Manager of Cultural Affairs
Ray Mensour	Executive Director, Recreation & Culture
Jan Wilson	Commissioner - PRCCF
Shelby Askin-Hager	City Solicitor
Mark Winterton	City Engineer
Joe Mancina	City Treasurer
Valerie Critchley	City Clerk

Name	Title
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Jennifer Matotek		jmatotek@agw.ca

Appendices:

1 Appendix A - Letter from AGW 2020
2 Appendix B - Addendum Look Again! Outside!

AGW
Art Gallery of Windsor
401 Riverside Drive West
Windsor, Ontario
N9A 7J1 Canada
Phone 519 977 0013
www.agw.ca

September 11, 2020

Dear Cathy Masterson and Ray Mensour,

We write this letter to seek approval and support for a project spearheaded by the Art Gallery of Windsor (AGW). The goals of the project, **'Look Again! Outside!'**, are to positively build Windsor's image and support the cultural vibrancy of downtown Windsor (aligned with the City of Windsor's Cultural Plan); as well as to position images from AGW's treasured art collection downtown, to be enjoyed by a broad audience.

'Look Again! Outside!' will feature reproductions of eight artworks from the AGW collection in the community, creating a mini-walking tour through downtown. A network of reproductions will link the AGW building on Riverside Drive to St. Clair College, University of Windsor, the Capitol Theatre, Maiden Lane, Transit Centre, as well at the Windsor Public Library, riverfront, local parks, and local businesses. The AGW will work with the DWBIA as a partner for this, as well as St. Clair College and the University of Windsor.

The reproduced artworks will be fabricated using materials that are highly durable. AGW staff and partners will be regularly reviewing the condition of reproductions and replacing or removing them should their condition deteriorate or become unsightly.

The AGW kindly requests that the City of Windsor consider waiving permit fees and any indemnity deposits that would be applicable for each installation. The AGW will not ask the City of Windsor to cover any expenses associated with this project beyond providing approvals for the project, and helping to ensure AGW is producing and installing the reproductions to code and in adherence with city bylaws. Costs for the production, installation, repair, and maintenance of the reproductions will be covered by the Art Gallery of Windsor and partners.

A list of artworks and proposed locations are attached as an addendum, as well as fabrication and installation information – but please note these are proposals. AGW intends to be very flexible in terms of working with the City of Windsor to find locations where the works can be best installed using existing infrastructure, and best located to avoid sightline issues. The AGW would also be open to shifting the locations of the reproductions after installation should issues arise, and should the City of Windsor or partners deem the locations no longer suitable.

The duration of the project will be 8 months to one year, with installation ideally taking place in October 2020. Should the City of Windsor or community partners wish to continue to leave the reproductions installed, the AGW would be open to that, provided that the reproductions remain in good condition at the end of one year.

AGW
Art Gallery of Windsor
401 Riverside Drive West
Windsor, Ontario
N9A 7J1 Canada
Phone 519 977 0013
www.agw.ca

AGW is excited to work with the City and our community partners on this project. We are confident that with support from the City, the community will enjoy these additions to downtown Windsor's cultural landscape, particularly during the period of COVID-19 as people spend an increasing amount of time outside. The AGW looks forward to bringing reproductions of our treasured artworks out into the community, to be enjoyed by all, through this project.

Regards,

Jennifer Matotek
Executive Director
Art Gallery of Windsor

Federica Nazzani
Board Chair
Art Gallery of Windsor

Attachments:

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

ADDENDUM B: PROPOSED INSTALLATION INFORMATION AND FABRICATION DETAILS

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

Proposed Location & Artwork 1: University of Windsor (School of Nursing or School of Creative Arts)

Ferry and Chatham

University and Freedom Way

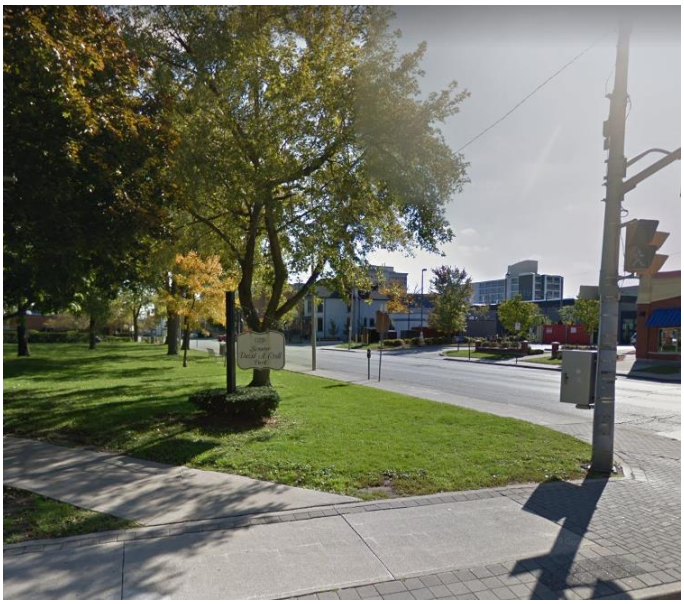
Location TBD with University of Windsor

Norval Morrisseau (born Fort William, Ontario, 1932 – died Toronto, Ontario, 2007)
Untitled, [Self-Portrait of the Artist as Shaman], ca. 1975
acrylic on canvas
121.9 cm x 96.5 cm
Collection of the Art Gallery of Windsor;
Purchased with funds from the Raymond Best Bequest, 2017, 2017.037

Emily Carr (born Victoria, British Columbia, 1871 – died Victoria, British Columbia, 1945)
Yan Mortuary Poles, 1928/1929
oil on canvas
85.0 cm x 61.0 cm
Collection of the Art Gallery of Windsor;
Purchased by public subscription and with a grant from the Ontario Arts Council, 1964, 1964.009

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

Proposed Location & Artwork 2: Senator David A. Croll Park/City Hall



73 University Ave E (University & Goyeau)

Lawren Stewart Harris (born Brantford Ontario, 1885 – died Vancouver British Columbia, 1970)
Trees and Snow (aka Winter Landscape), ca. 1923
oil on canvas
86.0 cm x 102.0 cm
Collection of the Art Gallery of Windsor; Purchased by public subscription and with a grant from Wintario, 1976, 1976.012

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

Proposed Location & Artwork 3: St. Clair College (TBD)

Location TBD with St. Clair College (image from near Chrysler Theatre, 201 Riverside Dr W)

Mary Hiester Reid (born Pennsylvania, USA, 1854 – died Toronto, Ontario, 1921)
Still Life with Flowers (also known as Roses in a Green Ginger Jar), not dated,
oil on canvas
41.0 cm x 59.0 cm
Collection of the Art Gallery of Windsor; Gift of Dr. and Mrs. Douglas Biggar, 2017, 2017.018

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

Proposed Location & Artwork 4: Windsor International Transit Centre

300 Chatham St W

Evan Penny (born South Africa, 1953 -)
No One in Particular #3, Series 1, 2001
silicone, hair, fabric
77 cm x 56 cm
Collection of the Art Gallery of Windsor; Purchased with financial support from the Canada Council for the Arts Acquisitions Assistance program and with funds from the Garnet W. and Eva Dora Humphrey Bequest, 2001, 2001.037

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

Proposed Location & Artwork 5: Capitol Theatre

Location TBD with WSO, 121 University Ave - 157 University Ave

James Kerr-Lawson (born Fifeshire Scotland, United Kingdom, 1862 – died London England, United Kingdom, 1939)
Portrait of Alice and Louise Cummings (Music, when soft voices die, vibrates in the memory), ca. 1885
oil on canvas
56.0 cm x 69.0 cm
Collection of the Art Gallery of Windsor; Gift of Mr. and Mrs. William N. Tepperman, 1978, 1978.031

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

Proposed Location & Artwork 6: Maiden Lane

Maiden Lane and Pelissier

Prudence Heward (Montreal QC, Canada, 1896 - Los Angeles CA, USA, 1947)
Sisters of Rural Quebec, 1930
oil on canvas
157.0 cm x 107.0 cm
Collection of the Art Gallery of Windsor; Gift of the Willistead Art Gallery of Windsor Women's Committee, 1962, 1962.016

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

Proposed Location & Artwork 7: Riverside/Bistro at the River

75 Riverside Dr W

Seth Arca Whipple (born New Baltimore, Michigan, USA, 1855 - died Detroit, Michigan, USA, 1901)
The City of Windsor, 1890
oil on canvas
56 cm x 112 cm
Collection of the Art Gallery of Windsor; Gift of Mr. and Mrs. Mitchell Oncea, 1973, 1973.012

ADDENDUM A: PROPOSED LOCATION AND REPRODUCTIONS, 'LOOK AGAIN! OUTSIDE!'

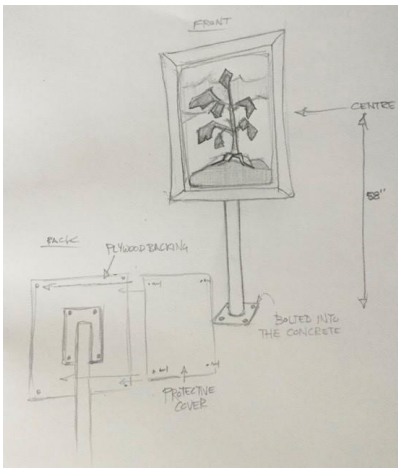
Proposed Location & Artwork 8: Windsor Public Library

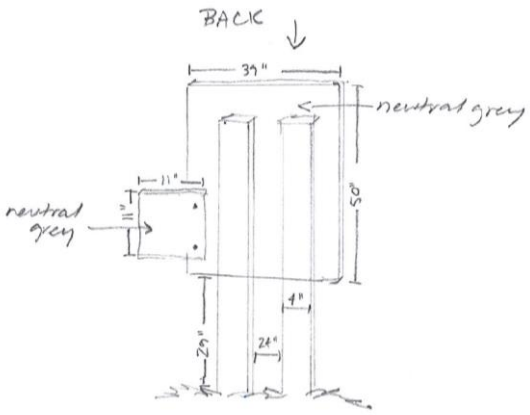
Location TBD with WPL, Pitt & Ferry Streets (Parking Lot)

Alex Janvier (born Le Goff Reservation, Alberta, 1935 -)
North American Colour, 1988
acrylic on canvas
122.0 cm x 153.0 cm
Collection of the Art Gallery of Windsor; Purchased with financial support from the Canada Council for the Arts, Acquisitions Assistance program, 1999, 1999.007

ADDENDUM B: PROPOSED FABRICATION DETAILS AND INSTALLATION INFORMATION

Fabrication





Sketch of proposed installation and fabrication of reproduction – open for revision in conversation with City of Windsor (please ignore any measurements, they're just for illustration purposes).

With few exceptions, artworks will be reproduced at their original dimensions.

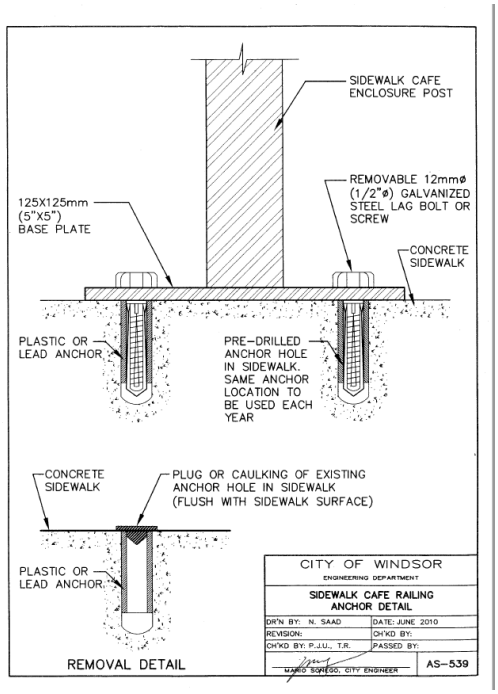
Artworks would be reproduced on ALUPANEL. ALUPANEL is a premium quality composite panel featuring two 0.30mm Aluminium sheets, sandwiching a Polyethylene core. It comes with a 5 year external guarantee.

ALUPANEL characteristics:

- Smooth surface coating
- Easy to maintain and install
- Excellent impact resistance
- Incredible dimensional stability
- Outstanding weather resistance
- Excellent resistance to ultraviolet
- Internal and External applications
- Erosion resistant

ADDENDUM B: PROPOSED INSTALLATION INFORMATION AND FABRICATION DETAILS

Installation



AGW is open to identifying other locations as needed that have a concrete pad or railing to attach to, provided they are visible and within the suggested range and network of downtown Windsor's arts, culture and recreation facilities.

While the proposed reproductions will be largely freestanding, there may be opportunities to install/mount reproductions directly onto building surfaces with the agreement of partners (ex. see images from University of Windsor, Capitol Theatre).

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 300/2020

Subject: Ontario Health Teams Status Update

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: **CSPS 119**
THAT the report from the Commissioner of Community Development and Health Services and the Administrator/Executive Director of Huron Lodge Long-Term Care Home on the status of Windsor and Essex County's application to become an Ontario Health Team **BE RECEIVED** for information.
Carried.

Report Number: S 128/2020
Clerk's File: AH/9562

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: Ontario Health Teams Status Update

Reference:

Date to Council: October 7, 2020
Author: Sandra Bradt
Executive Initiatives Coordinator
519-255-5200 x 5354
sbradt@citywindsor.ca
Administration
Report Date: 9/15/2020
Clerk's File #: AH/9562

To: Mayor and Members of City Council

Recommendation:

THAT the report from the Commissioner of Community Development and Health Services and the Administrator/Executive Director of Huron Lodge Long-Term Care Home on the status of Windsor and Essex County's application to become an Ontario Health Team **BE RECEIVED** for information.

Executive Summary:

N//A

Background:

On February 26, 2019, the Ontario government proposed new legislation to guide the restructuring of the health care system and create a new agency called Ontario Health. In addition, smaller teams called Ontario Health Teams were to be implemented across the province. These teams are groups of health care providers and organizations that are clinically and fiscally accountable for delivering a full and coordinated continuum of care to a defined geographic population.

At their meeting of May 6, 2019 City Council received Report C78/2019 Ontario Health Teams - Municipal Involvement, Impact and Opportunities. The Recommendations in that report were approved through CR210/2019.

> *THAT the report from the Commissioner of Community Development and Health Services and the Administrator/Executive Director of Huron Lodge Long-Term Care Home **BE RECEIVED** for information; and further,*
>
> *THAT City Council **AUTHORIZE** the Commissioner of Community Development and Health Services and the Administrator/Executive Director of Huron Lodge, or their designates, to bring the perspective of social services and long term care to*

the regional planning process to establish an Ontario Health Team in Windsor and Essex County; and further,

*THAT City Council **ENDORSE** a collaborative submission of the Ontario Health Team Self-Assessment Form creating one Ontario Health Team for the Windsor Essex community to the government by deadline, understanding that the governance model has not yet been determined and will continue to evolve over time; and further,*

*THAT City Council **AUTHORIZE** Administration to share information and data with the lead co-ordinating agency for the sole purpose of developing, implementing and making operational an Ontario Health Team as long as it adheres to the requirements of any funding agreements and relevant Information and Privacy Information Acts including, but not limited to, MFIPPA and PHIPA; and further,*

*THAT the Community Development and Health Commissioner and Executive Director of Huron Lodge, or their designates, **BE AUTHORIZED** to take any other steps as may be required to establish the Ontario Health Team; and further,*

*THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any documents required to establish and participate in the Ontario Health Team, such that any funding does not create an additional annualized cost without the prior approval of City Council, and subject to legal approval by the City Solicitor, financial approval by the City Treasurer, and technical approval by the Community Development and Health Commissioner and Executive Director of Huron Lodge; and further,*

*THAT Administration **BE DIRECTED** to provide appropriate reports to City Council as the Ontario Health Team is established in Windsor and Essex County.*

The Windsor Essex Ontario Health Team is comprised of over 45 local healthcare program and services providers including the three hospitals, primary care and community support providers, public health, municipalities, mental health and addictions agencies, long-term care, and other social service providers in Windsor Essex.

There are four steps to becoming a designated Ontario Health Team, a process expected to take one to three years to implement at a local level:

1. **Self-Assessing Readiness** – *Administration participated in the collaborative process and an Ontario Health Team Self-Assessment Form was submitted to the Ministry on May 14, 2019.*
2. **Validating Provider Readiness** – *In July 2019, the Windsor Essex OHT was been deemed "In Development"*
3. **Becoming an Ontario Health Team Candidate** – Groups of providers that demonstrate through an invitational, full application process that they meet key readiness criteria are selected to begin implementation of the Ontario

Health Team (OHT) model. *Full application submitted to the Ministry of Health on September 18, 2020.*

4. **Becoming a Designated Ontario Health Team**: OHT candidates that are ready to receive an integrated funding envelope and operate under a single accountability agreement can be designated.

Discussion:

There are 29 approved Ontario Health Teams (OHT) across the province. On July 23, 2020, the Provincial government announced continued advancement of the Ontario Health Teams model, inviting a further 17 teams to move forward and complete full applications to become Ontario Health Teams. Based on the evaluation of the intake and assessment documentation submitted to date, the Windsor Essex Ontario Health Team was invited to submit a Full Application, which is Step #3 in the process as noted above. It is anticipated that the government will take six to eight weeks to review the applications, with further announcements expected later this year.

At maturity, Ontario Health Teams will be responsible for delivering a full and coordinated continuum of care to a defined population of Ontario residents, and will be accountable for the health outcomes and health care costs of that population. However, the full application recommends that a Year 1 target population be identified to focus the initial implementation of these teams. Year 1 is unique to each Ontario Health Team and refers to the first twelve months of a team's operations. In light of COVID-19, the Ministry of Health has directed that the short-term OHT work should be directed in part by the local learnings from the pandemic.

Once approved, the Windsor Essex Ontario Health Team Year 1 strategy will focus on the population in High Risk Congregate Living Settings. This targeted population closely aligns with those residents supported through the work of Community Development and Health Services, particularly in the areas of homelessness and supportive housing. Windsor Essex has approximately 97 congregate living locations with 2,000 residents. The COVID-19 pandemic has highlighted congregate care setting residents as a particularly vulnerable group. Improving the health and well-being of these residents, through the lens of the social determinants of health, has benefits across the broader community.

As well, Year 1 activities will include OHT Infrastructure Development. To date, a Windsor Essex Ontario Health Team Steering Committee has been established, which manages detailed planning and implementation activities necessary to gain approval for and launch the local team. This work has been lead through resources dedicated by Hotel Dieu Grace Health Care. The Steering Committee's work and priorities are informed by the Partnership Council, which is a broad and representative council of health and social service providers. Both the Steering Committee and Partnership Council are interim structures that will continue until a longer-term governance structure is designed and approved in alignment with Ministry of Health's Guide for Ontario Heath Teams.

Risk Analysis:

There is no risk in continuing to pursue designation as an Ontario Health Team. As articulated in the previous Council report, a shared savings incentive structure is anticipated to reward Ontario Health Teams that realize efficiencies and exceed performance targets. Minimum quality and performance targets will need to be met and savings will need to be spent according to prescribed rules. There is a risk of financial penalty should teams fall short of meeting these obligations.

Financial Matters:

The work undertaken to bring the Windsor Essex Ontario Health Team to the full application stage has been supported through in-kind contributions. To date the Province has not provided funding to support this initiative. It is anticipated that the partners will be asked to contribute financially towards the long-term governance structure to be established and subsequently approved by the Ministry of Health. It is unknown at this time what amount the City of Windsor will be asked to contribute. Should any request exceed Administration's ability to accommodate within the Council approved budget, such request will be brought forward to City Council for their consideration and direction.

Currently funding flows directly to Huron Lodge from the Ministry of Long-term Care (MLTC) with a 2020 revenue budget of $ 11,092,741. It is anticipated that funding will eventually flow from the Province through the Ontario Health Team to providers.

Consultations:

Andrea Sayers – Financial Planning Administrator

Conclusion:

As the City of Windsor provides direct health care through Huron Lodge Long-Term Care Home, indirectly affects the well-being of residents through the provision of social services, and increasingly, collaborates with a number of health related agencies to support residents, Administration must continue to demonstrate community engagement and support the government's vision for a fulsome and holistic continuum of care in Windsor and Essex County.

Planning Act Matters:

N/A

Approvals:

Name	Title
Sandra Bradt	Executive Initiatives Coordinator
Alina Sirbu	Executive Director/Administrator Huron Lodge
Jelena Payne	Community Development and Health Commissioner, Corporate Leader – Social Development and Health

Name	Title
Joe Mancina	Chief Financial Officer/City Treasurer, Corporate Leader - Finance and Technology
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Rob Maisonville	CAO County of Essex	rmaisonville@countyofessex.on.ca
Mark Ferrari	Windsor Essex OHT Committee Co-Chair	mferrari@windsorfht.ca
Lynn Calder	Windsor Essex OHT Committee Co-Chair	lcalder@appdgroup.org
Dr. Ross Moncur	Interim CEO and Chief of Staff Erie Shores Health Care	Ross.moncur@ldmh.org
Janice Kaffer	President & CEO of Hotel Dieu Grace Healthcare	janice.kaffer@hdgh.org
David Musyj	President & CEO of Windsor Regional Hospital	david.musyj@wrh.on.ca

Appendices:

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 301/2020

Subject: One-Year Renewal of Agreement with Aramark Canada for Caretaking Services at Huron Lodge-Ward 9

Moved by: Councillor Gignac
Seconded by: Councillor Morrison

Decision Number: **CSPS 121**
THAT the Council **APPROVE** a renewal of an existing service agreement with Aramark Canada Ltd for the purpose of providing caretaking services at Huron Lodge Long Term Care Home, for an additional one (1) year term, for an amount of $1,235,231.25 (excluding HST); and,

THAT the CAO and City Clerk **BE AUTHORIZED** to execute the renewal of the agreement, satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Commissioner of Parks, Recreation, Culture, and Corporate Facilities; and,

THAT Council **APPROVE** an increase of $35,977.61 plus HST to operating budget for the services.
Carried.

Report Number: S 131/2020
Clerk's File: MH/13927

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: One-Year Renewal of Agreement with Aramark Canada for Caretaking Services at Huron Lodge

Reference:

Date to Council: October 7, 2020
Author: Tom Graziano
Senior Manager, Facilities
519-253-2300 x2741
tgraziano@citywindsor.ca

Facilities
Report Date: September 18, 2020
Clerk's File #: MH/13927

To: Mayor and Members of City Council

Recommendation:

THAT the Council **APPROVE** a renewal of an existing service agreement with Aramark Canada Ltd for the purpose of providing caretaking services at Huron Lodge Long Term Care Home, for an additional one (1) year term, for an amount of $1,235,231.25 (excluding HST); and,

THAT the CAO and City Clerk **BE AUTHORIZED** to execute the renewal of the agreement, satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Commissioner of Parks, Recreation, Culture, and Corporate Facilities; and,

THAT Council **APPROVE** an increase of $35,977.61 plus HST to operating budget for the services.

Executive Summary:

N/A

Background:

In an attempt to reduce costs for taxpayers while maintaining service levels, on March 7, 2016, a report to council provided information regarding a process that could be implemented for contracting out of caretaking services currently being performed by City staff. This process was based on a phased approach that would avoid job losses for any Regular Full Time (RFT) Caretaker. The Council resolution in this matter, CR129/2016, reads:

*"That administration **BE DIRECTED** to pursue Option A as contained in the report of the*

City Engineer dated February 24, 2016 to outsource caretaking without job loss for any regular full time employees; and,

*That administration **EXCLUDE** the CUPE Local 82 caretakers and to report back at a later date should attrition accelerate and should the outsourcing be recommended; and,*

*That administration **BE AUTHORIZED** to notify the CUPE Local 543 Union that administration is exploring the contracting out of caretaking services without job loss for any regular full time employees; and,*

*That administration **BE AUTHORIZED** to prepare and issue a Request for Proposal in accordance with the city's purchasing by-law for the contracting out of caretaking services; and,*

*That the recommendations of administration on whether and to whom to award the contracts **BE REPORTED** to City Council for tentative approval prior to entering into the union discussions; and,*

*That the collective agreement outsourcing steps including notice and provision of information to the respective Union **BE FOLLOWED** by administration with a confirmatory report to City Council."*

The first phase laid out in Option A was the contracting out of caretaking services at Huron Lodge. Council approved the contracting out of caretaking services at Huron Lodge on January 6, 2017 (CR50/2017), resulting in an annual savings of approximately $605,000. The contracted caretaking services at Huron Lodge began in June 2017 and has proven to be successful.

Discussion:

The agreement with Aramark Canada commenced on June 4, 2017, and ended on June 4, 2020. The annual service fee for the initial three-year contract was $1,199,253.64, inclusive of all labour, supervision, supplies and equipment. The agreement includes the option to renew for two additional terms of one (1) year each, upon the same terms and conditions, except for the service fee, which is subject to mutual agreement for any such renewal.

Aramark submitted a letter indicating they are interested in renewing for an additional one-year term; however at an increase to the service fee of 3%, resulting in an increase of $35,977.61 plus HST to the annual amount. Administration is of the opinion that the requested increase is reasonable considering three years has elapsed.

As part of an agreement made in 2017, CUPE Local 543 was advised on January 13, 2020 that Administration will be pursuing an extension to Aramark's contract, and provided information regarding the fee increase on February 10, 2020. CUPE Local 543 was given the opportunity to make a written submission within 30 days. The written submission was received on March 30, 2020, and given consideration by the department. After reviewing the submission, the department is recommending the extension to Aramark's contract.

Due to the COVID-19 pandemic, council meetings went to an electronic format in March 2020. As a result, bringing the extension to council was deferred, and an interim 6-month extension was approved on April 15, 2020 by way of CAOP 51/2020. The interim extension ends on December 4, 2020. This report seeks approval for a one-year extension to December 2021.

Risk Analysis:

Proceeding with the renewal of the contract at the requested service fee increase will result in an increase to the operating budget.

Should Council decide not to proceed with the renewal of contract, the contract will need to go out to tender, and there is a risk that the price will increase. An additional interim extension will be required to allow time for the procurement process.

Changes to the current delivery model for caretaking services may have a short-term negative impact on the quality of service and the ability to maintain proper infection control practices, including control of the spread of COVID-19.

Financial Matters:

The current operating budget for caretaking services at Huron Lodge is $1,199,253.64 plus HST. The annual operating budget for those services will need to be increased by $35,977.61 plus HST to support the increased fees.

Consultations:

Alina Sirbu, Executive Director, Long Term Care
Adrian Busa, Manager, Facility Operations
Tracey Ou, Financial Planning Administrator, Facilities
Alex Vucinic, Manager, Purchasing

Conclusion:

Administration recommends proceeding with the one-year renewal of the caretaking services contract with Aramark Canada Ltd, including an increase to the service fees of 3%.

Planning Act Matters:

N/A

Approvals:

Name	Title
Tom Graziano	Senior Manager, Facilities
Jan Wilson	Commissioner Parks, Recreation, Culture and Corporate Facilities
Jelena Payne	Commissioner Community Development & Health
Shelby Askin-Hager	City Solicitor
Joe Mancina	City Treasurer
Valerie Critchley	City Clerk
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Committee Matters: SCM 302/2020

Subject: Public Art Vandalism 2020 and 2021 Ongoing Maintenance - City Wide

Moved by: Councillor McKenzie
Seconded by: Councillor Gignac

Decision Number: **CSPS 122**
THAT the report from the Manager of Cultural Affairs providing an update on the maintenance and vandalism of the Windsor Sculpture Garden **BE RECEIVED**; and further,

THAT the de-accession of the sculptures Tiger (WSP.2002.007), Dino (WSP.2002.005) and Triceratops (WSP.2002.006) **BE APPROVED**.
Carried.

Report Number: S 132/2020
Clerk's File: SR/7573

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: Public Art Vandalism 2020 and 2021 Ongoing Maintenance - City Wide

Reference:

Date to Council: October 7, 2020
Author: Cathy Masterson
Manager of Cultural Affairs
519-253-2300 ext 2724
cmasterson@citywindsor.ca
Recreation and Culture
Report Date: September 18, 2020
Clerk's File #: SR/7573

To: Mayor and Members of City Council

Recommendation:

That the report from the Manager of Cultural Affairs providing an update on the maintenance and vandalism of the Windsor Sculpture Garden **BE RECEIVED**; and further,

That the de-accession of the sculptures Tiger (WSP.2002.007), Dino (WSP.2002.005) and Triceratops (WSP.2002.006) **BE APPROVED.**

Executive Summary:

N/A

Background:

The Windsor Sculpture Park is a jewel alongside the riverfront trail system. The Sculpture Park was established through a generous donation to the City by Mr. Odette. The Corporation of the City of Windsor gratefully appreciates this collection that brings pleasure to all who experience it. Mr. Odette generously donated 29 sculptures which formed the basis of the collection. Since the time of donation in 2010, the collection has grown to over 100 sculptures, monuments and memorials. **Appendix A** provides an image and location of each piece. It should be noted that from this initial location of the waterfront, public art is now installed across the geographical boundaries of our city.

Discussion:

The City of Windsor owns a significant Public Art collection. The Cultural Affairs team has developed a seasonal maintenance plan to maintain the pieces located within the Windsor Sculpture Park and throughout other City parks and facilities.

REGULAR MAINTENANCE PROGRAM

A maintenance plan was developed as a result of the Request for Proposals issued in 2012 to evaluate all of the sculpture pieces both for insurance appraisal reasons and to ensure all pieces are maintained correctly for the length of their life span. This process developed a framework and procedures which determined longevity and maintenance of the pieces until they are removed from the collection at the end of their lifespan.

Long term survival of outdoor sculptures is affected by the use of the site, human interventions, the buildings and structures around the pieces, trees, roads, playgrounds, water and other features. Windsor sculptures are primarily located within park settings, however many are located along the edge of the parks and therefore are affected by nearby road conditions. Several pieces are located near parking lots and a limited number are located within our facilities. All pieces require regular inspections, cleaning and maintenance.

Regular maintenance is necessary because pollution, moisture (rain, snow, mist, humidity) ultraviolet rays, and a variety of other factors are constantly impacting the sculptures. Every sculpture has its own particular problems and needs, but the general ongoing problems in many of our bronze sculptures are as follows:

- Breakdown of an applied coating from natural weathering which opens an opportunity for corrosion
- Dirt build up, including leaves and other debris which act as a retainer of moisture which promotes corrosion
- Handling by the public (climbing or touching) wears away the protective coating, patina and over time the metal itself
- Flaws in the casting where the metal is porous, often causes corrosive activity
- Joints in the sculpture can be sites of corrosive activity due to the breakdown of the coating in these areas
- And lastly, the removal of graffiti causes a wearing and breakdown of the protective coating.

Although it is recommended that each sculpture should be evaluated seasonally (four times per year), and condition reports including digital images of all four sides of the work be completed at the time of the inspection, limited resources has resulted in this happening once a year through the summer season. All information is updated within the Mimsy database maintained at Museum Windsor.

IN 2020

This year, due to the Covid-19 pandemic, the summer student program began a month late. Between June and August 2020, the four summer students hand washed all of the outdoor sculptures and the indoor sculptures located at 350 City Hall Square, the Windsor Sculpture Park, the Vision Corridor, Jackson Park, Coventry Gardens, Alexander Park, Alton C. Parker Park, Willistead Park, Whelpton Park and the WFCU Centre. They also hand waxed all 37 bronze sculptures after handwashing and removing the wax that had been applied in previous years. The students also hand washed another 98 sculptures both within the Windsor Sculpture Park and across the City. It is extremely important that the condition reports be completed every time attention is spent on each sculpture to ensure that records are complete. Staff can then track any noticeable problems, cracks, and coating issues and work with a conservator as required.

The students also reviewed, documented and washed (if appropriate) city-owned public art such as murals, corner stones, memorials, monuments, interpretative panels and celebratory installations. A data bank has been developed over the past several years which has identified 172 additional items outside of the sculptures for the team to monitor each year. **Appendix B** lists these additional items. When appropriate, the summer students provide maintenance to these objects beyond that of regular washing. This year they refinished the Armillary Sphere Sundial in the Paul Martin Gardens at Willistead Park to stabilize rusting and painted the inscriptions on the Japanese Garden plaques in Jackson Park to increase legibility.

The City of Windsor webpages were updated with new items from the data bank and older items received updated information and images.

Generally, people are very respectful and appreciative of the enhancements to public space with public art. Unfortunately in the second quarter of 2020, a rash of vandalism events occurred which has resulted in the City's first insurance claim for public art.

Firstly, staff were notified on March 3, 2020, that the tail had been removed from *Business Man on a Horse (WSP.2002.026)*. William McElchran created a life size business man riding a horse and it was cast of bronze. There are five castings of this sculpture in the world and one other casting in Canada. The vandalism was relayed to

the City's insurance company and a Windsor Police report was filed. The sculpture was removed from the park to ensure further damage did not occur. Administration is working with the Insurance Adjustor to resolve this matter. In simplistic terms, a cast will be taken of the tail from the other piece in Canada and once cast, a new tail will be re-attached and the patina matched as best as possible. It is likely the sculpture will remain away from the Sculpture Park until the end of 2021 or into 2022.

All other bronze sculptures were reviewed by both the Cultural Affairs staff and Parks staff at this time to determine other pieces were not damaged.

On March 9, 2020, Parks staff doing a routine drive through the Sculpture Park determined that the bronze head on *Tiger* (WSP.2002.007) was removed. This piece is created with the body of a steel marine ball painted to represent a tiger—with 2 bronze feet and a bronze head. This piece was designed by Mr. Odette. This piece is a one-of-a-kind piece. Again Administration contacted the City's insurance company and filed a Windsor Police report. After much discussion between Administration and the Insurance Adjustor, it has been determined that this piece should be removed from the Park and de-accessioned from the collection as the damage is not repairable.

During the spring, three bronze plaques were also removed by persons unknown. Once more Administration contacted the City's insurance company and filed a Windsor Police report. The replacement plaques have been ordered and will be re-installed this year. The cost to replace the plaques totals $2300 + HST.

Lastly, on July 13, 2020 staff had discovered that the Windsor125 mural which is located on a transformer wall facing the Windsor International Aquatic Training Centre was vandalized with two panels of the mural being removed. A report was filed with Windsor Police. The value of the damage of this piece to recut, print and install the missing pieces is approximately $750 plus taxes. As this amount is less than the Fine Art deductible of $5000, the repair cost will be financed through the Cultural Affairs operating budget. The reprinted panels of the mural have been ordered and should be re-installed this year.

The Public Art Policy in Section 4.3 Deaccessioning of Artwork states: "*Deaccessioning is the procedure for the removal of an artwork from the public collection. It is a serious and seldom utilized procedure. Any actions or set of procedures that result in the cessation by the City of its ownership and possession of the work is possible, provided that disposition of the artwork is not contrary to the terms on which the City received it.*

Deaccession guidelines cover the relocation, removal, destruction or disposal of public

Artwork considerations for deaccession may include:

- *Beyond restoration*
- *Duplication with another work on public display*
- *Copies, forgeries or reproductions*
- *Irrelevance*
- *Accidental loss (disappearance or theft)*

Should Council agree with this Administrative Report, the sculpture, *Tiger* will be removed from the city inventory and the metal would be sold as scrap following Purchasing procedures and the money deposited into Trust 178 for future sculpture maintenance.

Administration is also recommending the removal of the two fiberglass dinosaur pieces known as *Dino* (WSP.2002.005) and *Triceratops* (WSP.2002.006). Both are located in close proximity to *Tiger*.

Dino (WSP.2002.005) is a painted fibreglass dinosaur, c.1932, originally bright green and used as a mascot for the Sinclair Oil Corporation. Many of these dinosaurs were produced and displayed at gas stations throughout the United States. Collectively, among other dinosaur related materials, they were the central component of a marketing campaign for the Sinclair Oil Corporation in the 1930s. This particular example was acquired by Mr. Odette, likely in the 1990s, and has been repainted different colours at least three times. It is unclear what colour *Dino* was in upon being acquired by Mr. Odette, or if he is responsible for one of the colour changes (at least one other object in the Windsor Sculpture Park collection is know to have been modified from its original by Mr. Odette). The 2012 appraised value of the Dino is $4,830.

Dino is located at west end of Assumption Park. The painted finish is severely flaking off in large plates, some up to 10 cm^2, and are scattered below. Due to breaks in the finish, water ingress along with freeze-thaw cycles will only accelerate the deterioration of the painted finish, the fiberglass form, and the internal metal structure. The maintenance regularly provided by the Summer Student Sculpture Park Conservation Assistants, is no longer feasible due to the present vulnerabilities. It is strongly recommended that the object be removed as soon as possible.

Triceratops (WSP.2002.006) is a life-sized, painted fibreglass dinosaur attributed to Louis Paul Jonas made in 1962-64. It is thought to be part of Sinclair Oil Corporation's "Sinclair's Dinoland", a fair pavilion that debuted at the 1964-1965 New York World's Fair and then traveled throughout the United States. Like *Dino* (above), *Triceratops* was likely acquired by Mr. Odette in the 1990s, and its physical state at that time is unknown. It has been repainted at least two times and its original colour is undetermined. The 2012 appraised value of this piece was $9660.

Triceratops is displayed with *Dino* in Assumption Park. While in better condition than *Dino*, it shows the early stages of the same type of paint instability and delamination with similar water ingress issues and overall degradation. Without active intervention this object will experience similar issues within five years. Relocation to a safer location is recommended as soon as possible. Deaccession is also recommended for the same reasons mentioned above, lack of repair options and inability to repair in an ethical manner along with a questionable context within the collection and Windsor's history.

Full restoration is required for continued display in this location. There is no local organization that provides these services. Reaching out to other local businesses that have the skills to repair fibreglass in different contexts, like boat repair, has been unsuccessful. There is also an ethical dilemma as to what colouration this object should be restored to. The context of *Dino* within an evolving collection of fine art sculpture or within the histories of Windsor, beyond that of Mr. Odette's selection, is unknown. Additionally, any restoration campaign would be so extensive that the integrity of the object's original intent would be severely compromised. For these reasons, this object is recommended for deaccession, as defined in the Public Art Policy in Section 4.3.

All work completed will follow existing Purchasing policies and procedures to ensure this project is in compliance with the corporate standards.

Regardless of the decisions made for the future care or deaccession of *Dino, Triceratops,* and *Tiger*, it is recommended that all three items be removed from public view and stored in a safe location as soon as possible. All three are in poor condition and are actively deteriorating in the outdoor environment. Additionally, it is readily apparent to viewers that these objects are in poor aesthetic condition. Furthermore, being at the end of the riverfront trail, this area is less frequented by pedestrians. All of these factors contribute to an increased level of negative interaction with the other valuable sculptures in this area, like *Space Plough II, Dancing Bear,* and Composition *with Five Elements*.

CONSERVATION WORK IDENTIFIED TO BE COMPLETED IN 2021

The primary task of the summer students each summer will be to complete condition reports on each piece within the public sphere and hand wash and wax all of the sculptures within the Sculpture Park and across the City. As noted, these condition reports compile a review of the collection and assist in determining priority work for the season. When there is inclement weather, the students move indoors to clean some of the other sculptures in our corporate collection (i.e. 350 City Hall, and the WFCU Centre).

The temporary Collections Assistant hired for the summer of 2021 will work within Purchasing protocols to have a number of the sculptures re-surfaced with either paint or varnishes to return them to original colour and condition. As mentioned previously, sculptures located outdoors are impacted by weather and the surrounding environment.

The following sculptures have been identified for re-painting:

1. Sisters II (WSP.2002.001)
2. Sisters (WSP.2002.002)
3. King and Queen (WSP.2002.004) and
4. Consophia (WSP.2002.032)

The replacement of eight stainless steel components that have gone missing over the past few years from the sculpture Audio Corridor (WSP.2002.033) will also occur.

Another task to be completed in 2021 will be the removal of the protective wax coating on the sculpture Consolation (WSP.2002.011). Successive layers of pigmented/coloured wax will assist in matching the patina of the sculpture to hide a repair while also restoring the protective coating.

Risk Analysis:

Resource Risks: It is important that regular maintenance occurs with these cultural assets to ensure the collection is enjoyed by residents now and well into the future.

Community Impact Risks: The sculptures are located along the riverfront trail system. This location places the art within a very public domain. Should the pieces not receive the attention they require on a yearly basis, the riverfront will lose some of its visual appeal.

Financial Matters:

The ongoing maintenance of the Windsor Sculpture Park occurs through two funding streams. Trust Fund 178 Odette Sculpture Park Endowment funds the annual maintenance of the Odette sculpture donations and has a balance as of August 31, 2020 of $147,064.57. In 2018, through the annual operating budget deliberations, additional funds were approved to oversee the cleaning of other public art installations. Council approved $60,000 to the annual operating budget to cover wages, fringe benefits and supplies required to complete the annual maintenance.

Additionally, the City's fine arts insurance coverage will cover the majority of the vandalism damage that occurred in 2020, whether that be cost to replace, or a monetary settlement for items that cannot be replaced. The City's Fine Art deductible is $5,000. The three March events are all being considered as one deductible event.

The 2012 appraisal value of Business Man on a Horse was $220,000 and the appraisal of Tiger was $13,608. The Insurer is currently working with the City's Risk Management team on this file.

Consultations:

Dana Paladino – Deputy City Solicitor – Purchasing, Risk Management, and Provincial Offences

Valerie Clifford—Financial Planning Administrator

Conclusion:

The collection is a valuable asset to the community not just in terms of monetary value but also in terms of artistic value. The sculptures add to the city's sense of place and quality of life. The pieces represent a significant asset to the City of Windsor and require specialized attention to maintain and preserve for future generations to enjoy.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cathy Masterson	Manager of Cultural Affairs
Ray Mensour	Executive Director, Recreation & Culture
Joe Mancina	City Treasurer
Shelby-Askin Hagar	City Solicitor
Jan Wilson	Commissioner – PRCCF
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Public Art Monuments
2 Appendix B - Additional Works

Image	Title	Maker	Location (GPS)
	Composition With Five Elements	Haydn Davies	Assumption Park (42.3095, -83.0719)
	Sisters II	Morton Katz	Assumption Park (42.3089464, -83.0709871)
	Sisters	Morton Katz	Reaume Park, centre (42.3291606, -82.9791271)
	Space Plough II	Sorel Etrog	Assumption Park (42.3093704, -83.0710139)
	The King and Queen	Sorel Etrog	Assumption Park (42.311144, -83.068889)
	Dino		Assumption Park (42.309561, -83.070665)
	Triceratops	Louis Paul Jonas	Assumption Park (42.3100, -83.0708)

	Tiger	Alphonse Duquette	Assumption Park (42.3098159, -83.0707842)
	Dancing Bear	Pauta Saila	Assumption Park (42.309981, -83.070522)
	Bell Measure	Stephen Cruise	Assumption Park (42.311209, -83.067700)
	Voyageur Canoe	Ralph Ireland	Assumption Park (42.310729, -83.069180)
	Consolation	Joe Rosenthal, Georgetown Art Cast Ont - Canada	Assumption Park (42.312173, -83.066630)
	Union 6	Bruce Watson	Assumption Park (42.312320, -83.066137)
	The Garden	Maryon Kataroff	Assumption Park (42.312497, -83.065756)
	Flying Men	Dame Elisabeth Frink	Assumption Park (42.3126935, -83.0649635)

	Salutation	Ralph Hicks	Assumption Park (42.3131635, -83.0642219)
	Eve's Apple	Edwina Sandys	Assumption Park (42.3131635, -83.0642219)
	Penguins on a Waterfall	Yolanda Vandergaast	Willistead Park, Gatehouse (42.3192, -83.0107)
	Morning Flight	Gerald Gladstone	Centennial Park (42.3139413, -83.0631041)
	Rinterzo	Joseph DeAngelis	Centennial Park (42.3135748, -83.0632288)
	Tembo	Derrick Stephan Hudson	Centennial Park (42.3143186, -83.0622535)
	Chicken and the Egg	Morton Katz	Centennial Park (42.3145385, -83.0616527)
	Tohawah	Anne Harris	Centennial Park (42.3141803, -83.0618656)

	Tower Song	Ted Bieler	Centennial Park (42.315949, -83.0578)
	Racing Horses	Derrick Stephan Hudson	Centennial Park (42.315409, -83.0586)
	From Ground to Ask the Sky	Royden Mills	Centennial Park (42.3160, -83.0578)
	Business Man on a Horse	William McElcheran	2461 McDougall (42.291376, -83.017275)
	The Columns		Centennial Park (42.3160, -83.0575)
	Anne	Leo Mol	Reaume Park, centre (42.3286, -82.9809)
	Obelisk	Sigmund Reszetnik	Centennial Park (42.3175859, -83.0517888)
	The Cordella	Maryon Kantaroff	Centennial Park (42.3176918, -83.0514308)

	Craft 9	Ben Smit	deaccessioned, 2015
	Consophia	Ian Lazarus	Legacy Park (42.318690, -83.046508)
	Audio Corridor	Ian Lazarus	Centennial Park (42.3154112, -83.0594630)
	The Three Fates	Morton Katz	Vision Corridor (42.3188646, -83.0454240)
	Trees	Toni Putnam	Vision Corridor (42.3184291, -83.0449130)
	Lady	Joe Rosenthal	Vision Corridor (42.3184058, -83.0452671)
	Guitar Man	Al Green	Sandwich St. & Brock (42.2996061, -83.0773701)
	Neighbours	Joe Rosenthal	City Hall Square (42.3182635, -83.0358213)

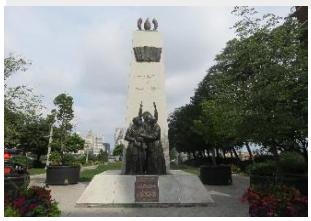
	Tempo	Ronald Zerafa	City Hall Square (42.3175721, -83.0360151)
	Homage to a Higher Power	Al Green	Windsor Airport (42.265358, -82.960209)
	Generations	Mark Williams	Ford City Parkette (42.321601, -83.000404)
	Tryptich	Gord Smith	Vision Corridor (42.3182751, -83.0450548)
	Ribbon of Friendship	Xiaofeng Yin	Vision Corridor (42.3181, -83.0448)
	The Kiss	Ian Lazarus	City Hall, interior (42.3174312, -83.0354525)
	Ivan Pidkova	Petro Kulyk	City Hall, interior (42.3174312, -83.0354525)
	Condilos		Willistead Park, Gatehouse (42.3192, -83.0107)

	Crucible	Drago Cherina	Willistead Park, Gatehouse (42.3192, -83.0107)
	Bilingualism	Hans Hennecke	Jackson Park, in pond (42.2955720, -83.0228123)
	Inukshuk		Centennial Park (42.3173584, -83.0531246)
	Billy Goat Spring - Lublin Goat Fountain	Leszek Rymczuk	Centennial Park (42.3142043, -83.0624560)
	For My Love	Beatovic Zoran	360 Sunset Ave. (42.307701, -83.066352)
	Neish Do-Dem (two marks)	Wilmer Nadjiwon, Harold Rice	deaccessioned
	Claim Post	Scott McKay	Centennial Park (42.3172788, -83.0529013)
	Inukshuk	Paulette Hunt, Matt Beasley	City Hall Square (42.3176001, -83.0356889)

	Memorial Cenotaph	The Baby Chapter, I.O.D.E.; Branch 143 Royal Canadian Legion (1993)	Assumption Park, west, south of Riverside Dr.
	Jesuit Missionaries Cross	Jesuit Missionaries (1748); Old Boys Reunion (1909); Boarder Cities Old Boys (1922)	Assumption Park, west
	Canadian Vietnam Veterans Memorial	MACV	Assumption Park, west
	Crimean War Cannon		Assumption Park, centre
	A Butterfly's Wings	Jack Byng, Brain Injury Association	Assumption Park, east
	Century Rock	City of Windsor	Centennial Park, west
	Centennial of Confederation plaque	Province of Ontario and Government of Canada	Centennial Park, west
	Korean Veterans War Memorial	Korea Veterans Heritage #1 Unit #29	Dieppe Gardens (42.3192, -83.0439)

	Royal Canadian Air Force Memorial	Three main elements: Laura Williams, Mark Williams, Foundry Fine Arts Sculpture Centre	Dieppe Gardens (42.3194, -83.0430)
	Pray for Peace	Knights of Columbus of Ontario / Bayco Winnipeg	Dieppe Gardens (42.3193, -83.0440)
	Red Beach Memorial	Rory O'Connor / The Essex and Kent Scottish Regiment	Dieppe Gardens (42.3195, -83.0432)
	W.O.1. Pipe Major J. (Jock) Copland M.B.E.	Warrant Officers and Chief Petty Officers Association of Essex County	Dieppe Gardens (42.3194, -83.0429)
	Eternal Flame		Dieppe Gardens (42.3192, -83.0431)
	Dieppe Gardens Plaque		Dieppe Gardens (42.3192, -83.0431)
	Service Personnel Monument	Windsor Chapter Remembrance Association Silver Cross Women of Canada	Dieppe Gardens (42.3196, -83.0433)
	The Naval Monument	The royal Canadian Naval Association Admiral Hose Branch, Windsor	Dieppe Gardens (42.3199, -83.0423)

	Floral Compass		Dieppe Gardens (42.3199460, -83.0417500)
	The Rt. Hon. Herb Gray, PC., C.C., Q.C.	C.V. Rees / MST Bronze Limited Art Foundry, Toronto	Dieppe Gardens (42.3200, -83.0405)
	British-American Hotel Site plaque		Dieppe Gardens (42.3198042, -83.0399590)
	Kinetic Geode	Nicolas De Cosson, Cunningham Sheet Metal (Windsor)	Civic Terrace (42.320735, -83.037303)
	Windsor Fire Fighter Memorial	Mark Williams	Civic Terrace (42.3211855, -83.0363846)
	Reflections	Donna Jean Mayne, Mary Beth Broughton, Mark Williams, Steven Johnson, Diana Goddard, Sergio Mazzotta and Glen Donalds	Great Western Park. Aylmer Ave. Comfort Station (42.3219998, -83.0311915)
	unknown (train worker)	JoAnne Weston	Great Western Park. Aylmer Ave. Comfort Station (42.3219998, -83.0311915)
	Love for All, Hatred for None	Sidra Tahir (artist), Abdul Tahir (project lead)	Great Western Park (42.3221347, -83.0300543)

	Albert Howard Weeks	Christopher Rees	Great Western Park (42.3232135, -83.0264926)
	Canadian Autoworkers Union plaques		Great Western Park (42.3235640, -83.0257919)
	Windsor Snapshots	Christy Litster	Vision Corridor (42.3181, -83.0444)
	Yesterday and Tomorrow	Alaa Elbarbary and Kristina Bradt	Vision Corridor (42.3181, -83.0444)
	Tower of Freedom	Ed Dwight, Al Green	Civic Green (42.3198198, -83.0367708)
	unknown		Civic Core (42.3195625, -83.0368094)
	Rotary International Peace Monument	Lisa Pickering	Charles Clark Square (42.3184876, -83.0362059)
	Essex County War Memorial (Cenotaph)	George Y. Mason	City Hall Square (42.3180981, -83.0360372)

	Dr. Jose P. Rizal	Abdulmari "Toym" de Leon Imao	City Hall, interior (42.3174312, -83.0354525)
	Sunparlour Woodcarvers Centennial Project	Sunparlour Woodcarvers Club	400 Building, 4th Floor (42.3175946, -83.0343542)
	Windsor 125 Community Mosaic	Citizens of Windsor	City Hall, interior (42.3174312, -83.0354525)
	Peacekeepers/ Afghanistan Monument		Reaume Park, west (42.3290, -82.9809)
	George Bergeron	P. B. Slater	Alexander Park (42.3274, -82.9941)
	Monument of Memories	Alzheimer's Society	Jackson Park (42.2954656, -83.0217672)
	Holodomor Monument	Halyna Mordowanec Regenbogen, Thomas E. Regenbogen, Igor Stebelsky	Jackson Park (42.2950, -83.0235)
	Astrolabium & Sun Dial of M. Kopernik (Copernicus) 1473 - 1543	Mieczyslaw K. Kusnierz / Col. Jan Jazwinski	Jackson Park (42.295294, -83.022630)

	Boer War Monument	Walter Allward	Jackson Park (42.295294, -83.022630)
	Sea, Land, Air		Jackson Park (42.2954, -83.0227)
	Robert Burns	F. Varga	Jackson Park (42.2954894, -83.0239321)
	Royal Canadian Air Force Memorial		Jackson Park (42.2947, -83.0223)
	Bosnia & Herzegovina Memorial		Jackson Park (42.2948, -83.0235)
	Friendship Tree	Rusty Barton	Jackson Park (42.2952, -83.0247)
	unknown [crouching nude]	L.B.B. / MST Bronze Foundry	Willistead Park, Gatehouse (42.3192, -83.0107)
	unknown [bottle]	Edwina Sandys	Willistead Park, Gatehouse (42.3192, -83.0107)

	Hiram Walker's Front Porch		Willistead Park (42.3186, -83.0093)
	Queen Victoria Fountain		Willistead Park (42.3178, -83.0102)
	Willistead Manor In Memoriam plaque	T.F. McCann & Sons Co. Boston Mass.	Willistead Park, main gate. (42.3193, -83.0106)
	Willistead Manor In Memoriam plaque	T.F. McCann & Sons Co. Boston Mass.	Willistead Park, manor door. (42.3182, -83.0104)
	all we are is all we were	Justin Langlois	Mill Street Park (42.30285598, -83.0774227)
	War of 1812 Peace Wampum Belt	Lorraine Steele and Phil McLeod	Mill Street Park (42.3035025, -83.0770945)
	Black History Murals		Paterson Park (42.3053627, -83.0737186)
	Tecumseh Brock Monument	Mark Williams, John Muir	Sandwich, Rosedale, and University Ave roundabout. (42.3068926, -83.0730407)

	Detective Alton C. Parker, O.C. "Uncle Al"	R.M.Broom	Alton C. Parker Park. 400 Broadhead St. (42.3127475, -83.0274572)
	WW1 Veterans Memorial		Optimist Memorial Park (42.293622, -83.001673)
	Sandpoint Beach Totem Pole	Wikinanish	Sandpoint Beach (42.338408, -82.918756)
	Hiram Walker	Mark Williams	Currently with artist

Culture Miscellaneous
items the WSP Summer Students document and monitor, wash and wax if needed

image	Title	Maker	Location (GPS)
	Jesuit Mission to the Hurons plaque	Ontario Archaeological and Historic Sites Board, Jamaco Alcan	Assumption Park (42.3089746, -83.0714652)
	Assumption Park Shoreline Improvements plaque	The Essex Region Conservation Authority	Assumption Park, mounted to the guardrail behind "The King and Queen" (42.3109170, -83.0694096)
	Aft Mast Vedas plaque		Assumption Park (42.311441, -83.067356)
	Colonel Arthur Rankin plaque		Atkinson Park (42.3131499, -83.0630296)
	Odette Sculpture Park Rock		Uninstalled. Normally: Centennial Park (42.314686, -83.061156)
	Lamp post		Centennial Park (42.317723, -83.051836)
	Roy A. Battagello plaque		Legacy Park (42.3216848, -83.0317608)
	Assumption-Centennial Park Seawall Phase I plaque	The Essex Region Conservation Authority	Centennial Park (42.3157471, -83.0588521)

Culture Miscellaneous
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	Ancient Jesuit Pear Trees stone plaque		Dieppe Gardens (42.3193, -83.0439)
	Royal Canadian Electrical Mechanical Engineers	R.C.E.M.E. Association of Windsor	Dieppe Gardens (42.3194, -83.0432)
	Clifford Hatch Sr. Plaza plaque	The Greater Windsor Community Foundation	Dieppe Gardens (42.3198, -83.0408)
	Great Canadian Flag (plaques)		Dieppe Gardens (42.320232, -83.040751)
	French Settlement on the South Shore plaque	Nelson	Dieppe Gardens (42.3195, -83.0404)
	La Provincia Di Udine a Windsor (Dieppe Fountain)		Dieppe Gardens (42.3199839, -83.0401766)
	The Great Trail marker		Dieppe Gardens (42.3204, -83.0399)
	Spirit of Windsor Engine 5588 & plaque	Historic Vehicle Society of Ontario (Windsor)	Civic Terrace (42.3203417, -83.0384754)

Culture Miscellaneous
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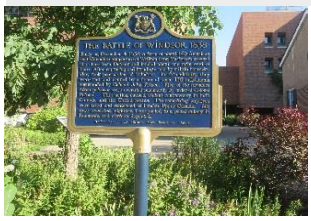
	The Greening of the Riverfront	Rotary Club of Windsor (1918)	Civic Terrace (42.3202871, -83.0381304)
	The Mario Sonego Retention Treatment Basin plaque		Festival Plaza (42.3216773, -83.0317149)
	Bert Weeks Fountain Plaza including: Sundial/ Noon Mark, a few plaques, and infoplaques.		Great Western Park, Bert Weeks Fountain (42.3233538, -83.0261191)
	The Battle of Windsor 1838 plaque		Francois Baby House (42.3182, -83.0433)
	Francois Baby House 1812 plaque		Francois Baby House (42.318564, -83.042442)
	Francois Baby House / La Maison Baby plaque		Francois Baby House (42.3182, -83.0432)
	The Hiram Walker Historical Museum plaque		Francois Baby House (42.3183, -830432)
	anchor		Francois Baby House (42.3183, -83.0435)

Culture Miscellaneous
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	Charles Clark Square designation plaque		Charles Clark Square (42.3188131, -83.0363665)
	David A. Croll Plaque		Senator Croll Park (423177163, -83.0362270)
	David Croll quote stones		Senator Croll Park (42.3177163, -83.0362270)
	City Hall Square Fountains		City Hall Square (42.3177488, -83.0351414)
	government crests		City Hall Square (42.317903, -83.035134)
	Le Mur des noms		City Hall Square (42.3182342, -83.0345610)
	Bird Bath (with two birds)	Family of John Schramm	Reaume Park (42.3290, -82.9800)
	Bird Bath (with squirrel, turtle, and bird)	Family of Jayne Koback	Reaume Park (45.3290, -82.9800)

Culture Miscellaneous
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	Willow Tree Plaque	Alfred & Jeannette Campeau	Reaume Park, east (42.3306862, -82.9760718)
	Fight for Living		Reaume Park (42.3294761, -82.9787754)
	Peace Fountain plaque		Reaume Park (42.3299, -829791)
	Beta Sigma Phi Sorority (Bench and Plaque)	Beta Sigma Phi Sorority	Reaume Park (42.3288, -82.9804)
	Beta Sigma Phi Sorority (Welcome stone)	Beta Sigma Phi Sorority	Reaume Park, west (42.3289, -82.9822)
	The Siege of Detroit plaque	Archaeological and Historic Sites Board of Ontario	Reaume Park, southwest (42.3286, -82.9809)
	Joseph L. Reaume plaque		Reaume Park, southwest (42.3286, -82.9815)
	Fred Burr Iris Garden plaque	Fred and Dorothy Burr	Reaume Park (42.3302509, -82.9776499)

Culture Miscellaneous
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	Fleming Channel Plaque		Alexander Park (42.3275, -82.9933)
	Warren P. Bolton Memorial Rose Garden		Alexander Park (42.3272, -82.9933)
	Soroptimist International of Windsor plaque		Jackson Park (42.29.51236, -83.0239204)
	Queen Elizabeth II Tree Plaque	Greater Windsor Horticulture Society	Jackson Park (42.2951752, -83.0239817)
	Japanese garden plaque(s)		Jackson Park (42.293473, -83.022974)
	Willistead plaque		Willistead Park, flowerbed in parking lot (42.3186, -83.0110)
	Garden Pavilion		Willistead Park, Paul Martin Gardens (42.3181, -83.0089)
	Armillary sphere sundial		Willistead Park, Paul Martin Gardens (42.3183, -83.0097)

Culture Miscellaneous
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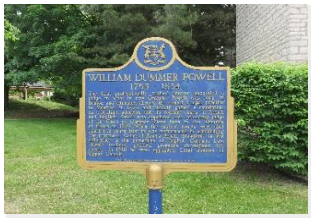
	The Stone College plaque		Sandwich St. & Brock (42.2997, -83.0772)
	District Court House and Gaol plaque	Nelson / Ontario Heritage Foundation, Tourism and Recreation	Mackenzie Hall (42.3002, -83.0767)
	William Dummer Powell 1755-1834 plaque	Nelson / Ontario Heritage Foundation	Mackenzie Hall (42.3003966, -83.0764699)
	Mary and Henry Bibb plaque	Historic Sites and Monuments Board of Canada	Mackenzie Hall Park (42.3005700, -83.0763334)
	Sandwich Windmill plaque	Windsor Department of Parks and Recreation	Mill Street Park, on Windmill (42.3028598, -83.0774224)
	Children on a Bench	Max Turner	WFCU Centre (42.3193607, -82.9276264)
	Three Children on a Log	O. By Paul Anderson	WFCU Centre (42.3186487, -82.9273856)
	Erie St. Clock Tower		Erie St. and Parent (42.3136267, -83.0206152)

Culture Miscellaneous
items the WSP Summer Students document and monitor, wash and wax if needed

	Rotary International and Ganatchio Park Plaques (x3)		Sandpoint Beach (42.338298, -82.919002)
	memorial gift to Korean Veterans		2450 McDougal, reception (42.291560, -83.016829)
	Albert Kahn		Willistead Manor, 1st floor (42.3191, -83.0107)
	Saltmarche		Willistead Manor, 2nd floor (42.3191, -83.0107)
	Former Site of the British Methodist Episcopal (BME) Church 1952 - 1962	Black History and Ministerial Organizations	400 Building, exterior, McDougall roadside (42.317555, -83.033881)
	Tribute Garden	Stephen Marshall Design	Willistead Park (42.3183, -83.0098)
	City Hall Cornerstones		City Hall
	Mayfair School memorial stone		

Culture Miscellaneous
items the WSP Summer Students document and monitor, wash and wax if needed

	Mahoney Family Memorial	St. Paul Pumping Station Park, west of the station
	Paul Martin Gardens plaque	Willistead Park, Paul Martin Gardens (42.318359, -83.010030)

Committee Matters: SCM 307/2020

Subject: Zoning By-law Amendment Application for 0 Hawthorne Dr., N/E CNR of Hawthorne Dr. and Enterprise Way intersection; Applicant: 2356976 Ontario Inc.; File No. Z-010/20, ZNG/6072; Ward 8

Moved by: Councillor Holt
Seconded by: Member Rondot

Decision Number: **DHSC 203**

I. THAT the parcel described as Part of Block A, Registered Plan 1644, and designated as Part 2 on Reference Plan 12R-26956, situated on the northeast corner of Hawthorne Drive and Enterprise Way, **BE EXEMPT** from the provisions of Interim Control By-law 103/2020 and that further, Interim Control By-law 103/2020 **BE AMENDED** by adding to Section 5 the following paragraph:

- **Northeast Corner of Hawthorne Drive and Enterprise Way**
  Part 2, Plan 12R-26956; PIN 01379-0444; Roll No. 070-670-57502;

II. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the northeast corner of Hawthorne Drive and Enterprise Way, described as Part of Block A, Registered Plan 1644, and designated as Part 2 on Reference Plan 12R26956, from Manufacturing District 1.2 (MD1.2) to Residential District 3.2 (RD3.2) in Zoning By-law 8600; subject to the following site specific zoning provision:

"398. Northeast Corner of Hawthorne Drive & Enterprise Way

For the lands comprising Part of Block A, Registered Plan 1644, designated as Part 2 on Reference Plan 12R26956, the maximum building height provision in section 20(1)97(iv) of By-law 8600, shall not apply to a multiple dwelling on the subject land. [ZDM 15; ZNG/6072]"

III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following in the site plan approval and the site plan agreement:

(a) Noise warning clause(s) and other noise abatement measures identified in the Noise Study dated December 19, 2019 and Revised September 21, 2020, prepared by Akoustic Engineering Limited; and,

(b) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix D attached; and,

(c) That the maximum number of parking spaces shall not exceed the required minimum number of parking spaces.

Carried.

Report Number: S 134/2020
Clerk's File: ZB/13837

Clerk's Note: The recommendation of the Standing Committee and Administration are not the same.

Subject: Zoning By-law Amendment Application for 0 Hawthorne Dr., N/E CNR of Hawthorne Dr. and Enterprise Way; Applicant: 2356976 Ontario Inc.; File No. Z-010/20, ZNG/6072; Ward 8

Reference:

Date to Council: October 13, 2020
Author: Justina Nwaesei, MCIP, RPP
Planner III - Subdivisions
519-255-6543, ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: September 23, 2020
Clerk's File #: ZB/13837

To: Mayor and Members of City Council

Recommendation:

I. That the parcel described as Part of Block A, Registered Plan 1644, and designated as Part 2 on Reference Plan 12R-26956, situated on the northeast corner of Hawthorne Drive and Enterprise Way, **BE EXEMPT** from the provisions of Interim Control By-law 103/2020 and that further, Interim Control By-law 103/2020 **BE AMENDED** by adding to Section 5 the following paragraph:

- **Northeast Corner of Hawthorne Drive and Enterprise Way**
  Part 2, Plan 12R-26956; PIN 01379-0444; Roll No. 070-670-57502;

II. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the northeast corner of Hawthorne Drive and Enterprise Way, described as Part of Block A, Registered Plan 1644, and designated as Part 2 on Reference Plan 12R26956, from Manufacturing District 1.2 (MD1.2) to Residential District 3.2 (RD3.2) in Zoning By-law 8600; subject to the following site specific zoning provision:

"398. Northeast Corner of Hawthorne Drive & Enterprise Way

For the lands comprising Part of Block A, Registered Plan 1644, designated as Part 2 on Reference Plan 12R26956, the maximum building height provision in section 20(1)97(iv) of By-law 8600, shall not apply to a multiple dwelling on the subject land. [ZDM 15; ZNG/6072]"

III. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following in the site plan approval and the site plan agreement:

(a) Noise warning clause(s) and other noise abatement measures identified in the Noise Study dated December 19, 2019 and Revised September 21, 2020, prepared by Akoustic Engineering Limited; and

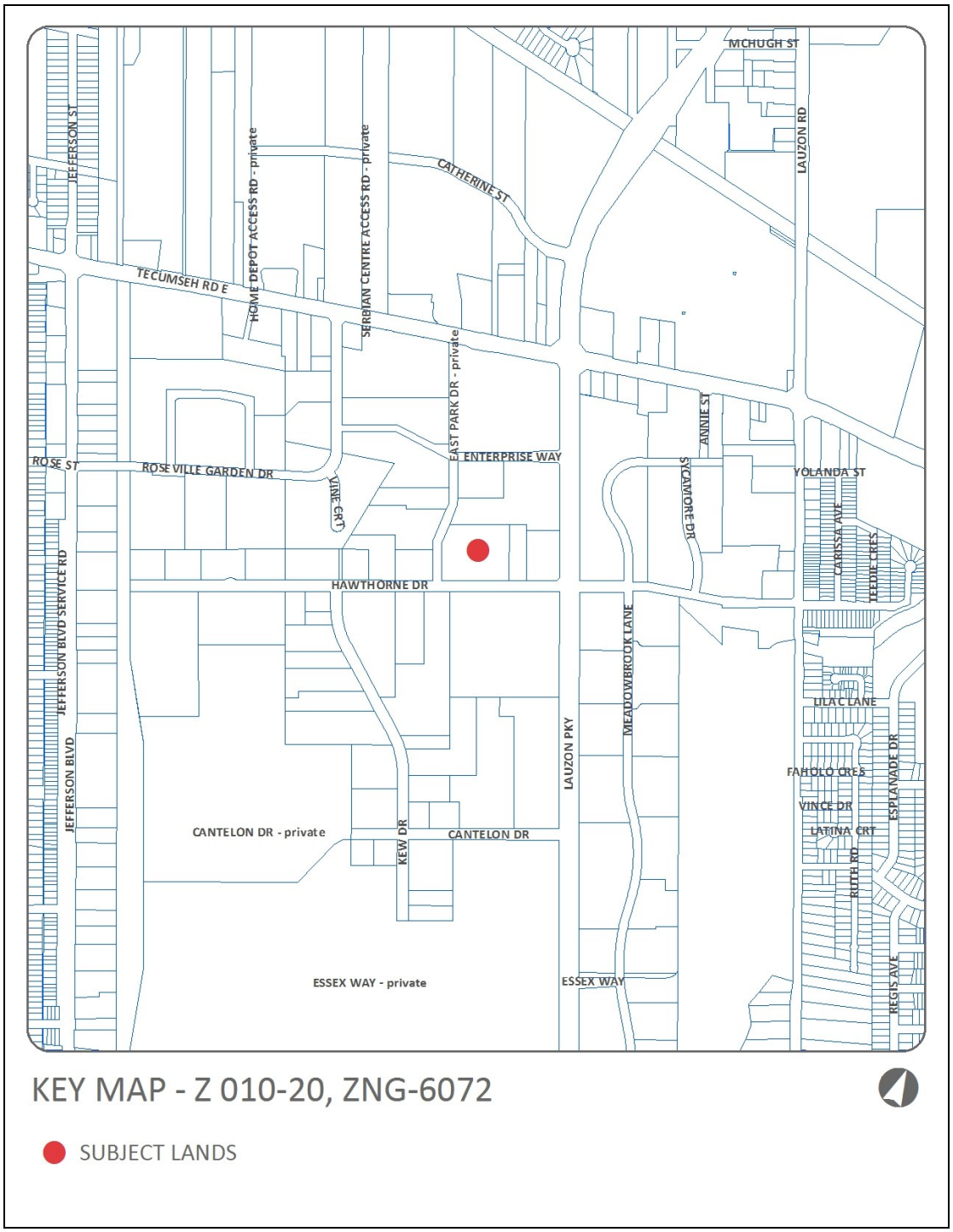
(b) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix D attached.

Executive Summary:

N/A

Background:

1. KEY MAP



2. APPLICATION INFORMATION

LOCATION: 0 Hawthorne Dr. [N/E CNR of Hawthorne Dr. and Enterprise Way]

APPLICANT: 2356976 ONTARIO INC. (c/o Dr. Bhan Garg)

AGENT: VIJAY VASANTGADKAR ARCHITECT INC. (c/o Vijay Vasantgadkar)

REGISTERED OWNER: SAME AS APPLICANT

PROPOSAL: To amend Zoning By-law 8600 for the land located on the northeast corner of Hawthorne Drive and Enterprise Way, so as to permit multiple dwellings on the subject land.

The subject land is designated Mixed Use on Schedule D: Land Use in the Official Plan and zoned Manufacturing District 1.2 (MD1.2) in Zoning By-law 8600. Special zoning provision S.20(1)97 also applies to the subject land and other lands within the immediate area.

The applicant proposes to change the zoning of the subject land from MD1.2 to RD3.2 (Residential District 3.2) to permit the construction of three 5-storey apartment buildings with a total of 182 dwelling units and 267 parking spaces as shown on the conceptual site plan attached as **Appendix A**. Vehicular access driveways are proposed from Hawthorne Drive and Enterprise Way.

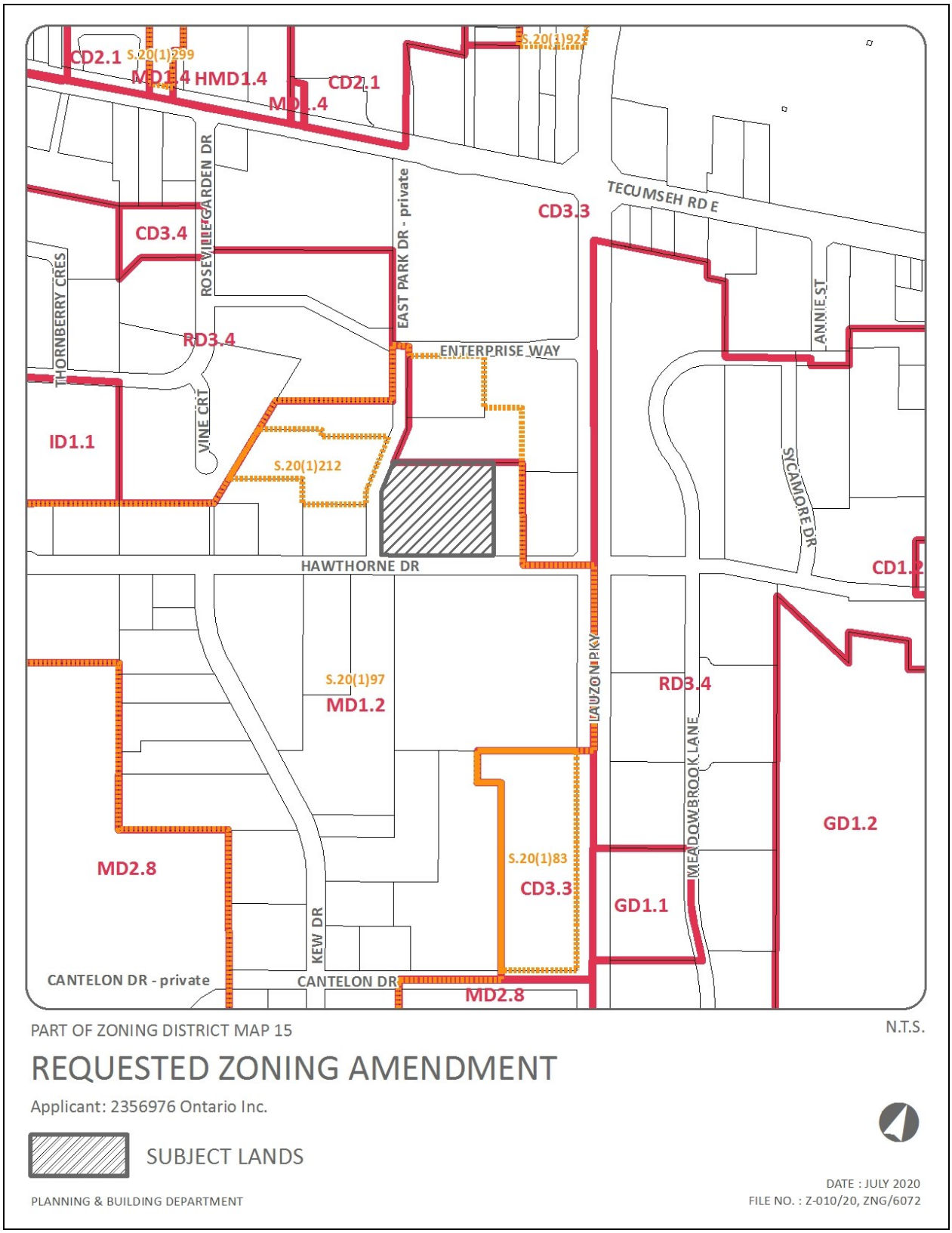
SUBMISSIONS BY APPLICANT:

- Zoning By-law Amendment Application form
- Addendum to Zoning By-law Amendment [Revised, Sep 21, 2020]
- Conceptual Site Plan
- Property Deed
- Articles of Incorporation for 2356976 Ontario Inc.
- Noise Study [Revised Sep 21, 2020]
- Traffic Impact Study

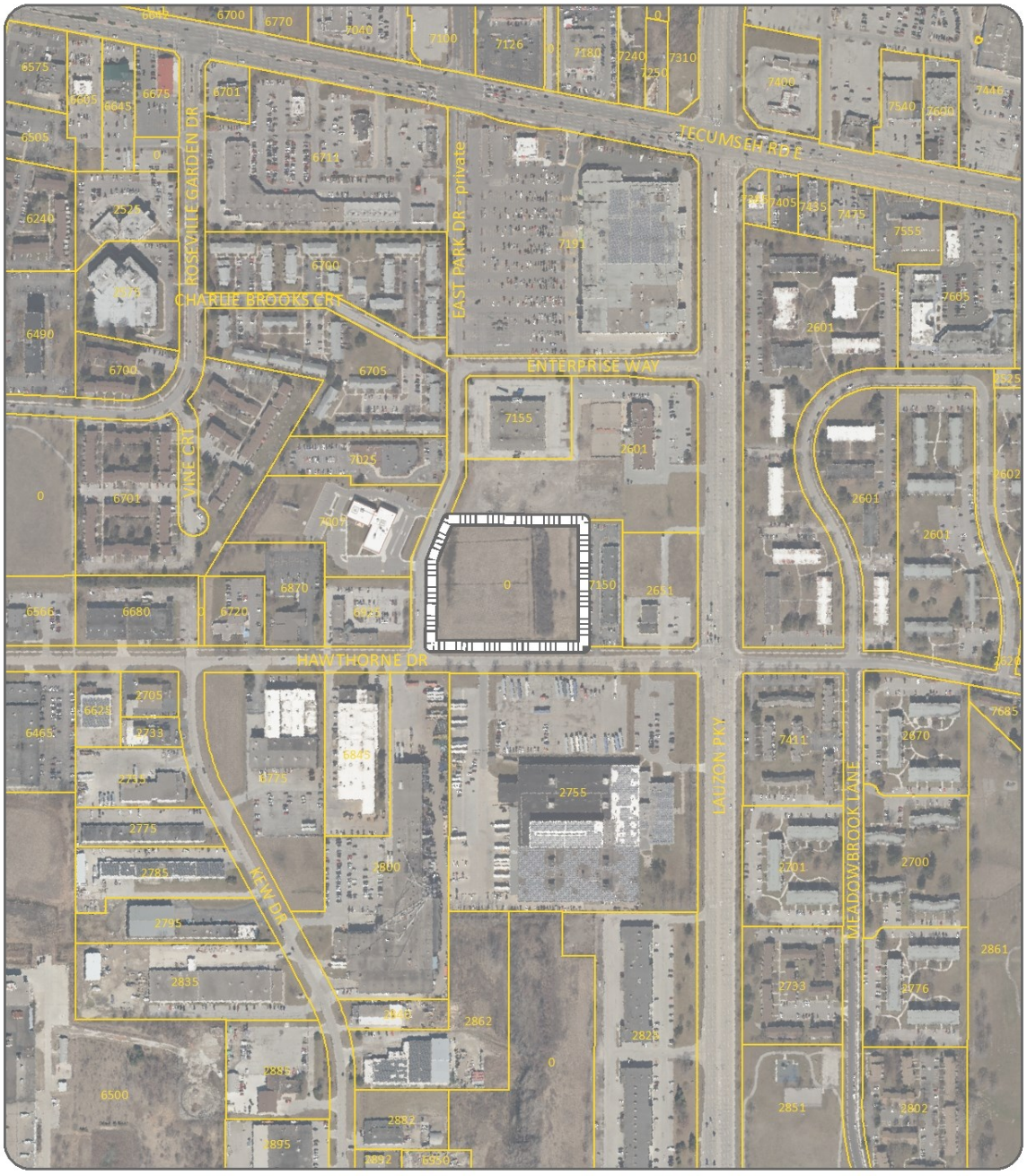
3. SITE INFORMATION

OFFICIAL PLAN	**ZONING & ZDM**	**CURRENT USE(S)**	***PREVIOUS USE(S)***
MIXED USE [Land Use]	MANUFACTURING DISTRICT 1.2 (MD1.2) with S.20(1)97; ZDM11	Vacant	Vacant
FRONTAGE	**DEPTH**	**AREA**	**SHAPE**
Enterprise Way **131.36m** Hawthorne Drive **154.55m**	Irregular [from Enterprise Way lot line] 127.97m [Measured from Hawthorne Drive lot line]	19,820 sq. m.	Irregular
Note: All measurements are approximate			

4. REZONING MAP



5. NEIGHBOURHOOD CHARACTERISTICS



NEIGHBOURHOOD MAP - Z 010-20, ZNG-6072

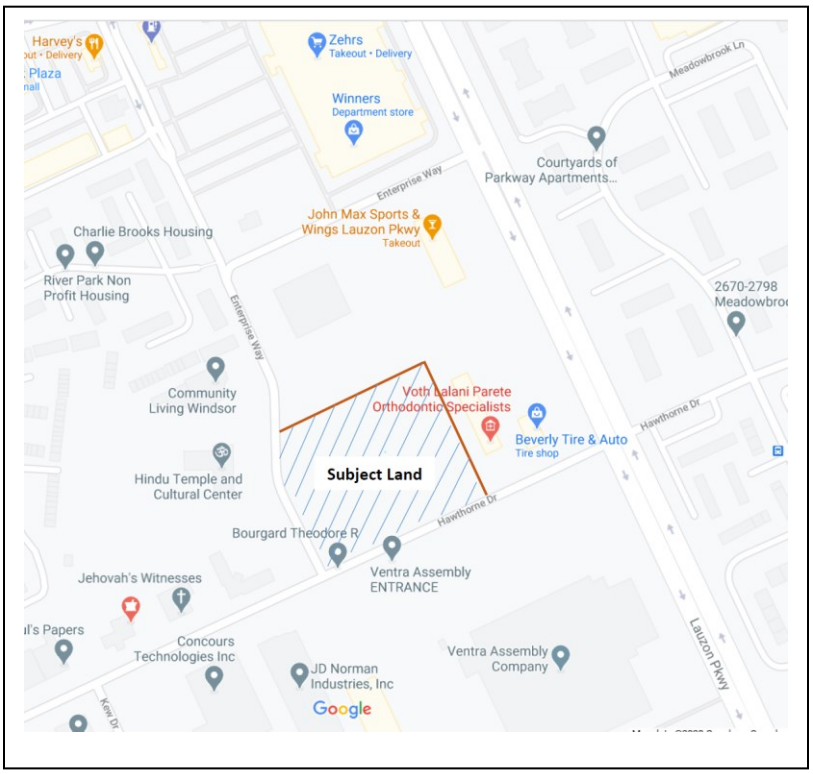
SUBJECT LANDS

The surrounding area is characterised by a mix of commercial, industrial, institutional and residential uses nearby.

SURROUNDING LAND USE

North & Northeast – Commercial uses

- Fairstone Financial; Renew Massage Clinic & Spa; The Denture Center; and Restaurant (John Max Sports & Wings), at 2601 Lauzon Parkway
- Health Studio (Planet Fitness) at 7155 Enterprise Way
- Major Commercial Center (Zehrs, Dollar Tree, Winners, Scotiabank and more) at 7191/7201 Tecumseh Rd. E.



Northwest – Residential uses

- Charlie Brooks Housing Co-operative Inc. (townhome dwellings) at 6700-7064 Charlie Brooks Court
- River Park Non-Profit Housing Corporation (Windsor) at 6705-7087 Charlie Brooks Court
- Community Living Windsor at 7025 Enterprise Way

West – Institutional & Commercial uses

- Place of Worship (Hindu Temple & Cultural Center) at 7025 Enterprise Way
- Eastside Dental Office at 6925 Enterprise Way
- Place of Worship (Jehovah's Witness Kingdom Hall) at 6870 Hawthorne Drive

Southwest – Industrial uses

- J D Norman Industries Inc. at 6845 Hawthorne Drive
- Ventra Plastics Windsor at 2800 Kew Drive

South and Southeast – Industrial uses

- Butcher Enterprises Windsor at 2755 Lauzon Parkway/7125 Hawthorne Drive

East – Commercial uses

Law Office (Theordore R Bourgard) at 7150 Hawthorne Drive and
Medical Office (Voth Lalani Parete Orthodontists) at 7150 Hawthorne Drive
Good Year - Beverly Tire & Auto Services at 2651 Lauzon Parkway

MUNICIPAL INFRASTRUCTURE

- The City's records show that there are municipal storm and sanitary sewers within the abutting roadways, available to service the subject lands. There is a
  - 300mm diameter polyvinylchloride (PVC) sanitary sewer on Enterprise Way.
  - 450mm diameter reinforced concrete pipe (RCP) sanitary sewer on Hawthorne Drive;
  - 900mm diameter reinforced concrete pipe (RCP) storm sewer on Enterprise Way; and
  - 1825mm diameter reinforced concrete pipe (RCP) trunk storm sewer on Hawthorne Drive.
- Municipal watermains, fire hydrants and LED streetlights are available along Enterprise Way and Hawthorne Drive.
- ENWIN has overhead primary distribution on the north side of Hawthorne, the west side of Enterprise Way and north of the subject site.

- There are curbs and gutter along Enterprise Way and Hawthorne Drive.
- Concrete sidewalks are available on the north side of Hawthorn Drive and on the north and west sides of Enterprise Way
- Transit Windsor Bus services are available in the nearby area. The closest transit service would be the Ottawa 4 route with a bus stop located on Meadowbrook at Hawthorne Southwest Corner, approximately 500 metres away from the subject property. There are other nearby bus stops within 600m of the subject land, on Hawthorne at Sycarmore (an Ottawa 4 route) and on Tecumseh Rd East (Transit 1C and Ottawa 4 routes).
- Enterprise Way is classified as local road.
- Hawthorne Drive right-of-way (between Kew Drive and Lauzon Parkway) is classified as a Class II collector road.
- Lauzon Parkway is a nearby Arterial Road (Class I Arterial Rd) and is accessible from the subject lands through Hawthorne Drive and, alternatively, through Enterprise Way.

Discussion:

PLANNING ANALYSIS:

1. PROVINCIAL POLICY STATEMENT (PPS) 2020

Provincial Policy Statement 2020 was issued under section 3 of the Planning Act and came into effect May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014.

The Provincial Policy Statement 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 in Ontario.

The amendment promotes residential intensification and infill in an area surrounded by commercial, residential and industrial activities. Therefore, the following policies of the PPS 2020 are deemed relevant for this planning analysis:

> 1.1.1 Healthy, liveable and safe communities are sustained by:
> *a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
> *b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
> *c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
> *d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
> *e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
> *f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
> *g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
> *i) preparing for the regional and local impacts of a changing climate.*

With respect to 1.1.1(a) & (b) – This zoning by-law amendment facilitates infill residential development on the existing vacant land. The amendment promotes efficient development that will accommodate three 5-storey multiple dwellings on the subject land. The lands within the immediate area accommodate a range and mix of commercial, residential (affordable & market-

based), institutional, and industrial uses as noted already in this report. See “Surrounding Uses” section of this report.

With respect to 1.1.1(c) – There are no known environmental or public health & safety concerns. The planning analysis provided by the applicant`s planning consultant in the revised application Addendum indicates that no adverse effects to the proposed land use are anticipated and no negative impact on adjacent land uses is anticipated. The revised Noise Assessment Report provided by Akoustik Engineering Limited concludes that the nearby industrial lands do not have an adverse impact on the proposed development. The noise report also assesses the environmental noise impacts from nearby road traffic and concludes that the noise impact on the proposed development is within the guideline limits set by the Ontario Ministry of the Environment, Conservation and Parks, and recommends that warning clauses be included for the required lots.

With respect to 1.1.1 (d) - The subject land is surrounded by existing developments and does not prevent the efficient expansion of the settlement area.

With respect to 1.1.1(e) & (f) – The amendment would achieve a cost-effective development pattern and minimize land consumption and servicing costs. Sidewalks improve *accessibility for persons with disabilities and older persons*. As noted already in this report, there are existing concrete sidewalks on Enterprise Way and Hawthorne Drive. The concept plan also shows proposed sidewalks within the development, connecting to the existing sidewalks.

With respect to 1.1.1(g) – The subject land is in an area of the City that is serviced by necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities.

With respect to 1.1.1(i) – Regional and local impacts of climate change is best addressed at the time of site plan approval when the lot-grading provisions, stormwater management measures, servicing study, landscaping requirements and much more, could be discussed and incorporated in the site plan approval and site plan agreement.

The subject zoning by-law amendment will facilitate an efficient development, positively impact the financial well-being of the City of Windsor, minimize land consumption and servicing costs, accommodate a residential use that is in close proximity to existing residential, commercial, employment, and institutional uses, and will have no adverse impact on environmental or public health and safety concerns. The zoning by-law amendment is consistent with policy 1.1.1 of the PPS.

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;
b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
d) prepare for the impacts of a changing climate;
e) support active transportation;
f) are transit-supportive, where transit is planned, exists or may be developed;

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The subject lands are located within a settlement area - the City of Windsor, and this amendment creates opportunity for growth and development within the settlement area. This amendment promotes a land use that will make efficient use of land, resources and existing infrastructure. There are existing and planned active transportation options (such as sidewalks and bike lanes) and transit services adjacent to, or near the subject land. Taking into account existing building stock and area, the existing municipal services and utilities, the conclusions and recommendations of the Transportation Impact Study and Noise Study submitted for this amendment, it is factual to state that the subject land represents an appropriate location for intensification. The subject amendment is consistent with policies 1.1.3.1. 1.1.3.2 and 1.1.3.3 of the PPS.

1.2.2 Planning authorities shall engage with Indigenous communities and coordinate on land use planning matters.

The indigenous communities have been contacted by the Planning Department to initiate discussions on this zoning amendment. No response or comments have been received to date. The Planning Authority (The Corporation of The City of Windsor) has, in principle, satisfied the requirement to engage and coordinate; therefore, it makes sense to deem this amendment to be consistent with policy 1.2.2 of the PPS.

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

a) there is an identified need for the proposed use;
b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

The proposed residential development is a sensitive land use that could be potentially adversely impacted by odour, noise and other contaminants from the nearby industrial uses on the south and southwest of the subject land. However, the revised Noise Assessment prepared by Akoustik Engineering Limited, dated September 21, 2020, identified several potential sources of stationary noise located to the south and southwest of the subject lands and concludes that *"the identified industrial lands do not have an adverse impact on the proposed development".* The acoustic report assessed the environmental noise impacts from nearby road traffic and recommends warning clauses and provision for the installation of central air conditioning in all east apartment building units. The acoustic report also shows that the noise impact on the proposed development is within the guideline limits set by the Ontario Ministry of the Environment, Conservation and Parks, and recommends the development be given approval with the understanding that the stated warning clauses be included for the required lots.

The revised Addendum prepared by Pillon Abbs Inc., dated September 21, 2020, analysed PPS Policies 1.2.6.1 & 1.2.6.2 and concludes that *"no adverse effects to the proposed land use are anticipated*" and "*no impacts to abutting lands are anticipated".*

1.4 Housing

1.4.1 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 residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development;

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

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, ...; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

This amendment promotes infill development on a site that has been historically vacant in a developed area. 182 new dwelling units are proposed on the subject land, which is a higher density than currently exists, and results in a net increase in residential units or accommodation; therefore, we are dealing with a residential intensification of the subject site and area. The amendment will facilitate the municipality's ability to accommodate residential growth through intensification and will provide a form of housing that is appropriate in terms of range and mix, and will meet the social, health and well being of current and future residents. Appropriate level of infrastructure, active transportation and transit services are available or will be available in the subject area. This amendment is consistent with policy 1.4 of the PPS.

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject lands are within an area that is serviced by municipal sewage services and municipal water services. The requested zoning by-law amendment is consistent with policy 1.6.6.2 of the PPS.

1.6.6.7 Planning for stormwater management shall:

f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

This amendment includes requirement for completion of stormwater management report at the time of Site Plan Approval. We note that the Essex Region Conservation Authority (ERCA) has concerns regarding the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on the subject lands. We also note that Recommendation lll (b) of this report addresses ERCA's recommendation regarding stormwater quality and stormwater quantity for the subject lands. This amendment is consistent with policy 1.6.6.7 (f) of the PPS.

1.7.1 Long-term economic prosperity should be supported by:

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities

Windsor has experienced historically low residential vacancy rate, according to CMHC data. This amendment encourages residential intensification by providing additional housing supply, which is an appropriate response to the market-based housing needs in the City of Windsor. The proposed development of three 5-storey multiple dwellings optimizes the availability and use of land and infrastructure by making use of a vacant parcel of land. The amendment is consistent with policy 1.7.1 of the PPS.

In summary, the above planning analysis demonstrates that the subject zoning by-law amendment is consistent with the relevant Policies of PPS 2020.

2. OFFICIAL PLAN (OP)

The site is designated "Mixed Use" in the Land Use Schedule D of City of Windsor Official Plan. Relevant excerpts from the Official Plan are attached as Appendix B.

Uses permitted in the Mixed Use land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development (section 6.9.2.1). The proposed residential use on the subject land is a large scale Low Profile Residential development containing three 5-storey multiple dwellings with 187 dwelling units.

Section 6.9.2.2 provides two forms of Mixed Use Areas and, based on the policy therein, the proposed development is considered to be in an area classified as *Mixed Use Center*.
"Mixed Use Centres which are large sites developed according to a comprehensive development plan or nodal developments at the intersection of Controlled Access Highways and/or Arterial roads. This type of Mixed Use development provides a regional, community or neighbourhood focal point with a pedestrian oriented design."

Section 6.9.2.3 states that Mixed Use development shall be located where:

(a) There is access to a Controlled Access Highway, Class I or II Arterial Roads or Class I Collector;
(b) Full Municipal physical services can be provided;
(c) Public transportation service can be provided; and
(d) The surrounding development pattern is compatible with Mixed Use development.

The proposed Mixed Use development is located where there is access to a Class I Arterial Road (Lauzon Parkway) through Hawthorne Drive or Enterprise Way. Full municipal services are available and matters such as storm and sanitary sewer capacity will be further reviewed during site plan control process. Public transportation service is available, or planned for, as noted already in this report and in the comment provided by Transit Windsor. The surrounding development pattern is compatible with Mixed Use development and, where compatibility is a potential concern, mitigation measures can be further reviewed and incorporated in the site plan approval and agreement.

Section 6.9.2.4 lists criteria to be used in evaluating a mixed use development and requires the proponent to demonstrate, to the satisfaction of the municipality, that a proposed mixed use development satisfies the evaluation criteria. Addendum to the ZBA Application, dated June 1, 2020, was prepared by Pillon Abbs Inc., Land Use Consultant and revised September 21, 2020. The revised addendum analysed section 6.9.2.4, the Mixed Use Evaluation Criteria, of OP Volume 1, and demonstrates that the proposed Mixed Use development (Residential Apartments) meets the evaluation criteria set out in section 6.9.2.4 of the OP.

The Planning Department is satisfied with the consultant`s analysis of section 6.9.2.4 of the OP Vol. 1.

Section 6.9.2.5 lists design guidelines for evaluating a proposed mixed use development. Site Plan Control is a more appropriate tool to use when considering/implementing those guidelines.

Following Council`s approval of this amendment, the next step is for the proponent to submit an application for site plan approval, which will ensure that the proposed development is in keeping with the Official Plan built form policy for infill developments as in section 8.7.2.3, OP Vol. 1.

Zoning Amendment Evaluation Criteria s.11.6.3.3 of the OP:
Support studies were submitted as part of this application and the recommendations found in those studies are incorporated in this report. The requirements, comments and recommendations from municipal departments and circularized agencies have been considered, as noted in the consultation section of this report. This amendment promotes opportunity for residential intensification and infill, which creates a compact form of neighbourhood and ensures continuation of an orderly development pattern in the subject area. The subject zoning by-law amendment is consistent with the relevant policies of the PPS and conforms with the applicable objectives and policies of OP Vol. 1.The zoning by-law amendment will provide additional housing options and opportunities in the area. According to the applicant's planner, no impacts are anticipated on the nearby industrial and manufacturing properties. This amendment meets the evaluation criteria set out in s.11.6.3.3 of the OP.

Based on the analysis provided in this report, this zoning by-law amendment maintains conformity with the Official Plan, as required in s.11.6.3.1 of the OP.

3. ZONING
The subject land is zoned Manufacturing District 1.2 (MD1.2) in the City of Windsor Zoning By-law 8600. Special zoning provision S.20(1)97 applies to the subject land and other lands within the immediate area. The requested new zoning category is Residential District 3.2 (RD3.2) in the City of Windsor Zoning By-law 8600. **Appendix C,** attached to this report, contains relevant Excerpts from Zoning By-law 8600.

Permitted uses in the RD3.2 zoning category are Lodging House, Multiple Dwelling, Religious Residence, Residential Care Facility; any of the following existing dwellings: Double Duplex Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Single Unit Dwelling; and any use accessory to any of the preceding uses.

The applicant requested an amendment from MD1.2 to RD3.2, but with no mention of the required compliance with S. 20(1)97. The zoning provisions under S.20(1)97 are as follows:

i. minimum front yard depth – 9m
ii. minimum side yard – 9m for exterior side yard and 6m for interior side yard
iii. minimum rear yard depth – 6m
iv. Maximum building – 14.5m for buildings and structures within 150m of a residential district
v. Minimum building setback from Lauzon Parkway – 70m
vi. Access area may cross a landscaped open space yard
vii. Off-street loading or truck storage - Not permitted in any yard abutting Lauzon Parkway

The RD3.2 regulates lot frontage, lot area, lot coverage, building height, landscape open space and density, but does not regulate any of the above special provisions, except building height. Therefore, Planning Staff recommend keeping S.20(1)97(i) to (iii) & (v) to (vii) provisions on the subject land, and excluding (iv) – building height. Although S.20(1)97 (v) and (vii) will not apply to any development on the subject land due to its location, there is no concern in keeping those two provisions.

Addendum to the ZBA Application, dated June 1, 2020 and revised September 21, 2020, was prepared by Pillon Abbs Inc., Land Use Consultant. The report provides Zoning Analysis for the subject amendment and concludes that the proposed development on the subject land will comply with all zoning provisions set out in the RD3.2 zoning.

A review of the S.20(1)97 provisions is required, but was not provided by the planning consultant; however, compliance is required in order to receive a building permit. No minor

variance application will be processed for any development on the subject land within 2 years of approval of this amendment. For this reason, a site specific provision is recommended in this report to address maximum height provision, s.20(1)97 (iv).

The proposed 182 residential units will require parking at the rate of 1.25 parking spaces per unit; total required parking is 228 spaces. Proposed parking is 267 spaces.

A draft by-law is attached as **Appendix G.**

A Residential Interim Control By-law 103/2020 (RICBL) came into effect in the City of Windsor on July 13, 2020. RICBL applies to development proposals with 5 or more dwelling units. This zoning by-law amendment application was deemed complete on May 13, 2020, two months before the interim control by-law came into effect. There are currently no criteria when reviewing a request for an exemption. However, the proposed development will not impact the outcome of the related land use study. As such, an exemption from B/L 103/2020 is recommended.

4. SITE PLAN

The proposed amendment is a "development" as defined in section 41(1) of the Planning Act; therefore, the applicant is required to submit an application for Site Plan Approval.

It should be noted that the Noise Assessment Report requires that any necessary warning clauses be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease.

The mitigation measures identified in the Noise Report, the Transportation Impact Study recommendation, and the various requirements of municipal departments and external agencies (particularly, those requirements noted below) are best incorporated in the site plan review and approval process.

Below are specific requirements from municipal departments and external agencies for consideration at the time of Site Plan Approval for the subject development:

Engineering Requirements: The applicant is required to enter into a Site Plan Agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Site Servicing Plans – The owner agrees to submit a site servicing plan for the subject lands to the satisfaction of the Chief Building Official, the City Engineer, and ERCA in regulated areas, prior to the issuance of any construction permits for the subject lands.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures. The Study is required to be finalized to the satisfaction of the City Engineer prior to the issuance of construction permits.

Corner Cut-Off – The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m (15' x 15') corner cut-off at the intersection of Hawthorne Drive and Enterprise Way in accordance with City of Windsor Standard Drawing AS-230.

Transportation Planning Requirement: The Transportation Impact Study (TIS) report makes some recommendations for restrictions on landscaping near the proposed site access on Enterprise Way; these recommendations should be taken into account in the site plan for the development.

ERCA: Stormwater management analysis be completed to the satisfaction of the Municipality. Stormwater quality and storm water quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

Landscape Architect`s Requirements: The applicant is required to fulfill the following at the time of Site Plan Review –

- Submission of a tree survey identifying species, location, and condition of all trees on the subject lands; and
- Cash-in-lieu of parkland dedication as per By-law 12780, and the Planning Act, and Bill108

Risk Analysis:

N/A.

Financial Matters:

N/A

Consultations:

1. DEPARTMENT AND AGENCIES

Appendix D, attached to this report, contains comments from the municipal departments and external agencies. There are no objections to the proposed amendment. However, some municipal departments have noted some requirements, which could be addressed at the time of site plan approval. Below are highlights of some of the comments received. The full information can be found in Appendix D attached to this report.

Canada Post: The Canada Post multi-unit policy applies to the proposed development. See details in Appendix D attached

Engineering & Geomatics Division:

- A functional servicing study for full municipal services (sanitary, storm, water) is required.
- Existing connections should be utilized where possible to minimize work within the right-of-way, any redundant private drain connections are to be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3, to the satisfaction of the City Engineer.
- Stormwater management completed in accordance with the Windsor/Essex Region Stormwater Standards Manual.
- A sanitary sampling manhole will be required to the satisfaction of the City Engineer.
- A Right-of-Way permit is required for any work on the right of way. All driveway approaches shall be constructed to City Standard AS-204.

ENWIN – Hydro: ENWIN has overhead primary distribution on the north side of Hawthorne, the west side of Enterprise Way and north of the property. For clearance requirements to hydro distribution during the construction phase, the applicant should refer to the Occupational Health and Safety Act.

Essex Region Conservation Authority (ERCA): Has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the future proposed development on this site. ERCA recommends that stormwater quality and storm water quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual". ERCA further recommends that the stormwater management analysis be completed to the satisfaction of the Municipality.

Landscape Architect: There is a remnant hedgerow of trees and scrub undergrowth running north-south through the middle of the site. A tree survey identifying species, location, and condition of all trees on the subject lands, is required. The tree survey will be used at the time of Site Plan review to calculate urban forest canopy loss and compensation.

There is a requirement for cash-in-lieu of parkland dedication as per By-law 12780, and the Planning Act, and Bill108.

Transportation Planning: Overall, the Traffic Impact Study (TIS) report establishes that the traffic impacts of the proposed development can be accommodated by the existing surrounding road network without off-site improvements.

Transit Windsor: Our new Council approved Transit Master Plan does propose to have a new local route providing direct service to this property with service on both Enterprise Way and Hawthorne here.

2. PUBLIC NOTICE

The City will advertise the official notice in the Windsor Star Newspaper as mandated by the Planning Act.

The City will also mail courtesy notice to all properties within 120m (400 feet) of the subject parcel, prior to the Development & Heritage Standing Committee (DHSC) meeting.

Planner's Opinion and Conclusion:

The applicant`s request to amend zoning by-law 8600 by changing the zoning of the subject land from MD1.2 to RD3.2 in order to facilitate an infill development containing three 5-storey multiple dwellings and 267 parking spaces, has been evaluated for consistency with the PPS and conformity with the OP.

After reviewing the required supporting studies submitted for this application, comments received from municipal department and external agencies, the relevant policies of the Provincial Policy Statement (PPS) 2020 and the Official Plan, it is my opinion that this zoning by-law amendment is consistent with the PPS 2020 and maintains conformity with the Official Plan. This amendment is good planning.

In my opinion, a decision to approve this zoning by-law amendment, as recommended, is consistent with the PPS 2020.

The recommendation is for approval of the applicant's request as stipulated in the Recommendation section of this report.

Planning Act Matters:

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

Michael Cooke, MCIP, RPP
Manager, Planning Policy

Thom Hunt, MCIP, RPP
City Planner

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

SAH, City Solicitor

OC, Chief Administrative Officer

Approvals:

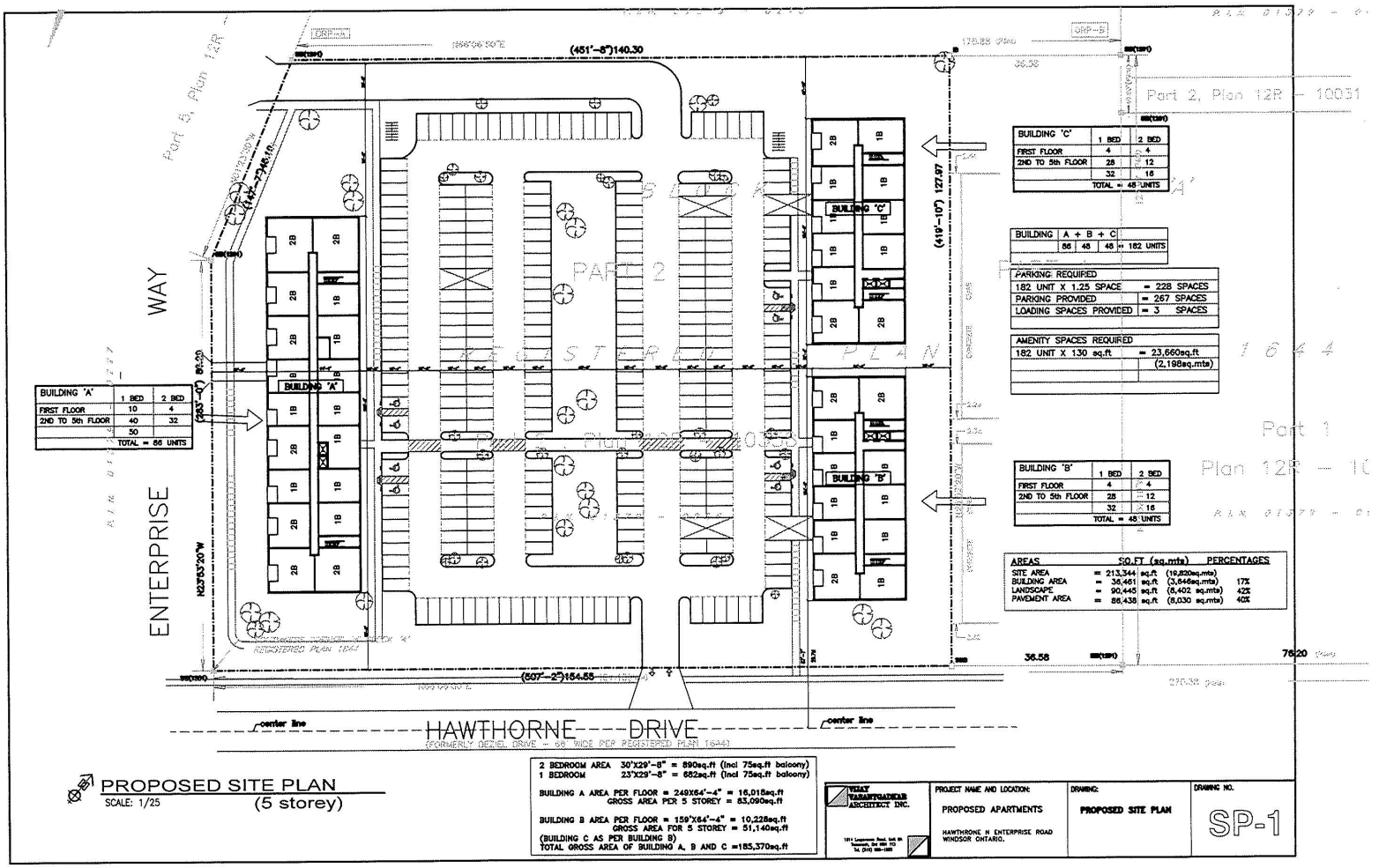
Name	Title
Michael Cooke, MCIP, RPP	Manager, Planning Policy / Deputy City Planner
Thom Hunt, MCIP, RPP	City Planner
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Abutting property owners, tenants/ occupants within 120 meter (400		
Applicant/Registered Owner: 2356976 ONTARIO INC. (c/o Dr.	13796 Riverside Dr. E.,	bgarg@gmail.com
Agent: Vijay Vasantgadka Architect Inc.	1614 Lesperance Road, Unit 8A,	vijaywindsor@yahoo.com
Councillor Gary Kaschak	350 City Hall Square West,	gkaschak@citywindsor.ca

Appendices:

1 Appendix A - Concept Plan - Multiple Dwelling
2 Appendix B - Excerpts from the Official Plan
3 Appendix C - Excerpts from Zoning By-law 8600
4 Appendix D - Consultations Table
5 Appendix E - Summary of Required Support Studies
6 Appendix F - Site Photos
7 Appendix G - Draft By-law for Z-010-2020



PROPOSED SITE PLAN
SCALE: 1/25 (5 storey)

APPENDIX B – EXCERPTS FROM THE OFFICIAL PLAN

OP Volume 1 – Primary Plan

6. Land Use

6.9 Mixed Use

The lands designated as "Mixed Use" on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community or region. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.

The following objectives and policies establish the framework for development decisions in Mixed Use areas.

6.9.1 Objectives

MULTI-FUNCTIONAL AREAS	6.9.1.1	To encourage multi-functional areas which integrate compatible commercial, institutional, open space and residential uses.
COMPACT FORM	6.9.1.2	To encourage a compact form of mixed use development.
SPECIAL IDENTITIES	6.9.1.3	To provide opportunities to create and maintain special area identities and focal points within Windsor.
STRATEGIC LOCATIONS	6.9.1.4	To identify strategic locations which are highly visible and accessible for mixed use development.
VIABLE AREAS	6.9.1.5	To ensure the long term viability of Mixed Use areas.
PUBLIC SPACES	6.9.1.6	To provide public places for strolling, recreation, conversation and entertainment.
TRANSPORTATION MODES	6.9.1.7	To increase the use of walking, cycling and public transportation within the designated Mixed Use area by fostering a strong live-work-shopping-recreation relationship.

6.9.2 Policies

PERMITTED USES 6.9.2.1 Uses permitted in the Mixed Use land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development.

FORM OF MIXED USE AREAS 6.9.2.2 For the purpose of this Plan, Mixed Use development is further classified as follows:

(a) Mixed Use Corridors which occupy linear street frontages with commercial, institutional and open space uses located immediately adjacent to the public right-of-way and residential uses located above grade; and

(b) Mixed Use Centres which are large sites developed according to a comprehensive development plan or nodal developments at the intersection of Controlled Access Highways and/or Arterial roads. This type of Mixed Use development provides a regional, community or neighbourhood focal point with a pedestrian oriented design.

LOCATIONAL CRITERIA 6.9.2.3 Mixed Use development shall be located where:

(a) there is access to a Controlled Access Highway, Class I or Class II Arterial Roads or Class I Collector Road;

(b) full municipal physical services can be provided;

(c) public transportation service can be provided; and

(d) the surrounding development pattern is compatible with Mixed Use development.

EVALUATION CRITERIA 6.9.2.4 At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Mixed Use development 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) within a site of potential or known contamination;

(iii) where traffic generation and distribution is a provincial or municipal concern; and

(iv) adjacent to sensitive land uses and/or heritage resources.

(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

(c) capable of being provided with full municipal physical services and emergency services;

(d) provided with adequate off street parking;

(e) pedestrian oriented;

(f) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and

(g) acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter).

DESIGN GUIDELINES

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

(a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;

(b) the mass, scale, orientation, form, and siting of the development achieves a compact urban form and a pedestrian friendly environment;

(c) at least one building wall should be located on an exterior lot line and oriented to the street to afford direct sidewalk pedestrian access from the public right-of-way;

(d) permanent loading, service and parking areas should be located so as not to significantly interrupt the pedestrian circulation or traffic flow on the public right-of-way or within a Mixed Use area;

(e) mid-block vehicular access to properties is generally discouraged and is encouraged via a rear yard service road or alley;

(f) parking areas shall be encouraged at the rear of buildings;

(g) safe and convenient pedestrian access between buildings and public transportation stops, parking areas and other buildings and facilities should be provided;

(h) the development is designed to foster distinctive and attractive area identity;

(i) the public rights-of-way are designed to foster distinctive and attractive area identity and to provide for vehicle use, regular public transportation service as well as pedestrian and cycling travel; and

(j) integration of the development with the surrounding uses to contribute to the unique character of the area.

SITE PLAN CONTROL 6.9.2.6 Council will require all development within areas designated Mixed Use to be subject to site plan control.

REDUCED PARKING REQUIREMENT 6.9.2.7 Council may establish off street parking standards to reflect public transportation supportive designs or shared parking arrangements in Mixed Use developments.

11.6.3 Zoning By-law Amendment Policies

AMENDMENTS MUST CONFORM

11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

REVIEW PROCEDURE

11.6.3.2 All applications for Zoning By-law amendments shall be processed in accordance with the provisions of the *Planning Act*, and regulations pursuant thereto, and the procedural requirements of this Plan. In general, after an applicant's pre-application consultation meeting with municipal staff and submission of an application that is determined to be complete, all applications shall:

(a) Be circulated to appropriate agencies and those agencies be provided with sufficient time to respond;

(b) Be advertised and be presented to the public and the views of the public ascertained at a public meeting to be held in accordance with the Planning Act; and

(c) Be given due and thorough consideration by Council.

EVALUATION CRITERIA

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

(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;

(b) Relevant support studies;

(c) The comments and recommendations from municipal staff and circularized agencies;

(d) Relevant provincial legislation, policies and appropriate guidelines; and

(e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX C – EXCERPTS FROM ZONING BY-LAW 8600

9.5 18.2 MANUFACTURING DISTRICT 1.2 (MD1.2)

18.2.1 PERMITTED USES

Ambulance Service
Building Materials Recycling Store
Bulk Storage Facility
Business Office
Contractor's Office
Equipment Rental Shop
Food Catering Service
Food Processing Facility
Laundry Plant
Manufacturing Facility
Medical Appliance Facility
Micro-Brewery
Public Parking Area
Repair Shop - Heavy
Repair Shop – Light
Self-Storage Facility
Towing Service
Warehouse
Water Transportation Facility
Welding Shop

Any of the following *Ancillary Uses*:
Automobile Sales Lot
Car Wash Automatic
Car Wash Coin Operated
Club
Food Outlet - Drive-through
Food Outlet - Take-out
Gas Bar
Health Studio
Restaurant
Restaurant with Drive-through
Retail Store – Equipment & Supplies
Veterinary Office
Wholesale Store

Any use accessory to any of the above uses, including a *Caretaker's Residence*, *Retail Store*, or *Transport Terminal*

18.2.3 PROHIBITED USES

Outdoor storage of *aggregate*

Transport Terminal as a *main use*

18.2.5 PROVISIONS

.4	Building Height – maximum	14.0 m
.5	Front Yard Depth – minimum	6.0 m
.7	Side Yard Width – minimum	
	a) From a *side lot line* that abuts a *lot* on which a *dwelling* or *dwelling unit* is located	6.0 m
	b) From an *exterior lot line*:	3.0 m
.8	Landscaped Open Space Yard – minimum	15.0% of *lot area*
.10	Gross Floor Area – *Retail Store* – maximum	25.0% of the *GFA* of the *main building*

12.2 RESIDENTIAL DISTRICT 3.2 (RD3.2)

12.2.1 PERMITTED USES

Lodging House
Multiple Dwelling
Religious Residence
Residential Care Facility

Any of the following *existing* dwellings:
Double Duplex Dwelling
Duplex Dwelling
Semi-Detached Dwelling
Single Unit Dwelling

Any use accessory to any of the preceding uses

12.2.5 PROVISIONS

.1	Lot Frontage – minimum	30.0 m
.2	Lot Area – minimum	
	For a *corner lot* having a minimum frontage of 30.0 m on each of the *exterior lot lines*:	
	a) For the first 5 *dwelling units*	540.0 m^2
	b) For the next 19 *dwelling units*	67.0 m^2 per unit
	c) For each additional *dwelling unit*	44.0 m^2 per unit
	For any other *lot*:	
	d) For the first 4 *dwelling units*	540.0 m^2
	e) For the next 15 *dwelling units*	85.0 m^2 per unit
	f) For each additional *dwelling unit*	55.0 m^2 per unit
.3	Lot Coverage – maximum	35.0%
.4	Main Building Height – maximum	
	Corner Lot	24.0 m
	Interior Lot	18.0 m
.8	Landscaped Open Space Yard – minimum	35.0% of *lot area*
.13	Dwelling Unit Density – *dwelling units* per hectare – maximum	
	For a *corner lot* having a minimum frontage of 30.0 m on each of the *exterior lot lines*	188 units per ha
	For any other *lot*	150 units per ha

.50 A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any *accessory use*. [ZNG/5630]

(AMENDED by B/L 95-2019, Sept. 27/2019)

.55 A addition to an *existing Double Duplex Dwelling*, *existing Duplex Dwelling, existing Semi-Detached Dwelling* or an *existing Single Unit Dwelling* and any use accessory to the preceding uses, shall comply with the provisions of Section 11.2.5.

SECTION 20 - SPECIFIC ZONING EXCEPTIONS IN CERTAIN AREAS

(1) SITE SPECIFIC PROVISIONS

97. For all lands generally bounded on the north by Enterprise Way, on the south by Quality Way, on the west by the Canadian National Railway right-of-way and on the east by Lauzon Parkway, being more specifically delineated on Zoning District Maps 11 and 15, the following regulations shall apply:

(i)	Minimum front yard depth	-	9 metres; a required front yard shall be maintained exclusively as a landscaped open space yard;
(ii)	Minimum side yard depth	-	6 metres; provided that, a minimum set back of 9 metres shall be required for any side yard abutting a street;
(iii)	Minimum rear yard depth	-	6 metres;
(iv)	Maximum building height	-	14.5 metres for any building or structure within 150 metres of a residential district, otherwise no height limit shall apply;
(v)	Minimum building set back	-	70 metres from Lauzon Parkway

(vi) An access area may cross a landscaped open space yard;

(vii) No off-street loading or truck storage area shall be permitted in any yard abutting

Lauzon Parkway. (ZDM 11, 15)

APPENDIX D: CONSULTATIONS TABLE

Comments from Municipal Departments & External Agencies

ASSESSMENT MANAGEMENT OFFICER - Jose Mejalli, June 25, 2020
No objection to the proposed change to the zoning of the subject land from MD1.2 to RD3.2 (Residential District 3.2) to permit the construction of three 5-storey apartment buildings with a total of 182 units with additional parking spaces.

CALDWELL FIRST NATION - Nikki van Oirschot, July 29, 2020
Confirming receipt of your communication.

CANADA POST - Bruno DeSando, June 25, 2020
See comment on pages 4 & 5

ENGINEERING - DEVELOPMENT, PROJECTS & ROW – Shannon Mills & Pat Winters, July 7, 2020

The subject lands are located at 0 Hawthorne Drive. The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning of the subject lands from MD1.2 to RD3.2 to permit the construction of three, 5-storey apartment buildings with a total of 182 units and 267 parking spaces. We have reviewed the servicing requirements of the subject parcel and offer the following comments:

The site may be serviced by a 300mmØ PVC sanitary sewer on Enterprise Way and a 450mmØ RCP sanitary sewer on Hawthorne Drive. There is also a 900mmØ RCP storm sewer along Enterprise Way and a 1825mmØ RCP trunk storm sewer on Hawthorne Drive. A functional servicing study for full municipal services (sanitary, storm, water) is required. Existing connections should be utilized where possible to minimize work within the right-of-way, any redundant private drain connections are to be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3, to the satisfaction of the City Engineer. Storm water management completed in accordance with the Windsor/Essex Region Stormwater Standards Manual. A sanitary sampling manhole will be required to the satisfaction of the City Engineer.

A Right-of-Way permit is required for any work on the right of way. All driveway approaches shall be constructed to City Standard AS-204.

In summary, we have no objections to this rezoning application, subject to the following: (Requirements can be imposed at the time of Site Plan Control):

Site Plan Control Agreement – The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Site Servicing Plans – The owner agrees to submit a site servicing plan for the subject lands to the satisfaction of the Chief Building Official, the City Engineer, and ERCA in regulated areas, prior to the issuance of any construction permits for the subject lands.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures. The Study is required to be finalized to the satisfaction of the City Engineer prior to the issuance of construction permits.

Corner Cut-Off – The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m (15' x 15') corner cut-off at the intersection of Hawthorne Drive and Enterprise Way in accordance with City of Windsor Standard Drawing AS-230.

If you have any questions or concerns, please contact Shannon Mills, of this department at smills@citywindsor.ca

ENBRIDGE GAS (Operating as UNION GAS) – Gord Joynson, June 30, 2020
Enbridge has no objection to this application.

ENVIRONMENTAL SERVICES – Anne Marie Albidone, June 17, 2020
No concerns from Environmental Services.

ENVIRONMENTAL & SUSTAINABILITY COORDINATOR – Yared Meraal, September 1, 2020
No comments from Pollution Control.

ENWIN UTILITIES (Hydro Engineering) – Cecile Dalgleish, June 25, 2020
Hydro Engineering: No Objection. ENWIN has overhead primary distribution on the north side of Hawthorne, the west side of Enterprise Way and north of the property. Attached is a sketch for reference. We recommend referring to the Occupational Health and Safety Act for clearance requirements to hydro distribution during the construction phase.

ENWIN UTILITIES (Water Engineering) – Cecile Dalgleish, June 25, 2020
Water Engineering has no objections to the rezoning.

ESSEX REGION CONSERVATION AUTHORITY (ERCA) – Fernando Cirino, June 18, 2020:
See comment on pages 6 & 7 of this Appendix D.

HERITAGE PLANNER– Kristina Tang, September 1, 2020
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 Cultural Affairs, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries 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 Heritage, Sport, Tourism and Culture Industries and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Heritage, Sport, Tourism and Culture Industries.

Contacts:
Windsor Planning & Building Department:

519-255-6543 x6179, planningdept@citywindsor.ca
Windsor Manager of Cultural Affairs:
Cathy Masterson, 519-253-2300x2724, cmasterson@citywindsor.ca
Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca
Windsor Police: 911
Ontario Ministry of Government & Consumer Services
Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, nancy.watkins@ontario.ca

LANDSCAPE ARCHITECT – Stefan Fediuk, June 30, 2020

Zoning Provisions for Parking Setback:

Concept plan provided complies with all Zoning Provisions related to landscape setbacks and open spaces.

Tree Preservation:

There is a remnant hedgerow of trees and scrub undergrowth running north-south through the middle of the site.

Require a tree survey identifying species, location, and condition of all trees on the subject lands. The tree survey will used at the time of Site Plan review to calculate urban forest canopy loss and compensation.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of parkland dedication as per By-law 12780, and the Planning Act, and Bill108.

Detailed landscape requirements will be provided at the time of site plan review.

TRANSIT WINDSOR – Jason Scott, June 18, 2020

Transit Windsor has no objections to this development. Currently the closest transit service would be the Ottawa 4 route with a bus stop located on Meadowbrook at Hawthorne SW Corner. This bus stop is approximately 500 metres away from this property falling outside of our 400 metre walking distance average to a bus stop. Our new Council approved Transit Master Plan does propose to have a new local route providing direct service to this property with service on both Enterprise Way and Hawthorne here.

TRANSPORTATION PLANNING SENIOR ENGINEER – Jeff Hagan, September 1, 2020

We have reviewed the transportation impact study report for the above-noted application ("Hawthorne Drive Development City of Windsor Traffic Impact Study" dated May 5, 2019, by John Tofflemire and Aaron Blata of R.C. Spencer Associates Inc.) Our comments are below.

Overall, the report establishes that the traffic impacts of the proposed development can be accommodated by the existing surrounding road network without off-site improvements.

This report is also sufficient for the site plan control application for the proposed development, unless the proposed development size or site access configuration at the site plan control stage differs significantly from the conceptual site plan provided in the report.

The report recommends landscaping restrictions in the vicinity of the proposed access on Enterprise Way; these recommendations should be taken into account at the site plan control stage.

WINDSOR FIRE & RESCUE SERVICES – John Lee, June 26, 2020
WFRS has no concerns with rezoning for this project.

CANADA POST - Bruno DeSando, June 25, 2020

June 25, 2020

JUSTINA NWAESEI
CITY OF WINDSOR
350 CITY HALL SQUARE EAST, SUITE 210
WINDSOR ON N9A 6S1

Reference: **Z-010/20**

Dear Justina,

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Regards,

Bruno DeSando

Bruno DeSando
CANADA POST CORPORATION
Delivery Planning
955 Highbury Avenue
LONDON ON N5Y 1A3
tel: 519-494-1596
fax: 519-457-5412
e-mail: bruno.desando@canadapost.ca

ADDRESSING AND DELIVERY PLANNING
CANADA POST CORPORATION
CANADAPOST.CA

ADRESSAGE ET PLANIFICATION DE LA LIVRAISON
SOCIÉTÉ CANADIENNE DES POSTES
POSTESCANADA.CA

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
  - Residential compartments must be at least 12.5 x 13.5 cm
  - Commercial compartments at least 13.5 x 30.5 cm
  - Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening

Essex Region Conservation
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planning@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

June 18, 2020

Ms. Justina Nwaesei, Planner II – Development Review
City of Windsor, Development Services
350 City Hall Square West
Windsor, Ontario, N9A 6S1

Dear Ms. Nwaesei:

RE: Zoning By-Law Amendment Z-010-20 7150 HAWTHORNE DR
ARN 373907067057502; 373907067057500; PIN: 013790444
Applicant: 2356976 Ontario Inc.

The following is provided as a result of our review of Zoning By-Law Amendment Z-010-20 to change zoning from Manufacturing District 1.2 (MD1.2) to Residential District (RD3.2) to permit construction of 3 (5 Storey) Apartment buildings, and parking lot.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

We have reviewed our floodline mapping for this area and it has been determined this site is **not** located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act,* Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

SECTION 1.6.6.7 Stormwater Management (PPS, 2014)

ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the future proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100

Essex Region Conservation Authority
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Ms. Nwaesei
June 18, 2020

year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We further recommend that the stormwater management analysis be completed to the satisfaction of the Municipality. We do not require further consultation on this file with respect to stormwater management.

PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

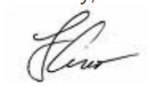
The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS). Based on our review, we have no objection or further comments to the application with respect to natural heritage policies.

FINAL RECOMMENDATION

ERCA has no objections to this Zoning Bylaw Amendment.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Fernando Cirino, MUD
Resource Planner
/fc

Essex Region Conservation Authority
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APPENDIX E - SUMMARY OF REQUIRED SUPPORT STUDIES

Support studies, information and materials may be required as a part of the development and infrastructure approval process or as a part of a more detailed planning study (s.10.2.1.1, OP Vol. 1). All support studies shall be prepared by qualified professionals to the satisfaction of the Municipality (s.10.2.1.3). All relevant mitigation recommendations included in a support study shall be considered as condition of approval to be implemented by the proponent of development (s.10.2.1.5).

The applicant submitted the following support studies, information and materials:

- ✓ Addendum to the Application (prepared by Pillon Abbs Inc., Land Use Planning Consultant);
- ✓ Transportation Impact Study (prepared by R. C. Spencer Associates Inc., consulting Engineers); and
- ✓ Noise Report (prepared by Akoustik Engineering Limited)

Below are highlights of each report/study submitted by the applicant:

- ***Addendum to the ZBA Application***, dated June 1, 2020 and revised September 21, 2020, was prepared by Pillon Abbs Inc., Land Use Consultant. The report provided Zoning Analysis for the subject amendment and concluded that the proposed development on the subject land will comply with all zoning provisions set out in the RD3.2 zoning.

  The report also provided Planning Analysis addressing PPS Policies 1.2.6.1 and 1.2.6.2 and Official Plan sections 6.9.2.4 and 11.6.3.3 (e). The analysis concluded that no adverse effects to the proposed land use are anticipated and no impacts to abutting lands are anticipated. Further, the analysis demonstrates that the proposed Mixed Use development (Residential Apartments) meets the mixed use evaluation criteria set out in section 6.9.2.4 of the OP and meets the zoning amendment evaluation criteria set out in s. 11.6.3.3 (e)

- ***Transportation Impact Study***, dated May 2019, was prepared by RC Spencer Associates Inc. Consulting Engineers. The study examined the traffic implications of the proposed development on traffic operations in the area. It identified any traffic operations impact on peripheral intersections directly affected by the proposed development. Using recently obtained turning movement counts and applying the best available trip generation and distribution data and methodologies, an analysis was completed to measure the operational impact of the development on conditions on the adjacent intersections. The analysis was completed in consideration of existing, site generated, projected 2025 traffic growth, and projected 2030 traffic growth volumes.

  After modelling the traffic network and extracting the relevant traffic operations metrics, a number of conclusions were made as shown in the report. It was recommended that the Westerly Site Access be allowed, but reviewed at the time of construction to ensure that the sight lines are clear of potential obstructions. The Engineer`s opinion is that the proposed development would have a nominal effect on traffic operations in the area.

- ***Noise Assessment Report***, dated Dec. 19, 2019 and revised September 21, 2020, was prepared by Akoustik Engineering Limited. The report is an acoustic assessment for the proposed residential apartment development to be located at Hawthorne Drive and Enterprise Way.

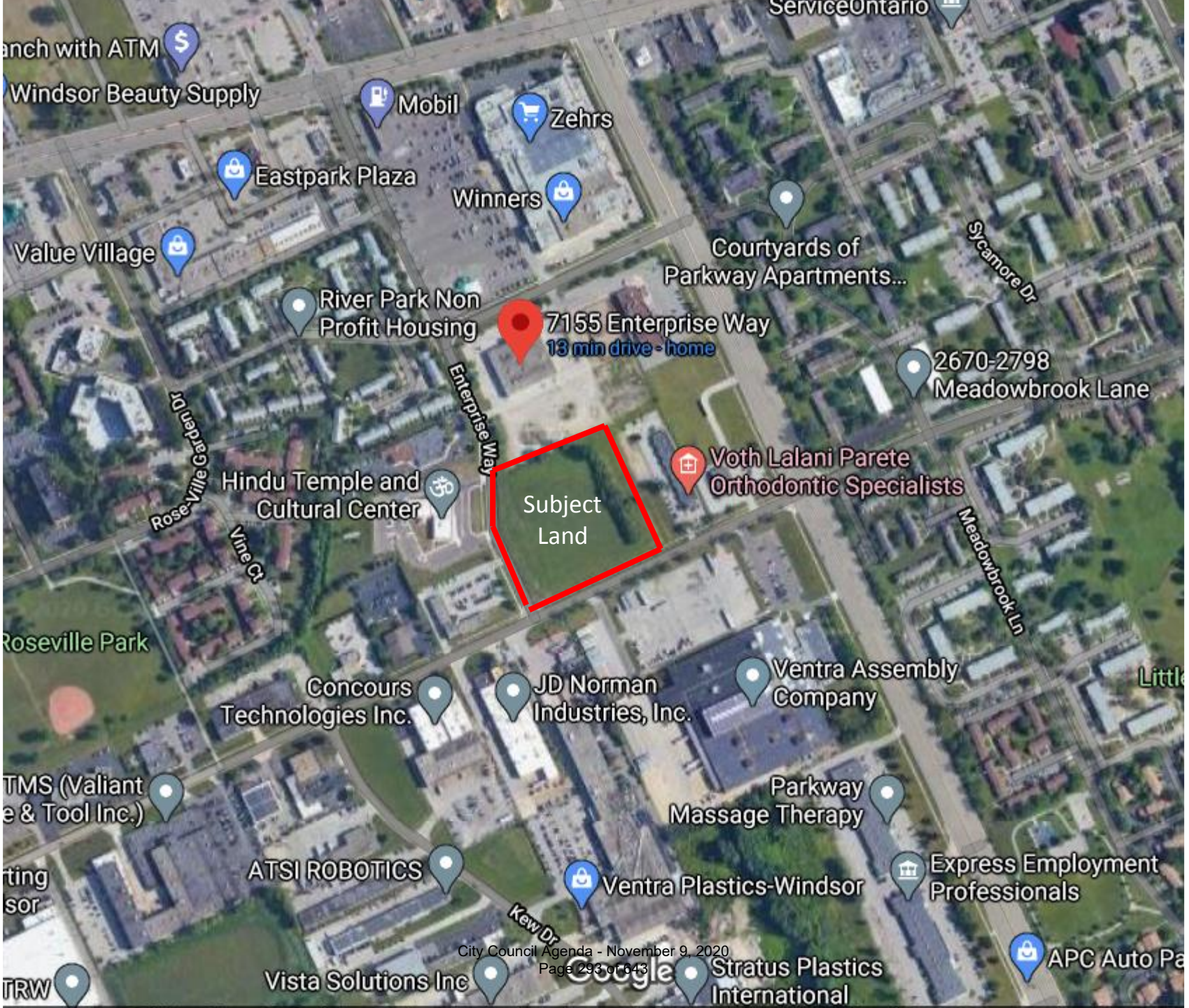
  The report identified several potential sources of stationary noise located to the south and southwest of the subject lands and concludes that the identified industrial lands do not have an adverse impact on the proposed development. The report states that *"the proposed development is classified as a Class 2 area, given that the region exhibits features of both a Class 1 and Class 3 area, based on the environmental noise characteristics".*

  The report assesses the environmental noise impacts from nearby road traffic and summarizes the required warning clauses and building requirements in Table 3 below. The report concludes that "*given the predicted noise levels, the calculation of the minimum sound transmission class (STC) for the window and building wall components is not necessary for this development*".

  The report requires that any necessary warning clauses be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease. The report also shows that the noise impact on the proposed development is within the guideline limits set by the Ontario Ministry of the Environment, Conservation and Parks, and recommends that the development be given approval with the understanding that the stated warning clauses be included for the required lots.

Table 3: Summary of Warning Clauses and Building Component Requirements

Units(s)	Noise Barrier Requirement (Y/N)	Warning Clause(s)	Building Component Requirement(s)	Ventilation Requirement(s)
All east apartment building units	N	Type C	Standard Building Requirements	Provision for the installation of central air conditioning
All west apartment building units	N	None	Standard Building Requirements	None


ServiceOntario
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Mobil
Zehrs
Eastpark Plaza
Winners
Value Village
Courtyards of
Parkway Apartments...
Sycamore Dr
River Park Non
Profit Housing
7155 Enterprise Way
13 min drive - home
2670-2798
Meadowbrook Lane
Enterprise Way
Rose-Ville Garden Dr
Hindu Temple and
Cultural Center
Subject
Land
Voth Lalani Parete
Orthodontic Specialists
Vine Ct
Meadowbrook Ln
Roseville Park
Concours
Technologies Inc.
JD Norman
Industries, Inc.
Ventra Assembly
Company
TMS (Valiant
e & Tool Inc.)
Parkway
Massage Therapy
ATSI ROBOTICS
Ventra Plastics-Windsor
Express Employment
Professionals
Kew Dr
Vista Solutions Inc
Stratus Plastics
International
APC Auto Pa

APPENDIX F – GOOGLE PHOTOS –Sep 2017 image capture Files Z-010/20

SUBJECT LAND

STREET VIEW FROM HAWTHORNE & ENTERPRISE INTERSECTION, LOOKING EAST TOWARDS LAUZON PARKWAY

STREET VIEW FROM HAWTHORNE & ENTERPRISE INTERSECTION, LOOKING NORTH

APPENDIX F – GOOGLE PHOTOS – Sep 2017 image capture Files Z-010/20

STREET VIEW FROM HAWTHORNE & ENTERPRISE INTERSECTION, LOOKING WEST

STREET VIEW FROM ENTERPRISE WAY, LOOKING SOUTH TOWARDS HAWTHORNE DRIVE

And APPENDIX G – Draft By-law

B Y - L A W N U M B E R -2020

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

Passed the day of , 2020.

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. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	15	Part of Block A, Registered Plan 1644, designated as Part 2 on Reference Plan 12R-26956; (located at the northeast corner of Hawthorne Drive and Enterprise Way)	n/a	MD1.2	RD3.2

2. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

"398. Northeast corner of Hawthorne Drive & Enterprise Way

For the lands comprising Part of Block A, Registered Plan 1644, and designated as Part 2 on Reference Plan 12R-26956, the maximum building height provision in section 20(1)97(iv) of By-law 8600, shall not apply to a multiple dwelling on the subject land. [ZDM 15; ZNG/6072]"

DREW DILKENS, MAYOR

CLERK

First Reading - , 2020
Second Reading - , 2020
Third Reading - , 2020

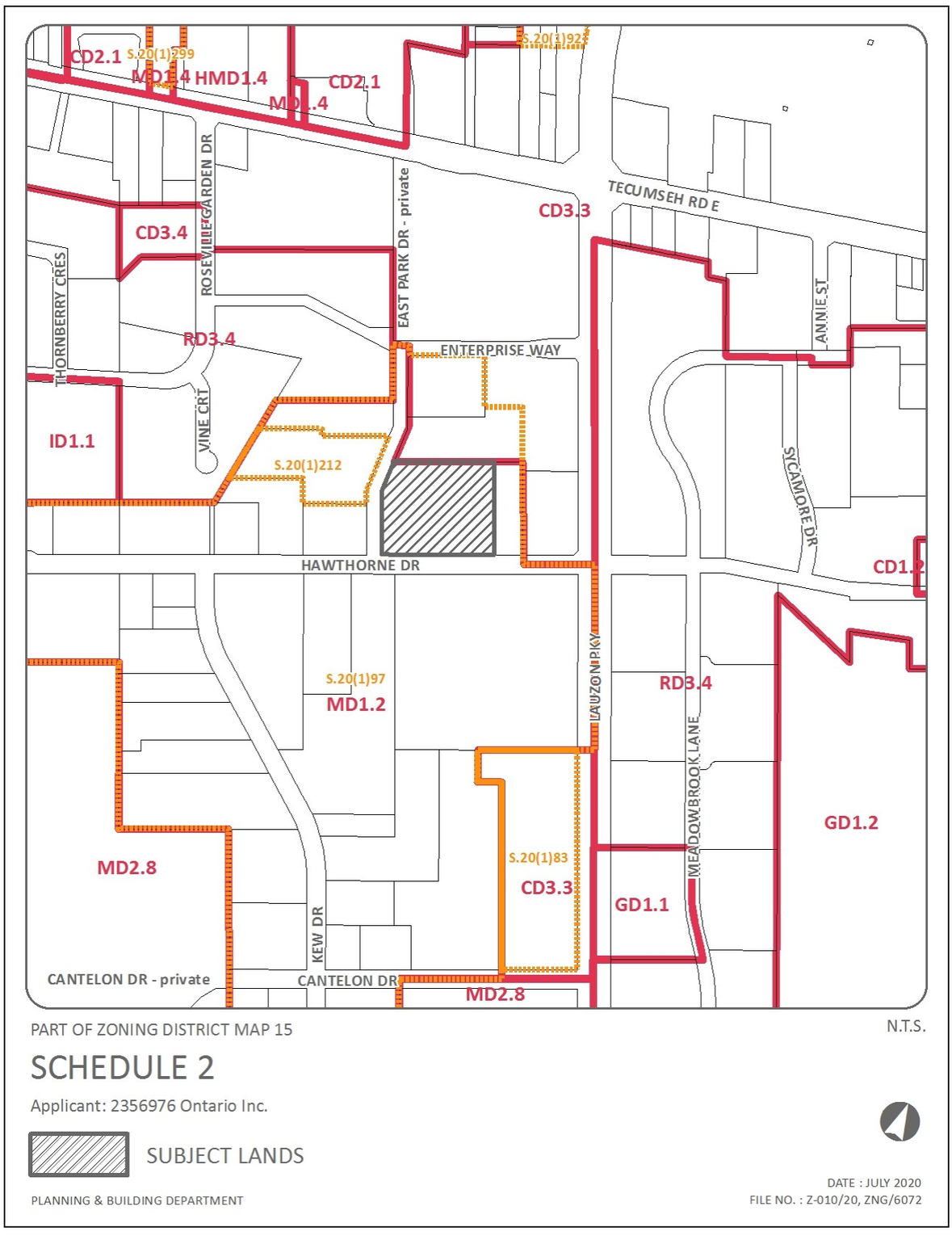
SCHEDULE 2

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

   To amend the zoning of the land located at the northeast corner of Hawthorne Drive and Enterprise Way, described as Part of Block A, Registered Plan 1644, and designated as Part 2 on Plan 12R-26956, by changing the zoning from MD1.2 to RD3.2.

   The zoning change will facilitate the development of a 5-storey multiple dwelling with 182 dwelling units on the subject vacant land. This amendment will result in a transit supportive development on the subject land.

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



THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 308/2020

Subject: Rezoning - Baker Investments Ltd. – 8380-8474 Wyandotte Street East - Z-014/20 ZNG/6122 - Ward 6

Moved by: Councillor Holt
Seconded by: Member Gyemi

Decision Number: **DHSC 204**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Block A, Registered Plan 1627 (8380-8474 Wyandotte Street East; Roll No.: 060-330-00300; PIN 01066-0242), located on the north side of Wyandotte Street East between Watson Avenue and Isack Drive, by adding a site specific provision to Section 20(1) as follows:

396. **NORTH SIDE OF WYANDOTTE STREET EAST BETWEEN WATSON AVENUE AND ISACK DRIVE**

For the lands comprising Part of Block A, Registered Plan 1627, a *Lodging House, Multiple Dwelling, Religious Residence, and Residential Care Facility* shall be additional permitted uses and the provisions of Section 12.2.5 shall apply to the additional permitted uses.

[ZDM 14; ZNG/6122]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to consider, but not limited to:

a) The comments from Office of the City Engineer - Engineering Department – Right-of-Way Division, dated August 25, 2020, regarding Site Servicing Plans, Servicing Study, Reciprocal Access and Services, and Land Conveyance.

b) The comments from Canada Post Corporation, dated August 14, 2020, regarding Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense.

3. THAT that portion of 8380-8474 Wyandotte Street East subject to rezoning Z-014/20 ZNG/6122 **BE EXEMPT** from Interim Control By-law 103-2020.

Carried.

Councillor Morrison was absent from the meeting when the vote was taken on this matter.

Report Number: S 124/2020
Clerk's File: ZB/13898

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: Rezoning - Baker Investments Ltd. – 8380-8474 Wyandotte Street East - Z-014/20 ZNG/6122 - Ward 6

Reference:

Date to Council: October 13, 2020
Author: Adam Szymczak, MCIP, RPP
Senior Planner
519-255-6543 x 6250
aszymczak@citywindsor.ca

Planning & Building Services
Report Date: September 8, 2020
Clerk's File #: ZB/13898

To: Mayor and Members of City Council

Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Block A, Registered Plan 1627 (8380-8474 Wyandotte Street East; Roll No.: 060-330-00300; PIN 01066-0242), located on the north side of Wyandotte Street East between Watson Avenue and Isack Drive, by adding a site specific provision to Section 20(1) as follows:

396. **NORTH SIDE OF WYANDOTTE STREET EAST BETWEEN WATSON AVENUE AND ISACK DRIVE**

For the lands comprising Part of Block A, Registered Plan 1627, a *Lodging House, Multiple Dwelling, Religious Residence, and Residential Care Facility* shall be additional permitted uses and the provisions of Section 12.2.5 shall apply to the additional permitted uses.

[ZDM 14; ZNG/6122]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to consider, but not limited to:

a) The comments from Office of the City Engineer - Engineering Department – Right-of-Way Division, dated August 25, 2020, regarding Site Servicing Plans, Servicing Study, Reciprocal Access and Services, and Land Conveyance.

b) The comments from Canada Post Corporation, dated August 14, 2020, regarding Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense.

3. THAT that portion of 8380-8474 Wyandotte Street East subject to rezoning Z-014/20 ZNG/6122 **BE EXEMPT** from Interim Control By-law 103-2020.

Executive Summary:

N/A

Background:

Application Information:

Location: 8380-8474 Wyandotte Street East

Part of Block A, Registered Plan 1627; PIN 01066-0242

Roll No.: 060-330-00300

Ward: 6

Planning District: Riverside **Zoning District Map**: 14

Applicant: Baker Investments Limited

Agent: Architectural Design Associates Inc. (Stephen Berrill)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to rezone a part of 8380-8474 Wyandotte Street East by adding a Multiple Dwelling as an additional permitted use.

The applicant proposes to construct a 5-storey Multiple Dwelling in the southeast corner of the parcel consisting of 63 dwelling units (16 1-bedroom units and 47 2-bedroom units) with a total of 81 parking spaces including 4 accessible parking spaces, and one loading space. The existing easterly-most driveway will be used for vehicular access and will be shared with the existing commercial development. The applicant intends to sever the parcel and apply for a Plan of Condominium in the future.

Submitted Material: Application Form, Site Plan (see Appendix A), Grading and Servicing Plan, Sanitary Sewer Study, Storm Water Management Report, Proof of Ownership.

Site Information:

OVERALL PARCEL

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Mixed Use	Commercial District 2.1 (CD2.1)	Commercial Plaza & Vacant Land	N/A
LOT FRONTAGE	**LOT DEPTH (AVG)**	**LOT AREA**	**LOT SHAPE**
206.2 m	187.4 m	3.75 ha	Irregular
676.8 ft	614.9 ft	9.27 ac	
All measurements are approximate.			

LANDS SUBJECT TO REZONING:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Mixed Use	Commercial District 2.1 (CD2.1)	Commercial Plaza & Vacant Land	N/A
LOT FRONTAGE	**LOT DEPTH**	**LOT AREA**	**LOT SHAPE**
76.0 m	107.1 m	6,732.8 sq m	Irregular
249.2 ft	351.5 ft	72,471.3 sq ft	
All measurements are provided by applicant and are approximate.			

Neighbourhood Characteristics:

Wyandotte Street East is a major east-west road that is commercial on the north side from the subject parcel towards Lauzon Road and on the south side from Watson Avenue to Lauzon Road. Northwest, north and northeast are predominantly single unit dwellings. St. John Vianney Catholic Elementary School is to the north on Cedarview Street, and M.S. Hetherington Public Elementary School is to the northeast on Menard. The Ganatchio Trail is located to the north along Clearview.

To the east towards Riverdale Avenue, on the north and south sides of Wyandotte Street, are several three to five storey apartment buildings. Further east is the Little River, a significant natural heritage and water feature with multi-use trails. To the southeast, south and southwest are low density dwellings and Riverside Secondary School. Immediately across from the subject land, are townhouse dwellings and multiple dwellings. Several Places of Worship exist in the surrounding neighbourhood.

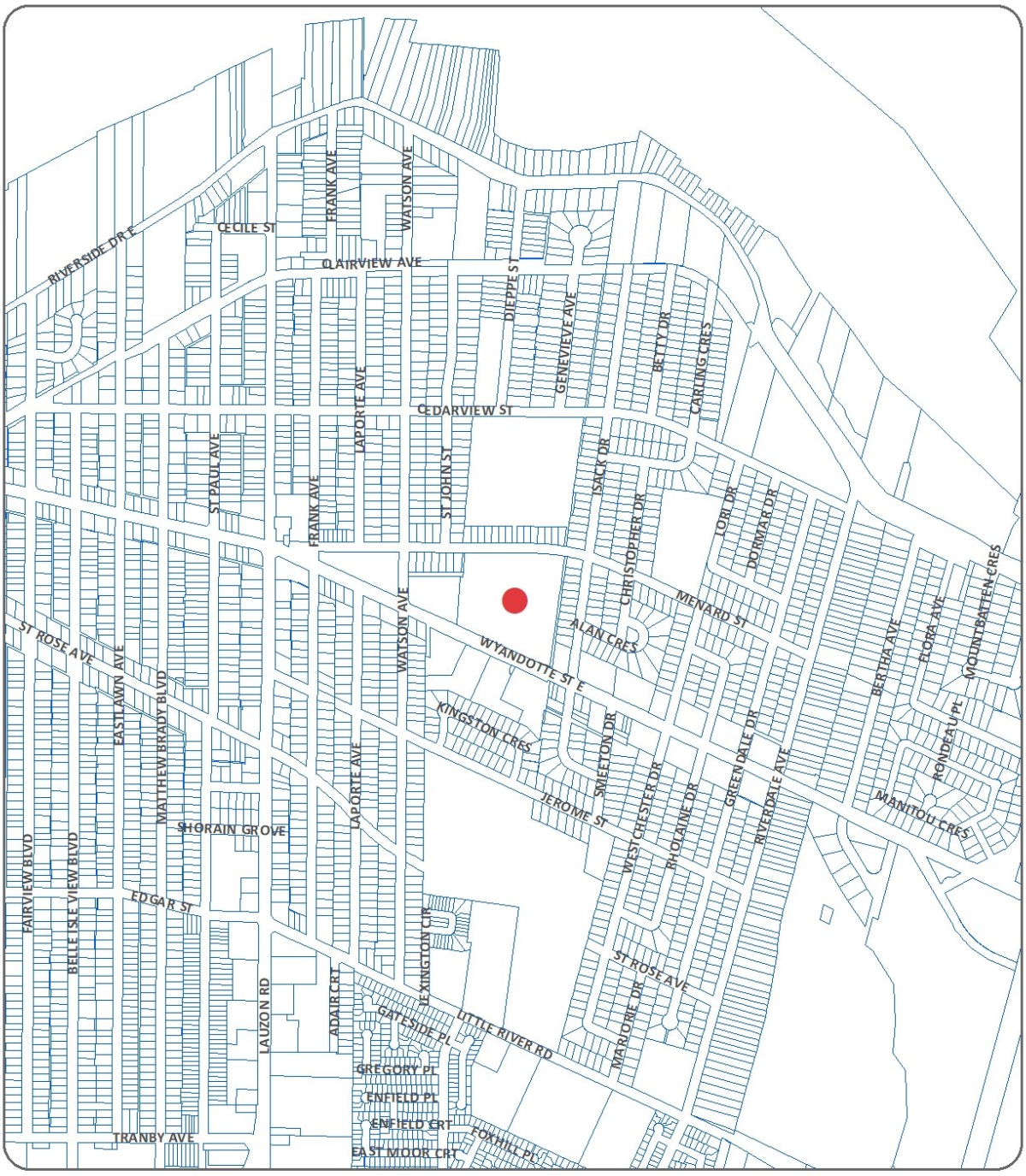
Wyandotte Street East is classified a Class II Arterial Road, has a two-lane cross-section with no on-street parking, and has sidewalks on both sides. The width of the Wyandotte Street right-of-way is sufficient; a conveyance is not required.

Existing water mains, storm sewers, sanitary sewers are in both Wyandotte Street East and Menard Street. The Right-of-way Division indicates storm detention is currently being provided by a dry pond on the overall parcel.

Public transit is available via the Lauzon 10 bus route (westerly direction only) with bus stops approximately 170 m to the west and 110 m to east. The Crosstown 2 bus route is accessible at Wyandotte and Lauzon, about 590 m to the west or at Wyandotte and Riverdale, about 535 m to the east. The Transit Master Plan proposes a local bus route will operate along this portion of Wyandotte Street and will provide access to Primary and Secondary Routes at the East End Terminal at Tecumseh Mall.

Cycling facilities are not currently available. The Active Transportation Master Plan identifies Wyandotte Street as a Regional Spine in the Bicycle Network and as a Multi-modal Corridor.

Figure 1: Key Map



KEY MAP - Z 014-20, ZNG-6122

SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning

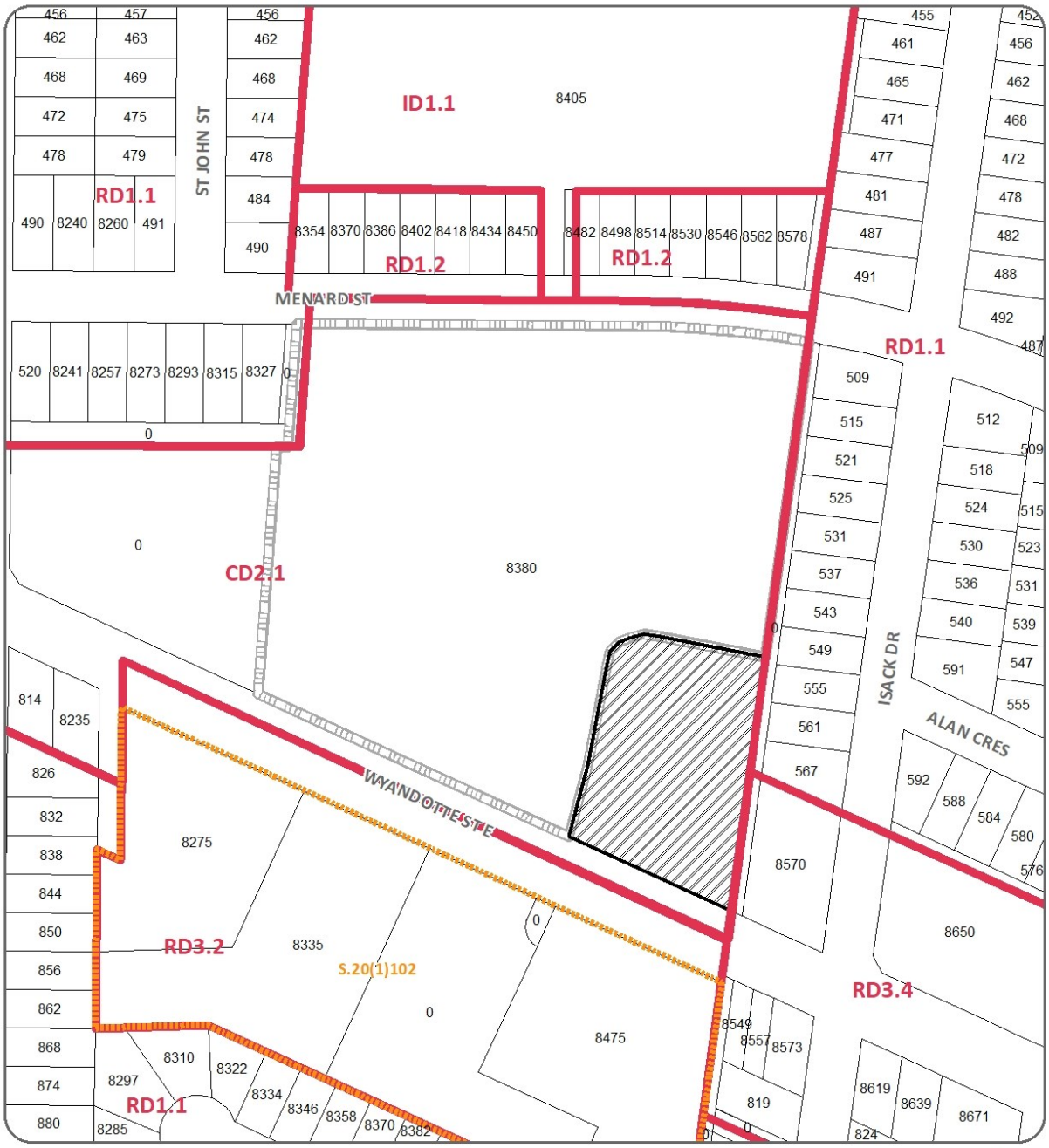


Figure 3: Neighborhood Map

Discussion:

Provincial Policy Statement, 2020

The Provincial Policy 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 1.1.1 of the PPS states:

"Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;"

The proposed multiple 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, an optimizes investments in transit. The requested zoning amendment is consistent with Policy 1.1.1 of the PPS.

Policy 1.1.3.1 of the PPS states:

"Settlement areas shall be the focus of growth and development."

Policy 1.1.3.2 of the PPS states:

"Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed;"

The subject parcel is located within the settlement area. The proposed multiple dwelling will make efficient use of land and existing infrastructure. Active transportation options and transit services are or will be located adjacent or near the parcel. The zoning amendment is consistent with PPS Policies 1.1.3.1 and 1.1.3.2.

The proposed amendment to Zoning By-law 8600 is consistent with the PPS.

Official Plan:

The subject property is located within the Riverside Planning District and is designated Mixed Use on Schedule D: Land Use of the City of Windsor Official Plan. Relevant excerpts from the Official Plan are attached as Appendix C.

Under Section 6, Volume I of the Official Plan, Objective 6.9.1.1 encourages multi-functional areas which integrate compatible commercial, institutional, open space and residential uses. Objective 6.9.1.2 encourages a compact form of mixed use development. Objective 6.9.1.5 seeks to ensure the long term viability of Mixed Use areas. The proposed Multiple Dwelling represents a compact, functional, and compatible use for an underutilized property that improves the viability of the area. The requested zoning amendment satisfies the objectives set out in Section 6.9.1 of OP.

Section 6.9.2.1 states that uses permitted in the Mixed Use designation are retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development. The Multiple Dwelling is a residential use and is compatible with existing commercial and residential uses along Wyandotte Street. No deficiencies in municipal physical services and emergency services have been identified (Section 6.9.2.4(c)). The proposed development provides adequate parking (Section 6.9.2.4(d)). The requested zoning amendment conforms to the policies set out in Sections 6.9.2.1 and 6.9.2.4 of the Official Plan.

The requested zoning amendment conforms to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan. The proposed zoning change conforms to the Official Plan.

Zoning By-Law:

Relevant excerpts from Zoning By-law 8600 are attached as Appendix D. The applicant is requesting an amendment to allow a multiple dwelling as an additional permitted use. The applicant indicated that they want to keep the existing CD2.1 zoning to give them flexibility in their development plans. Recommendation 1 adds a site specific exception for the parcel to allow the uses permitted in the RD3.2 zoning as additional permitted uses and makes those additional uses subject to the provisions (Section 12.2.5) of the RD3.2 zoning district. Essentially this part of the property can be developed as commercial per CD2.1 or as residential per RD3.2.

The applicant submitted a conceptual site plan and the proposed development complies with the minimum lot frontage, minimum lot area, maximum lot coverage, maximum main building height, and dwelling unit density provisions of RD3.2. The proposed parking area separation from Wyandotte Street is shown as 2.9 m which does not comply with the 3.0 m required by Section 25.5.20.1.2. The aisle has a width of 6.1 m which exceeds the minimum aisle width of 6.0 m. Reducing the aisle width by 0.1 m and adding it to the parking area separation brings the development into compliance.

Site Plan Control:

Site plan control will apply to the proposed development. Specific design issues or requirements will be considered during site plan review. Recommendation 2 directs the Site Plan Approval Officer to consider comments from City of Windsor – Engineering and Canada Post.

Interim Control By-law 103-2020:

The parcel is subject to Residential Interim Control By-law 103-2020 (RICBL) which prohibits a Group Home, Lodging House, a Shelter, and a dwelling with five or more dwelling units throughout the City of Windsor to allow a land use study to be conducted.

Council Resolution 364/2020 directs that the land use study consider, among other things, residential density. Given the Mixed Use land use designation and existing higher density multiple dwellings along Wyandotte Street East, Planning does not anticipate any conflict between the proposed development and the land use study.

Section 2(1) of B/L 103-2020 exempts a parcel from the provisions of RICBL where an amending by-law to Zoning By-law 8600 to permit a dwelling with five or more dwelling units comes into force on or after January 1, 2017. Should this application be approved, and an amending by-law come into force, the proposed development will be automatically exempt from Interim Control By-law 103-2020. Notwithstanding the automatic exemption, Recommendation 3 confirms that the development will be exempt from Interim Control By-law 103-2020.

Risk Analysis:

N/A

Financial Matters:

N/A

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix E. There are no objections. Specific requirements such as a site servicing plan, a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, and a land conveyance along Wyandotte Street East will be handled during the site plan approval process.

Public Notice: Statutory notice will be advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 120m of the subject parcel. The Development & Heritage Standing Committee is the public meeting as required by the Planning Act.

Planner's Opinion:

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 Policy Statement 2020. The zoning amendment has been evaluated for consistency with the

Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan. Based on the documents submitted by the applicant and the analysis presented in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2020, is in conformity with the City of Windsor Official Plan and constitutes good planning.

Conclusion:

Staff recommend approval of the requested amendment to Zoning By-law 8600 to change the zoning of the subject land by adding a site specific exception to allow the construction of a multiple dwelling.

Planning Act Matters:

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

Neil Robertson, MCIP, RPP — *Manager of Urban Design*

Thom Hunt, MCIP, RPP — *City Planner*

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

SAH *OC*

Approvals:

Name	Title
Neil Robertson	Manager, Urban Design
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Jason Baker Baker Investments Ltd	615 Pelissier Street Windsor ON N9A 4L4	jason@bakerinvestmentsltd.com
Stephen Berrill Architectural Design Associates Inc.	1670 Mercer Street Windsor ON N8X 3P7	sberrill@ada-architect.ca
Councillor Jo-Anne Gignac		
Property owners and residents within 120 m of the subject lands		

Appendices:

1 Appendix A - Conceptual Site Plan
2 Appendix B - Site Images
3 Appendix C - Excerpts from Official Plan
4 Appendix D - Excerpts from Zoning By-law 8600
5 Appendix E - Consultations
6 Appendix F - Draft Amending By-law

EXISTING RETAIL PLAZA
CD2.1

PROPOSED 5 STOREY 63 UNIT APARTMENT BUILDING
BUILDING AREA:
15,900F² / 1,477M²

PROPOSED AMENDMENT TO RD3.2

PARKING FOR 81 CARS

ALAN CRES

ISACK DRIVE

WYANDOTTE STREET EAST

WATSON AVENUE

SITE PLAN
SCALE : 1 : 300

2020/05/25	ZBA
date (yyyy/mm/dd):	issued for:

general notes:

1. THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ARCHITECT.
2. DRAWINGS SHALL NOT BE SCALED.
3. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.
4. ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL CONDITIONS REGARDING CONTRACTOR'S RESPONSIBILITIES IN REGARD TO SUBMISSION OF SHOP DRAWINGS.
5. IN THE EVENT THE ARCHITECT IS RETAINED TO REVIEW SHOP DRAWINGS, SUCH REVIEW IS ONLY TO CHECK FOR CONFORMANCE WITH DESIGN CONCEPT AND WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS.
6. CONTRACTORS SHALL PROMPTLY NOTIFY THE ARCHITECT IN WRITING OF THE EXISTENCE OF ANY OBSERVED VARIATIONS BETWEEN THE CONTRACT DOCUMENTS AND ANY APPLICABLE CODES OR BY-LAWS.
7. THE ARCHITECT IS NOT RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS AND OR TECHNIQUES IN THE CONSTRUCTION OF THIS FACILITY.

stamp:

architectural design associates inc. architect
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email - info@ada-architect.ca www.ada-architect.ca

project:
BAKER APARTMENTS
8400 WYANDOTTE STREET E.

client:
BAKER INVESTMENTS LTD.

title:
SITE PLAN

scale:	AS SHOWN
drawn by:	KW
checked by:	SMB
date:	MARCH 2020
comm. no.:	2019-095
sheet no.:	A1.0

APPENDIX B - SITE IMAGES

IMAGE 1

Subject Land – SE corner of 8380-8474 Wyandotte Street East
Looking Northeast

IMAGE 2

Looking North on Wyandotte Street East
Subject land is in the middle of image
On right side of image is 8570 Wyandotte St E

IMAGE 3

Looking east along Wyandotte Street East towards Isack Drive
Recently built townhouse development on right side

IMAGE 4

Looking west along Wyandotte Street East towards Watson
(subject land is off image to the right)

APPENDIX C – EXCERPTS FROM OFFICIAL PLAN

6. Land Use

6.2 General Policies

TYPES OF DEVELOPMENT PROFILE

6.2.1.2 For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:

(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;

(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.

TYPES OF DEVELOPMENT PATTERN

6.2.1.3 For the purpose of this Plan, Development Pattern refers to an area bounded by the nearest Collector and/or Arterial roads and/or other major linear physical features. Accordingly, two categories of Development Pattern are provided for:

(a) a Neighbourhood which exhibits a characteristic lotting and/or development profile; and

(b) an Undeveloped Area which does not have characteristic lotting or development profile.

6.9 Mixed Use

The lands designated as "Mixed Use" on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community or region. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.

The following objectives and policies establish the framework for development decisions in Mixed Use areas.

6.9.1 Objectives

MULTI-UNCTIONAL AREAS

6.9.1.1 To encourage multi-functional areas which integrate compatible commercial, institutional, open space and residential uses.

COMPACT FORM

6.9.1.2 To encourage a compact form of mixed use development.

SPECIAL IDENTITIES

6.9.1.3 To provide opportunities to create and maintain special area identities and focal points within Windsor.

STRATEGIC LOCATIONS

6.9.1.4 To identify strategic locations which are highly visible and accessible for mixed use development.

VIABLE AREAS

6.9.1.5 To ensure the long term viability of Mixed Use areas.

PUBLIC SPACES 6.9.1.6 To provide public places for strolling, recreation, conversation and entertainment.

TRANSPORTATION MODES 6.9.1.7 To increase the use of walking, cycling and public transportation within the designated Mixed Use area by fostering a strong live-work-shopping-recreation relationship.

6.9.2 Policies

PERMITTED USES 6.9.2.1 Uses permitted in the Mixed Use land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development.

FORM OF MIXED USE AREAS 6.9.2.2 For the purpose of this Plan, Mixed Use development is further classified as follows:

(a) Mixed Use Corridors which occupy linear street frontages with commercial, institutional and open space uses located immediately adjacent to the public right-of-way and residential uses located above grade; and

(b) Mixed Use Centres which are large sites developed according to a comprehensive development plan or nodal developments at the intersection of Controlled Access Highways and/or Arterial roads. This type of Mixed Use development provides a regional, community or neighbourhood focal point with a pedestrian oriented design.

LOCATIONAL CRITERIA 6.9.2.3 Mixed Use development shall be located where:

(a) there is access to a Controlled Access Highway, Class I or Class II Arterial Roads or Class I Collector Road;

(b) full municipal physical services can be provided;

(c) public transportation service can be provided; and

(d) the surrounding development pattern is compatible with Mixed Use development.

EVALUATION CRITERIA 6.9.2.4 At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Mixed Use development 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) within a site of potential or known contamination;

(iii) where traffic generation and distribution is a provincial or municipal concern; and

(iv) adjacent to sensitive land uses and/or heritage resources.

(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

(c) capable of being provided with full municipal physical services and emergency services;

(d) provided with adequate off street parking;

(e) pedestrian oriented;

(f) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and

(g) acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter).

DESIGN GUIDELINES 6.9.2.5 The following guidelines shall be considered when evaluating the proposed design of a Mixed Use development:

(a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;

(b) the mass, scale, orientation, form, and siting of the development achieves a compact urban form and a pedestrian friendly environment;

(c) at least one building wall should be located on an exterior lot line and oriented to the street to afford direct sidewalk pedestrian access from the public right-of-way;

(d) permanent loading, service and parking areas should be located so as not to significantly interrupt the pedestrian circulation or traffic flow on the public right-of-way or within a Mixed Use area;

(e) mid-block vehicular access to properties is generally discouraged and is encouraged via a rear yard service road or alley;

(f) parking areas shall be encouraged at the rear of buildings;

(g) safe and convenient pedestrian access between buildings and public transportation stops, parking areas and other buildings and facilities should be provided;

(h) the development is designed to foster distinctive and attractive area identity;

(i) the public rights-of-way are designed to foster distinctive and attractive area identity and to provide for vehicle use, regular public transportation service as well as pedestrian and cycling travel; and

(j) integration of the development with the surrounding uses to contribute to the unique character of the area.

SITE PLAN CONTROL 6.9.2.6 Council will require all development within areas designated Mixed Use to be subject to site plan control.

11 Tools

11.0 Preamble

The achievement of the goals, objectives and policies of this Plan will occur through the use of specific planning tools and capital budgets. As supported by the Strategic Directions, this chapter of the Official Plan outlines the land use controls and other means available to Council through the authority given to it by the Planning Act.

11.6.3 Zoning By-law Amendment Policies

AMENDMENTS MUST CONFORM

11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

REVIEW PROCEDURE

11.6.3.2 All applications for Zoning By-law amendments shall be processed in accordance with the provisions of the *Planning Act*, and regulations pursuant thereto, and the procedural requirements of this Plan. In general, after an applicant's pre-application consultation meeting with municipal staff and submission of an application that is determined to be complete, all applications shall:

(a) Be circulated to appropriate agencies and those agencies be provided with sufficient time to respond;

(b) Be advertised and be presented to the public and the views of the public ascertained at a public meeting to be held in accordance with the Planning Act; and

(c) Be given due and thorough consideration by Council.

EVALUATION CRITERIA

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

(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;

(b) Relevant support studies;

(c) The comments and recommendations from municipal staff and circularized agencies;

(d) Relevant provincial legislation, policies and appropriate guidelines; and

(e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX D – EXCERPTS FROM ZONING BY-LAW 8600

For information purposes only. Current as Sep 8, 2020.

SECTION 3 – DEFINITIONS

BUILDING means a *structure*, consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, but does not include the following: access area, collector aisle, driveway, parking aisle or parking space not in a parking garage; fence; patio; sign as defined by the Windsor Sign By-law.

MAIN BUILDING means a *building* used for the *main use* of the *lot* and may also include in combination therewith an *accessory use* subject to any applicable provisions for an *accessory use*.

BUILDING HEIGHT means:

1. For any *building* with a flat roof, a roof having a slope of less than 20.0 degrees, or a roof with at least two contiguous slopes, where the lowest slope is greater than the uppermost slope, the vertical distance in metres between the *grade* and the highest point of the roof.

   Where a *building height* provision is expressed in storeys, the *building height* in metres shall be the number of storeys permitted multiplied by 4.0 metres.

   Example: If the minimum building height is 2 storeys and the maximum building height is 3 storeys, multiplying 2 storeys by 4.0 m results in a minimum building height of 8.0 m and multiplying 3 storeys by 4.0 m results in a maximum building height of 12.0 m.

2. For a *main building* with a roof other than that described in clause 1 of this subsection, the vertical distance in metres between the *grade* and the mid-point between the lowest eaves and the highest point of the roof.

   Where *building height* is expressed in storeys, the minimum *building height* in metres shall be the number of storeys required multiplied by 4.0 metres, and the maximum *building height* in metres shall be the number of storeys permitted multiplied by 4.0 metres plus an additional 2.0 metres for the roof.

   Example: If the maximum building height is 2 storeys, multiplying 2 storeys by 4.0 metres plus 2.0 m for the roof, results in a maximum building height of 10.0 m.

   Example: If the minimum building height is 2 storeys and the maximum building height is 3 storeys, multiplying 2 storeys by 4.0 m results in a minimum building height of 8.0 m and multiplying 3 storeys by 4.0 m plus 2.0 m for the roof results in a maximum building height of 14.0 m.

3. For an *accessory building* with a roof other than that described in clause 1 of this subsection, the vertical distance in metres between the *grade* and the highest point of the roof.

DWELLING means a *building* or *structure* that is occupied for the purpose of human habitation. A *correctional institution, hotel, motor home, recreational vehicle, tent trailer or travel trailer* is not a *dwelling*.

MULTIPLE DWELLING means one *dwelling* containing a *minimum* of three *dwelling units*. A *double duplex dwelling*, *semi-detached dwelling*, *stacked dwelling* or *townhome dwelling* is not a *multiple dwelling*.

DWELLING UNIT means a unit that consists of a self-contained set of rooms located in a *building* or *structure*, that is used or intended for use as residential premises, and that contains kitchen and bathroom facilities that are intended for the use of the unit only.

GRADE

1. For the purpose of Section 5.10.9, means the average elevation of the finished surface of the ground adjacent to the accessory building.
2. For the remainder of the By-law, means the average elevation of the crown of that part of the *street* abutting the *front lot line*. Where the elevation of a point on a *building* located on the *lot* is equal to the *grade* elevation, that point is deemed to be "at grade".

HABITABLE ROOM WINDOW means a window in any room or area designed for living, sleeping, eating or food preparation within a *dwelling*, *dwelling unit* or *mobile home dwelling*. It does not include a window in any room or area designed for personal care and grooming, maintaining or storing wardrobe items and household goods, operation of mechanical or utility systems, or parking of a motor vehicle.

LANDSCAPED OPEN SPACE means an area open to the sky and maintained with one or more of the following ground covers: bark; flowers; grass; mulch; ornamental stone, block or brick, excluding construction grade aggregate; shrubs; trees; water feature; wood chips; and may include outdoor recreational facilities accessory to a *dwelling* or *dwelling unit*.

LOADING SPACE means an area used for the temporary parking of a *motor vehicle* while goods are loaded thereon or unloaded therefrom.

LOT means a contiguous parcel of land under one ownership, the boundaries of which are on record in the Land Registry Office of the County of Essex (No. 12) in the Registry or Land Titles Division.

LOT AREA means the total land area in square metres, as measured along a horizontal plane, within the *lot lines* of a *lot*, excluding any part of a *lot* permanently covered by water.

LOT COVERAGE means:

1. the percentage of *lot area* covered by all *buildings* at *grade*, combined with
2. the percentage of *lot area* covered by the vertical downward projection of all roofs, cantilevered building walls and other projecting features exclusive of the following: balconies; chimney breasts; cornices; decks; eaves; fire escapes; steps and ramps; a swimming pool open to the sky; the first 15.0 m^2 of a *sunroom*.

Lot coverage may also be indicated in square metres.

LOT FRONTAGE means the distance in metres measured on a horizontal plane between the *side lot lines*, such distance being measured at a right angle to the line joining the middle of the *front lot line* with either the middle of the *rear lot line* or the apex of the triangle formed by the *side lot lines*, and at a point thereon 6.0 metres distance from the *front lot line*.

LOT LINE means the boundary of a *lot*.

EXTERIOR LOT LINE means a *lot line* which parallels and abuts a *street*.

FRONT LOT LINE means the shortest *exterior lot line*. On a *corner lot*, where the *front lot line* curves to meet an exterior *side lot line*, for the purpose of the determination of length in metres, the *front lot line* shall be determined to extend to the mid-point on the curve where the *front lot line* and *side lot line* meet.

INTERIOR LOT LINE means a *lot line* which does not parallel and abut a *street*.

REAR LOT LINE means the *exterior lot line* or *interior lot line* which is farthest from the *front lot line*. On a *corner lot*, where the *rear lot line* curves to meet an exterior *side lot line*, for the purpose of the determination of length in metres, the *rear lot line* shall be determined to extend to the mid-point on the curve where the *rear lot line* and *side lot line* meet.

SIDE LOT LINE means any *exterior lot line* or *interior lot line* other than a *front lot line* or a *rear lot line*.

SCREENING FENCE means a fence designed and used to visually separate different property uses and to block off views and which is continuous or effectively continuous throughout its entire length in accordance with the provisions of the Fence By-law.

YARD means an open space, which is located on the same *lot* as a *building* or other *structure*, and is unoccupied and unobstructed from ground to sky except for any encroachments not prohibited by this by-law.

LANDSCAPED OPEN SPACE YARD means a *yard* used for *landscaped open space*, patios, terraces, decks and pedestrian walkways.

REQUIRED YARD means for the purpose of Section 5.30 any of *required front yard*, *required rear yard*, *required side yard* or *required landscaped open space yard*.

12.2 RESIDENTIAL DISTRICT 3.2 (RD3.2)

12.2.1 PERMITTED USES

Lodging House
Multiple Dwelling
Religious Residence
Residential Care Facility
Any of the following *existing* dwellings:
Double Duplex Dwelling
Duplex Dwelling
Semi-Detached Dwelling
Single Unit Dwelling
Any use accessory to any of the preceding uses

12.2.5 PROVISIONS

.1	Lot Frontage – minimum	30.0 m
.2	Lot Area – minimum	
	For a *corner lot* having a minimum frontage of 30.0 m on each of the *exterior lot lines*:	
	a) For the first 5 *dwelling units*	540.0 m^2
	b) For the next 19 *dwelling units*	67.0 m^2 per unit
	c) For each additional *dwelling unit*	44.0 m^2 per unit
	For any other *lot*:	
	d) For the first 4 *dwelling units*	540.0 m^2
	e) For the next 15 *dwelling units*	85.0 m^2 per unit
	f) For each additional *dwelling unit*	55.0 m^2 per unit
.3	Lot Coverage – maximum	35.0%
.4	Main Building Height – maximum	
	Corner Lot	24.0 m
	Interior Lot	18.0 m
.8	Landscaped Open Space Yard – minimum	35.0% of *lot area*
.13	Dwelling Unit Density – *dwelling units* per hectare – maximum	
	For a *corner lot* having a minimum frontage of 30.0 m on each of the *exterior lot lines*	188 units per ha
	For any other *lot*	150 units per ha

.50 A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any *accessory use*.

[ZNG/5630] **(AMENDED by B/L 95-2019, Sept. 27/2019)**

.55 A addition to an *existing Double Duplex Dwelling*, *existing Duplex Dwelling, existing Semi-Detached Dwelling* or an *existing Single Unit Dwelling* and any use accessory to the preceding uses, shall comply with the provisions of Section 11.2.5.

APPENDIX E - Consultations

CANADA POST - Bruno DeSando, August 14, 2020

August 14, 2020

ADAM SZYMCZAK, MCIP, RPP
SENIOR PLANNER
PLANNING DEPARTMENT
CITY OF WINDSOR
400 CITY HALL SQUARE EAST, SUITE 404
WINDSOR ON N9A 7K6

Reference: **Z-014/20 [ZNG/6122] (8380-8474 WYANDOTTE ST E)**

Dear Adam,

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Regards,

Bruno DeSando

Bruno DeSando
CANADA POST CORPORATION
Delivery Planning
955 Highbury Avenue
LONDON ON N5Y 1A3
tel: 519-494-1596
fax: 519-457-5412
e-mail: bruno.desando@canadapost.ca

ADDRESSING AND DELIVERY PLANNING
CANADA POST CORPORATION
CANADAPOST.CA

ADRESSAGE ET PLANIFICATION DE LA LIVRAISON
SOCIÉTÉ CANADIENNE DES POSTES
POSTESCANADA.CA

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
  - Residential compartments must be at least 12.5 x 13.5 cm
  - Commercial compartments at least 13.5 x 30.5 cm
  - Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

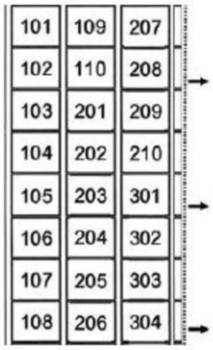
- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes



Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

CITY OF WINDSOR – BUILDING DIVISION - Barbara Rusan, Manager of Policy & Regulatory Services, August 26, 2020

The Building Code Act, Section 8(1) requires that a building permit be issued by the chief building official for any construction or demolition of a building. It is strongly recommended that the owner and/or applicant contact the Building Division to determine building permit needs for the proposed project.

The City of Windsor Building Division can be reached by phone at 519-255-6267 or through email at buildingdept@citywindsor.ca

CITY OF WINDSOR – ENGINEERING DEPARTMENT – RIGHT-OF-WAY DIVISION – Patrick Winters, August 25, 2020 (REVISED)

The site may be serviced by the 600mm Vitrified Clay sanitary sewer, 300mm PVC sanitary sewer, and the 250mm Concrete Pipe storm sewer located in the Wyandotte Street East Right of Way. A sampling manhole is required for any new sanitary private drain connection. Storm detention calculations, along with lot grading and site servicing plans are required. Post development storm water runoff is required to be restricted to pre development flows. A servicing study is required for this development to confirm capacity exists in the proposed sewer outlets from this site. The current overall site outlets to the 450mm Concrete storm sewer located on Menard Street, with storm detention being provided by the dry pond on site. The proposed civil drawings depict a new property line, if the intent is to sever a reciprocal agreement for access & services will be required.

Wyandotte Street East is classified as a Class 2 Arterial Road requiring a right-of-way of 28 meters (Schedule X). The current Right-of-Way is 27.5m therefore a 0.5m conveyance is required. A Right-of-Way permit is required for any work on the right of way. All driveway approaches shall be constructed to City Standard AS-204.

In summary, we have no objections to this rezoning application, subject to the following: (Requirements can be imposed at the time of Site Plan Control):

Site Plan Control Agreement – The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Site Servicing Plans – The owner agrees to submit a site servicing plan for the subject lands to the satisfaction of the Chief Building Official, the City Engineer, and ERCA in regulated areas, prior to the issuance of any construction permits for the subject lands.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures. The Study is required to be finalized to the satisfaction of the City Engineer prior to the issuance of construction permits.

Reciprocal Access & Services – In the event of severance, the owner agrees to register a reciprocal agreement for access and services as required.

Land Conveyance – Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation, land sufficient to create a 28 metre wide right-of-way on Wyandotte St E. This conveyance shall be approximately 0.5 metres along the entire Wyandotte St E frontage of the subject lands.

Please contact Shannon Mills of this department at smills@citywindsor.ca for more information.

CITY OF WINDSOR – HERITAGE PLANNER – Kristina Tang, August 26, 2020

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 Cultural Affairs, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries 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 Heritage, Sport, Tourism and Culture Industries and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Heritage, Sport, Tourism and Culture Industries.

Contacts:

Windsor Planning & Building Department: 519-255-6543 x6179, planningdept@citywindsor.ca

Windsor Manager of Cultural Affairs:
Cathy Masterson, 519-253-2300x2724, cmasterson@citywindsor.ca

Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

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

CITY OF WINDSOR - TRANSPORTATION PLANNING - Juan Paramo, June 16, 2020

Overall, Transportation Planning supports the subject Official Plan and Zoning By-law amendment.

- Schedule X of the Official Plan classifies Wyandotte Street East as a Class 2 Arterial road with a required right-of-way width of 28 metres. The current right-of-way width is 27 metres, therefore a land conveyance of 0.5 metres is required along the frontage of the subject lot as per Section 7.2.6.23 of the Official Plan.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA).
- The minimum required number of bicycle parking spaces should be provided on the subject site.

ENBRIDGE GAS – Steph Bietola, September 9, 2020

After reviewing the provided drawing at 8380-8474 Wyandotte St. E and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A drawing has been attached for reference.

Please Note:

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc.

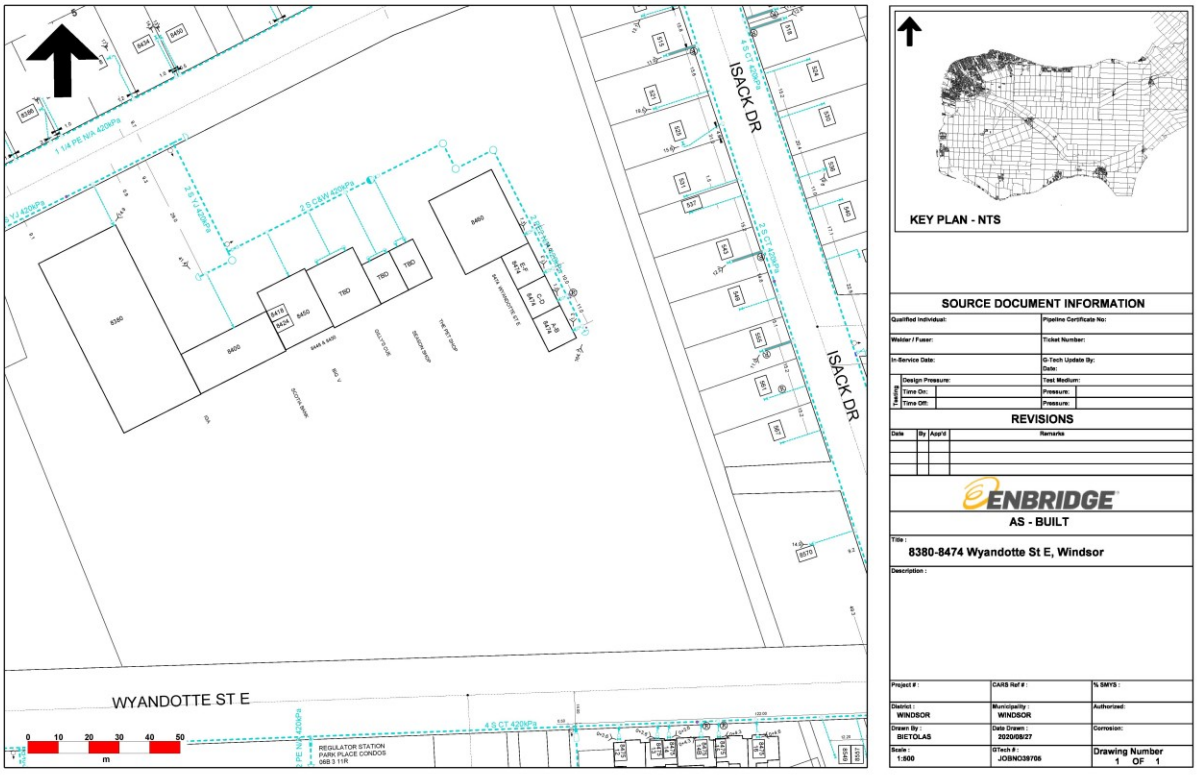
Enbridge Gas requires a minimum separation of 0.3m from all of our plant. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

Any pipe that is excavated, please assume that it is live

If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead. Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly.

Please contact me if you have any further questions or concerns at WindsorMapping@enbridge.com



ENWIN UTILITIES - Hydro Engineering – Cecile Dalgleish, August 21, 2020

No Objection, provided clearances are achieved and maintained from our distribution plant.

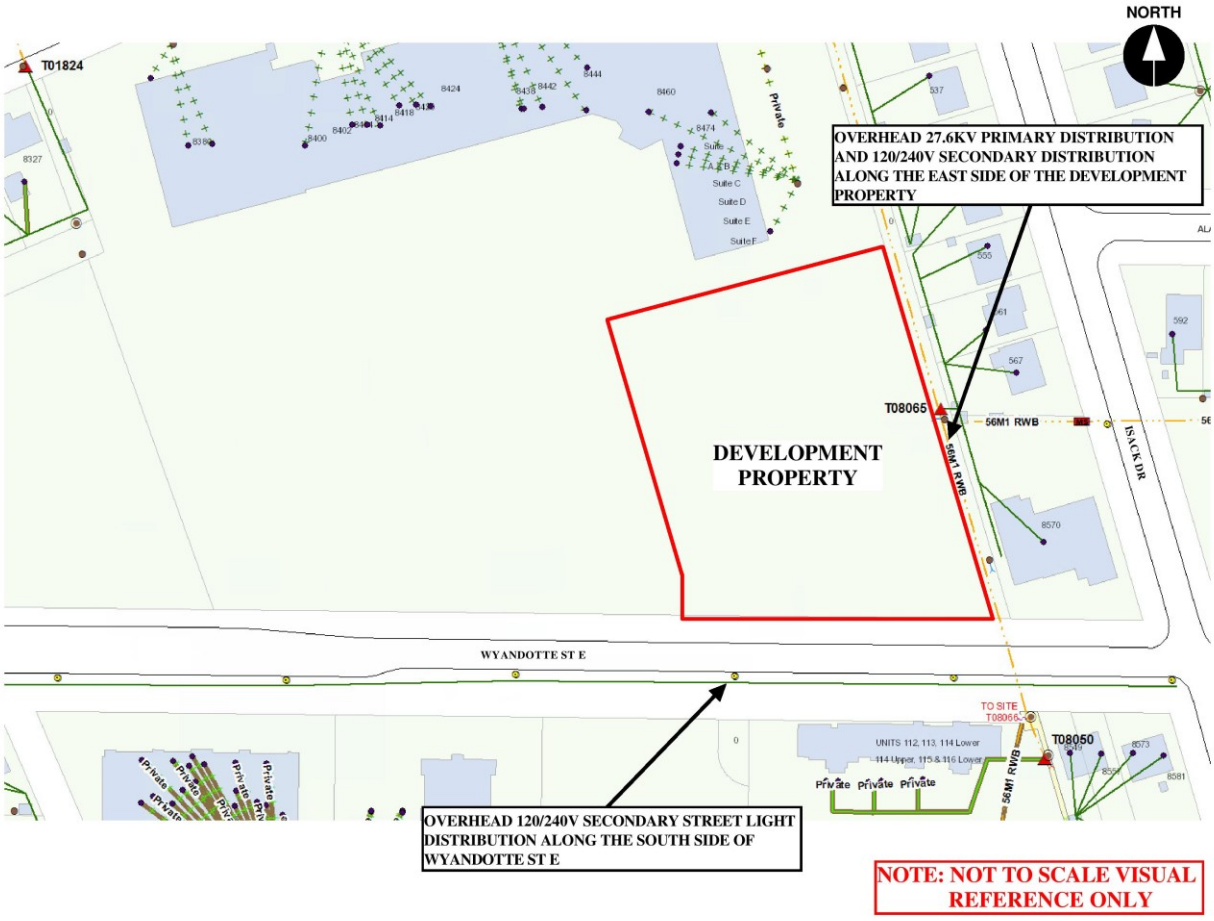
Please note ENWIN has the following distribution around the development property:

1) Overhead 27.6KV primary distribution and 120/240V secondary distribution along the east side of the development property

2) Overhead 120/240V secondary street light distribution along the south side of Wyandotte St E

An acceptable clearance must be maintained from our existing pole lines and conductors to the proposed development area. Please refer to the Ontario Building Code for adequate clearance requirements. We also recommend referring to the Occupational Health & Safety Act for the minimum safe limits of approach during construction.

Sketch attached for reference only. This attachment does not replace the need for utility locates.



ENWIN UTILITIES - Water Engineering – Cecile Dalgleish, August 21, 2020

No objections

ESSEX REGION CONSERVATION AUTHORITY - Michael Nelson, August 26, 2020

The following is provided as a result of our review of Zoning By-Law Amendment Z-014-20 ZNG-6122. The purpose of the application is to amend the zoning by-law to allow for a multiple dwelling as an additional permitted use.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by 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 Detroit River. 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*.

It is recommended that the applicant contact our office to make an application for permit for the proposed development. An application for permit requires an application to be submitted directly to regs@erca.org.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We therefore request inclusion of the following considerations to be reflect as a result of the amendment to the Zoning By-law:

1. That the developer undertakes an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
2. That the developer installs stormwater management measures identified above, as part of the development of the site, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
3. That the developer obtains the necessary permit from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.

PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS). Based on our review, we have no objection to the application with respect to natural heritage policies.

If you have any questions or require any additional information, please contact the undersigned.

TRANSIT WINDSOR - Jason Scott, September 1, 2020

Transit Windsor has no objections to this development. We currently have our Lauzon 10 route providing service to this area with a 1 way loop. The closest bus stop is located on Wyandotte at Isack NE Corner, approximately 110 metres away from this property, falling well within our 400 metre walking distance guidelines to a bus stop. This service will be further enhanced with our Council approved Transit Master Plan as there would be a new local route replacing the existing route with 2 way service rather than the existing 1 way loop.

WINDSOR FIRE & RESCUE SERVICES – John Lee, August 18, 2020

No Concerns

NO COMMENT RECIEVED FROM:

CITY OF WINDSOR
- CHIEF BUILDING OFFICIAL
- ENGINEER/PLAN EXAMINER
- LANDSCAPE ARCHITECT
- PARKS DEVELOPMENT
- REAL ESTATE SERVICES
- SITE PLAN APPROVAL OFFICER
- ZONING CO-ORDINATOR

BELL CANADA
CANADA MORTGAGE & HOUSING CORPORATION
COGECO CABLE
GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD
WALPOLE ISLAND FIRST NATIONS
WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD
WINDSOR-ESSEX COUNTY HEALTH UNIT

B Y - L A W N U M B E R -2020

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

Passed the day of , 2020.

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. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	14	Part of Block A, Registered Plan 1627 (known municipally as 8380-8474 Wyandotte Street East; Roll No.: 060-330-00300; PIN 01066-0242, north side of Wyandotte Street East between Watson Avenue and Isack Drive)	-	CD2.1	RD3.2

DREW DILKENS, MAYOR

CLERK

First Reading - , 2020
Second Reading - , 2020
Third Reading - , 2020

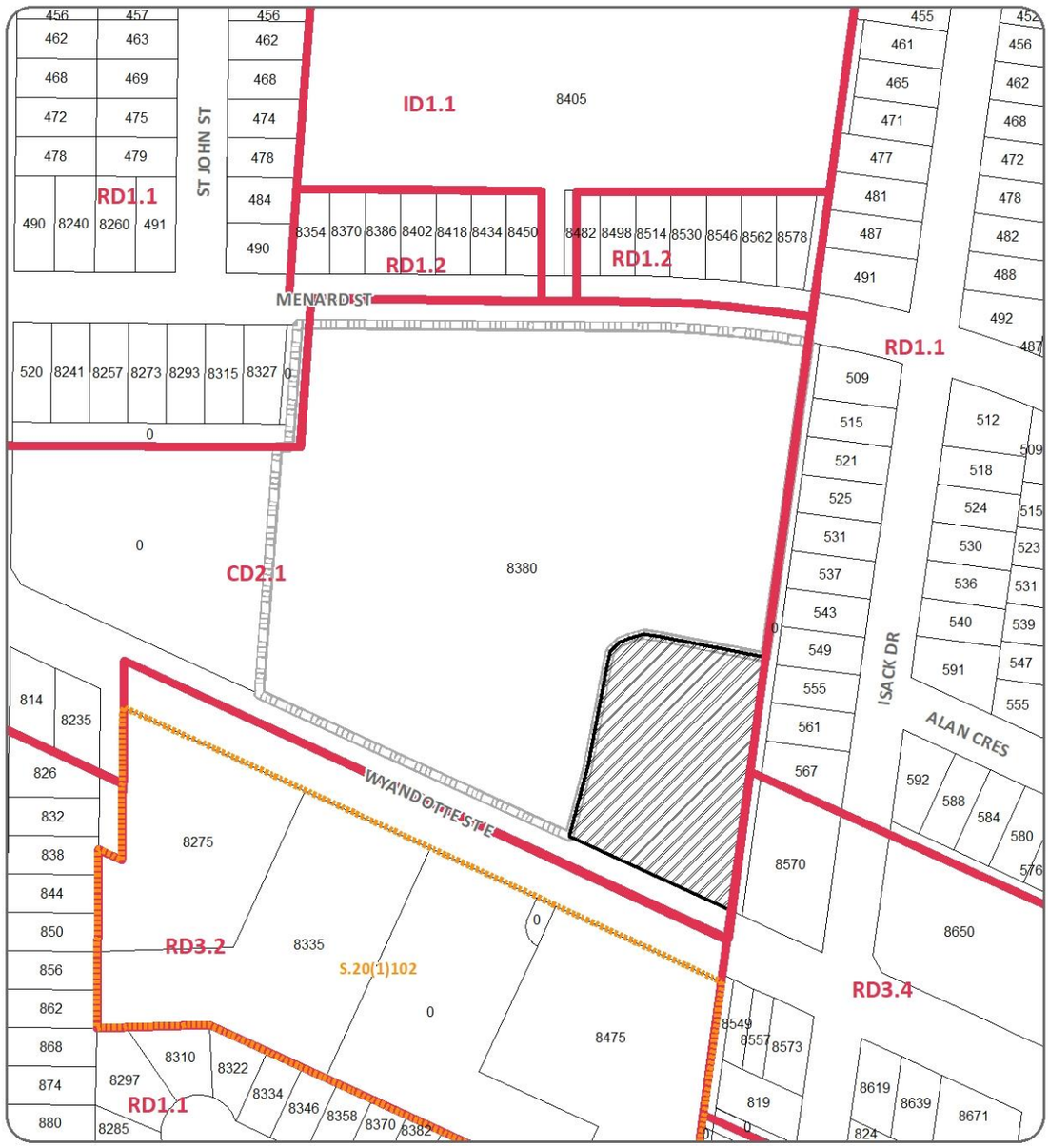
SCHEDULE 2

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

   To amend the zoning of Part of Block A, Registered Plan 1627 (known municipally as 8380-8474 Wyandotte Street East; Roll No.: 060-330-00300; PIN 01066-0242), situated on the north side of Wyandotte Street East between Watson Avenue and Isack Drive, from Commercial District 2.1 (CD2.1) to Residential District 3.2 (RD3.2) to allow the construction of a Multiple Dwelling with 63 dwelling units, 81 parking spaces including 4 accessible parking spaces and one load space.

   S 124/2020 ZNG/6122 Z-014/20

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



PART OF ZONING DISTRICT MAP 14

N.T.S.

SCHEDULE 2

Applicant: Baker Investments Ltd

SUBJECT LANDS

REMAINING LANDS OWNED BY APPLICANT

PLANNING & BUILDING DEPARTMENT

DATE : AUGUST 2020
FILE NO. : Z-014/20, ZNG/6122

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 309/2020

Subject: Interim Control By-law Exemption 2020-11 - Airport Business Park Inc - 4325-4445 County Road 42 - Ward 9

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 205**

1) THAT Council **APPROVE** the request of D.C. McCloskey Engineering Ltd. for an exemption from the provisions of Interim Control By-law 78-2019 for the property at 4325-4445 County Road 42 (southwest corner of County Road 42 and 8th Concession Road).

2) THAT Council **AMEND** Interim Control By-law 78-2019 by adding to Section 6 the following:
   k) 4325-4445 County Road 42

      Part Lot 17, Concession 7, Sandwich East;
      PIN 75235-0032; Roll No. 090-010-04950

3) THAT the Site Plan Approval Officer **BE DIRECTED** to consider the following matters for inclusion in an approved site plan:
   a) The mitigation measures identified in the conclusion of the Acoustical Assessment Report dated August 5, 2020 and prepared by Akoustic Engineering Limited (attached as Appendix D to Report S 130/2020); and,
   b) A setback of 11.3 m from the lot line adjacent to Baseline Road, which shall include a berm with a minimum height of 1.8 m.

Carried.

Councillor Morrison was absent from the meeting when the vote was taken on this matter.

Report Number: S 130/2020
Clerk's File: Z/13528

Clerk's Note: The recommendation of the Standing Committee and Administration are not the same.

Subject: Interim Control By-law Exemption 2020-11 - Airport Business Park Inc. - 4325-4445 County Road 42 - Ward 9

Reference:

Date to Council: October 13, 2020
Author: Adam Szymczak, MCIP, RPP
Senior Planner
519-255-6543 x6250
aszymczak@citywindsor.ca

Planning & Building Services
Report Date: September 16, 2020
Clerk's File #: Z/13528

To: Mayor and Members of City Council

Recommendation:

1) That Council **APPROVE** the request of D.C. McCloskey Engineering Ltd. for an exemption from the provisions of Interim Control By-law 78-2019 for the property at 4325-4445 County Road 42 (southwest corner of County Road 42 and 8th Concession Road).

2) That Council **AMEND** Interim Control By-law 78-2019 by adding to Section 6 the following:

   k) 4325-4445 County Road 42

      Part Lot 17, Concession 7, Sandwich East;
      PIN 75235-0032; Roll No. 090-010-04950

3) That the Site Plan Approval Officer **BE DIRECTED** to consider the following matters for inclusion in an approved site plan:

   a) The mitigation measures identified in the conclusion of the Acoustical Assessment Report dated August 5, 2020 and prepared by Akoustic Engineering Limited (attached as Appendix D to Report S 130/2020);

   b) A setback of 11.3 m from the lot line adjacent to Baseline Road

Executive Summary:

N/A

Background:

Neighbourhood Map:

Timeline

2018 November 19	Council approves Housekeeping Amendment 2017-3 which adds Transport Terminal definition and provisions to Zoning By-laws
2019 March 27	Building Division conducts city wide Transport Terminal enforcement blitz
2019 April 4	Building Division issues an Order to Comply (File 19-175469)
2019 June 3	Council approves Interim Control By-law 78-2019 (ICBL)
2020 August 19	D.C. McCloskey Engineering Ltd, on behalf of the property owner, Airport Business Park Inc., submits a request for an exemption from the ICBL. The agent also submitted an Application for Site Plan Control

Enforcement

The Building Division conducted a citywide enforcement blitz on March 27, 2019 that identified 26 parcels, including the subject parcel, with Transport Terminals that violated the Zoning By-law or lacked site plan approval pursuant to the Site Plan Control By-law. An Order to Comply was issued on April 4, 2019.

The order is in abeyance pending Council's consideration of this exemption request and site plan approval.

Interim Control By-law 78-2019

Section 38(1) of the *Planning Act* permits a municipality to pass an interim control by-law (ICBL) that prohibits the use of land, buildings or structures for such purposes as set out in the by-law. This "freezes" development on the lands (as described by the by-law) for a period not to exceed one year. An ICBL is an important planning tool that allows the municipality to rethink its current land use policies by suspending development that may end up conflicting with any new policy that may be developed.

On June 3, 2019, Council approved Interim Control By-law 78-2019 (see Appendix A) that prohibits the creation of a new Transport Terminal in any MD1. or MD2. zoning districts and M1 zones in the City of Windsor. This will allow Administration to study the extent of the challenges, propose possible solutions and provide revised policies and provisions that aim to balance the needs of Transport Terminal and shipping business owners, truck operators, and surrounding businesses and residents.

Council Resolution 291/2019, which approved Interim Control By-law 78-2019, states:

> *That Council **MAY REVIEW**, on a case-by-case basis, any requested amendments to the Interim Control By-law where there is a determination that the creation of a new Transport Terminal would not conflict with the general purpose and intent of the Interim Control By-law;*

Amending By-law 55-2020, approved by Council on April 27, 2020, extended Interim Control By-law 78-2019 by one additional year. ICBL 78-2019 will expire on June 2, 2021 or earlier if repealed by Council.

Request for Exemption from ICBL

D.C. McCloskey Engineering Ltd. (Mark E. McCloskey), on behalf of the property owner, Airport Business Park Inc, submitted a request (see Appendix B) for exemption from Interim Control By-law 78-2019 to allow the processing of a site plan control application (which was submitted concurrently) to allow the construction of a Transport Terminal on the subject parcel. A draft site plan is attached as Appendix C and an Acoustical Assessment Report is attached as Appendix D.

Discussion:

All exemption requests will be evaluated against the following criteria:

Consistency with the Official Plan and Zoning By-law - The underlying Official Plan designation and zoning district will be considered. Specifically, whether the Transport Terminal is consistent with the Official Plan designation and is permitted as a main use by the zoning district;

Impact on surrounding infrastructure - What the impact may be on surrounding infrastructure, mainly roads, including potential wear and tear, as well as how the impact on the safety and functionality of the surrounding road network;

Proximity to sensitive land uses - The distance to the closest sensitive use will be considered; and,

Likelihood of additional mitigation measures - This criterion considers compatibility with surrounding uses. The Transport Terminal Study may recommend that additional mitigation measures be undertaken to permit a Transport Terminal on the property. Approval of the exemption request may prejudice the Study.

Analysis of Evaluation Criteria

The subject parcel is designated Industrial on Schedule D: Land Use in the City of Windsor Official Plan. A Transport Terminal is consistent with the general policy direction, including permitted uses, locational criteria, evaluation criteria, and design guidelines, of the Industrial land use designation.

Excerpts from Zoning By-law 85-18 are attached as Appendix E. The parcel is zoned Industrial Zone (M1) which permits a range of industrial uses. M1 does permit a Transport Terminal as a main use. Any development is subject to site plan control.

The exemption IS consistent with the direction of the Official Plan. A Transport Terminal IS permitted as a main use in the M1 zoning.

The parcel has access to County Road 42, a Class II Arterial Road, and 8th Concession Road, a Class I Collector Road. County Road 42 is designated as a Truck Route and provide access to Highway 401 and E.C. Row Expressway via Manning Road to the east and Walker Road to the west.

The proposed Transport Terminal will have MINIMAL impact on surrounding infrastructure.

The Windsor Airport is located to the north on the north side of Country Road 42. To the east and south, on the east side of 8th Concession Road and south of the municipal drain south of Baseline Road, are agricultural uses.

Industrial uses are located to the west. The parcel is adjacent to residential uses to the west on the north side of Baseline Road and to the west and south on the south side Baseline Road. A cemetery is located to the south on the south side of Baseline Road. The residential uses are a sensitive land use.

The proposed Transport Terminal IS proximate to a sensitive land use.

The proximity of sensitive land uses is normally a concern. The potential conflict between the Transport Terminal use and the sensitive land uses is an issue that the Transport Terminal Study will examine. Staff report C 102/19 that recommended implementation of the Interim Control By-law stated that:

> *"The main purposes of doing the study is to ensure that Transport Terminal is appropriately permitted or prohibited, that the provisions for a Transport Terminal are consistent with the policy direction of the Official Plan, and that a Transport Terminal is not detrimental to surrounding existing and potential land uses."*

Additional mitigation measures may be required to allow a Transport Terminal development on the lot. This is an issue that the study will examine. However, the agent did engage an acoustical consultant, Akoustic Engineering Limited, to conduct an acoustical assessment (Appendix D) of the proposed Transport Terminal development on the parcel in terms of the performance standards in the Industrial Zone (M1) in Section 14.1.15 b) of Zoning By-law 85-18.

The consultant states "*the development meets all the sound level requirements at its property lines*". Notwithstanding that the proposal meets the performance standards in Zoning By-law 85-18, the consultant recommends that:

> "*the development be given approval with the understanding that a 1.65 metre berm or noise barrier fence must be constructed, centred 6.1 meters from the west property line. Further, the edge of the west parking area must be a minimum of 12.2 metres from the west property line*."

The draft site plan is consistent with the acoustical consultant's recommendations.

Further to those recommendations, the draft site plan has a setback of 11.3 m from the south lot line adjacent to Baseline Road, which complies with the Transport Terminal provisions in Section 5.49 of Zoning By-law 85-18. The acoustical consultant further notes that for the trailer storage area closest to Baseline Road, the trailers "will act a barrier for the noise at the south property line".

The draft site plan incorporates several mitigation measures including large setbacks, screening, and a berm, and is consistent with the conclusion of the acoustical assessment report and with the provisions of Zoning By-law 85-18.

Risk Analysis:

N/A

Financial Matters:

N/A

Consultations:

Jason Campigotto, Site Plan Approval Officer

Wira Vendrasco, Deputy City Solicitor

Rob Vani, Manager of Inspections (BBO) / Deputy Chief Building Official

Conclusion:

Approval of the exemption allows Administration to process a site plan application for a Transport Terminal the subject parcel.

Given that the agent has provided an acoustical assessment that indicates compliance with the performance standards in Zoning By-law 85-18 and the draft site plan is consistent with the recommendations of the Acoustical Assessment Report dated August 5, 2020, the Planning Department is supportive of the request for exemption from Interim Control By-law 78-2019.

Planning Act Matters:

Thom Hunt, MCIP, RPP
City Planner

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

SAH *OC*

Approvals:

Name	Title
Neil Robertson	Manager, Urban Design
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
D.C. McCloskey Engineering Ltd. Attn: Mark McCloskey	200-5745 Wyandotte St E Windsor, ON N8S 1M6	mmccloskey@mccloskeyengineering.com jdeschaine@mccloskeyengineering.com
Airport Business Park Inc. Attn: Eduardo Conte	2045 Astor Crescent Oldcastle ON N0R 1L0	econte@tdegroup.com\
Councillor McKenzie		
Property Owners within 120 m of subject parcel		

Appendices:

1 Appendix A - Interim Control By-law 78-2019
2 Appendix B - Letter from Agent
3 Appendix C - Draft Site Plan
4 Appendix D - Acoustic Assessment Report Aug 05 2020
5 Appendix E - Excerpts from Zoning By-law 85-18

BY-LAW NUMBER 78-2019

A BY-LAW TO IMPOSE INTERIM CONTROL ON TRANSPORT TERMINALS WITHIN CERTAIN ZONING DISTRICTS AND ZONES OF THE CITY OF WINDSOR

Passed the 3rd day of June, 2019.

WHEREAS Section 38 of the Planning Act, R.S.O. 1990, Chapter p. 13, provides that the Council of a local municipality had by resolution, directed that a study be undertaken in respect of land use planning policies in the municipality or in a defined area thereof, the Council of the municipality may pass a by-law to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing thereof, prohibiting the use of lands, buildings, or structures within the municipality or within the defined area or areas thereof, for such purposes as may be set out in the by-law;

AND WHEREAS the Council of the Corporation of the City of Windsor has by resolution directed that a study and review of Zoning By-laws 85-18 and 8600 be undertaken in respect of land use planning policies related to a Transport Terminal within the areas designated as Manufacturing Districts 1. and Manufacturing Districts 2. in Zoning By-law 8600 and Industrial Zone (M1) in Zoning By-law 85-18 of the City of Windsor;

AND WHEREAS the Council of the Corporation of the City of Windsor deems it expedient and in the public interest to prohibit the use on all lands, buildings, and structures for a Transport Terminal other than those lawfully being carried out on the day of passage of this Interim Control By-law, in order to allow the municipality to review and, if deemed appropriate, implement the findings of the said study.

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

1. In this By-law,

ACCESSORY USE means a use which is customarily incidental, subordinate and exclusively devoted to the main use and is carried on with such main use on the same lot.

BUILDING means a structure, consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, but does not include the following: access area, collector aisle, driveway, parking aisle or parking space not in a parking garage; fence; patio; sign as defined by the Windsor Sign By-law.

LOT means a contiguous parcel of land under one ownership, the boundaries of which are on record in the Land Registry Office of the County of Essex (No. 12) in the Registry or Land Titles Division.

MAIN USE means the principal use or uses of a building, lot, premises or structure.

MOTOR VEHICLE means vehicle propelled, driven or pulled by other than muscular power. It does not include a power-assisted bicycle as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8.or a train.

PREMISES means a lot, building, structure or any combination thereof where a *use* is carried on.

STRUCTURE means anything, including any component part, that is erected, built or constructed and affixed to or supported by the ground.

TRANSPORT TERMINAL means premises used to dispatch, park, repair, service, or store freight-carrying trucks and trailers including a transport truck and a transport trailer, and may include as an accessory use, the loading or unloading of goods or freight to or from, or transferring of goods or freight between, said trucks and trailers. A truck transportation facility or truck terminal is a transport terminal. A loading compound, motor vehicle dealership, outdoor storage yard, parking area, or towing facility is not a transport terminal.

TRANSPORT TRAILER means a trailer or a semi-trailer as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8. A tractor trailer or truck trailer is a transport trailer. A cabin trailer, camping trailer, house trailer, mobile home, recreational vehicle, tent trailer or travel trailer is not a transport trailer.

TRANSPORT TRUCK means a motor vehicle used to pull a transport trailer and includes the tractor unit of a tractor-trailer combination or a semi-trailer truck or semi-tractor unit of semi-trailer combination. A truck tractor is a transport truck.

TRANSPORT STORAGE AREA means that portion of a transport terminal located outdoors used to load, manoeuvre, park, repair, service, store, or unload a transport truck or transport trailer. A loading compound, loading space, motor vehicle dealership, outdoor storage yard, parking area, or towing facility is not a transport storage area.

USE

1. when used as a noun means the purpose for which a building, lot, premises or structure is designed, maintained or occupied.
2. when used as a verb means anything done by any person or permitted, either directly or indirectly by any person, for the purpose of making use of a building, lot, premises or structure.

2. Notwithstanding the permitted uses, prohibited uses, and provisions of Zoning By-law 8600 as amended, within any Manufacturing Districts 1. (MD1.) or any Manufacturing Districts 2. (MD2.) no land, building, or structure shall be used for a Transport Terminal except,

   (1) The continued use of land, or building, or structure lawfully existing on the day of passage of this By-law provided such use is permitted on that land, or in that building or structure, by By-law 8600; and

   (2) The repair of a building or structure lawfully existing on the day of passing of this By-law in order to comply with an order issued pursuant to the Property Standards By-law No. 147-2011.

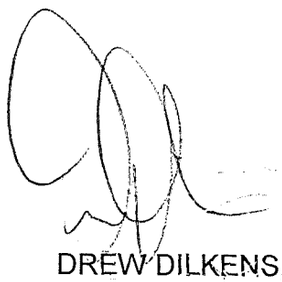
3. Notwithstanding the permitted uses, permitted buildings and other structures, regulations, special regulations, and provisions of Zoning By-law 85-18 as amended, within any Industrial Zone (M1) including Defined Area M1-11 and Defined Area M1-15, no land, building, or structure shall be used for a Transport Terminal except,

   (1) The continued use of land, or building, or structure lawfully existing on the day of passage of this By-law provided such use is permitted on that land, or in that building or structure, by By-law 85-18; and

(2) The repair of a building or structure lawfully existing on the day of passing of this By-law in order to comply with an order issued pursuant to the Property Standards By-law No. 147-2011.

4. That were any conflict exists between the provisions of this By-law and any other By-law of the Corporation of the City of Windsor, this By-law shall prevail.

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



DREW DILKENS, MAYOR

CITY CLERK

First Reading - June 3, 2019
Second Reading - June 3, 2019
Third Reading - June 3, 2019

d.c. mccloskey engineering ltd.

Corporation of the City of Windsor
Planning Department
400 City Hall Sq. E.
Windsor, ON N9A 7K6

19 August 2020
Project No. M19-216

Attention: Mr. Adam Szymczak, MCIP, RPP,
Senior Planner

Truck Terminal
4325-4445 County Road 42, Windsor, ON

Dear Sir:

As the Agent of the property Owner, I am requesting an exemption from the Interim Control By-Law 78-2019 for the purpose of submitting an application for site plan control for a Transport Terminal be permitted on the property located at 4325-4445 County Road 42 in Windsor, ON.

As requested by your office, I am providing information on this property that will demonstrate this property is ideal for a truck terminal use. These items are:

1. The 19.3 acre property currently has several industrial buildings on site, any of which can be renovated to accommodate any size of warehouse required for the truck terminal use.
2. The property is located in an industrial area.
3. The property currently has a zoning permitting a truck terminal use.
4. Property located on County Road 42 with access to Highway 401 via County Road 19 to the east and to Highway 401 and the Ambassador Bridge via Walker Road / Provincial Road for westbound traffic.

We trust the above is satisfactory however, please contact us if you require anything further.

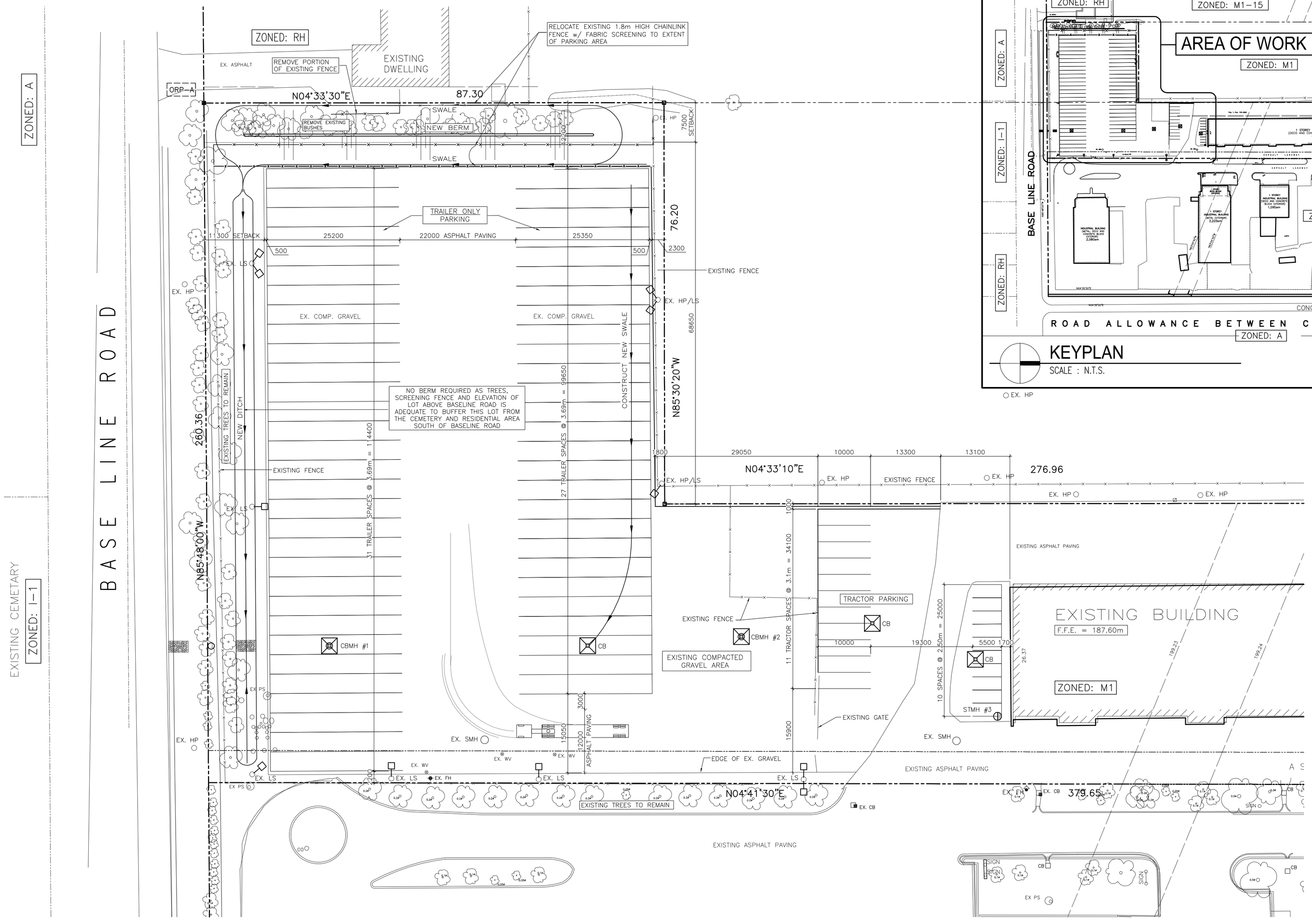
LICENSED PROFESSIONAL ENGINEER
AUG 19 2020
M. E. McCLOSKEY
PROVINCE OF ONTARIO

Yours truly,
D.C. McCLOSKEY ENGINEERING LTD.

Mark E. McCloskey, P. Eng.

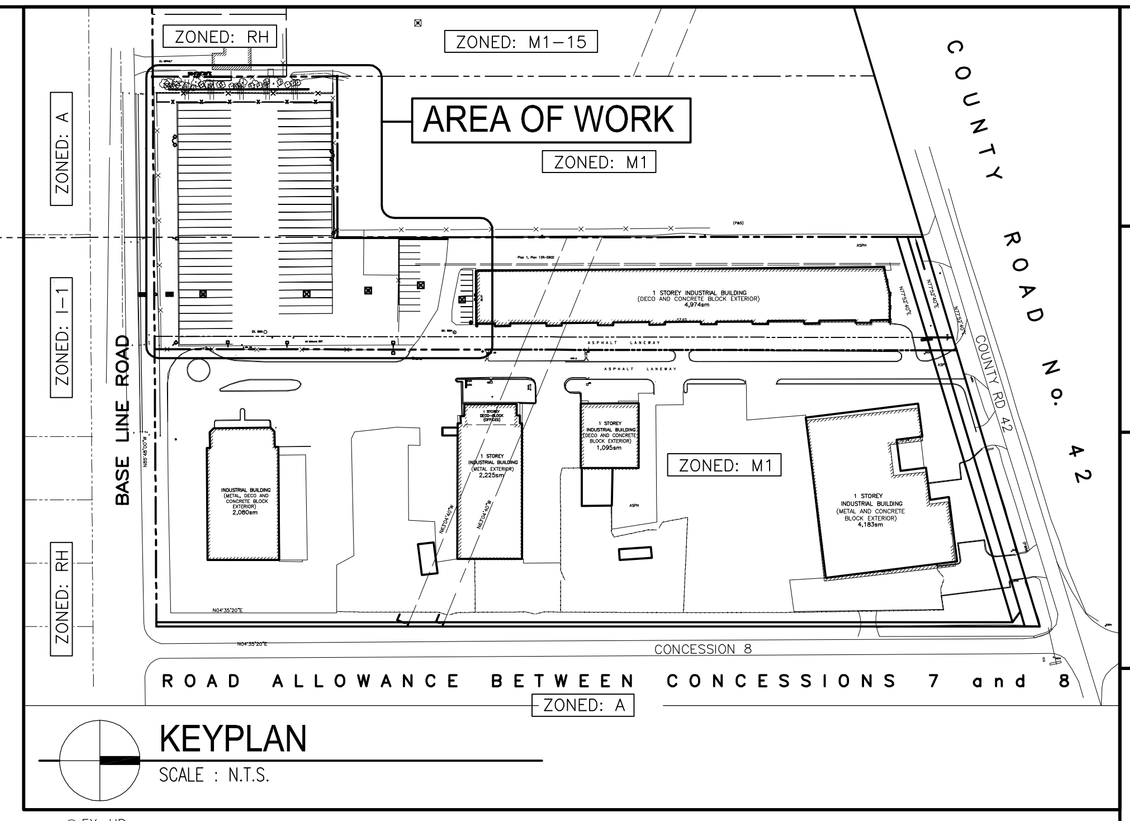
MEM/kj
Attachments: Overall & Enlarged Site Plan
CC: Eduardo Conte

5745 wyandotte street east, suite 200 | windsor | ontario | n8s 1m6 | phone 519.977.6800



SITE PLAN
SCALE : 1:400

0 5 10 15 20 30m



KEYPLAN
SCALE : N.T.S.

SITE STATISTICS:

ZONING	INDUSTRIAL 'M1' (BY-LAW 85-18)
SITE DATA	
TOTAL SITE AREA	= 78,233 m²
RE-DEVELOPED AREA	= 13,340 m²

ZONE REGULATIONS	85-18	8600
14.1.9 MIN. SIDE YARD	15m	
14.1.10 MIN. REAR YARD	15m	
14.1.11 MIN. BUFFER STRIP	7.5m	
5.99.97 TRANSPORT TERMINAL		
.1a MIN. SETBACK FROM EXTERIOR LOT LINE w/ 1.8m HIGH BERM		11.3m
.1b MIN. SETBACK FROM INTERIOR LOT LINE		0.9m

PARKING	
STANDARD PARKING (2.5m x 5.5m)	10 SPACES
TRACTOR PARKING (3.1m x 10m)	11 SPACES
TRAILER PARKING (3.69m x 23m)	58 SPACES

d.c. mccloskey engineering ltd.
200-5745 wyandotte street east, windsor, ontario n8x 1m6 tel (519) 977 6800

LICENCED PROFESSIONAL ENGINEER
JULY 07 2020
M. E. McCLOSKEY
PROVINCE OF ONTARIO

general notes:

1. THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ENGINEER.
2. DRAWINGS SHALL NOT BE SCALED.
3. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.
4. ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL CONDITIONS REGARDING CONTRACTOR'S RESPONSIBILITIES IN REGARDS TO SUBMISSION OF SHOP DRAWINGS.
5. IN THE EVENT THE ENGINEER IS RETAINED TO REVIEW SHOP DRAWINGS, SUCH REVIEW IS ONLY TO CHECK FOR CONFORMANCE WITH DESIGN CONCEPT AND WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS.
6. CONTRACTORS SHALL PROMPTLY NOTIFY THE ENGINEER IN WRITING OF THE EXISTENCE OF ANY OBSERVED VARIATIONS BETWEEN THE CONTRACT DOCUMENTS AND ANY APPLICABLE CODES OR BY-LAWS
7. THE ENGINEER IS NOT RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS AND OR TECHNIQUES IN THE CONSTRUCTION OF THIS FACILITY.

DETAIL NUMBER
LOCATION SHEET | DETAIL SHEET

DATE (dd/mm/yy)	ISSUED FOR
31/10/19	SPA PRECONSULTATION
02/12/19	SPA PRECONSULTATION
–	SITE PLAN APPROVAL

PROJECT

PARKING LOT
RE-DEVELOPMENT

4325-4445 COUNTY ROAD 42
WINDSOR, ONTARIO

CLIENT

AIRPORT BUSINESS
PARK INC.

DRAWING TITLE

SITE PLAN

DATE :	SEPT 2019
SCALE :	AS NOTED
DRAWN BY :	JLD
CHECKED BY :	MEM
PROJECT FILE NO.	M19-216
DRAWING NO.	C1.1

City Council Agenda - November 4, 2020
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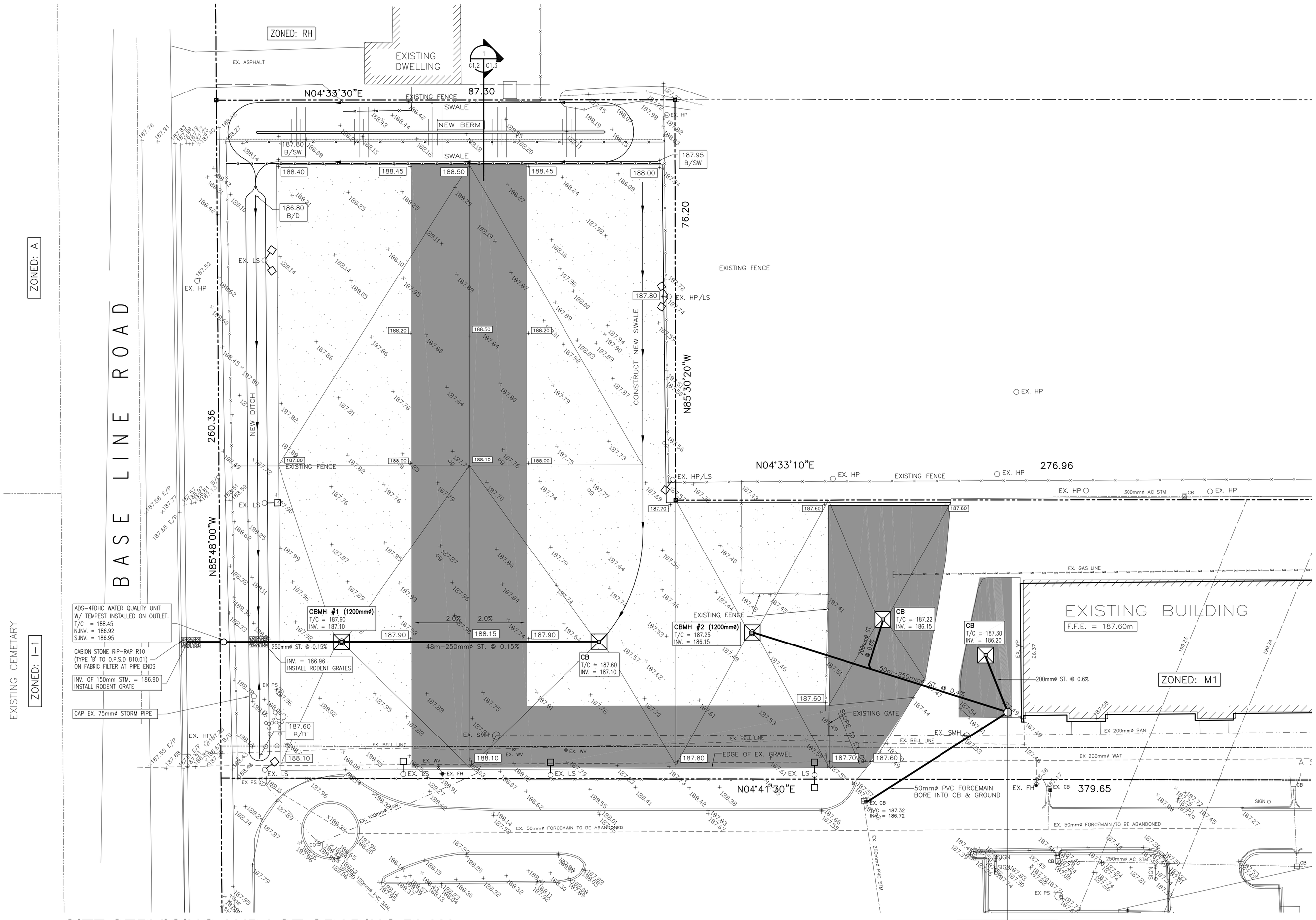

SITE SERVICING AND LOT GRADING PLAN

SCALE : 1:400

0 5 10 15 20 30m

BENCHMARK #1:
FINISHED FLOOR OF EXISTING BUILDING
ELEVATION 187.60m (GEODETIC GPS)

SITE NOTES:

AFTER EXCAVATION TO PROPER GRADE, PROOF ROLL EXISTING SUBGRADE AND FOLLOW IMMEDIATELY WITH PLACEMENT OF GRANULAR BASE UPON APPROVAL OF GEOTECHNICAL ENGINEER.

ALL WORK TO COMPLY WITH THE LOCAL BYLAWS. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITION OF THE OCCUPATIONAL HEALTH AND SAFETY AND REGULATIONS FOR CONSTRUCTION PROJECTS.

THE OWNER, ENGINEER AND THE LOCAL MUNICIPALITY AND ITS AGENTS DO NOT GUARANTEE THE ACCURACY OF THE UTILITIES SHOWN ON THE DRAWINGS. OTHER UTILITIES MAY BE PRESENT OR UTILITIES MAY DIFFER IN SIZE OR LOCATION SHOWN. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES PRIOR TO CONSTRUCTION TO LOCATE ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE TO REPAIR ANY DAMAGE THAT HE MAY CAUSE TO THESE UTILITIES. THE CONTRACTOR FURTHER AGREES TO INDEMNIFY THE OWNER AND ENGINEER AGAINST ANY CLAIMS WHICH MAY ARISE FROM HIS ACTIONS.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND PAYING FOR ALL PERMITS AND INSPECTIONS REQUIRED FOR THIS WORK.

FIELD CHECK ALL EXISTING GRADE AND DIMENSIONS PRIOR TO COMMENCING ANY NEW CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES.

REMOVE ALL DEBRIS INCLUDING EXCAVATED MATERIALS, BROKEN CONCRETE ETC. FROM THE SITE.

BACKFILL ALL EXCAVATIONS BELOW PAVEMENT WITH FULL DEPTH GRANULAR MATERIAL COMPACTED TO MINIMUM 100% SPMDD. GRANULAR 'A' BASE SHALL BE A MINIMUM OF 300mm THICK UNLESS NOTED OTHERWISE.

ALL GRANULAR BASE ELEVATIONS BELOW CONCRETE SLABS TO AT A LEVEL WITHIN 10mm OF THE DESIGN ELEVATION.

ALL EXTERIOR CONCRETE TO BE 32 MPA CITY MIX WITH 6% + 1.1/2% AIR ENTRAINMENT.

ALL EXPOSED CONCRETE SURFACES TO BE COATED WITH A WHITE PIGMENTED CONCRETE CURING COMPOUND (SEALTIGHT WP-45) CURE ALL SITE PLACED CONCRETE.

GRANULAR 'A' TO OPSS 1010

ASPHALT PAVING TO CONSIST OF A BASE COURSE AND A SURFACE COURSE AS PER THE FOLLOWING TABLE AND MEETING THE REQUIREMENTS OF THE APPROPRIATE ONTARIO PROVINCIAL STANDARDS SPECIFICATIONS.

ASPHALT TABLE

OPTION #1
ASPHALT PAVING – 100mm HL4 ON 100mm GRAN. 'A' AS REQUIRED TO ACHIEVE DESIGN GRADES

OPTION#2
RECYCLED ASPHALT ON 100mm GRAN. 'A' AS REQUIRED TO ACHIEVE DESIRED GRADES

SEWER NOTES

CONTRACTOR TO FLUSH AND VIDEO PRIVATE STORM SEWERS AFTER CONSTRUCTION AND SUBMIT COPIES OF REPORT AND VIDEO TO D.C. McCLOSKEY ENGINEERING LTD. OFFICE FOR REVIEW.
ALL SEWERS TO BE PRESSURE AIR OR WATER TESTED AND THE RESULTS SUBMITTED TO THE PROJECT ENGINEER.

STORM SEWER PIPING TO BE PVC (SMOOTH WALL CSA B182.2 DR35 (PIPE SIZES 100mm – 600mm) OR
HDPE (ANNULAR PROFILE PIPE – CSA B182.8)(PIPE SIZES 200mm–900mm)

ALL CATCHBASINS AND MANHOLES SHALL BE IN ACCORDANCE WITH DIVISION 700 OF THE ONTARIO PROVINCIAL STANDARD DRAWING (OPSD) SPECIFICATIONS:
#701.010 1200mmø PRECAST CONCRETE MAINTENANCE HOLE
#705.010 600mm x 600mm PRECAST CONCRETE CATCH BASIN
#705.030 600mm x 60mm PRECAST CONCRETE DITCH INLET

CATCHBASIN MANHOLES (CBMH) TO HAVE FRAME AND COVER AS PER OPSD #400.010

CATCHBASINS TO HAVE P-TRAPS.

ALL STORM MANHOLES SHALL HAVE A MINIMUM 610mm DEEP SUMP BELOW THE LOWEST PIPE INVERT.

LEGEND

ADJ	TO BE ADJUSTED	RWL	RAINWATER LEADER w/ CLEANOUT
BC	BOTTOM OF CURB	SAN	SANITARY SEWER
BP	BELL PEDESTAL	SMH	SANITARY SEWER MANHOLE
BOL	BOLLARD	ST	STORM SEWER
B/D	BOTTOM OF DITCH	STMH	STORM SEWER MANHOLE
B/SW	BOTTOM OF SWALE	TC	TOP OF CURB
CB	CATCH BASIN	T/C	TOP OF COVER
CBMH	CATCH BASIN MANHOLE	TL	TRAFFIC LIGHT
C.O.	CLEAN OUT	TMH	TRAFFIC MANHOLE
CSP	CORRUGATED STEEL PIPE	TRMH	TRAFFIC SIGNAL ELECTRICAL MANHOLE
CS	CURB STOP	TRC	TRAFFIC CONTROL
CTV	CABLE TELEVISION	UP	UTILITY POLE
DICB	DITCH INLET CATCH BASIN	VAC	VACUUM
DS/CO	DOWNSPOUT w/ CLEANOUT	VT	VENT
DS/SB	DOWNSPOUT w/ SPLASHBLOCK	WCR	WHEELCHAIR RAMP (CURB CUT)
DWS	DOMESTIC WATER SERVICE	WP	WALL PACK LIGHTING
E/P	EDGE OF PAVEMENT	WV	WATER VALVE
E/SH	EDGE OF SHOULDER	YD	YARD DRAIN
FDC	FIRE DEPARTMENT CONNECTION	+ 603.68	EXIST. GRADE
FH	FIRE HYDRANT	+603.68	NEW GRADE
FP	FLAG POLE		SLOPE LINES
GM	GAS METER		PRIMARY BLDG. ENTRANCE
GW	GUY WIRE		SECONDARY BLDG. ENTRANCE
HP	HYDRO POLE	H	HYDRO METER
INV	SEWER INVERT	I	CATCHMENT AREA DESIGNATION
LS	LIGHT STANDARD	BF	BACKFLOW PREVENTER & CHAMBER
MHW	WATER MANHOLE		OVERLAND FLOW
MW	MONITORING WELL		BARRIER CURB
PIV	POST INDICATOR VALVE		CURB & GUTER
REL	TO BE RELOCATED		
REM	TO BE REMOVED		

GAS LINE — GAS — GAS — GAS — GAS — GAS — GAS — GAS — GAS — GAS — GAS — GAS —
BELL LINE
HYDRO LINE
SANITARY SEWER
WATER LINE
STORM SEWER
SUBDRAIN
PROPERTY LINE

d.c. mccloskey engineering ltd.
200-5745 wyandotte street east, windsor, ontario n8x 1m6 tel (519) 977 6800

LICENCED PROFESSIONAL ENGINEER
JULY 07 2020
M. E. McCLOSKEY
PROVINCE OF ONTARIO

general notes:

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DETAIL NUMBER
LOCATION SHEET | DETAIL SHEET

DATE (dd/mm/yy)	ISSUED FOR
31/10/19	SPA PRECONSULTATION
02/12/19	SPA PRECONSULTATION
	SITE PLAN APPROVAL
17/8/20	TENDER

PROJECT

PARKING LOT ADDITION

4325–4445 COUNTY ROAD 42
WINDSOR, ONTARIO

CLIENT

AIRPORT BUSINESS PARK INC.

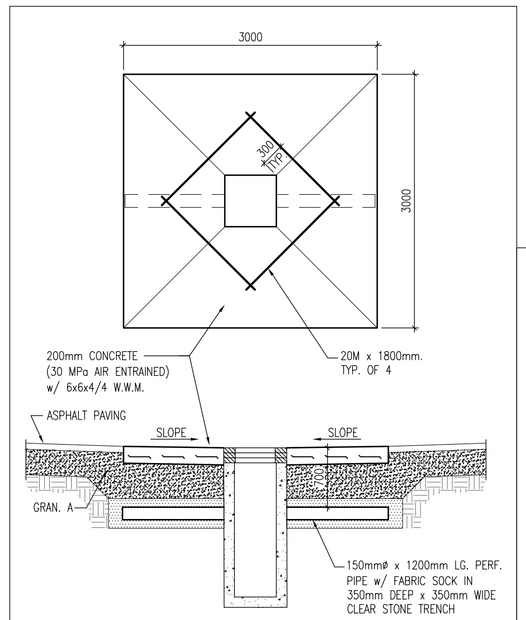
DRAWING TITLE

SITE SERVICING AND LOT GRADING PLAN

DATE :	SEPT 2019
SCALE :	AS NOTED
DRAWN BY :	JLD
CHECKED BY :	MEM
PROJECT FILE NO.	M19–216

DRAWING NO. C1.2

City Council Agenda - December 7, 2020
Page 347 of 643



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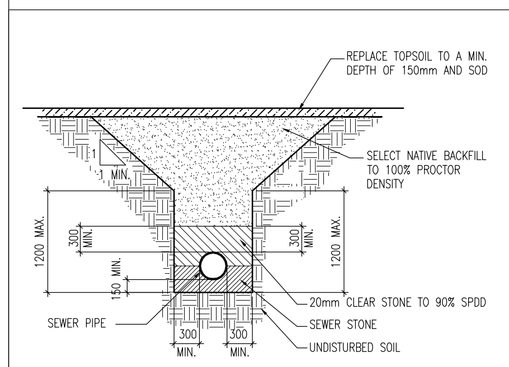

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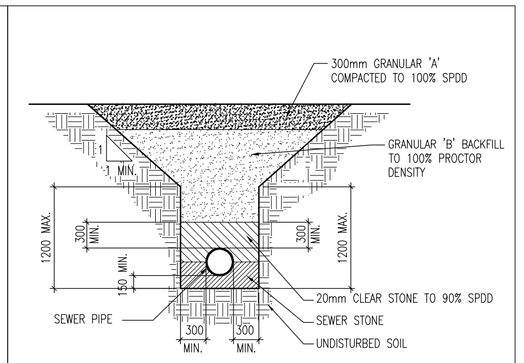

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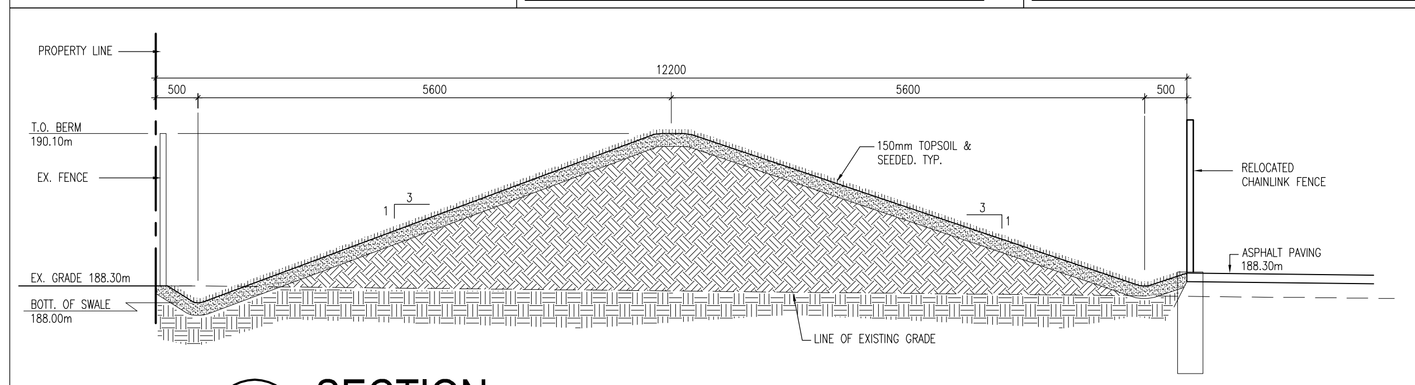

1
C1.2 C1.3

SECTION

SCALE : 1:50

d.c. mccloskey engineering ltd.
200-5745 wyandotte street east, windsor, ontario n8x 1m6 tel (519) 977 6800

LICENCE PROFESSIONAL ENGINEER
MMM DD 2019
M. E. McCLOSKEY
PROVINCE OF ONTARIO

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DETAIL NUMBER
LOCATION SHEET | DETAIL SHEET

DATE (dd/mm/yy)	ISSUED FOR

PROJECT

PARKING LOT ADDITION

4325–4445 COUNTY ROAD 42
WINDSOR, ONTARIO

CLIENT

AIRPORT BUSINESS PARK INC.

DRAWING TITLE

SITE SERVICING DETAILS

DATE :	SEPT 2019
SCALE :	AS NOTED
DRAWN BY :	JLD
CHECKED BY :	MEM
PROJECT FILE NO.	M19–216

DRAWING NO.

C1.3

City Council Agenda - November 4, 2019
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akoustik engineering limited

138 Angstrom Cres.
Amherstburg, ON N9V 3S3
Phone: (519)903-7193
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August 05, 2020

Ms. Genevieve Belanger
TDE Group
gbelanger@tdegroup.com
Phone: (519)968-1166 x733

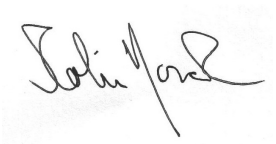
Re: Acoustic Assessment Report for the Proposed Transportation Terminal – 4325-4445 County Road 42, City of Windsor

Dear Ms. Belanger,

Please find enclosed an acoustic assessment report for the proposed transportation terminal at 4325-4445 County Road 42, located West of County Road 8, in the City of Windsor. This assessment pertains to the noise impacts caused by the truck noise which will impact the residences near to the proposed 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

Acoustic Assessment Report for the Proposed Transportation Terminal – 4325-4445 County Road 42, City of Windsor

Ms. Genevieve Belanger
TDE Group
gbelanger@tdegroup.com
Phone: (519)968-1166 x733

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Statement of Liability

Akoustik Engineering Limited prepared this report for TDE Group. 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, 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 for the proposed transportation terminal development to be located along Baseline Road West of County Road 8, in the City of Windsor. The assessment pertains to the environmental noise impacts from truck noise at the property lines. An illustration of the geographical area with the proposed development area identified, as well as the proposed development layout is given in Appendix A: Site Location. The expected noise impacts have been evaluated for compliance to section 14.1.15 Performance Standards of the M1 Zoning District requirements. It should be noted that this assessment has not been performed for compliance to the noise levels and conditions identified in the Ministry of the Environment, Conservation and Parks (MECP) Noise Pollution Control documents, including NPC-300.

Identification of Noise Sources

The proposed development is surrounded by residential housing to the west and south of the property and commercial development to the north and east. Baseline Road is located to the south and County Road 8 is located to the east of the property. The performance standard used for this assessment is section 14.1.15 Performance Standards of the M1 zoning district. The criteria states "No noise shall exceed 60 dBA during the day or 50 dBA at night at the boundaries of the lot provided that short intermittent noise peaks are permitted". A zoning map of the area is given in Appendix B: Land-use Zoning Map of Area. All assumptions used in this report for the development of the noise model are itemized in Appendix C.

City of Windsor Noise Criteria – 14.1.15 Performance Standards

In accordance to the Performance Standards of the M1 zoning district, the following sound level limits have been set for evaluation at all the property boundaries shown in Table 1. 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.

Table 1: Ministry of the Environment Noise Criteria for Roadway Noise

Location	Daytime L_{eq} [dBA]	Nighttime L_{eq} [dBA]
Property boundary	60	50

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.

The limits presented in Table 1 are the limits before noise control measures or out mitigation measures are required.

Noise Source Data

A summary table showing all noise sources is provided in Table 2 below. In addition to the raw measurement data measured from a transport truck performing similar operations (driving through a \n industrial lot and parking a trailer), calculation tables which illustrate the calculation of the sound power levels from the measured one third octave sound pressure levels (if applicable), is included in Appendix D. Also included in the calculations are the necessary corrections for distance, directivity and other factors prior to inputting into the noise propagation model.

Table 2: Noise Source Data Summary

Source ID/Predictor Name	Source Description	Sound Pressure Level (dBA) at "X" distance	Sound Characteristics	Noise Control Measures
Truck	Truck traffic	70.3 at 5 m	S	U

Where:

N/N	No noise	C	Cyclic
N/A	Not available	Si	Silencer, acoustic louver, muffler
O	Located/installed outside the building	A	Acoustic lining, plenum
I	Located/installed inside building	Ba	Barrier, berm, screening
S	Steady	L	Lagging
Q	Quasi steady impulsive	E	Acoustic Enclosure
Im	Impulsive	Ot	Other
B	Buzzing	U	Uncontrolled
T	Tonal		

Identification of the Representative Receptor Locations

Upon examination of the proposed development plan, the representative locations selected for assessment calculations for this development are identified as follows: POR1(point of reception 1), POR2 and POR3. These representative locations, which are located at the property line, are labelled on the proposed development layout in Appendix A: Site LocationProposed Development Layout. These locations were selected due to their proximity to the property line, the nearest truck parking spots and for the orientation of the sources of noise.

POR1 is located at the south east property line and assumes that a truck is in front of a trailer which would provide shielding of the truck from the property line. The noise assessment is performed at the south property line.

POR2 is located at the south west property line and assumes that a truck is backed into a north parking spot and that there is no trailer parked in the adjacent south parking spot. The noise assessment is performed at the south property line.

POR3 is located at the west property line and assumes that a truck is backed into a westmost parking spot (either north or south). The noise assessment is performed at the west property line.

The daytime and nighttime period impact heights are modelled at 1.5 meters to represent the outdoor points of reception at the property line.

Assessment Approach

A noise propagation model to predict the noise levels at the representative locations was created to determine the extent of the noise control measures required (if any). The input data used to calculate the predicted sound level exposures at the selected locations on the property line, and the resulting outputs, are given in Appendix E: Predictor Output Results.

To predict the noise impacts at the property line locations, three scenarios were evaluated. The differences in these scenarios is the route that the truck enters and leaves the parking area as well as the location and orientation of the idling truck during pickup and drop off of trailers.

Three scenarios have been evaluated. These include:

1. Scenario 1: Truck enters lot and parks/retrieves trailer from the most south east parking location.
2. Scenario 2: Truck enters lot and parks/retrieves trailer from the most north west parking location.
3. Scenario 3: Truck enters lot and parks/retrieves trailer from the most south west parking location.

Various development layouts were evaluated to determine the nearest possible parking location to the west property line in order to meet the performance requirements set out by the City of Windsor. To achieve the requirements, it should be noted a 1.65 metre noise barrier or earth berm is required, located 6.1 metres from the west property line. Also, the nearest possible parking location to the west property line cannot be closer than 12.2 metres. It should be noted that for scenario 1, when a truck is either parking or picking up a trailer from the south parking spots, the trailer will act a barrier for the noise at the south property line.

Table's 3a through 3f are the Noise Impact Tables during the daytime and nighttime periods. The purpose of these tables is to present the predicted noise emission levels that the applicable noise sources, identified as significant in the Noise Source Summary Table (Table 2), have at the identified points of reception. The software used to predict the noise levels is the Brüel & Kjær Predictor Type 7810 software, which complies with the procedures specified by ISO 9613. As such, the prediction model considers the sound level attenuation of the inputted sound power data with distance as well as any attenuation provided by shielding, absorption etc. Any assumptions used in the development of the noise propagation model, including source heights, operating hours and duty cycles, acoustic ground absorption coefficient, etc. have been included in Appendix C.

Table 3a: Noise Impact Table – Daytime Period (07:00-23:00), 1.5 m impact height, Scenerio 1

	POR1 (dBA)	POR2 (dBA)	POR3 (dBA)
Truck - Movement	26.2	25.9	26.1
Truck - Idle	33.4	35.8	35.0

Table 3b: Noise Impact Table – Nighttime Period (23:00-07:00), 1.5 m impact height, Scenerio 1

	POR1 (dBA)	POR2 (dBA)	POR3 (dBA)
Truck - Movement	24.1	23.9	24.1
Truck - Idle	33.4	35.8	35.0

Table 3c: Noise Impact Table – Daytime Period (07:00-23:00), 1.5 m impact height, Scenerio 2

	POR1 (dBA)	POR2 (dBA)	POR3 (dBA)
Truck - Movement	32.3	32.0	28.2
Truck - Idle	34.8	40.5	39.3

Table 3c: Noise Impact Table – Nighttime Period (23:00-07:00), 1.5 m impact height, Scenerio 2

	POR1 (dBA)	POR2 (dBA)	POR3 (dBA)
Truck - Movement	30.2	30.0	26.1
Truck - Idle	34.8	40.5	39.3

Table 3d: Noise Impact Table – Daytime Period (07:00-23:00), 1.5 m impact height, Scenerio 3

	POR1 (dBA)	POR2 (dBA)	POR3 (dBA)
Truck - Movement	31.6	30.6	28.4
Truck - Idle	35.4	32.6	46.9

Table 3d: Noise Impact Table – Nighttime Period (23:00-07:00), 1.5 m impact height, Scenerio 3

	POR1 (dBA)	POR2 (dBA)	POR3 (dBA)
Truck - Movement	29.5	28.5	26.3
Truck - Idle	35.4	32.6	46.9

For the identified noise sources, the measured source sound pressures have been corrected for distance, directional characteristics, and other absorption effects before conversion to sound power level and subsequent prediction of the sound level at the points of reception. For this, the model uses the following general equation:

$$L_w = L_P + 20\log(r) + 11 \pm DI_\theta \pm ground\ \&\ atmospheric\ corrections$$

Using the Brüel & Kjær Predictor software, the impact on the identified PORs from the truck noise sources, in absence of any ambient noise contributors from nearby road and rail traffic or other stationary noise sources was calculated. Appendix I contains the input values used for the Predictor model. Appendix E provides the output from one of the Predictor models, which includes the identifying labels for the three representative points of reception (PORs). It is worth noting that every effort was taken in the above analysis to present a worst-case scenario.

Results

The following section details the assessment of the predicted noise levels at the representative locations.

Table 4: Acoustic Assessment Summary Table

Scenario	POR ID	Predicted Daytime Sound Level at Property Line 1.5 m Height (dBA)	Predicted Nighttime Sound Level at Property Line, 1.5 m Height (dBA)	Performance Limit (LAeq) Day and Night at Property Line	Compliance with Performance Limits (Yes/No)
1	POR1	34.2	33.9	60 (Day) & 50 (Night)	Yes
	POR2	36.2	36.0	60 (Day) & 50 (Night)	Yes
	POR3	35.5	35.4	60 (Day) & 50 (Night)	Yes
2	POR1	36.7	36.1	60 (Day) & 50 (Night)	Yes

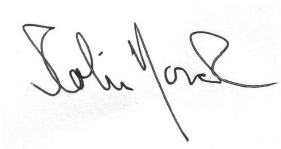
	POR2	41.1	40.9	60 (Day) & 50 (Night)	Yes
	POR3	39.6	39.5	60 (Day) & 50 (Night)	Yes
3	POR1	36.9	36.4	60 (Day) & 50 (Night)	Yes
	POR2	34.7	34.0	60 (Day) & 50 (Night)	Yes
	POR3	47.0	47.0	60 (Day) & 50 (Night)	Yes

Results Summary

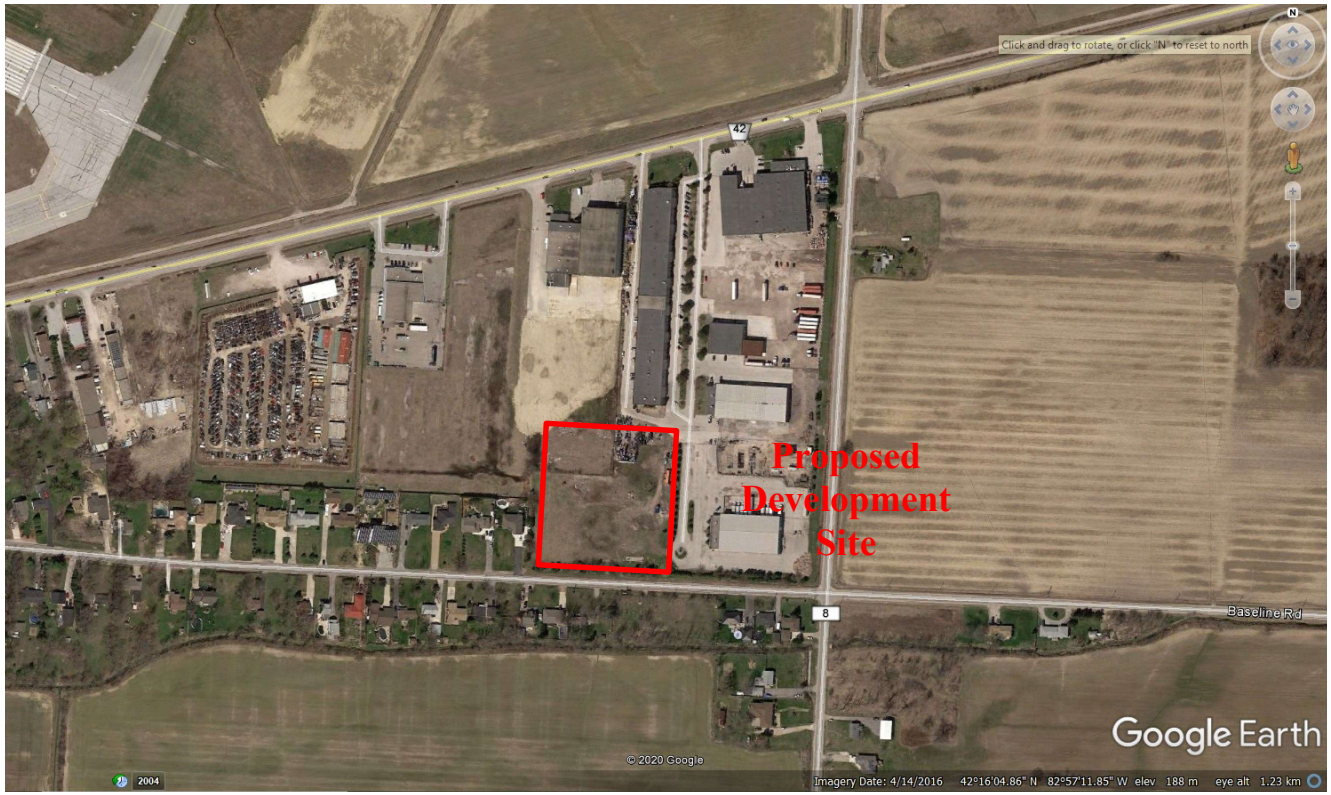
Table 4 summarizes the performance limits at the property lines for all parking locations within the proposed development. From this, the development meets all the sound level requirements at its property lines for the identified model inputs and assumptions.

Conclusion

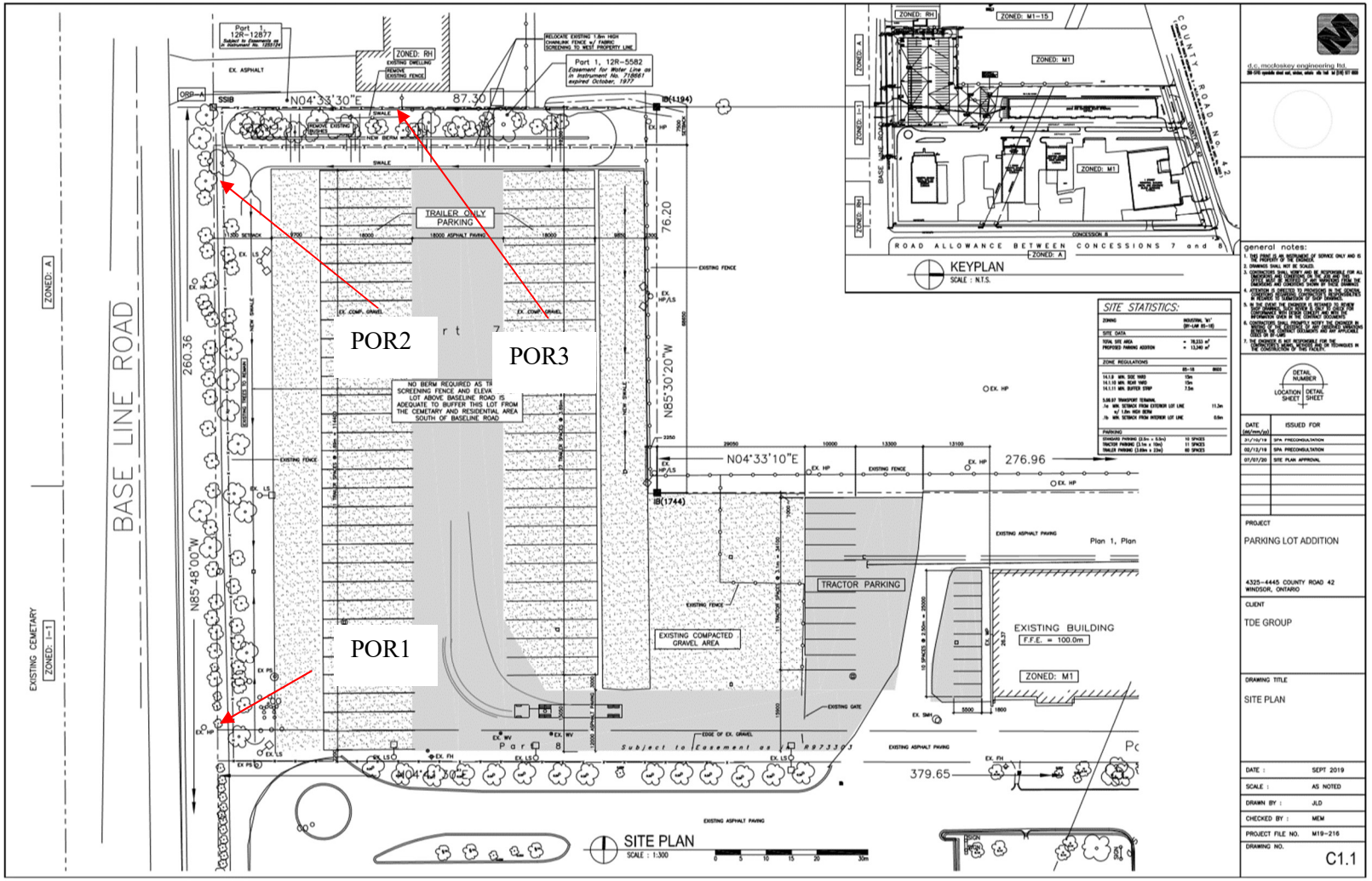
As the noise impact at the nearest property lines for the proposed development has been shown to be within the City of Windsor performance standards requirements, it is recommended that the development be given approval with the understanding that a 1.65 metre berm or noise barrier fence must be constructed, centred 6.1 meters from the west property line. Further, the edge of the west parking area must be a minimum of 12.2 metres from the west property line.

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

Appendix A: Site Location

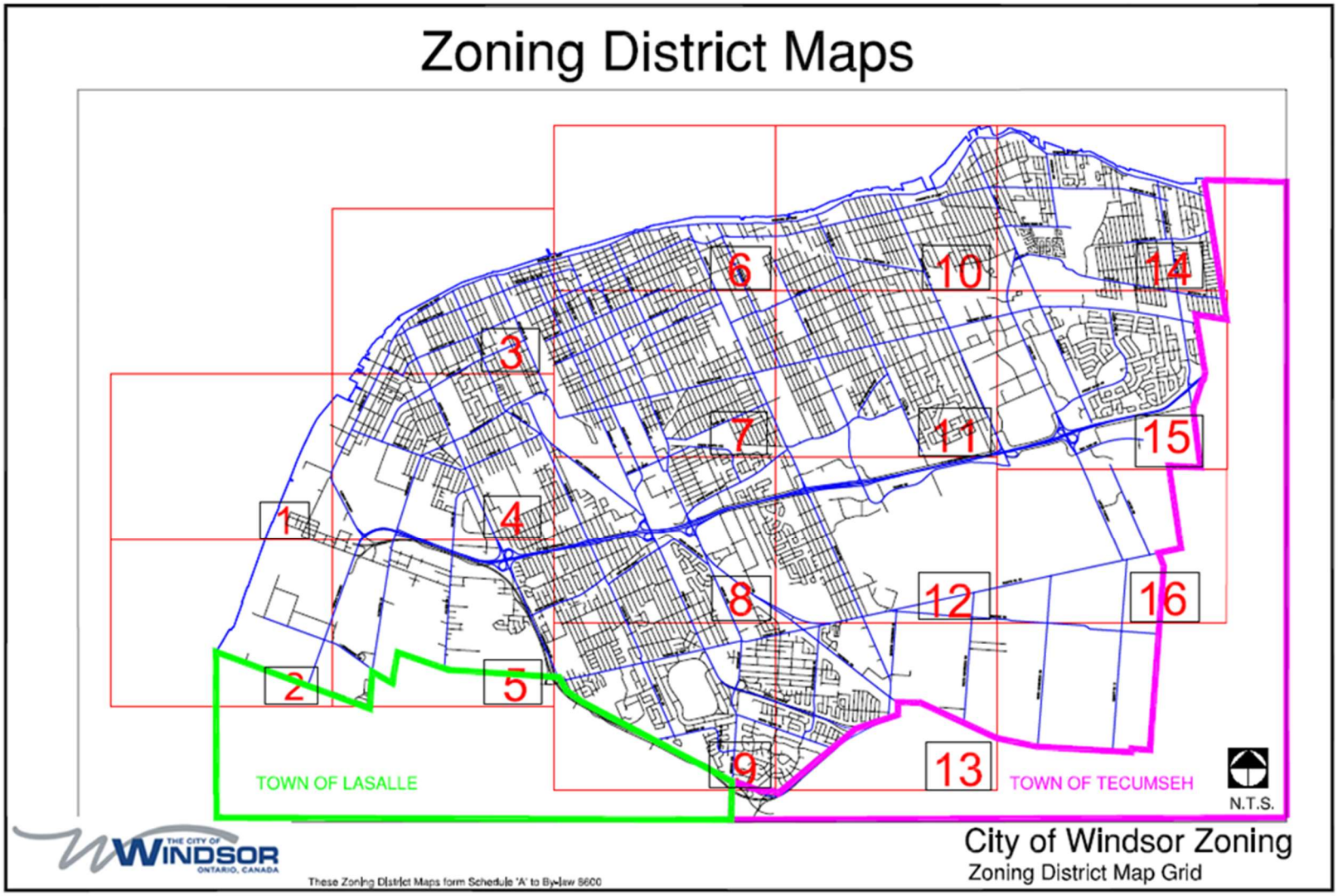


A 1: General Location of Proposed Development and Surrounding Area

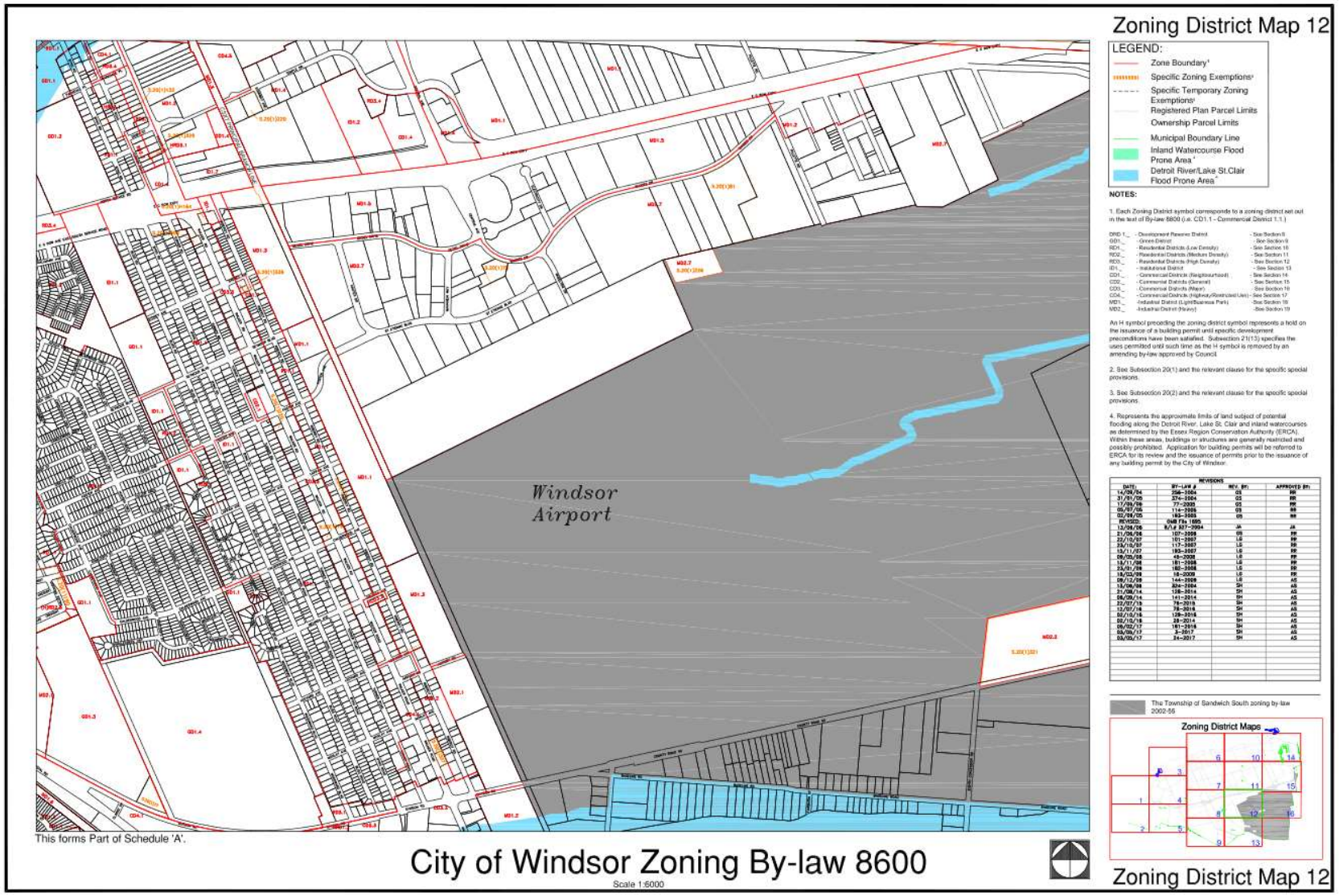


A 2:Proposed Development Lot Layout

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 12

Appendix C: Report and Model Assumptions

List of Assumptions

TDE Group; 4325-4445 County Road 42; Windsor, ON

- All receptor locations taken at 1.5 m height
- Truck idles for approximately 17% of an hour while dropping off or picking up a trailer from a parking lot location
- Truck source height is 2 m
- Truck route has 16 trucks during the daytime and 5 trucks during the nighttime travelling at 15 km/h
- Facility is operating 24-hours per day

List of PORs

- POR 1 – South property line (most easterly)
- POR 2 – South property line (most westerly)
- POR3 – West property line (most south)

Appendix D: Predictor Input Data

D 1: Raw Measurement Data and Sound Power Calculation – Truck

Frequency	Surface Correction (dBA)	Measurement Distance (m)	Sound Pressure (dBA)	Sound Power (dBA)
25 Hz	3	5	15.04	37.0
31.5 Hz	3	5	31.0	53.0
40 Hz	3	5	24.39	46.4
50 Hz	3	5	32.87	54.8
63 Hz	3	5	48.84	70.8
80 Hz	3	5	42.84	64.8
100 Hz	3	5	51.05	73.0
125 Hz	3	5	49.54	71.5
160 Hz	3	5	50.78	72.8
200 Hz	3	5	48.01	70.0
250 Hz	3	5	50.2	72.2
315 Hz	3	5	53.63	75.6
400 Hz	3	5	56.22	78.2
500 Hz	3	5	55.6	77.6
630 Hz	3	5	59.89	81.9
800 Hz	3	5	59.55	81.5
1 kHz	3	5	60.22	82.2
1.25 kHz	3	5	61.1	83.1
1.6 kHz	3	5	62.09	84.1
2 kHz	3	5	62.11	84.1
2.5 kHz	3	5	59.51	81.5
3.15 kHz	3	5	54.45	76.4
4 kHz	3	5	54.07	76.0
5 kHz	3	5	50.16	72.1
6.3 kHz	3	5	47.92	69.9
8 kHz	3	5	46.66	68.6
10 kHz	3	5	38.9	60.9

D 2: Plot of Source Attributes and Points of Reception Locations

D3: Predictor Model Input Data

TDE Group
Scenerio 3

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Moving source, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Desc.	ISO H	ISO Terr.	HDef.	Flow(D)	Flow(E)	Flow(N)	Cb(D)	Cb(E)	Cb(N)	Avg.speed
Truck		2.00	0.00	Relative	12	4	5	27.82	27.82	29.86	15

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Moving source, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Max.dist.	Lw 25	Lw 31	Lw 40	Lw 50	Lw 63	Lw 80	Lw 100	Lw 125	Lw 160	Lw 200	Lw 250
Truck	25.00	37.00	53.00	46.40	54.80	70.80	64.80	73.00	71.50	72.80	70.00	72.20

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Moving source, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Lw 315	Lw 400	Lw 500	Lw 630	Lw 800	Lw 1k	Lw 1.25k	Lw 1.6k	Lw 2k	Lw 2.5k	Lw 3.1k	Lw 4k
Truck	75.60	78.20	77.60	81.90	81.50	82.20	83.10	84.10	84.10	81.50	76.40	76.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Moving source, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Lw 5k	Lw 6.3k	Lw 8k	Lw 10k	Red 25	Red 31	Red 40	Red 50	Red 63	Red 80	Red 100	Red 125
Truck	72.10	69.90	68.60	60.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Moving source, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Red 160	Red 200	Red 250	Red 315	Red 400	Red 500	Red 630	Red 800	Red 1k	Red 1.25k	Red 1.6k	Red 2k
Truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Moving source, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Red 2.5k	Red 3.1k	Red 4k	Red 5k	Red 6.3k	Red 8k	Red 10k
Truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Desc.	Height	Terrain L	HDef.	Type	DI	DI_Horz	DI_Vert	DI(0)	DI(10)
Truck Idle		2.00	0.00	Relative	Normal point source	none	0	0	0.0	0.0

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	DI(20)	DI(30)	DI(40)	DI(50)	DI(60)	DI(70)	DI(80)	DI(90)	DI(100)	DI(110)	DI(120)	DI(130)
Truck Idle	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	DI(140)	DI(150)	DI(160)	DI(170)	DI(180)	Ca(D)	Ca(E)	Ca(N)	No refl.	No building	No ind.site
Truck Idle	0.0	0.0	0.0	0.0	0.0	7.70	7.70	7.70	No	No	No

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Lw 25	Lw 31	Lw 40	Lw 50	Lw 63	Lw 80	Lw 100	Lw 125	Lw 160	Lw 200	Lw 250
Truck Idle	37.00	53.00	46.40	54.80	70.80	64.80	73.00	71.50	72.80	70.00	72.20

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Lw 315	Lw 400	Lw 500	Lw 630	Lw 800	Lw 1k	Lw 1.25k	Lw 1.6k	Lw 2k	Lw 2.5k	Lw 3.1k
Truck Idle	75.60	78.20	77.60	81.90	81.50	82.20	83.10	84.10	84.10	81.50	76.40

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Lw 4k	Lw 5k	Lw 6.3k	Lw 8k	Lw 10k	Red 25	Red 31	Red 40	Red 50	Red 63	Red 80
Truck Idle	76.00	72.10	69.90	68.60	60.90	0.00	0.00	0.00	0.00	0.00	0.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Red 100	Red 125	Red 160	Red 200	Red 250	Red 315	Red 400	Red 500	Red 630	Red 800	Red 1k
Truck Idle	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Point sources, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Red 1.25k	Red 1.6k	Red 2k	Red 2.5k	Red 3.1k	Red 4k	Red 5k	Red 6.3k	Red 8k	Red 10k
Truck Idle	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Receivers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Desc.	Terrain L	HDef.	Height A	Height B	Height C	Height D	Height E	Height F	Façade
POR1		0.00	Relative	1.50	--	--	--	--	--	Yes
POR2		0.00	Relative	1.50	--	--	--	--	--	Yes
POR3		0.00	Relative	1.50	--	--	--	--	--	Yes

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Desc.	ISO H	ISO Terr.	HDef.	Use trans.	Floating	Refl.L 25	Refl.L 31	Refl.L 40	Refl.L 50
Barrier		1.65	0.00	Relative	No	No	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl.L 63	Refl.L 80	Refl.L 100	Refl.L 125	Refl.L 160	Refl.L 200	Refl.L 250	Refl.L 315	Refl.L 400
Barrier	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl.L 500	Refl.L 630	Refl.L 800	Refl.L 1k	Refl.L 1.25k	Refl.L 1.6k	Refl.L 2k	Refl.L 2.5k
Barrier	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl.L 3.1k	Refl.L 4k	Refl.L 5k	Refl.L 6.3k	Refl.L 8k	Refl.L 10k	Refl.R 25	Refl.R 31	Refl.R 40
Barrier	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl.R 50	Refl.R 63	Refl.R 80	Refl.R 100	Refl.R 125	Refl.R 160	Refl.R 200	Refl.R 250	Refl.R 315
Barrier	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl.R 400	Refl.R 500	Refl.R 630	Refl.R 800	Refl.R 1k	Refl.R 1.25k	Refl.R 1.6k	Refl.R 2k
Barrier	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl.R 2.5k	Refl.R 3.1k	Refl.R 4k	Refl.R 5k	Refl.R 6.3k	Refl.R 8k	Refl.R 10k	TL 25	TL 31	TL 40
Barrier	0.80	0.80	0.80	0.80	0.80	0.80	0.80	200.00	200.00	200.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	TL 50	TL 63	TL 80	TL 100	TL 125	TL 160	TL 200	TL 250	TL 315	TL 400	TL 500	TL 630	TL 800
Barrier	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Barriers, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	TL 1k	TL 1.25k	TL 1.6k	TL 2k	TL 2.5k	TL 3.1k	TL 4k	TL 5k	TL 6.3k	TL 8k	TL 10k
Barrier	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Buildings, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Desc.	Height	Terrain L	HDef.	Designated use	Floating	Refl. 25	Refl. 31	Refl. 40	Refl. 50
Trailer		3.00	0.00	Relative		No	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Buildings, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl. 63	Refl. 80	Refl. 100	Refl. 125	Refl. 160	Refl. 200	Refl. 250	Refl. 315	Refl. 400	Refl. 500
Trailer	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Buildings, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl. 630	Refl. 800	Refl. 1k	Refl. 1.25k	Refl. 1.6k	Refl. 2k	Refl. 2.5k	Refl. 3.1k	Refl. 4k
Trailer	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80

Model: Source at POR3
version of Area - Area
Group: (main group)
Listing of: Buildings, for method Industrial noise - ISO 9613.1/2 (1/3 Octave)

Name	Refl. 5k	Refl. 6.3k	Refl. 8k	Refl. 10k
Trailer	0.80	0.80	0.80	0.80

Appendix E: Predictor Output Results

E1: Table of Predictor Results

Scenario	Name	Height (m)	Day (LAeq)	Night (LAeq)
1	POR1	1.5	34.2	33.9
	POR2	1.5	36.2	36.0
	POR3	1.5	35.5	35.4
2	POR1	1.5	36.7	36.1
	POR2	1.5	41.1	40.9
	POR3	1.5	39.6	39.5
3	POR1	1.5	36.9	36.4
	POR2	1.5	34.7	34.0
	POR3	1.5	47.0	47.0

APPENDIX E

EXCERPTS FROM ZONING BY-LAW 85-18

SECTION 3 – DEFINITIONS

3.16 BERM, shall mean an earthen work or mound of earth of a specified height and width, and exhibiting sloping, landscaped sides, which is intended to act as a barrier or buffer strip. The height of a berm shall be the vertical distance in metres between the base and the highest point of the berm. The slope of the slides of the berm shall be stable and not prone to shifting and will be dependent upon the required height of the berm and shall in no case be greater than 45 degrees (2:1) to the horizontal.

3.18 BUFFER STRIP, shall mean an area used for no other purpose than for the erection of a solid fence, earth berm or the planting and maintaining of a continuous row of natural evergreen trees or a continuous unpierced hedgerow of natural shrubs, not less than two (2.0) metres (6.56') height, which will provide a year round visual barrier, and the remainder of which is used for landscaping and the planting of ornamental shrubs, flowering shrubs, flowerbeds, or a combination thereof. Any fence shall be decorative in nature and be designed and constructed to resist wind damage (e.g. alternating slats).

3.19 BUILDING, shall include any structure whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a fence, trailer, camping trailer, truck camper, motor home, or tent.

3.20 BUILDING, MAIN or MAIN STRUCTURE, shall mean the building or structure designed for or in which is conducted the principal use of the lot on which it is situated. For clarity a dwelling accessory to an agricultural use is not a "main building" for the purpose of this By-law.

3.48 FLOOR AREA, shall mean the sum of the areas of all of the floors of a building or structure measured from the outside of all outside walls or from the centerline of common or party walls, exclusive of any attached accessory building, terrace, veranda, unfinished attic, basement, cellar, open or enclosed porch or sunroom, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons, and excluding any floor area with a ceiling height of less than two (2.0) metres (6.5').

3.63 INDUSTRIAL USE, shall mean the use of any land, building or structure for the purpose of manufacturing, processing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing, packaging or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services. Transportation terminals would also be considered an "Industrial Use".

3.68 LANDSCAPING, shall mean any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property.

3.70 LOADING SPACE, shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial, industrial or institutional vehicle while loading or unloading persons, animals, goods, merchandise or materials used in connection with the main use of the lot or any building thereon, and which has unobstructed access to a street or lane.

3.72 LOT, shall mean a parcel or tract of land which,

a) is the whole of a lot on a registered plan of subdivision, so long as such registered plan is not deemed, pursuant to Section 49 of The Planning Act, S.O. 1983, not to be a registered plan of subdivision, or

b) is all of the land held or owned under distinct and separate ownership from the ownership of the fee or equity of redemption in abutting land.

3.73 LOT OF RECORD, shall mean a lot legally capable of being conveyed from one person to another person as of the date of the passing of this By-law.

3.74 LOT, AREA, shall mean the total horizontal area within the lot lines of a lot.

3.76 LOT FRONTAGE, shall mean the horizontal distance between the side lot lines of a lot measured at right angles, but where such lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoints of the front and rear lot lines at a point seven and one-half (7.5) metres (24.50') back from the front lot line, and where such lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front lot line with the apex of the triangle formed by the side lot lines at a point seven and one-half (7.5) metres (24.60') back from the front lot line, and where such lot lines are curved, the lot frontage shall be measured along the line between the interior side lot line and the intersection of the tangents to the street lines, drawn through the extremities of the front lot line and exterior side lot line.

3.78 LOT LINES, shall mean the boundary lines of a lot defined as follows:

a) Front Lot Line, shall mean:

- in the case of an interior lot the lot line dividing the lot from the street;
- in the case of a corner lot the shorter lot line abutting the street unless each lot line is of equal length in which case the front lot line shall be the lot line where the principal access to the lot is provided;
- in the case of a through lot the front lot line shall be the lot line where the principal access to the lot is provided.

b) Rear Lot Line, shall mean the lot line farthest from and opposite to the front lot line;

c) Side Lot Line, shall mean a lot line other than a front or rear lot line;

d) Side Lot Line, Exterior, shall mean the side lot line which abuts the street on a corner lot;

e) Side Lot Line, Interior, shall mean the lot line which does not abut the street on a corner lot.

3.83 MOTOR VEHICLE, shall mean a wheeled self-propelling vehicle for the transportation of passengers and goods and without limiting the generality of the foregoing includes automobiles, trucks, buses, ambulances, hearses, motor homes and tractors.

3.91 OPEN SPACE, LANDSCAPED, shall mean unobstructed space on the site which is suitable for landscaping, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, and the roof or other part of a building or structure open to the air and suitable for landscaping and used as a recreational area, but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, or motor vehicle parking area.

3.92 OUTSIDE STORAGE, shall mean the storage of goods in the open air and in unenclosed portions of buildings which are open to the air on the sides.

3.96 PARKING LOT, and AREA, shall mean an area for the parking of vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a public street.

3.97 PARKING SPACE, shall mean an area of 3 metres (9.84') by 6 metres (19.68'), exclusive of aisles or driveways, enclosed in a building, or unenclosed, and set aside for the purpose of parking a vehicle and shall not include any part of a public street.

3.117 SETBACK, shall mean the horizontal distance between the centerline of the road and the nearest part of any main wall of any building or structure, measured at right angles to such centerline, and extending the full width of the lot.

3.131a TRANSPORT TERMINAL means premises used to dispatch, park, repair, service, or store freight-carrying trucks including a semi-trailer, tractor trailer, transport trailer, transport truck, truck tractor, or truck trailer, and may include as an accessory use, the loading or unloading of goods or freight to or from, or transferring of goods or freight between, said trucks and trailers. A truck transportation facility, truck terminal or truck or transportation terminals is a transport terminal. A motor vehicle dealership, outdoor storage yard or parking area is not a transport terminal.

TRANSPORT STORAGE AREA means that portion of a transport terminal located outdoors and being used to load, manoeuvre, park, repair, service, store, or unload a transport truck or transport trailer. It does not include any landscaped open space.

TRANSPORT TRAILER means a trailer or a semi-trailer as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8. A tractor trailer or truck trailer is a transport trailer. A cabin trailer, camping trailer, house trailer, mobile home, motor home, trailer or recreational vehicle, tent trailer, travel trailer, or truck camper is not a transport trailer.

TRANSPORT TRUCK means a motor vehicle used to pull a transport trailer and includes the tractor unit of a tractor-trailer combination or a semi-trailer truck or semi-tractor unit of semi-trailer combination. A truck tractor is a transport truck.

3.132 USE, (when used as a noun), shall mean the purpose for which any land, building or structure is designed, arranged or intended to be occupied or used, or for which it is occupied, used or maintained.

3.133 VEHICLE, includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power, including a muscular power, but does not include a wheelchair.

3.134 VEHICLE, COMMERCIAL, shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes an ambulance, hearse, casket wagon, fire apparatus, police patrol vehicle, motor bus and tractor used for hauling purposes on the highway.

3.138 YARD, shall mean an open space on the same lot with a main building or structure, unoccupied, uncovered, and unobstructed from the ground upward except by such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law. In determining yard measurements the minimum horizontal distance between the main building or structure and the respective lot lines measured perpendicular from the lot line shall be used:

a) Front Yard shall mean a yard extending across the full width of a lot between the front lot line and the nearest wall of the main building or structure on the lot;

b) Rear Yard shall mean a yard extending across the full width of a lot between the rear lot line and the nearest wall of the main building or structure on the lot;

c) Side Yard shall mean a yard between the side wall of the main building or structure on the lot and the side lot line and extending from the front yard (or front lot line if not front yard is required) to the rear yard (or rear lot line if no rear yard is required).

3.139 ZONE, shall mean an area delineated on a Zoning Map Schedule and established and designated by this By-law for a specific use or group of uses.

SECTION 5 – GENERAL PROVISIONS

5.49 TRANSPORT TERMINAL

For a transport terminal, the following additional provisions shall apply:

.1 A transport storage area shall be:

a) Setback from a front lot line or an exterior side lot line, a minimum of 11.30 m, said setback shall consist of a berm with a minimum width of 11.30 m and a minimum height of 1.80 m, and shall be maintained exclusively as a landscaped open space yard;

b) Setback from a rear lot line or an interior side lot line, a minimum of the required rear yard depth or the required side yard depth of the zone in which the lot is located in, the width of a required buffer strip, or 0.9 m, whichever is greater, and the setback shall be maintained exclusively as a landscaped open space yard.

c) Graded and drained into a municipal sewer system to prevent the runoff of surface water onto a street, alley, or abutting property;

d) Paved with asphalt, concrete or any combination thereof, for that portion of the transport storage area used to load, manoeuvre, repair, service, or unload a motor vehicle, transport truck or transport trailer. The remainder of the transport storage area shall be paved with asphalt or concrete, or covered in gravel or similar aggregate, or any combination thereof, and

e) Maintained in good condition.

.3 The parking, repairing, servicing, storing of a motor vehicle, truck or transport trailer within a required yard, required buffer strip, or a landscaped open space is prohibited.

.5 A curb shall bound the perimeter of the paved portion of the transport storage area. Any curb shall be constructed of poured in place concrete, shall be continuous and shall have a minimum width and height of 15.0 cm. Precast concrete, rubber, plastic or other curbing or a parking stop that is not continuous is prohibited. A curb cut or ramp for pedestrian or vehicular access, a curb cut for drainage, or a curb with a height of less than 15.0 cm as a transition between the paved and unpaved portions of a transport storage area, is permitted.

.10 Vehicular access shall be from/to a street by way of a driveway. The provisions of Section 5.37 shall apply to such driveway and the requirement for an industrial use shall apply.

.15 A parking area may be located within a transport storage area and the provisions of Section 5.34 shall apply, with necessary modifications for the safe and efficient operation of the transport storage area and parking area.

.20 A refuse bin may be located within a transport storage area and shall be fully screened by a screening fence having a minimum height of 1.80 m.

.25 Where an abutting lot is zoned Parks and Open Space Zone, Residential Zone 1 or Hamlet Residential Zone or occupied by a dwelling or dwelling unit, a screening fence with a minimum height of 1.80 m shall be provided along that part of the lot line for the lot on which the transport terminal is located.

.30 Any lighting used to illuminate the transport terminal shall be full cut-off lighting.

.50 Notwithstanding Section 5.33, for a transport terminal the required minimum number of parking spaces shall be 5 parking spaces, or 1 parking space for every 45.0 m2 of gross floor area, whichever is greater.

SECTION 14 – INDUSTRIAL ZONE (M1) REGULATIONS

14.1 GENERAL USE REGULATIONS

14.1.1 Permitted Uses

No land, building, or structures shall be used or erected in the Industrial Zone (M1) except for non-effluent producing industrial uses as defined herein and shall include the following:

a) automobile body repair shop;
b) automobile repair garage;
c) blueprinting and printing establishments;
d) building supplies center or lumber yard;
e) commercial grain handling and storage facility;
f) concrete or wood products factory or manufacturing use, excluding a concrete batching plant;
g) construction company;
h) contractor's yard or shop;
i) establishments for the storage or processing of agricultural produce;
j) existing agricultural uses;
k) food catering services;
l) machine or welding shop;
m) manufacturing of small electrical or machine components;
n) metal fabricating;
o) non-effluent producing industrial uses;
p) offices and retail or wholesale outlets related to permitted industrial uses, carried on in the same building;
q) repair depots including machine repair shops;
r) existing salvage yards or scrap yards;
s) service shop;
t) tire repair shop
u) tool and die companies;
v) Transport Terminal
[ZNG/5364] **(Amended by B/L 168-2018, Dec. 19/2018)**
w) warehousing and supply or storage uses (outdoor and indoor);
x) woodworking shops;
y) accessory buildings or uses, including a dwelling or dwelling unit.

14.1.2 Permitted Buildings and Other Structures

No building or structures shall be used or erected in the Industrial Zone (M1) except for the following purposes:

a) buildings and structures for the permitted uses;
b) accessory buildings and structures for the permitted uses.

14.1.3	Minimum Lot Area	2000 square metres (21,529.5' sq.)

14.1.3	Minimum Lot Frontage	
	a) on a County Road	61 metres (200.13’)
	b) on all other roads	30 metres (98.43’)
14.1.5	Maximum Lot Coverage	40 percent
14.1.6	Minimum Landscaped Open Space	10 percent
14.1.7	Maximum Building Height	10.5 metres (34.40’)
14.1.8	Minimum Front Yard Depth	12.0 metres (39.40’)
14.1.9	Minimum Side Yard Width	
	a) Where the side yard fronts on a street opposite a residential zone, institutional zone or parks and open space zone or directly abuts said zones	15.0 metres (49.21’)
	b) Where the side yard abuts the greenway	3.0 metres (9.84’)
	c) All other cases	6.0 metres (19.68’)
14.1.10	Minimum Rear Yard Depth	
	a) Where the rear yard fronts on a street opposite a residential zone, institutional zone or parks and open space zone or directly abuts said zones	15.0 metres (49.21’)
	b) Where the rear yard abuts the greenway	3.0 metres (9.84’)
	c) All other cases, except where the rear yard abuts a railway or railway spur, in which case no rear yard shall be required	7.5 metres (24.60’)

14.1.11 Buffer Strip

A buffer strip with a minimum width of 7.5 metres (24.60’) shall be provided abutting the side and rear lot lines, where they abut a residential, institutional or parks and open space zone in compliance with subsection 5.15

14.1.12 Loading Space Regulations

In addition to the requirements specified in subsections 5.31 and 5.32 of this By-law, the following provisions shall apply:

a) Where a lot abuts an arterial road or county road, no loading space shall be located in nor open onto a front yard or any yard directly abutting a residential, institutional or parks and open space zone. If all yards abut such zones then the loading space shall be allowed to open onto a side or rear yard.

14.1.13 Outside Storage

a) No outside storage shall be permitted in a front yard, however, display of goods may be permitted behind the required minimum front yard setback.

b) Outside storage shall be permitted in any side or rear yard provided it is to the rear of the front wall of any building, or where there is no building behind the minimum front yard setback.

c) No outside storage shall be permitted in any required minimum yard setback directly abutting a residential, institutional or parks and open space zone.

d) Any areas used for permitted outside storage shall be in addition to and separate from such areas as may be required by this By-law for the provision of off-street parking and loading spaces.

e) the maximum height for permitted outside storage (except for machinery, equipment and trucks that are stored as single units at grade) shall not exceed 5 metres (16.40’).

14.1.14 Outside Lighting Facilities

Illuminated signs and exterior lighting installed on a lot to illuminate parking areas, driveways, loading areas, buildings or outside storage areas shall be so arranged as to direct light away from abutting lots and adjacent residential uses.

14.1.15 Performance Standards

All industrial uses within the Industrial (m1) Zone shall meet the following performance standards to ensure the safety and comfort of all persons within the Industrial (M1) Zone and in adjoining zones. The performance standards to be complied with shall include all municipal, provincial and federal regulations with respect to air and water pollution, industrial safety and work standards as well as the following specific standards:

a) No dirt, dust or particulate matter shall be discharged into the air.

b) No noise shall exceed 60 dBA (decibels) during the day or 50 dBA at night at the boundaries of the lot provided that short intermittent noise peaks are permitted.

c) No toxic, obnoxious or corrosive fumes or gases shall be emitted.

d) No odours shall be perceptible at the lot boundaries.

e) Any drop or power hammer, punch press or stamping press shall be so controlled so as to prevent the transmission beyond the lot lines of ground vibrations perceptible without the aid of instruments.

14.1.16 Parking and Landscaping in Front Yard

Notwithstanding any other provision in this by-law to the contrary, no parking other than a maximum of six (6) visitor’s parking spaces shall be permitted in the front yard and any front yard that is not used for driveways or visitor’s parking spaces shall be used for landscaping.

Committee Matters: SCM 310/2020

Subject: Zoning By-law Amendment - 1521 Pierre Avenue - Lester Group - Z016-20 [ZNG-6127] - Ward 4

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 206**
THAT the Zoning By-law 8600 amendment request regarding Lot 82, Plan 889; now designated as Part 2 on Reference Plan 12R28270, located on the west side of Pierre Avenue, south of Shepherd Street East (shown as the subject lands on Appendix D to Report S117/2020), from Residential RD 1.3 to RD 2.2 **BE DENIED**.

Carried.

Councillor Morrison was absent from the meeting when the vote was taken on this matter.

Report Number: S 117/2020
Clerk's File: ZB/13897

Clerk's Note: The recommendation of the Standing Committee and Administration are not the same.

Subject: Zoning By-law Amendment - 1521 Pierre Avenue - Lester Group - Z016-20 [ZNG-6127] - Ward 4

Reference:

Date to Council: October 13, 2020
Author: George Robinson, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
519 255-6543 x6531
grobinson@citywindsor.ca

Planning & Building Services
Report Date: September 28, 2020
Clerk's File #: ZB/13897

To: Mayor and Members of City Council

Recommendation:

1. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 82, Plan 889; now designated as Part 2 on Reference Plan 12R28270, located on the west side of Pierre Avenue, south of Shepherd Street East (shown as the subject lands on Appendix D to Report S117/2020), from Residential RD 1.3 to RD 2.2 and by adding a site specific provision to Section 20(1) as follows:

   "397 **WEST SIDE OF PIERRE AVENUE, SOUTH OF SHEPHERD STREET**

   For the lands comprising Lot 82, Plan 889; now designated as Part 2 on Reference Plan 12R28270, for any permitted use in Section 11.2.1, save and except for a townhome dwelling, the following additional provisions shall also apply:

   a) Lot Width - minimum – 9.0 m;

   b) Lot Area – minimum – 336 m^2

   c) Side Yard Width – minimum 1.20 m;

   d) *Screening fence* minimum 1.8 metres in height and landscaping shall be installed along the northerly *lot line* abutting the *rear yard*.

   [ZDM 07; ZNG/6127]"

Executive Summary:

N/A

Background:

Location: Vacant lot, abutting 1521 Pierre Avenue
(west side of Pierre Avenue, south of Shepherd Street East)

Ward: 4

Planning District: Walkerville

Zoning District Map: 7

Applicant: Scott Woodall of Lester Group

Proposal:

An application has been received for a Zoning By-law Amendment on the lands located at 1521 Pierre Avenue, legally described as Lot 82, Plan 889; now designated as Part 2 on Reference Plan 12R28270 (survey attached as Appendix B). The site area is 0.034 ha with 9 m of frontage on Pierre Avenue. The site is located within the "Residential" Land Use Designation within the City of Windsor Official Plan and is zoned Residential District 1.3 (RD1.3).

The applicant requests a Zoning By-law Amendment to permit a residential use building, proposing a two storey, 3 unit residential apartment building with associated parking as shown on Appendix A. Specifically, the applicant requests the following amendments to permit the proposed residential use building:

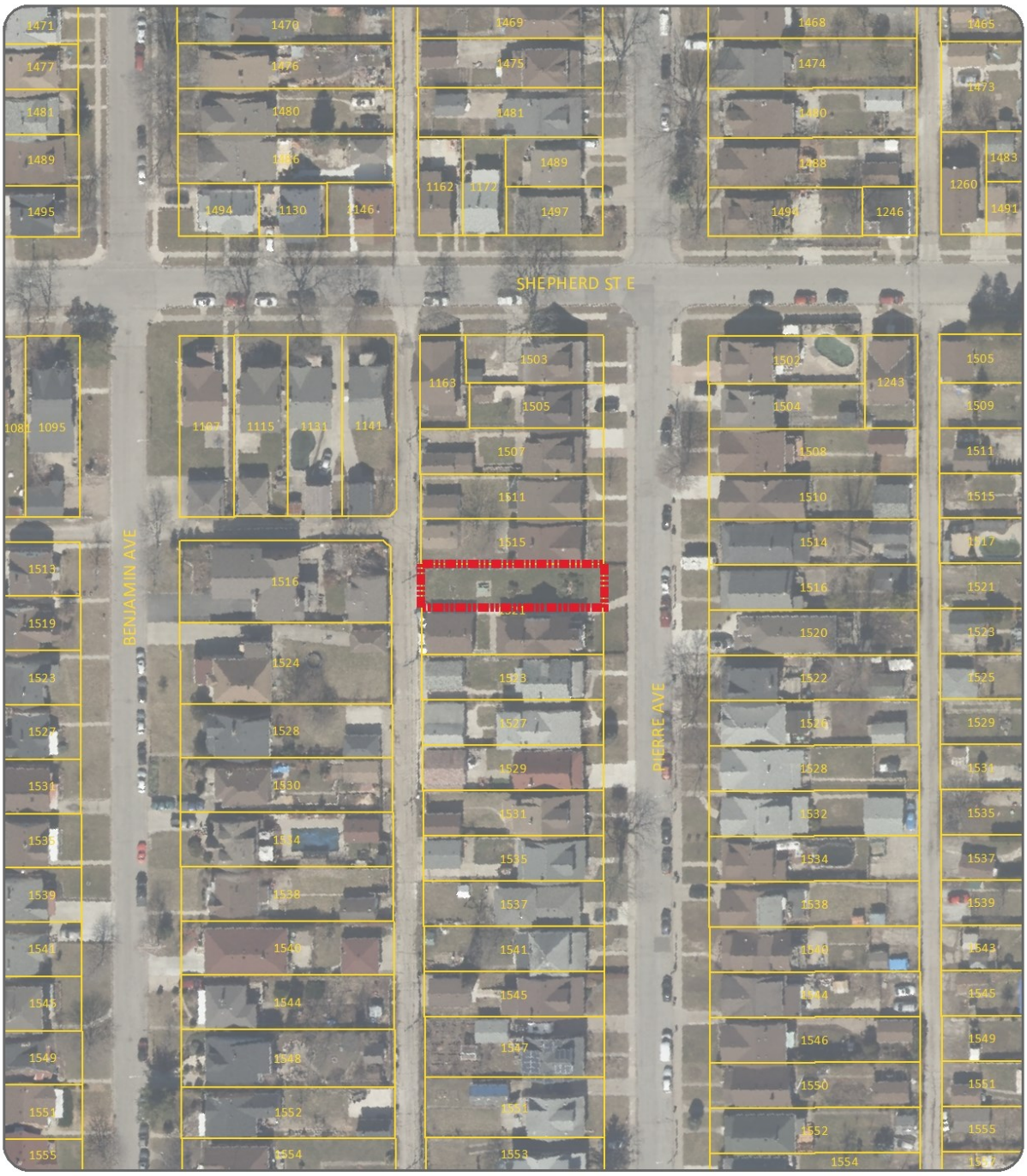
Zoning By-law Amendment: The subject properties are located within "Residential District 1.3" (RD1.3) zones within Zoning By-law 8600, as amended. The applicant is requesting that Zoning By-law 8600 be amended to a site specific "Residential District 2.2 (RD2.2)" with the following site specific special provisions:

- Minimum Lot Width of 9 m whereas Zoning By-law 8600 requires a minimum Lot Width of 18 m;
- Minimum Lot Area of 336 m^2 whereas Zoning By-law 8600 requires a Minimum Lot Area of 540 m^2; and,
- Minimum Side Yard Width of 1.2 m whereas Zoning By-law 8600 requires a Minimum Side Yard Width of 1.8 m.
- A Screening fence minimum 1.8 metres in height and landscaping shall be installed along the northerly lot line.

Location Maps:

KEY MAP - Z 016-20, ZNG-6127

SUBJECT LANDS



NEIGHBOURHOOD MAP - Z 016-20, ZNG-6127

SUBJECT LANDS

Site Information:

Vacant lot, abutting 1521 Pierre Avenue

OFFICIAL PLAN	ZONING	CURRENT USE	*PREVIOUS USE*
Residential	RD1.3	Vacant	Residential (Duplex Dwelling) and vacant lot.
FRONTAGE	**AVERAGE DEPTH**	**AREA**	***SHAPE***
9.14 m	36.89 m	336 m^2	Rectangle

Neighbourhood Characteristics:

The site is located in a residential neighbourhood to the east and west, mainly occupied by single detached, duplex, and semi-detached residential dwellings, Commercial uses to the north along Ottawa Street, and manufacturing districts to the southeast in proximity to the Essex Terminal Railway (ETR) rail line. Specifically, the following land uses are present:

North

Low rise Residential until main street Commercial buildings along Ottawa Street which contains a mix of retail stores, restaurants, and personal service businesses. Saint Mary and Saint Moses Coptic Orthodox Church is on the corner of Ottawa Street and Benjamin Avenue, across the street from Lanspeary Park.

East

Clay Park is along Shepherd Street between Moy Avenue and Hall Avenue. Low rise Residential until manufacturing districts along the ETR line. Commercial businesses including a pharmacy, bingo hall, and credit union at the corner of Ottawa Street and Walker Road.

South

Low rise Residential abutting the subject site to the immediate south. Main street Commercial buildings containing a variety of restaurants, personal service shops, retail, and office uses along Tecumseh Rd E. A municipal water tower at the corner of Hanna Street and Benjamin Avenue.

West

Low rise Residential dwellings, Gignac Park, and Saint Alphonsus Roman Catholic Cemetery.

Municipal Infrastructure

- The City's records show a combined sewer along Pierre Avenue.
- There are municipal watermains, fire hydrants and streetlights along Pierre Avenue.
- There are curbs and gutter along both sides of Pierre Avenue.
- There are sidewalks on both sides of Pierre Avenue.
- There are overhead pole lines along the east side of Pierre Avenue and in the alley abutting the site.
- Transit Windsor Buses: Parent 14 runs north/south along Parent Avenue, approximately 280 metres to the west. Walkerville 8 runs north/south along Lincoln Road approximately 390 metres to the east. Both lines terminate at the Windsor International Transit Terminal. The Ottawa 4 runs east/west along Ottawa Street approximately 430 metres to the north.
- Ottawa Street and Parent Avenue are both classified as a Class 1 Collector Roads and Truck Routes. Pierre Avenue is a local road.

Discussion:

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to planning. The *Planning Act* requires that all land use decisions be consistent with the PPS. The following is an overview of the applicable PPS policies and how the recommendations in this report are consistent with the PPS.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

h) promoting development and land use patterns that conserve biodiversity; and

i) preparing for the regional and local impacts of a changing climate.

The proposed amendment would permit a higher density of residential units, making more efficient use of land within the existing built up area. The residential dwellings proposed will be a different form that was is currently available in the majority of the surrounding area and therefore will contribute to providing a range and mix of housing types.

The proposed amendments are consistent with Section 1.1.1. of the PPS.

1.1.3.1 Settlement areas shall be the focus of growth and development.

The proposed amendments are within a settlement area therefore will contribute to the vitality and regeneration of existing the settlement areas.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

c) minimize negative impacts to air quality and climate change, and promote energy efficiency;

d) prepare for the impacts of a changing climate;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed; and

g) are freight-supportive.

The amendments would allow higher density of residential units on the subject lands. This would make more efficient use of the land and existing resources. The subject site has access to several collector streets and truck routes, with access proposed to the local road via alley (Shepherd Street). Additionally, the proposed development will be required to accommodate storm water onsite to predevelopment conditions. Therefore,

the proposed development makes more efficient use of existing municipal infrastructure. Increased residential units within the area will increase the demand for and use of the existing transit routes in proximity to the site.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The City of Windsor Official Plan contains an Urban Structure Plan showing a Neighbourhood Corridor along Ottawa Street and a Neighbourhood Node at the intersection of Ottawa Street and Walker Road, to the east of the subject site. Additionally, Ottawa Street is identified as a "Main Street" in the Civic Image in Schedule G. The policies that correspond to these identifications provide for higher density and a mix of uses.

City of Windsor Official Plan

The subject properties are located within the Walkerville Planning District as identified on Schedule A: Planning Districts & Policy Areas. The subject site is identified as "Residential" land use designation as shown on Schedule D: Land Use Plan to Volume I of the City of Windsor Official Plan. The proposal to change the zoning of the subject site does not require any changes to the planning district or the land use designation.

The Official Plan contains a Schedule J: Urban Structure Plan which identifies the key structural elements within the municipality. Schedule J: Urban Structure Plan identifies the intersection of Ottawa Street and Walker Road as a Neighbourhood Node. Schedule G: Civic Image identifies Ottawa Street as a Main Street. These elements provide the following:

Nodes: the subject site is west of a Neighbourhood Node, which are classified and defined in Chapter 3 of the Official Plan (policy 3.3.1).

Smaller scale community and neighbourhood nodes play an important role in providing services to the surrounding neighbourhoods, providing a range of housing opportunities and, providing a recognized sense of place for these neighbourhoods.

Allowing residential intensification in proximity to a Neighbourhood Node supports the vibrancy of these nodes.

Corridors: the subject site is south of Ottawa Street, which is classified as a Main Street in Schedule G: Civic Image, and as a Neighbourhood Corridor in Schedule J: Urban Structure Plan.

Corridor policies (policy 3.3.2 and policy 3.3.2.2) denotes:

The purpose and function of neighbourhood corridors is to link street sections to neighbourhood nodes or as standalone sections of community retail and services. These corridors provide for the day to day needs of the immediate neighbourhood that

surrounds them. While employment is not the major focus, these corridors create a sense of community by providing places for residents to walk such as local retail businesses and services. Local services may also include pharmacies, convenience stores and retail to serve the day to day needs of residents.

Neighbourhood policies (policy 3.3.3) denotes that these area are the most basic component on Windsor's urban structure, facilitating a range of "low-to-medium density residential" built forms, including "some medium-density intensification."

The Residential policies (policy 6.3.2.4 and 6.3.2.5) stipulates location and evaluation criteria for Residential development. The proposed development meets the locational criteria which includes access to a collector road, full services, adequate open spaces and community services, and public transportation service.

The subject property is not adjacent to any identified development constraints, a site of known contamination, and traffic generation and distribution is not a provincial or municipal concern. The proposed development is adjacent to residential uses which is considered a sensitive land use, however there is no change in Land Use.

The land use policies associated with the Residential Land Use designation support a complementary range of housing forms and tenures in all neighbourhoods, promote compact neighbourhoods which encourage a balanced transportation system, promote selective residential redevelopment, infill and intensification initiatives. The proposed development is a compatible residential housing type that will contribute to the types of housing forms in the neighbourhood.

The Built Form policies in Chapter 8 of the Official Plan (policy 8.7.2.3) speaks to items that address compatibility of infill in established neighbourhoods. The proposed three unit multiple dwelling building is of comparable height and massing of other properties in the neighbourhood. The use of the existing lot fabric and building spacing supports the compatibility of the design with the low-rise character of the existing streetscape.

SECTION 11.6.3 OF OP VOL. 1 – ZONING BY-LAW AMENDMENT POLICIES

AMENDMENTS MUST CONFORM	*11.6.3.1*	*All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.*
EVALUATION CRITERIA	*11.6.3.3*	*When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*

(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;

(b) Relevant support studies;

(c) The comments and recommendations from municipal staff and circularized agencies;

(d) Relevant provincial legislation, policies and appropriate guidelines; and

(e) The ramifications of the decision on the use of adjacent or similar lands.

The recommended Zoning By-law Amendment maintains conformity with the Official Plan and, based on the analysis provided in this report in response to the respective policies in the land use designation chapters, the Zoning By-law Amendment meets the criteria set out above in section 11.6.3.3 of the Official Plan.

Zoning By-law

The subject property is located within "Residential District 1.3" (RD1.3) zone (see Appendix D and F) within Zoning By-law 8600, as amended. The applicant is requesting that Zoning By-law 8600 be amended to a site specific "Residential District 2.2 (RD2.2)" with site specific special provisions. This is consistent with the conceptual site plan shown by the applicant in Appendix A.

The proposed Zoning By-law Amendment would permit a similar level of residential density to what the currently residential zoning permits, in a different built form. In accordance with Additional Dwelling Unit (ADU) policies and regulations, the applicant could construct a new single unit dwelling with an ADU in the main building (as a basement suite, for example) and an ADU in an accessory building, achieving 3 units on this parcel. As reviewed above, the Residential Land Use designation permits selective residential redevelopment, infill and intensification and given the location of the site in proximity to a Main Street, the proposed Zoning By-law Amendment is consistent with the Official Plan.

The proposed Zoning By-law Amendment is consistent with the City of Windsor Official Plan and Provincial Policy Statement, 2020.

Issues to be resolved:

If this application is approved, any of the requirements raised by municipal departments and agencies regarding servicing the new development will be resolved through the Site Plan Control or building permit process.

Risk Analysis:

N/A

Financial Matters:

N/A

Consultations:

Appendix C contains comments from departments and agencies. Furthermore, additional comments provided by Administrative Departments that pertain directly to the development of the site will be provided to the Site Plan or building permit process should this application be approved.

Public Notice:

The statutory notice was advertised in the Windsor Star Newspaper and all properties within 120m (400 feet) of the subject parcel received courtesy notice by mail prior to the Development and Heritage Standing Committee (DHSC) meeting.

Conclusion:

In my professional opinion, the Zoning By-law Amendment as proposed in the recommendations of this report are consistent with the Policies of the Provincial Policy Statement, 2020 and maintain conformity with the City of Windsor Official Plan.

The proposed residential building within a residential land use designation, in proximity to a Main Street is appropriate and will contribute to a mix of housing types, densities and uses.

Planning Act Matters:

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

Michael Cooke, MCIP, RPP

Manager of Planning Policy / Deputy City Planner

Thom Hunt, MCIP, RPP

City Planner

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

SAH

OC

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy / Deputy City Planner
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Scott Woodall of Lester Group		scott@lestergroup.ca
Beau Dubois		pensiorealestate@gmail.com
Stephen Berrill of Architectural Design Associates		sberrill@ada-architect.ca
Residents within 120 metres.		
Councillor Chris Holt		cholt@citywindsor.ca

Appendices:

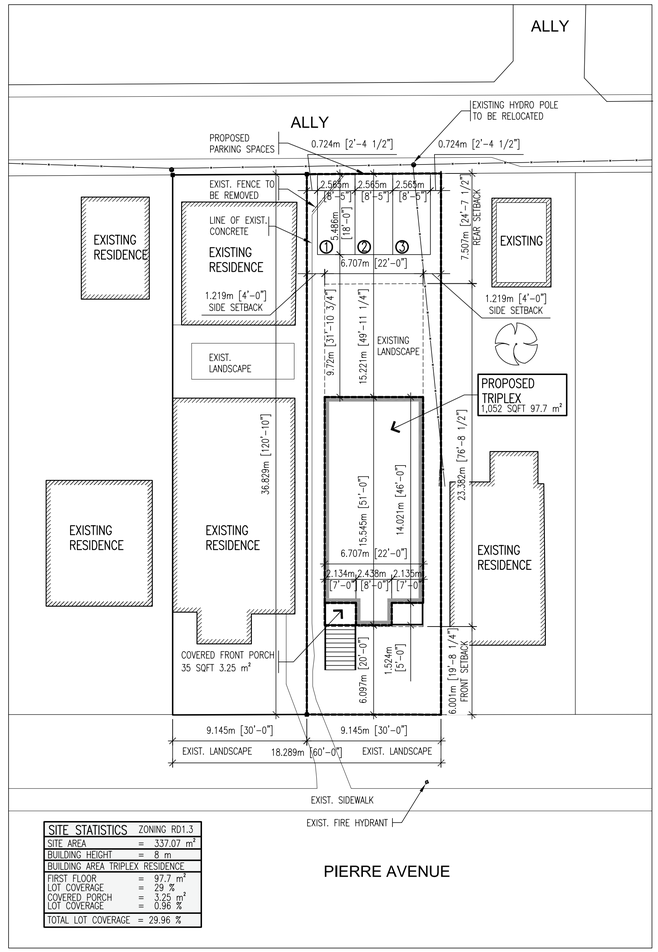
1 Appendix A - Concept Development Plan
2 Appendix B - Survey
3 Appendix C - Comments
4 Appendix D - Zoning Map
5 Appendix E - Official Plan Policies
6 Appendix F - Zoning By-law 8600 Sections
7 Appendix G - Draft Amending Zoning By-law

PROPOSED THREE STOREY RESIDENTIAL TRIPLEX

FOR

LESTER GROUP
WINDSOR, ONTARIO

Location:
1521 PIERRE AVENUE, WINDSOR, ON



PIERRE AVENUE

SITE STATISTICS	ZONING RD1.3
SITE AREA	= 337.07 m²
BUILDING HEIGHT	= 8 m
BUILDING AREA TRIPLEX RESIDENCE	
FIRST FLOOR	= 97.7 m²
LOT COVERAGE	= 29 %
COVERED PORCH	= 3.25 m²
LOT COVERAGE	= 0.96 %
TOTAL LOT COVERAGE	= 29.96 %

SITE PLAN
SCALE : 1/16" = 1'-0"

0 4 8 16 24 48 FEET

FIRM NAME:
ARCHITECTURAL DESIGN ASSOCIATES INC. ARCHITECT

CERTIFICATE OF PRACTICE NUMBER : 3339
1670 MERCER STREET, WINDSOR, ONTARIO, N8X 3P7
PHONE: 519-254-3430, FAX: 519-254-3642

NAME OF PROJECT:
PROPOSED 3-STOREY TRIPLEX RESIDENCE

LOCATION:
1521 PIERRE AVENUE,
WINDSOR, ON

ITEM	ONTARIO 2012 BUILDING CODE DATA MATRIX PARTS 3 or 9 DESIGNED UNDER COMPLIANCE PACKAGE D			OBC Reference References are to Division B unless noted [A] for Division A or [C] for Division C	
1	PROJECT DESCRIPTION	☒ NEW ☐ ADDITION ☐ CHANGE OF USE ☐ ALTERATION	☐ PART 11 11.1 to 11.4	☐ PART 3 1.1.2.[A]	☒ PART 9 1.1.2.[A] & 9.10.1.3
2	MAJOR OCCUPANCY(S)	GROUP C – RESIDENTIAL		3.1.2.1.(1)	9.10.2
3	BUILDING AREA (m2)	EXISTING: N/A NEW: XX TOTAL: XX		1.1.4.2.[A]	1.1.4.2.[A]
4	GROSS AREA (m2)	EXISTING: N/A NEW: XX TOTAL: XX		1.1.4.2.[A]	1.1.4.2.[A]
5	NUMBER OF STOREYS	ABOVE GRADE 2 BELOW GRADE 1		1.1.4.2.[A]&3.2.1.1.	1.1.4.2.[A]& 9.10.4
6	NUMBER OF STREETS / FIREFIGHTER ACCESS			3.2.2.10 & 3.2.5.	9.10.20.
7	BUILDING CLASSIFICATION	N/A		3.2.2.20. – .83	9.10.2.
8	SPRINKLER SYSTEM PROPOSED	☐ ENTIRE BUILDING ☐ SELECTED COMPARTMENTS ☐ SELECTED FLOOR AREAS ☐ BASEMENT ☐ IN LIEU OF ROOF RATING ☒ NOT REQUIRED		3.2.2.20. – .83 3.2.1.5. 3.2.2.17. INDEX	9.10.8.2. INDEX
9	STANDPIPE REQUIRED	☐ YES ☒ NO		3.2.9.	N/A
10	FIRE ALARM REQUIRED	☐ YES ☒ NO		3.2.4	9.10.18.
11	WATER SERVICE – SUPPLY IS ADEQUATE	☒ YES ☐ NO		3.2.5.7.	N/A
12	HIGH BUILDING	☐ YES ☒ NO		3.2.6	N/A
13	CONSTRUCTION RESTRICTIONS	☒ COMBUSTIBLE PERMITTED ☐ NON-COMBUSTIBLE REQUIRED ☐ BOTH		3.2.2.20. – .83	9.10.6
	ACTUAL CONSTRUCTION	☒ COMBUSTIBLE ☐ NON-COMBUSTIBLE ☐ BOTH			
14	MEZZANINE(S) AREA (m2)	N/A		3.2.1.1.(3)-(8)	9.10.4.1
15	OCCUPANT LOAD BASED ON FLOOR PLAN OCCUPANCY 2 PER SLEEPING ROOM LOAD 12 PERSONS TOTAL OCCUPANT LOAD = 12 PERSONS	☐ m2 PER PERSON ☒ DESIGN OF BUILDING		3.1.17.	9.9.1.3
16	BARRIER FREE DESIGN	☐ YES ☒ NO (PER 9.5.2.)		3.8	9.5.2
17	HAZARDOUS SUBSTANCES	☐ YES ☒ NO		3.3.1.2. &3.3.1.19.	9.10.1.3.(4)
18	REQUIRED FIRE RESISTANCE RATING (FRR)	HORIZONTAL ASSEMBLIES FRR (HOURS)	LISTED DESIGN NO: OR DESCRIPTION (SB-2)	3.2.2.20. – .83 & 3.2.1.4.	9.10.8 9.10.9
		FLOORS 0.75	1 HOUR – 2 LAYERS 5/8" TYPE 'X' FIRE-RATED GYPSUM BOARD		
		ROOF N/A	N/A		
		MEZZANINE N/A	N/A		
		FRR OF SUPPORTING MEMBERS	LISTED DESIGN NO: OR DESCRIPTION (SB-2)		
		FLOORS 0.75	0.75 HOUR – LOADBEARING WALLS W/ 5/8" TYPE 'X' FIRE-RATED GYP. BOARD		
		ROOF N/A	N/A		
		MEZZANINE N/A	N/A		
19	SPATIAL SEPARATION – CONSTRUCTION OF EXTERIOR WALL			3.2.3	9.10.14

WALL	AREA OF EBF(m2)	L.D. (m)	L/H or H/L	PERMITTED MAX. % of OPENINGS	PROPOSED % of OPENINGS	FRR (HOURS)	LISTED DESIGN OR DESCRIPTION	COMBUSTIBLE CONSTR.	COMBUSTIBLE CLADDING	NOTE:
NORTH	107.42	1.2	N/A	7	3.8	N/A	N/A	N/A	N/A	N/A
SOUTH	107.42	1.2	N/A	7	0	N/A	N/A	N/A	N/A	N/A
EAST	51.20	6.09	N/A	34	13.2	N/A	N/A	N/A	N/A	N/A
WEST	51.20	15.24	N/A	–	15.96	N/A	N/A	N/A	N/A	N/A

NOTE:

LIST OF DRAWINGS

A1.0 OBC MATRIX
SITE PLAN
A1.1 BASEMENT PLAN
MAIN FLOOR PLAN
SECOND FLOOR PLAN
A1.2 ROOF PLAN
DOOR & WINDOW SCHEDULE
A3.1 ELEVATIONS
A4.1 SECTIONS
A4.2 SECTIONS

2020/03/DD	PERMIT

date (yyyy/mm/dd): issued for:

general notes:

1. THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ARCHITECT.
2. DRAWINGS SHALL NOT BE SCALED.
3. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.
4. ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL CONDITIONS REGARDING CONTRACTOR'S RESPONSIBILITIES IN REGARD TO SUBMISSION OF SHOP DRAWINGS.
5. IN THE EVENT THE ARCHITECT IS RETAINED TO REVIEW SHOP DRAWINGS, SUCH REVIEW IS ONLY TO CHECK FOR CONFORMANCE WITH DESIGN CONCEPT AND WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS.
6. CONTRACTORS SHALL PROMPTLY NOTIFY THE ARCHITECT IN WRITING OF THE EXISTENCE OF ANY OBSERVED VARIATIONS BETWEEN THE CONTRACT DOCUMENTS AND ANY APPLICABLE CODES OR BY-LAWS.
7. THE ARCHITECT IS NOT RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS AND OR TECHNIQUES IN THE CONSTRUCTION OF THIS FACILITY.

stamp:

A architectural D design A associates inc. architect
1670 mercer street
windsor ontario canada n8x 3p7
ph 519.254.3430 fax 519.254.3642
email - info@ada-architect.ca www.ada-architect.ca

project:
PROPOSED 3 STOREY RESIDENTIAL TRIPLEX

client:
LESTER GROUP

title:
O.B.C. MATRIX
SITE PLAN

scale: AS SHOWN
drawn by: PH
checked by: SMB
date: MARCH 2020
comm. no.: R-2019-013

sheet no.:
A1.0

VISUAL SIGNAL INTERCONNECTED AND BATTERY BACKUP SMOKE ALARM AS PER 9.10.19.3 AND 9.10.19.4 REQUIRED ON ALL FLOOR LEVELS – CARBON MONOXIDE DETECTOR REQUIRED AT BEDROOM AREAS

EXHAUST FANS AND DUCTS SHALL BE SIZED ACCORDING TO OBC PART 6 OR 9.32 – ALL FANS SHALL EXHAUST DIRECTLY OUTDOORS – KITCHEN EXHAUST SHALL BE NON-COMBUSTIBLE PIPE

ALL STAIRS, RAMPS, HANDRAILS AND GUARDS SHALL CONFORM TO SB-7 & 9.8. O.B.C.

NOTE: ALL PARALLAM BEAMS TO BE ENGINEERED BY MANUFACTURER

NOTE: TYPICAL INTERIOR PARTITION 2 x 4 @ 16" O.C. W/ 1/2" GYPSUM BD. EACH FACE

NOTE: PROVIDE WATER RESISTANT GYPBD. AT ALL WASHROOM LOCATIONS

NOTE: REFER TO A4.1 FOR WINDOW & DOOR SCHEDULES

NOTE: PROVIDE DRAIN WATER HEAT RECOVERY UNITS PER O.B.C. SB-12 3.1.1.12

NOTE: HRV REQUIRED IN ALL NEW CONSTRUCTION. EFFICIENCIES TO MATCH COMPLIANCE PACKAGE

FLOOR TYPE F1a STC 52 – PER SB-3 — 1 HR. RATED

2 LAYERS 5/8" TYPE 'X' FIRE-RATED GYP. BD.
1/2" RESILIENT CHANNEL @ 12" O.C.
MIN. 6" SOUND BATT INSULATION
11 7/8" TJI FLOOR JOISTS
5/8" TYPE 'X' FIRE-RATED GYPSUM BOARD

WALL TYPE W4 STC 51 – PER SB-3 — 1 HR. RATED

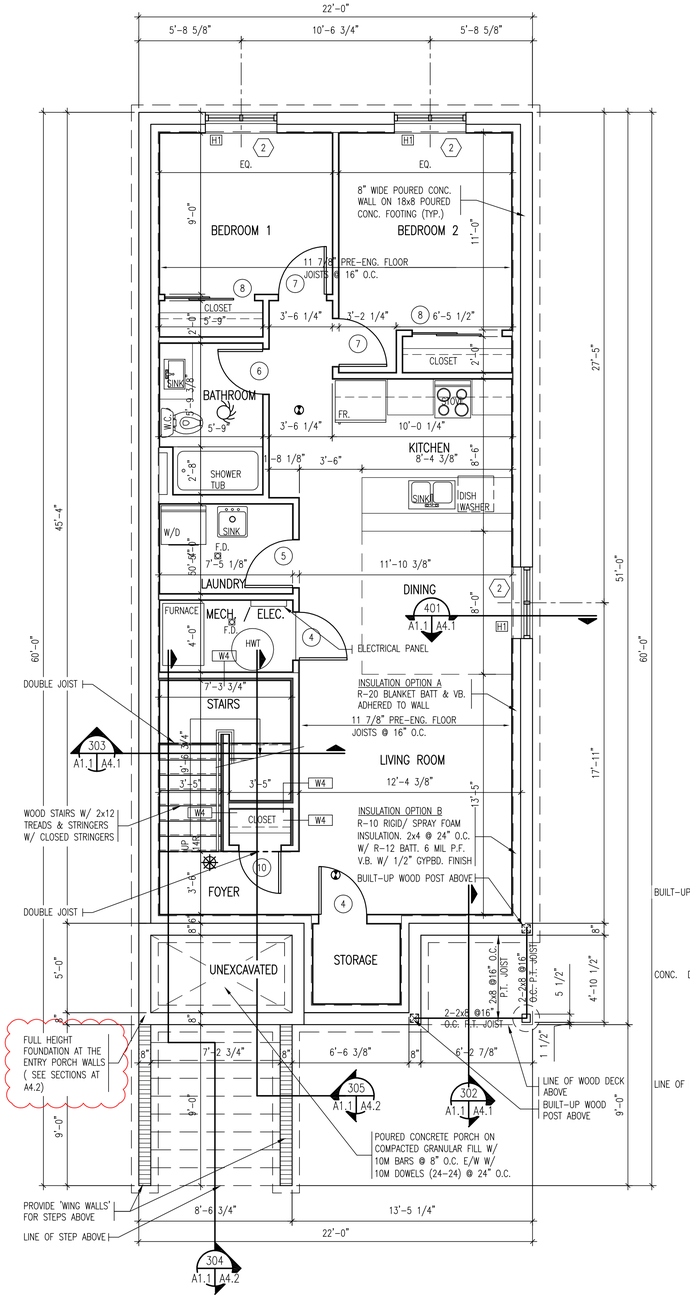
5/8 TYPE 'X' GYP. BD.
2x4 @ 16" O.C.
SOUND BATT INSUL.
RESILIENT CHANNEL
(2) LAYERS OF 5/8" TYPE 'X'

HEADER SCHEDULE	
H1	2-2 x 6 W/ SPACERS
LINTEL SCHEDULE	
L1	L3" x 3" x 1/4" BRICK LINTEL

NOTE: ALL LOAD-BEARING BEAMS, COLUMNS AND WALLS CLAD W/ MIN. 5/8" TYPE 'X' GYP. BD. SURROUND – FIRE RATED 45 min.

NOTE: ALL FIRST FLOOR NON LOAD BEARING PARTITIONS TO U/S OF RATED CLG. OR PROVIDE GYP. @ TOP OF PARTITION TO MAINTAIN F/A CONSTRUCTION

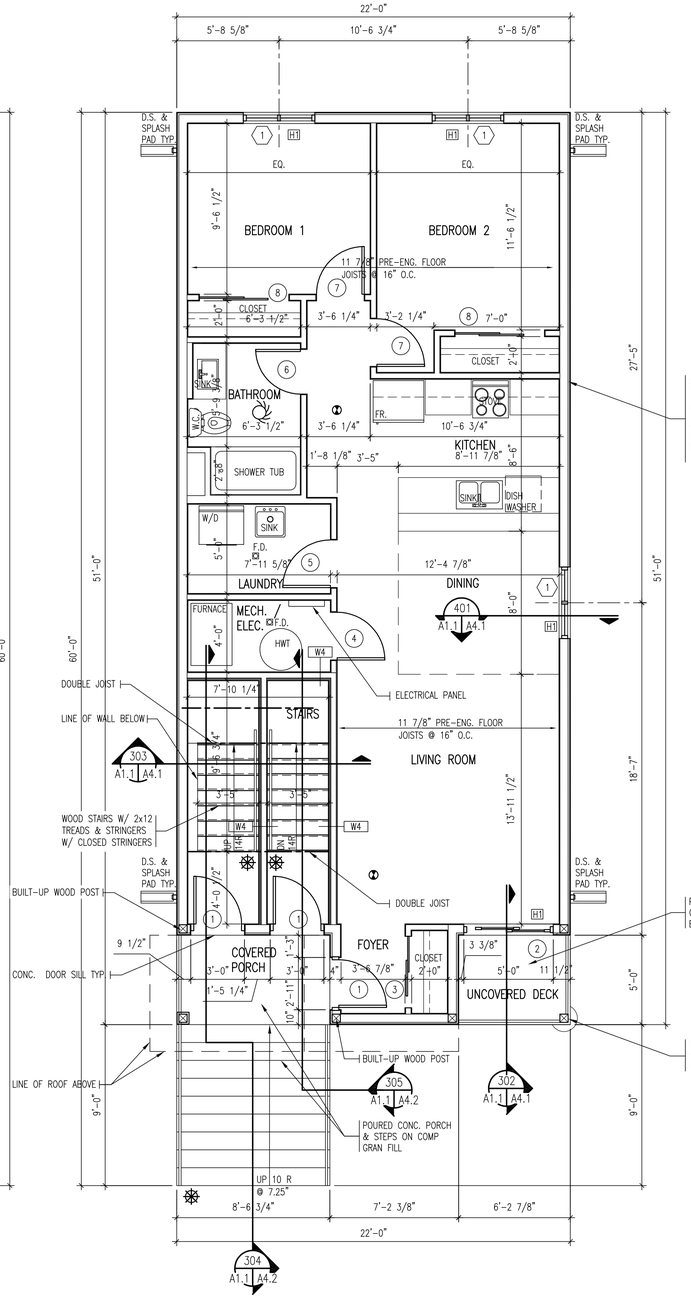
NOTE: STAIRS TO MEET STC RATING 50 – 6" INSUL. AND MEET F9c RATING



BASEMENT FLOOR PLAN

SCALE : 1/4" = 1'-0"

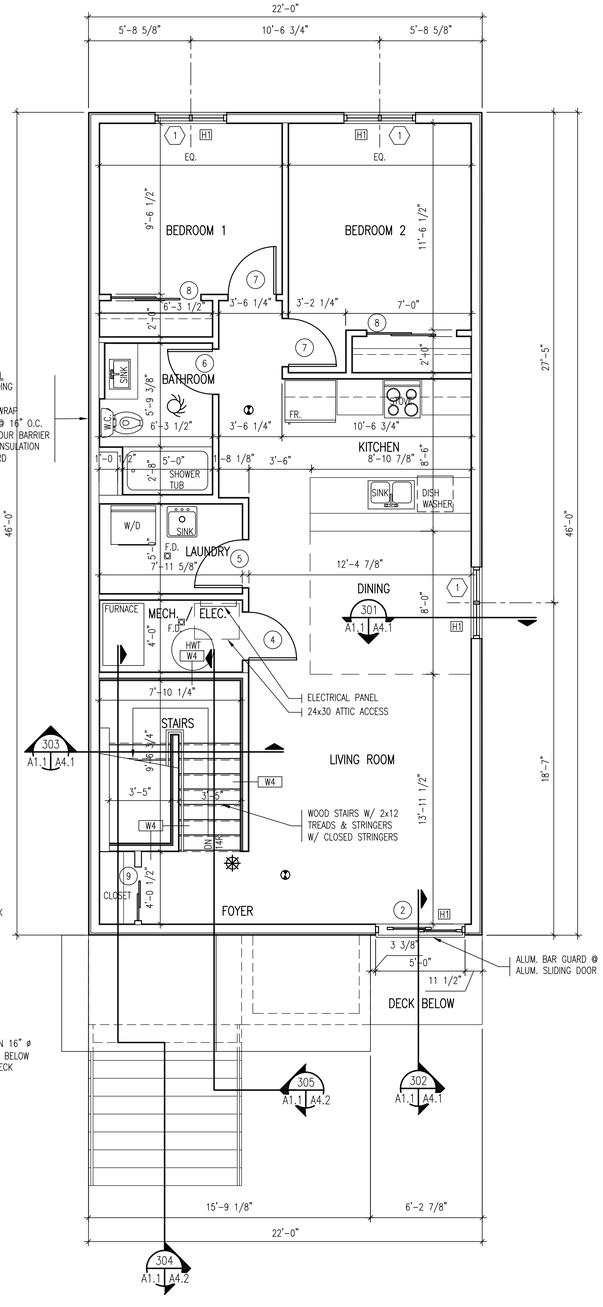
0 1 2 4 6 12 FEET



MAIN FLOOR PLAN

SCALE : 1/4" = 1'-0"

0 1 2 4 6 12 FEET



SECOND FLOOR PLAN

SCALE : 1/4" = 1'-0"

0 1 2 4 6 12 FEET

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ph 519.254.3430 fax 519.254.3642
email - info@ada-architect.ca www.ada-architect.ca

date (yyyy/mm/dd): issued for:

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stamp:

project:
PROPOSED 3 STOREY RESIDENTIAL TRIPLEX

client:
LESTER GROUP

title:
FLOOR PLANS

scale: AS SHOWN
drawn by: PH
checked by: SMB
date: MARCH 2020
comm. no.: R-2019-013
sheet no.:

A1.1

DOOR SCHEDULE

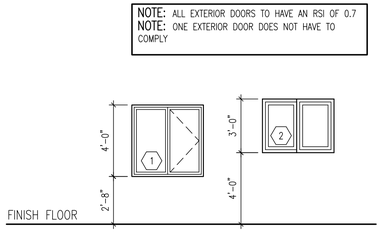
DOOR NO.	SIZE	DOORS		FRAMES		REMARKS	QTY.
		MATERIAL	FINISH	MATERIAL	FINISH		
1	2'-8" x 6'-8" x 1.3/4"	STEEL	PAINTED	WOOD	PAINTED	LOCKSET, INSULATED	3
2	5'-0" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	LOCKSET, DEADBOLT, INSULATED, WEATHERSTRIPPING SLIDING PATIO DOOR SYSTEM	2
3	4'-0" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	SLIDING CLOSET DOOR	1
4	2'-8" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	PASSAGE SET	4
5	2'-8" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	PASSAGE SET	3
6	2'-6" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	PRIVACY SET	3
7	2'-8" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	PASSAGE SET	6
8	5'-0" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	SLIDING CLOSET DOOR	6
9	3'-0" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	SLIDING CLOSET DOOR	1
10	2'-4" x 6'-8" x 1.3/4"	WOOD	PAINTED	WOOD	PAINTED	PASSAGE SET	1

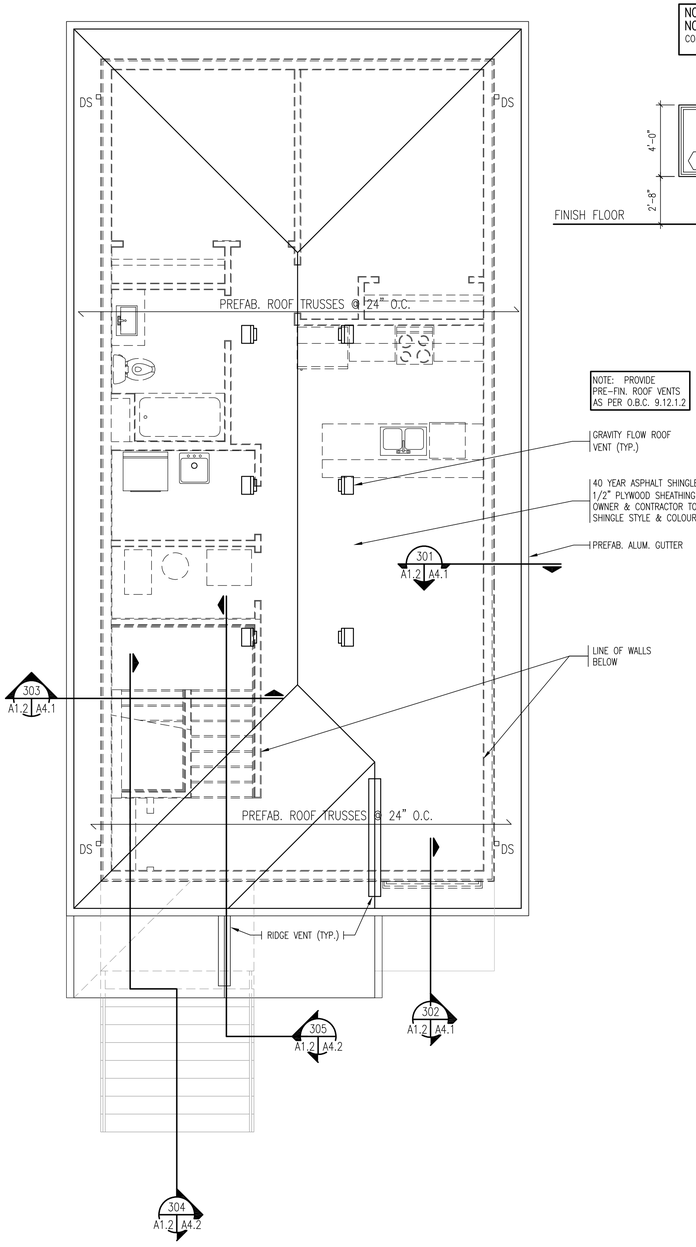
WINDOW SCHEDULE

NO.	SIZE	TYPE	FINISH	REMARKS	QTY.
1	4'-0" x 4'-0"	CASEMENT	PREFIN.	2 UNIT	6
2	4'-0" x 3'-0"	CASEMENT	PREFIN.	2 UNIT	3

NOTE: ALL WINDOWS TO MEET MIN. THERMAL REQUIREMENTS OF SB-12 3.1.1.9

NOTE: ALL EXTERIOR DOORS TO HAVE AN RSI OF 0.7
NOTE: ONE EXTERIOR DOOR DOES NOT HAVE TO COMPLY





ROOF PLAN

SCALE : 1/4" = 1'-0"

0 1 2 4 6 12 FEET

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project:

PROPOSED 3 STOREY
RESIDENTIAL TRIPLEX

client:

LESTER GROUP

title:

ROOF PLAN
DOOR & WINDOW SCHEDULE

scale: AS SHOWN

drawn by: PH

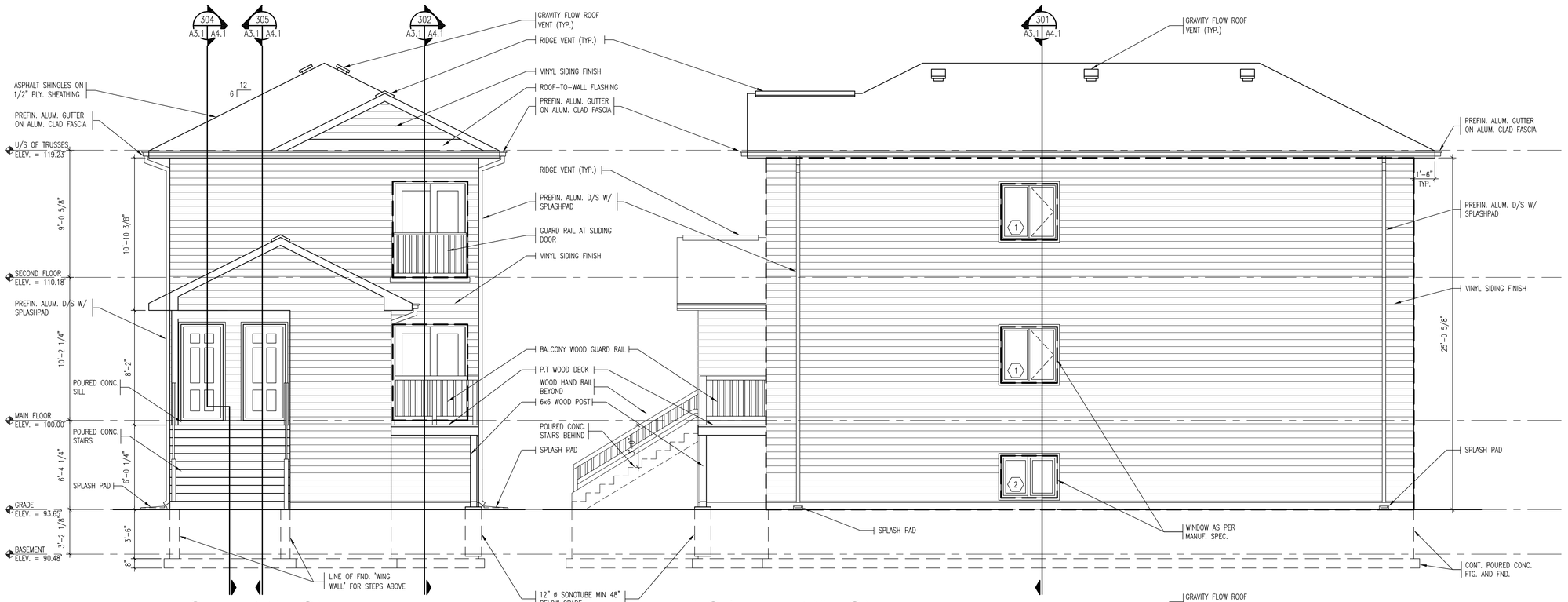
checked by: SMB

date: MARCH 2020

comm. no.: R-2019-013

sheet no.:

A1.1



EAST ELEVATION

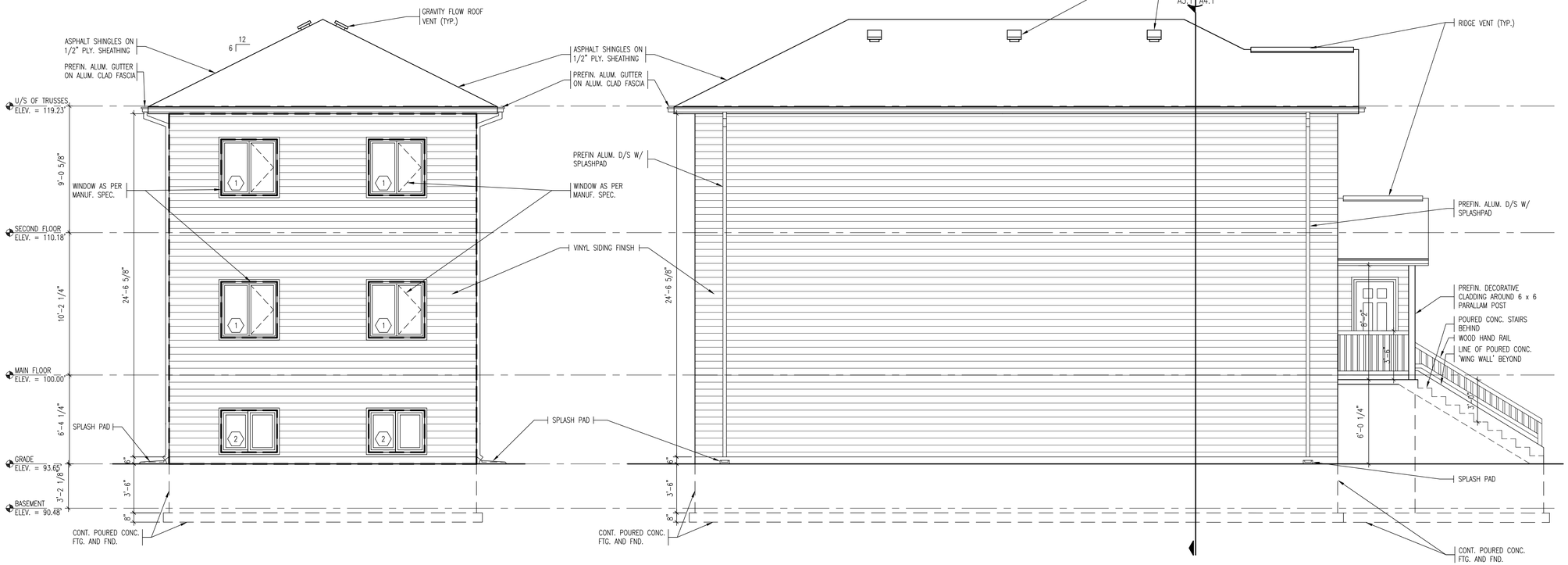
SCALE : 1/4" = 1'-0"

0 1 2 4 6 12 FEET

NORTH ELEVATION

SCALE : 1/4" = 1'-0"

0 1 2 4 6 12 FEET



WEST ELEVATION

SCALE : 1/4" = 1'-0"

0 1 2 4 6 12 FEET

SOUTH ELEVATION

SCALE : 1/4" = 1'-0"

0 1 2 4 6 12 FEET

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ELEVATIONS

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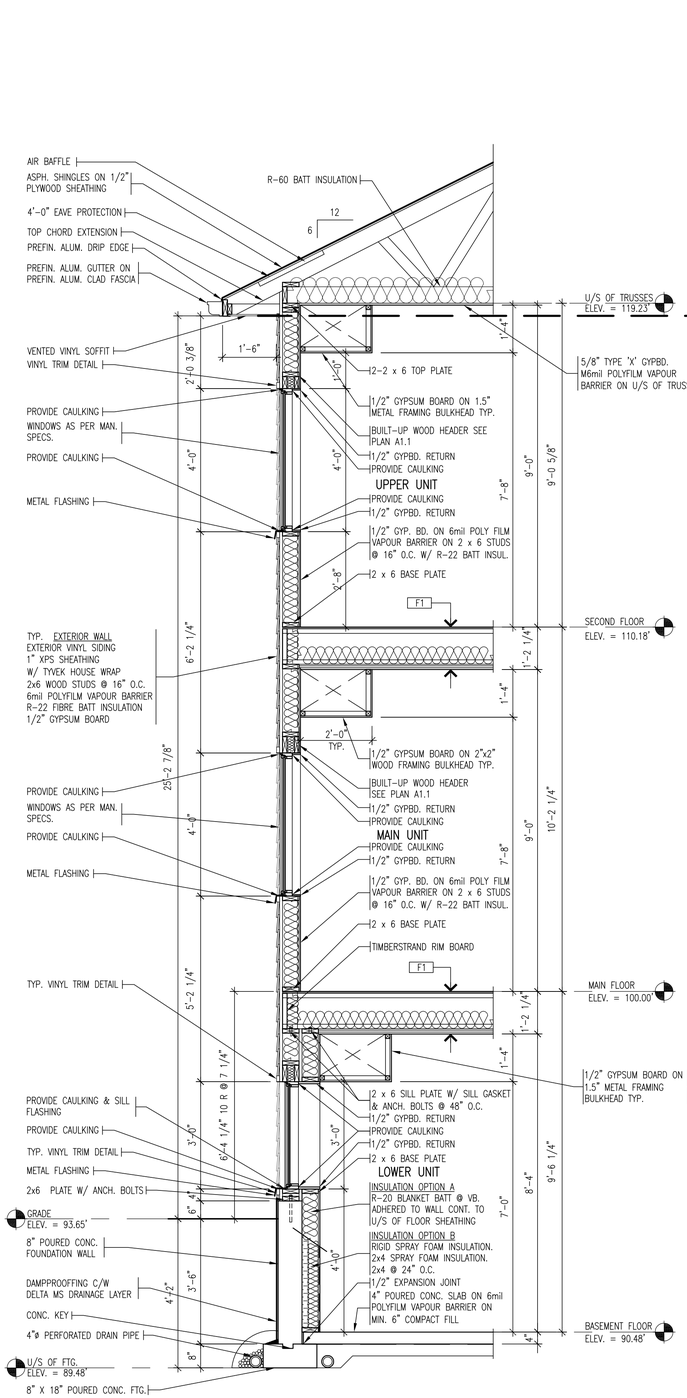
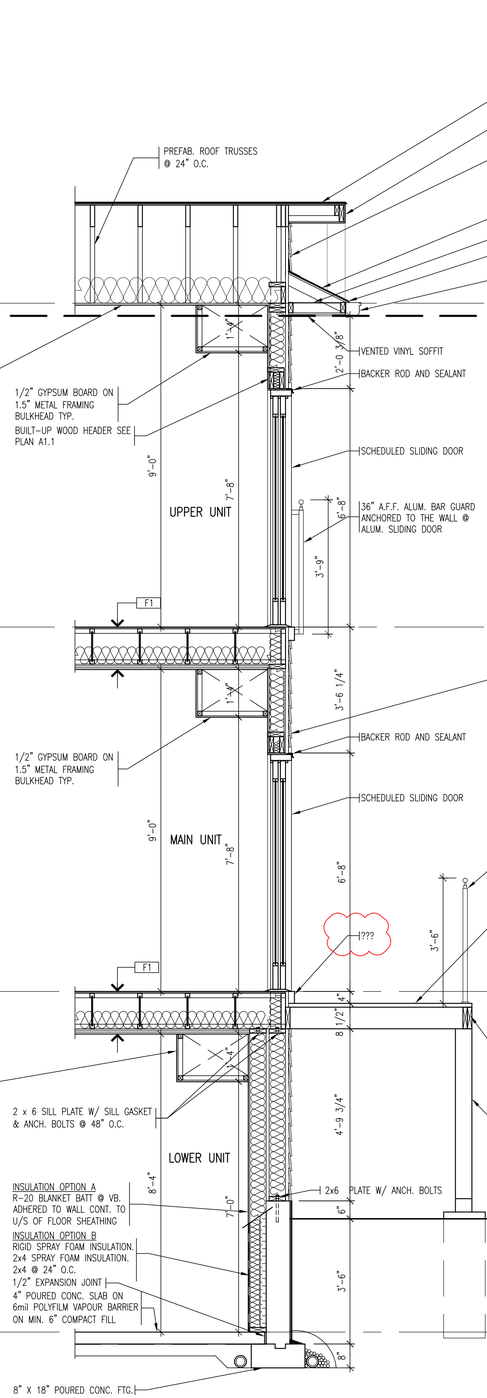


301 TYPICAL WALL SECTION

A1.1, A1.2, A3.1 | A4.1

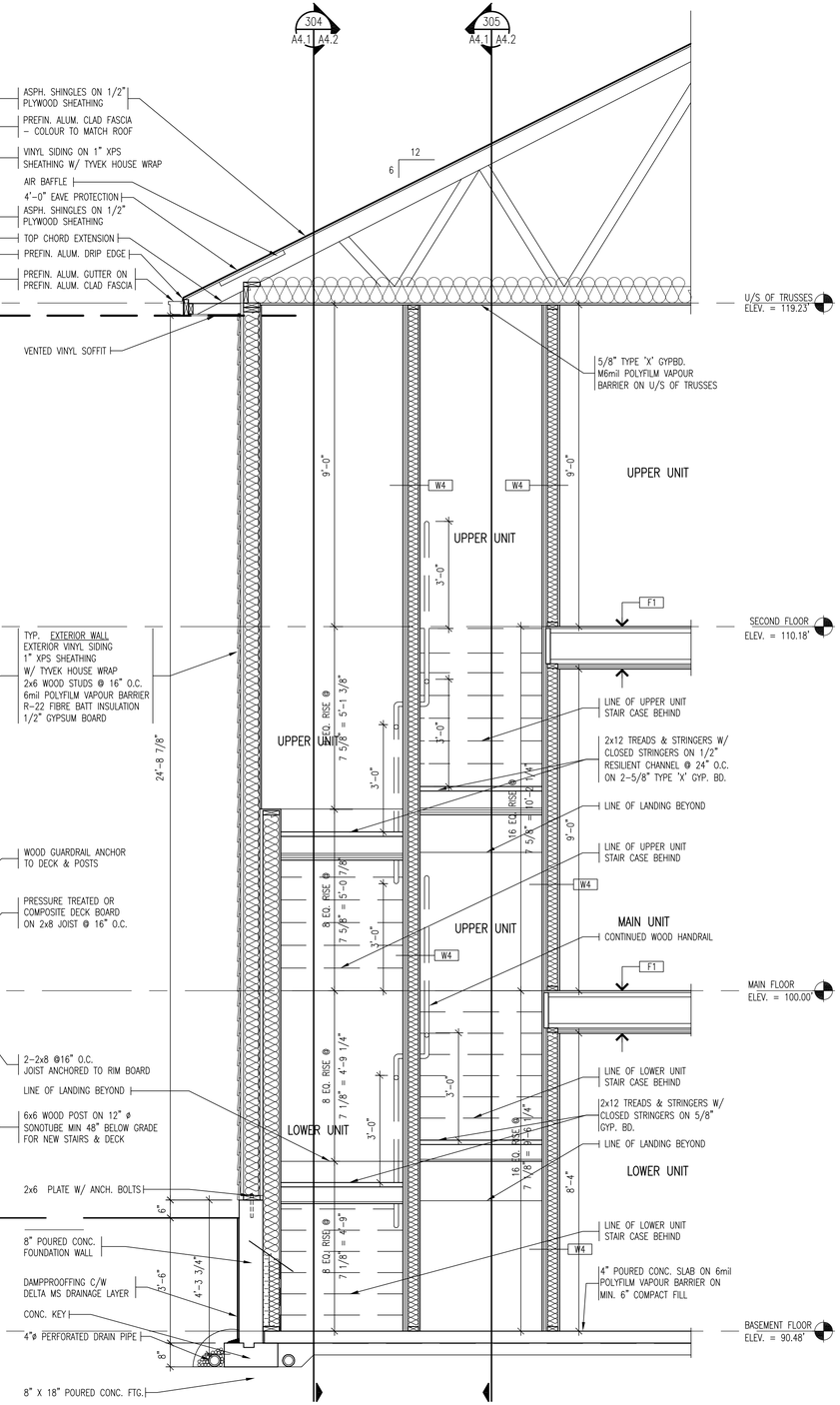
SCALE : 1/2" = 1'-0"



302 SECTION

A1.1, A1.2, A3.1 | A4.1

SCALE : 1/2" = 1'-0"



303 SECTION

A1.1, A1.2, A3.1 & A4.2 | A4.1

SCALE : 1/2" = 1'-0"

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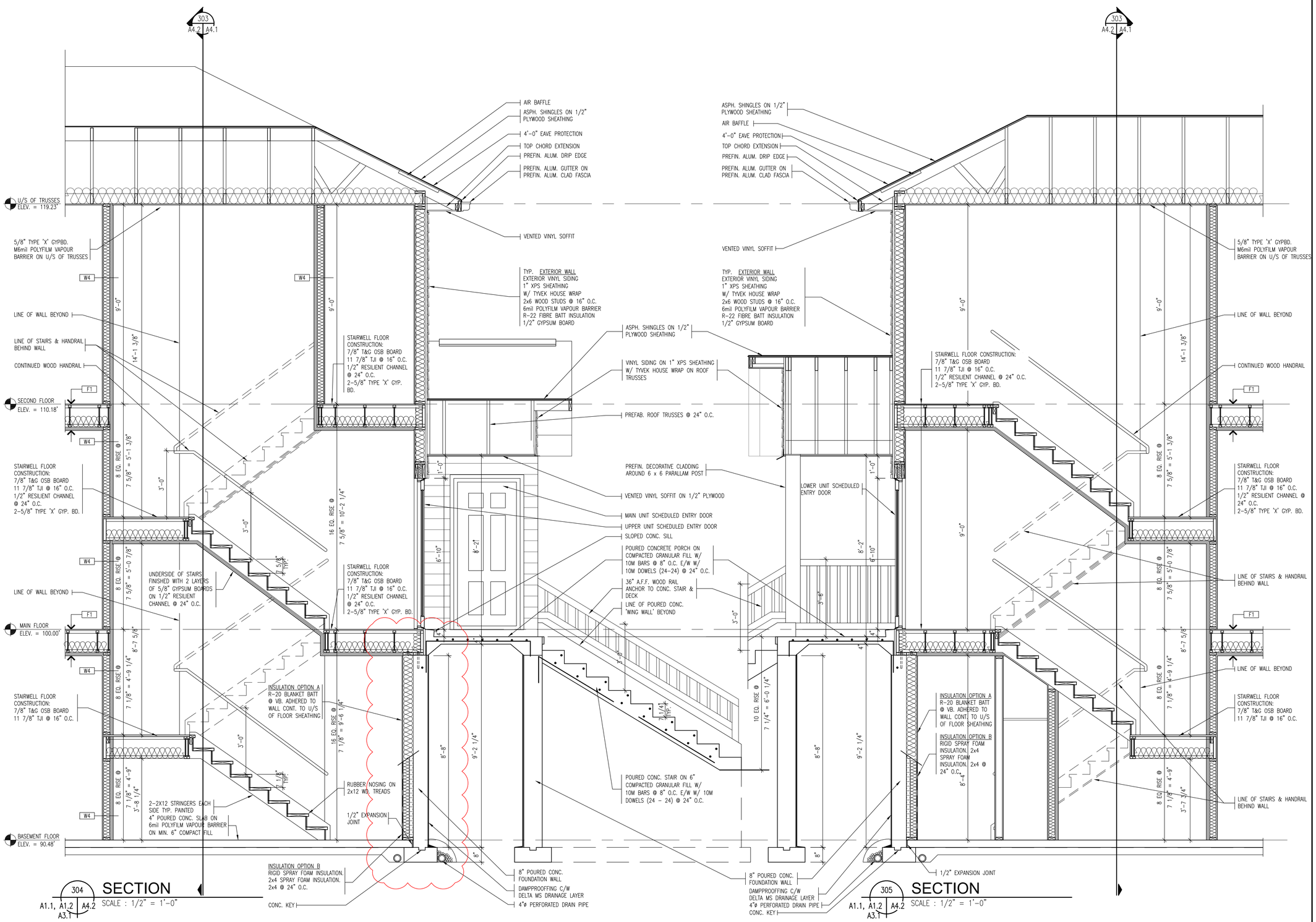
project:
PROPOSED 3 STOREY RESIDENTIAL TRIPLEX

client:
LESTER GROUP

title:
WALL SECTIONS

scale: AS SHOWN
drawn by: PH
checked by: SMB
date: MARCH 2020
comm. no.: R-2019-013
sheet no.:

A4.1



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date: MARCH 2020

comm. no.: R-2019-013

sheet no.:

A4.2

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE SMART-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG 216/10

POINT ID	NORTHING	EASTING
ORP-A	15373237.43	1096483.05
ORP-B	15372819.48	1096670.19

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

PARTS SCHEDULE

PART	LOT	PLAN	P.I.N.	AREA(sq.ft.)
1	LOT 81	REGISTERED PLAN 889	PART OF PIN 01158-0242(LT)	3622.2
2	LOT 82		PART OF PIN 01158-0242(LT)	3628.2

PARTS 1 & 2 (INCLUSIVE) COMPRISES ALL OF PIN 01158-0242(LT)

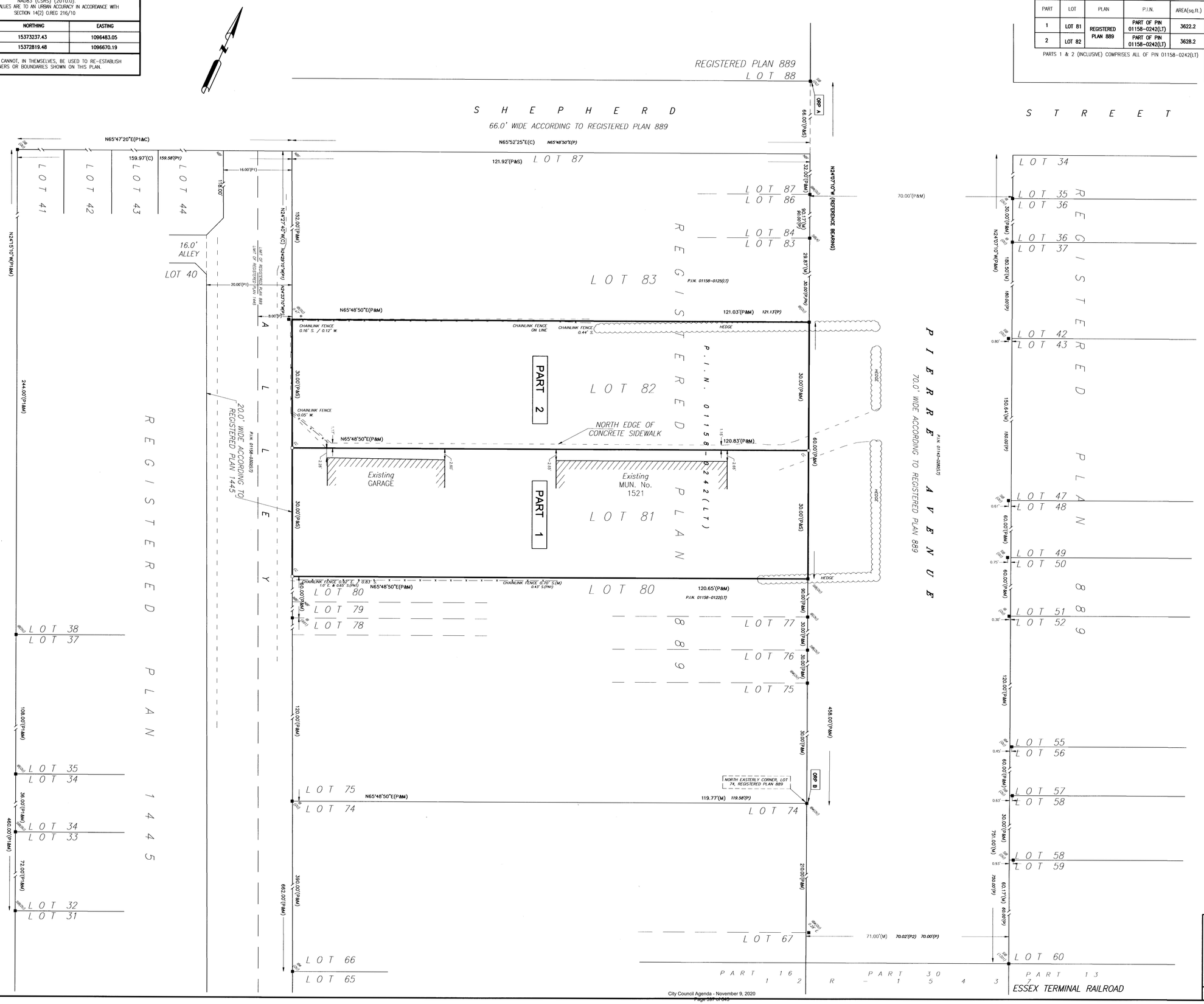
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT
DATE: JUNE 29, 2020
BLOSS J. SUTHERLAND
ONTARIO LAND SURVEYOR

PLAN 12R-28270
RECEIVED AND DEPOSITED
DATE: 2020/07/08
"Linda Bursey"
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

PLAN OF SURVEY
OF
LOTS 81 & 82, ON
REGISTERED PLAN 889
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO

TOTAL TECH SURVEYING INC.

SCALE : 1"=10'
0' 10' 20' 30'
FEET



BEARING REFERENCE

BEARINGS ARE UTM GRID, DERIVED FROM THE OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, NAD83 UTM ZONE 17, (CSRS), (2010).

A CLOCKWISE ROTATION OF 2°09'50" MUST BE APPLIED TO REGISTERED PLAN 889 FOR COMPARISON.

A CLOCKWISE ROTATION OF 1°20'50" MUST BE APPLIED TO REGISTERED PLAN 1445 FOR COMPARISON.

"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

DISTANCES

DISTANCES HEREON ARE HORIZONTAL GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999908763

LEGEND

SIB	DENOTES 1" X 1" X 4'-0" STANDARD IRON BAR		
SSIB	DENOTES 1" X 1" X 2'-0" SHORT STANDARD IRON BAR		
IB	DENOTES ⅝" X ⅝" X 2'-0" IRON BAR		
IB⌀	DENOTES ¾" Diameter X 2'-0" ROUND IRON BAR		
■	DENOTES SURVEY MONUMENT FOUND		
□	DENOTES SURVEY MONUMENT SET AND MARKED 1858		
(CC)	DENOTES CUT CROSS		
WIT.	DENOTES WITNESS	⊥	DENOTES PERPENDICULAR
(S)	DENOTES SET	(M)	DENOTES MEASURED
(PROP)	DENOTES SET PROPORTIONALLY	(C)	DENOTES CALCULATED
(OU)	DENOTES ORIGIN UNKNOWN	(LT)	DENOTES LAND TITLES
(N.T.S.)	DENOTES LINE NOT TO SCALE	+	DENOTES SET BY INTERSECTION
(D)	DENOTES DEED REGISTRY	(NBF)	DENOTES NO BAR FOUND
(A)	DENOTES C.G.R. ARMSTRONG, O.L.S.		
(P)	DENOTES REGISTERED PLAN 889	(P1)	DENOTES REGISTERED PLAN 1445
(P2)	DENOTES NOTES BY VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S. DATED MAY 29, 1990		
(P3)	DENOTES NOTES BY ROSS A. CLARKE LIMITED, O.L.S. DATED JUNE 18, 1973		
(P4)	DENOTES PLAN 12R-15437		
(1528)	DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.		

NOTE: AN SSIB HAS BEEN SET WHERE AN SIB NORMALLY WOULD HAVE BEEN SET, DUE TO NEAR SURFACE UNDERGROUND UTILITIES HAZARD.

AREAS

AREAS SHOWN ON THIS PLAN ARE IN SQUARE FEET AND CAN BE CONVERTED TO SQUARE METERS BY DIVIDING BY 10.76391.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 17 th DAY OF JUNE, 2020.

DATE: JUNE 29, 2020
BLOSS J. SUTHERLAND
ONTARIO LAND SURVEYOR
for TOTAL TECH SURVEYING INC.

Total Tech Surveying Inc.
341 Talbot St. N.
Units 2 & 3
Essex, ON N8M 2W3
(519) 776-9887

Drawn by:	Checked by:	Job No:	Plan File No:
W.R.G.	B.J.S.	2019-241	C2-288

Agency/Department	Comment
Building Department	The Building Code Act, Section 8.(1) requires that a building permit be issued by the chief building official for any construction or demolition of a building. It is strongly recommended that the owner and/or applicant contact the Building Division to determine building permit needs for the proposed project. The City of Windsor Building Division can be reached by phone at 519-255-6267 or through email at buildingdept@citywindsor.ca
Heritage Planner	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 Cultural Affairs, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries 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 Heritage, Sport, Tourism and Culture Industries and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Heritage, Sport, Tourism and Culture Industries. Contacts: Windsor Planning & Building Department: 519-255-6543 x6179, planningdept@citywindsor.ca Windsor Manager of Cultural Affairs: Cathy Masterson, 519-253-2300x2724, cmasterson@citywindsor.ca Ontario Ministry of Heritage, Sport, Tourism and Culture Industries Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca Windsor Police: 911 Ontario Ministry of Government & Consumer Services Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, nancy.watkins@ontario.ca
Enbridge Gas	After reviewing the provided drawing at 1521 Pierre and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. Enbridge Gas requires a minimum separation of 0.3m from all of our plant. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity. Also, please note the following should you find any abandoned infrastructure in the area: · Any pipe that is excavated, please assume that it is live.

	· If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead. · Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly.
ENWIN Utilities	Hydro Engineering: No Objection to rezoning only. Water Engineering: Water Engineering has no objections to the rezoning.
Engineering Department Right-of-Way	The site may be serviced by a 450mm x 600mm brick combined sewer along the Pierre 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. The applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to pre-development levels. Schedule X of the Official Plan classifies Pierre Avenue as a Local Road, requiring a right-of-way width of 20.1m. The current right-of-way is sufficient therefore a conveyance is not required. Driveways are to be constructed as per AS-221 or AS-222, complete with straight flares and no raised curbs within the right-of-way. The owner will also be required to contribute to the City of Windsor's alley maintenance fund in the amount of $1000.00. In summary we have no objection to the proposed rezoning, subject to the following requirements (Requirements can be enforced during site plan control): **Site Plan Control Agreement** – The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department. **Alley Contribution** – The owner agrees, prior to the issuance of a Building Permit, to contribute the sum of $1000.00 payable to the City of Windsor and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor. **Existing Sewers and Connections -** The owner further agrees, at its entire expense and to the satisfaction of the City Engineer: a) To undertake a video inspection of the mainline sewers that will be used by the subject property and all connections to the mainline sewers that service the subject property. b) Any redundant connections will be abandoned according to the City of Windsor Engineering Best Practice B.P.1.3.3. c) Any new connections to combined sewers will follow City of Windsor Engineering Best Practice B.P.1.1.1.

Parks and Landscape Architect	No additional comments from a landscape architectural or Parks perspective. The development will be subject to Site Plan Review at which time Landscape Comments will be addressed. Should the development be exempt from Site Plan Review then, the required Parkland Dedication representing 5% of the subject lands, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act and Bill 108 will be required at the time of Re-Zoning approval.
Transportation Planning	Overall, Transportation Planning supports the subject Zoning By-law amendment. • The Official Plan classifies Pierre Avenue as a Local Road with a required right-of-way width of 20 metres. The exiting right-of-way along the frontage of the subject property is sufficient, and therefore a land conveyance is not required. • The minimum required parking spaces under the Zoning By-law 8600 shall be accommodated within private property and shown on a conceptual plan. • All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings. • All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

PART OF ZONING DISTRICT MAP 7

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Scott Woodall-Lester Group

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : AUGUST 2020
FILE NO. : Z-016/20, ZNG/6127

ENERGY EFFICIENCY

3.2.3.5 Windsor will encourage the design and construction of energy efficient buildings and landscapes to reduce air, water and land pollution and environmental impacts of energy production and consumption.

3.2.4 Responsive, Effective Local Government

COMMUNITY BASED PLANNING

3.2.4.1 People will be involved in the municipal processes that shape Windsor and its neighbourhoods. Residents will be encouraged to work with municipal staff to identify and resolve city-wide and neighbourhood issues. New ways will be found to build consensus within the community to ensure that Windsor advances toward its desired future.

SERVICE DELIVERY

3.2.4.2 Windsorites want a planning process that is responsive, effective and fiscally responsible. Planning services will be efficiently delivered and carefully targeted to achieve the community vision.

3.3 Urban Structure Plan

The Urban Structure Plan identifies the key structural elements within the municipality. These key structural elements and the linkages between these elements establish the strategic framework within which more detailed land use designations can be established.

3.3.1 Nodes

Nodes in this context are existing or future locations of concentrated activity on the Urban Structure Plan that serve the societal, environmental and economic needs at a neighbourhood and/or regional scale. The most successful nodes are the ones that exhibit a wide variety of land uses, including higher density residential and employment uses, and have access to frequent public transit service. Smaller scale community and neighbourhood nodes play an important role in providing services to the surrounding neighbourhoods, providing a range of housing opportunities and, providing a recognized sense of place for these neighbourhoods.

GROWTH CENTRES

3.3.1.1 Growth Centres are the highest in the hierarchy of nodes in Windsor due to their scale, density, range of uses, function and current or future identity. Growth Centres should be planned:

(a) To serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses;
(b) To accommodate and support major transit infrastructure;
(c) To serve as high density major employment centres;
(d) To accommodate a significant share of households and employment growth; and,

(e) To accommodate a minimum density of 200 residents and 200 jobs per net hectare;

The minimum density for new residential-only development is 80 units per net hectare.

MAJOR ACTIVITY CENTRES

3.3.1.2 Major Activity Centres are second in the hierarchy of nodes in Windsor. The following comprise Windsor's Major Activity Centres:

(a) Regional Commercial Centres;
(b) Regional Institutional Centres;
(c) Regional Employment Centres; and
(d) Regional Open Space System.

These types of nodes are considered to be sub-regional in the context of Windsor and were originally planned as single-use facilities that have evolved into multi-use urban areas with a variety of densities. Typically, these nodes are currently or have the potential to be important destinations within the regional public transit network. Future residential development and redevelopment at Major Activity Centres should be medium (30 units per net hectare) to high-density (80+ units per net hectare). Residential intensification is desired at or near Major Activity Centres. Development surrounding these locations will be subject to the preparation of a Secondary Plan or plan of subdivision.

(a) Regional Commercial Centres

Regional Commercial Centres are a type of Major Activity Centre where commercial services are provided to residents across the city and region. This type of node also provides the location for serving the daily and weekly shopping needs of residents living within or near the node. Regional Commercial Centres may also function as employment centres providing population serving offices, retail, personal services and local institutions.

In the future these nodes should function as vibrant mixed-use commercial-residential neighbourhoods serving a higher density of population. Ideally, the predominant form of new or redeveloped housing should be medium and high-density residential buildings with ground floor and possibly second floor commercial uses and upper floor residential dwellings.

(b) Regional Institutional Centres

Regional Institutional Centres are a type of Major Activity Centre where institutional services are provided to residents across the

city and region. This type of node typically serves as a location for the provision of hospital-based health care and/or major post-secondary institutions. Regional Institutional Centres can also function as employment centres providing jobs in the health care, education, research and development, offices, retail and personal service sectors.

(c) Regional Employment Centres

Regional Employment Centres are a type of Major Activity Centre where a large number of jobs are located. This type of node typically serves as a location for the large scale manufacturing or distribution of goods. Additionally, retail, office and personal service uses may be established as ancillary uses.

(d) Regional Open Space System

The Regional Open Space System includes the major natural and open space features that form part of a continuous system throughout Windsor. Some components of the Regional Open Space System are also designated as Natural Heritage in the Official Plan although not all Natural Heritage features are components of the Regional Open Space System. The Regional Open Space System includes an existing and future natural and naturalized corridor around Windsor with opportunities for future recreation and recreational pathways.

3.3.2 Corridors

Corridors represent the backbones of the urban network structure. Neighbourhoods gravitate towards these corridors to serve their everyday needs or to connect with larger nodes, commercial centres and employment centres to access a wider range of services and opportunities. Corridors have opportunities for intensification that would provide a wider range of services and opportunities for adjacent neighbourhoods but also more opportunities to live and work in the area. Corridors may connect with nodes and extend along roadways radiating away from a central point. Some corridors exist without such connections and represent stand alone sections.

Corridors are located along transit routes, with City Corridors having the most frequent service. Ideally, corridors are walkable, providing neighbourhoods and those who use transit with easy access to services along main streets. Corridors provide residents with opportunities to travel by bus, bicycle or on foot to their desired destination within or

beyond their neighbourhood. Increased employment and residential densities along corridors support more frequent transit, and in turn more frequent transit supports and attracts higher density land uses along the corridor. This symbiotic relationship between transit, pedestrians and corridor intensification is key to the success of any corridor. Thus, corridors and transit should be planned and fostered together.

CITY CORRIDORS

3.3.2.1 City Corridors serve to connect the City Centre Growth Centre and Regional Commercial Centres. City corridors radiate from these Centres following numerous high frequency transit corridors. City corridors connect to Regional Commercial Centres along selected arterial roads but do not extend as far outward or as numerous as corridors connected to the City Centre. These corridors are intended to provide services for those living in close proximity to the area but also those who may arrive by transit, bicycle and by car.

There are higher density employment and residential opportunities, with a significant amount of retail to support both every day needs, but also needs beyond the day such as furniture and appliance stores, home improvement stores, and stores that carry specialty items.

Pharmacies and medical service are available with multiple choices for specialized care including doctors who specialize in specific types of care.

Government services and buildings associated with the municipality, province or federal government are also found in these areas.

Entertainment facilities, designed to attract people from well beyond the immediate area are also found on corridors that radiate from the City Centre.

Transit service is frequent (10-20 minute peak headways) and offers multiple connections to other nodes and corridors throughout the city by a main transfer location or transit station. Regional transit connections are also available.

Residential development may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts.

NEIGHBOURHOOD CORRIDORS

3.3.2.2 The purpose and function of neighbourhood corridors is to link street sections to neighbourhood nodes or as standalone sections of community retail and services. These corridors provide for the day to day needs of the immediate neighbourhood that surrounds them. While employment is not the major focus, these corridors create a sense of community by

providing places for residents to walk such as local retail businesses and services. Local services may also include pharmacies, convenience stores and retail to serve the day to day needs of residents.

Transit service is available and multiple routes may converge within the corridor and provide a few connections to other corridors and to Regional Commercial Centres.

3.3.3 Neighbourhoods

Neighbourhoods are the most basic component of Windsor's urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services.

The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.

3.3.4 Structural Elements in Neighbouring Communities

Several urban structural elements are included for the neighbouring communities of Detroit, Michigan, United States of America; and the towns of Tecumseh and LaSalle in Essex County, Ontario. These communities are beyond Windsor Council's jurisdiction and the structural elements are included on Official Plan Volume I – Schedule 'J' for reference purposes only.

RANGE OF FORMS & TENURES	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
NEIGHBOURHOODS	6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.
INTENSIFICATION, INFILL & REDEVELOPMENT	6.3.1.3	To promote selective residential redevelopment, infill and intensification initiatives.
MAINTENANCE & REHABILITATION	6.3.1.4	To ensure that the existing housing stock is maintained and rehabilitated.
SERVICE & AMENITIES	6.3.1.5	To provide for complementary services and amenities which enhance the quality of residential areas.
HOME BASED OCCUPATIONS	6.3.1.6	To accommodate home based occupations.
SUFFICIENT LAND SUPPLY	6.3.1.7	To ensure that a sufficient land supply for residential and ancillary land uses is available to accommodate market demands over the 20 year period of this Plan.

6.3.2 Policies

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

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

ANCILLARY USES 6.3.2.2 In addition to the uses permitted above, Council will encourage the achievement of diverse and self-sufficient neighbourhoods by permitting the following ancillary uses in areas designated Residential on Schedule D: Land Use without requiring an amendment to this Plan:

~~(a) community services including libraries, emergency services, community centres and similar public agency uses;~~
(Deleted by OPA #82 – June 20, 2011, B/L 117-2011)

(a) ~~community services including libraries, emergency services, community centres and similar public agency uses, but does not include a Methadone Clinic;~~
(Deleted by OPA #106 – November 6, 2015, B/L 143-2015)

(a) community services including libraries, emergency services, community centres and similar public agency uses;
(Amended by OPA #106 – November 6, 2015, B/L 143-2015)

(b) home based occupations subject to the provisions of policy 6.3.2.7;

(c) Neighbourhood Commercial uses subject to the provisions of policy 6.3.2.9;

(d) Open Space uses subject to the provisions of section 6.7; and

(e) Minor Institutional uses subject to the provisions of section 6.6.

TYPES OF LOW PROFILE HOUSING

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 development 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.

EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN

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

(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:

(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;

(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;

(iii) within a site of potential or known contamination;

(iv) where traffic generation and distribution is a provincial or municipal concern; and

(v) adjacent to heritage resources.

(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

(c) 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

(f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate.

EVALUATION CRITERIA FOR AN UNDEVELOPED AREA DEVELOPMENT PATTERN

6.3.2.6 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 Undeveloped Area 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:

8.7 Built Form

8.7.1 Objectives

VARIED DEVELOPMENT PATTERN

8.7.1.1 To achieve a varied development pattern which supports and enhances the urban experience.

COMPLEMENTARY DESIGN

8.7.1.2 To achieve a complementary design relationship between new and existing development, while accommodating an evolution of urban design styles.

VISUAL INTEREST

8.7.1.3 To maximize the variety and visual appeal of building architecture.

ART AND LANDSCAPING

8.7.1.4 To integrate art and landscaping with the built form.

UNIQUE CHARACTER

8.7.1.5 To enhance the unique character of a district, neighbourhood, prominent building or grouping of buildings.

SIGNS

8.7.1.6 To ensure that signs respect and enhance the character of the area in which they are located.

8.7.1.7 To achieve external building designs that reflect high standards of character, appearance, design and sustainable design features.
(Added by OPA #66–11/05/07-B/L209-2007)

8.7.2 Policies

~~NEW DEVELOPMENT~~

~~8.7.2.1~~ ~~Council will ensure that the design of new development:~~
(Deleted by OPA #66–11/05/07-B/L209-2007)

NEW DEVELOPMENT

8.7.2.1 Council will ensure that the design of new development:
(Added by OPA #66–11/05/07-B/L209-2007)

~~(a)~~ ~~is complementary to adjacent development in terms of its overall massing, orientation and setback;~~
(Deleted by OPA #66–11/05/07-B/L209-2007)

(a) is complementary to adjacent development in terms of its overall massing, orientation, setback and exterior design, particularly character, scale and appearance;
(Added by OPA #66–11/05/07-B/L209-2007)

(b) provides links with pedestrian, cycle, public transportation and road networks; and

(c) maintains and enhances valued heritage resources and natural area features and functions.

(d) Encourages the creation of attractive residential streetscapes through architectural design that reduces the visual dominance of front drive garages, consideration of rear lanes where appropriate, planting of street trees and incorporation of pedestrian scale amenities. **(added by OPA #60–05/07/07-B/L85-2007–OMB Decision/Order No.2667, 10/05/2007)**

REDEVELOPMENT AREAS

8.7.2.2 Council will ensure that the design of extensive areas of redevelopment achieves the following:

(a) provides a development pattern that support a range of uses and profiles;

(b) defines the perimeter of such an area by a distinct edge which may be formed by roads, elements of the Greenway System or other linear elements;

(c) contains activity centres or nodes which are designed to serve the area and which may be identified by one or more landmarks;

(d) provides transportation links to adjacent areas; and

(e) maintains and enhances valued historic development patterns or heritage resources.

(f) is complementary to adjacent development in terms of overall massing, orientation, setback and exterior design, particularly character, scale and appearance. **(Added by OPA #66–11/05/07-B/L209-2007)**

INFILL DEVELOPMENT

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;

(b) building height;

(c) architectural proportion;

(d) volumes of defined space;

(e) lot size;

(f) position relative to the road; and

(g) building area to site area ratios.

(h) the pattern, scale and character of existing development; and,
(Added by OPA #66–11/05/07-B/L209-2007)

(i) exterior building appearance
(Added by OPA #66–11/05/07-B/L209-2007)

TRANSITION IN BUILDING HEIGHTS 8.7.2.4 Council will ensure a transition among Very High, High, Medium and Low Profile developments through the application of such urban design measures as incremental changes in building height, massing, space separation or landscape buffer.

CONTINUOUS BUILDING FACADES 8.7.2.5 Council will require new development to support the creation of continuous building facades along Mainstreets through the street level presence of:

(a) community facilities, retail shops, and other frequently visited uses; and

(b) architectural features and elements which can be experienced by pedestrians.

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	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m

10.4 RESIDENTIAL DISTRICT 1.4 (RD1.4)

10.4.1 PERMITTED USES

Existing *Duplex Dwelling*
Existing *Semi-Detached Dwelling*
One *Single Unit Dwelling*
Any use accessory to the preceding uses

10.4.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	18.0 m
.2 Lot Area – minimum	360.0 m^2	450.0 m^2	540.0 m^2
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 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	1.80 m

11.2 RESIDENTIAL DISTRICT 2.2 (RD2.2)

11.2.1 PERMITTED USES

One *Double Duplex Dwelling*
One *Duplex Dwelling*
One *Multiple Dwelling* containing a maximum of four *dwelling units*
One *Semi-Detached Dwelling*
One *Single Unit Dwelling*
Townhome Dwelling
Any use accessory to any of the preceding uses

11.2.5 PROVISIONS

.1 Duplex Dwelling

.1	Lot Width – minimum	12.0 m
.2	Lot Area – minimum	360.0 m^2
.3	Lot Coverage – 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

.2 Semi-Detached Dwelling

.1	Lot Width – minimum	15.0 m
.2	Lot Area – minimum	450.0 m^2
.3	Lot Coverage – 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

.3 Single Unit Dwelling

.1	Lot Width – minimum	9.0 m
.2	Lot Area – minimum	270.0 m^2
.3	Lot Coverage – 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

.4 Double Duplex Dwelling or Multiple Dwelling

.1	Lot Width – minimum	18.0 m
.2	Lot Area – minimum	540.0 m^2
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	1.80 m

.5 Townhome Dwelling

.1	Lot Width – minimum	20.0 m
.2	Lot Area – per *dwelling unit* – minimum	200.0 m^2
.3	Lot Coverage – 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	1.50 m

APPENDIX G – DRAFT AMENDING BY-LAW

B Y - L A W N U M B E R -2020

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

Passed the day of , 2020.

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. By-law Number 8600 is further amended by amending the Zoning District Map identified in Column 2 so that the zoning district of the Lands Affected described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Current Zoning District	6. New Zoning District
1	07	Lot 82, Plan 889; Part 2 on 12R-28270 (part of 1521 Pierre Avenue; Roll No. 030-410-09000-0000; part of PIN 01158-0242; west side of Pierre Avenue, south of Shepherd Street)	--	RD1.3	RD2.2

2. That subsection 1 of Section 20 is amended by adding the following paragraph:

397. WEST SIDE OF PIERRE AVENUE, SOUTH OF SHEPHERD STREET

For the lands comprising Lot 82, Plan 889; now designated as Part 2 on Reference Plan 12R28270, for any permitted use in Section 11.2.1, save and except for a townhome dwelling, the following additional provisions shall also apply:

a) Lot Width - minimum – 9.0 m;

b) Lot Area – minimum – 336 m2

c) Side Yard Width – minimum 1.20 m;

d) Screening fence minimum 1.8 metres in height and landscaping shall be installed along the northerly lot line abutting the rear yard.

[ZDM 07; ZNG/6127]

3. The said by-law is further amended by amending the Zoning District Map identified in Column 2 so that the Lands Affected described in Column 3 are delineated by a broken line and further identified by the specific zoning exception symbol shown in Column 5:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Official Plan Amendment Number	5. Specific Zoning Exception Symbol
1	07	Lot 82, Plan 889; Part 2 on 12R-28270 (part of 1521 Pierre Avenue; Roll No. 030-410-09000-0000; part of PIN 01158-0242; west side of Pierre Avenue, south of Shepherd Street)	--	S.20(1)397

DREW DILKENS, MAYOR

CLERK

First Reading - , 2020
Second Reading - , 2020
Third Reading - , 2020

SCHEDULE 2

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

   To amend the zoning of Lot 82, Plan 889; Part 2 on 12R-28270 (known municipally as 1521 Pierre Avenue; Roll No. 030-410-09000-0000; Part of PIN 01158-0242), situated on the west side of Pierre Avenue, south of Shepherd Street, from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) and by adding a site specific exception to Section 20(1) to allow a the construction of a duplex, semi-detached dwelling, or a multiple dwelling building on the subject parcel.

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

PART OF ZONING DISTRICT MAP 7

N.T.S.

SCHEDULE 2

Applicant: Scott Woodall-Lester Group

SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : AUGUST 2020
FILE NO. : Z-016/20, ZNG/6127

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 311/2020

Subject: 436 Askin Avenue - Partial Demolition of a Heritage Listed Property (Ward 2)

Moved by: Councillor Holt
Seconded by: Member Baker

Decision Number: **DHSC 207**
THAT the report of the Planner II Revitalization & Policy Initiatives and Heritage Planner dated September 25, 2020, entitled "436 Askin Avenue-Partial Demolition of a Heritage Listed Property" **BE RECEIVED**; and,

THAT Administration **BE REQUESTED** to give notice of intention to designate the property located at 436 Askin Ave in accordance with Part IV of the *Ontario Heritage Act*; and,

THAT Administration **REPORT BACK** to Council regarding initiation of a Heritage Conservation District for this area; and, that the report include suggestions related to boundaries that may be considered.

Carried.

Report Number: S 53/2020
Clerk's File: MBA2020

Clerk's Note: The recommendation of the Standing Committee and Administration are not the same. Administration providing ***attached*** additional information memo dated October 27, 2020.

Subject: 436 Askin Avenue-Partial Demolition of a Heritage Listed Property (Ward 2)

Reference:

Date to Council: October 13, 2020
Author: George Robinson, MCIP, RPP
Planner II- Revitalization & Policy Initiatives
519-255-6543, ext. 6531
grobinson@citywindsor.ca

Kristina Tang, MCIP, RPP
Heritage Planner
ktang@citywindsor.ca

Planning & Building Services
Report Date: September 25, 2020
Clerk's File #: MBA2020

To: Mayor and Members of City Council

Recommendation:

THAT the request for the proposed demolition of the enclosed porch and balcony at the rear of 436 Askin Ave by Allan Djordjevic to facilitate a rear addition and conversion to a semi-detached dwelling, **BE GRANTED**.

Executive Summary:

N/A

Background:

The property at 436 Askin was 'listed' on the Windsor Municipal Heritage Register on June 9, 2008. The Picturesque English Revival style house was constructed circa 1929.

The owner submitted an application to demolish the rear attached enclosed porch and balcony on the property (Appendix A). The initial application in March 2020 was deemed incomplete, further information was requested of the owner to satisfy Council policy. The additional required historical information was submitted and deemed complete by Planning staff on September 25, 2020 (Appendix B).The applicant is proposing to convert the building from a single detached house to a semi-detached dwelling and partial demolition of the rear attached enclosed porch with second floor balcony is required to facilitate this development (Appendix C- Drawings of the Proposal).

Discussion:

Property description:

The subject property is located in close proximity to the University of Windsor, the fourth house south of Fanchette Street on Askin Avenue. According to City records, the principal two storey dwelling was constructed circa 1929 in the Picturesque English Revival style.

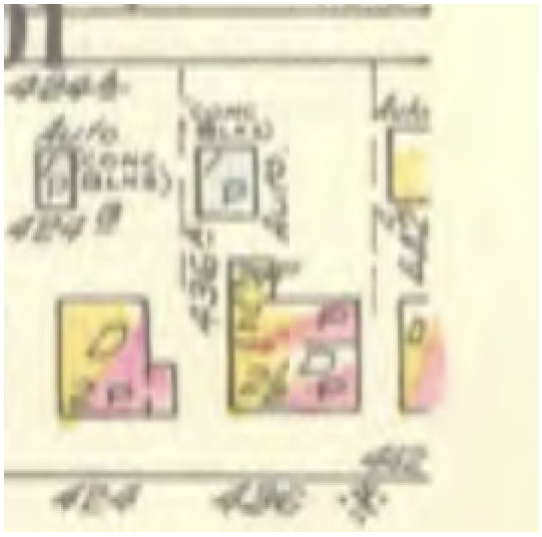
Front elevation of 436 Askin Ave.

The request is to demolish the one storey enclosed porch with second story balcony at the rear of the existing house. It appears that the rear porch was not constructed the same year as the house, but some form of a rear deck or balcony is shown on the 1952 Fire Insurance Map and in aerial photography dating from 1969. Secondary buildings and structures more than forty years old are included in the Windsor Municipal Heritage Register unless otherwise stated.

In order to facilitate redevelopment of the site, the applicant will also be removing the spiral staircase which gives access to the second floor balcony above the rear enclosed porch. The staircase is not original to the building and has no heritage value. The rear uncovered deck to the south of the enclosed porch will also be removed but is not subject to any heritage restrictions. According to the applicant's plans, one existing second floor window is to be filled-in, the door which gives access to the balcony above the enclosed porch is to be converted to a window, and the sliding glass doors which currently provide access to the rear uncovered deck are to be filled in.

View of rear attached enclosed porch and fire escape staircase which is to be removed.

The site is currently zoned Residential District 2.1 (RD2.1) which permits Semi-detached dwellings. The proposed plans comply with zoning regulations. Other than the required Heritage notification process for the demolition of the rear attached enclosed porch and balcony, there are no Planning Act or Heritage Act processes that apply to the proposed development. A Building Permit is required for the removals and construction of the addition, which can be obtained after the Heritage Act process is completed.



1952 Fire Insurance Map showing subject property.

Legal provisions:

The subject property is listed on the Windsor Municipal Heritage Register, but not designated. Section 27 of Part IV of the *Ontario Heritage Act* 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."

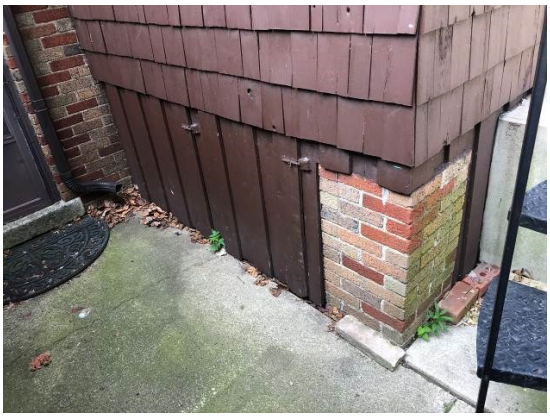
During the 60 days after notice, City Council (with Committee consultation) may initiate designation, or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and 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.

There is no explicit provision for the Committee or Council to comment on additions to or remodelling a heritage-listed, non-designated property, other than removal/demolition of structures from the Register under the *Ontario Heritage Act*. There is also no explicit provision for approval of demolition subject to stated conditions.

Heritage designation is not being considered at this time and is not part of this report.

Heritage Considerations:

The rear attached enclosed porch to be demolished appears to have similar heritage/architectural style as the rest of the property. While the materials used to enclose the rear porch may not be original to the house, the brick pilings and door location on the exterior brick wall adjacent to the main floor kitchen suggests that there may have been a deck with or without the second floor balcony at original time of construction. A review of aerial photography shows a deck and balcony at this location in 1949.



Similar brick used on both exterior facade of main building and pilings for the rear enclosed porch.

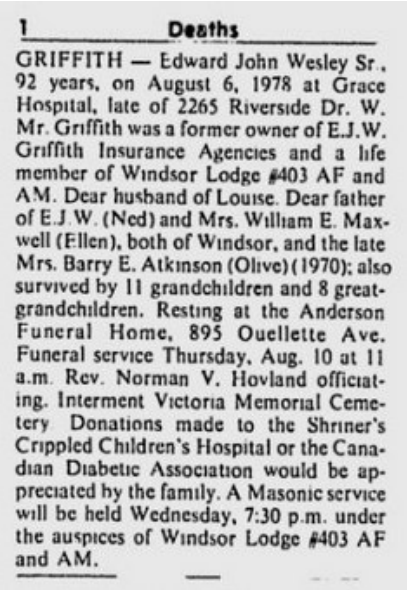
The proposed rear addition will be clad with brick and stucco on the side facades in a similar style to the original, with brickwork around the windows of the original building to be replicated on the north side of the addition (see Appendix C). The proposed traditional matching design on the addition is strongly encouraged but not a requirement of this heritage process. The incorporation of traditional materials and its location as a rear addition with limited views from Askin Avenue will make the addition less noticeable.

Front elevation views of subject property from Askin Avenue.

Ontario Regulation 9/06 contains criteria for determining cultural heritage value or interest when reviewing if a site is a good candidate for designation under Section 29 of the Ontario Heritage Act. The regulation speaks to three broad categories: design value or physical value, historical value or associative value, and contextual value.

436 Askin, with its steeply pitched cross-gabled roof, prominent chimney, oriel window, arched doorway, and decorative half-timbering at sides, is an example of Picturesque English Revival style (a variant of the more typical Tudor Revival style), and has physical/design value.

According to City records and historical research provided by the applicant, the existing building was constructed in 1929 by Edward and Louise Griffith, who purchased the property in Oct. 1926 for $2500 and was a long-time owner, selling 436 Askin in Nov. 1951 for $21000. Edward Griffith was an insurance salesman and mason who passed away in August 1978.



1 Deaths

GRIFFITH — Edward John Wesley Sr., 92 years, on August 6, 1978 at Grace Hospital, late of 2265 Riverside Dr. W. Mr. Griffith was a former owner of E.J.W. Griffith Insurance Agencies and a life member of Windsor Lodge #403 AF and AM. Dear husband of Louise. Dear father of E.J.W. (Ned) and Mrs. William E. Maxwell (Ellen), both of Windsor, and the late Mrs. Barry E. Atkinson (Olive) (1970); also survived by 11 grandchildren and 8 great-grandchildren. Resting at the Anderson Funeral Home, 895 Ouellette Ave. Funeral service Thursday, Aug. 10 at 11 a.m. Rev. Norman V. Hovland officiating. Interment Victoria Memorial Cemetery. Donations made to the Shriner's Crippled Children's Hospital or the Canadian Diabetic Association would be appreciated by the family. A Masonic service will be held Wednesday, 7:30 p.m. under the auspices of Windsor Lodge #403 AF and AM.

Obituary for Edward Griffith, August 8, 1978 Windsor Star, page 24.

While the building is an excellent example of early 20th century residential dwellings and masonry, there does not appear to be any outstanding historical/associative value to the property.

Contextually this building is of the same age as many other homes constructed in the area. Building permit records indicate that many of the original homes that remain on Askin Avenue were constructed in the mid-to-late 1920's. While craftsmen bungalows, American foursquare, and colonial revival styled homes are more common in the immediate area, Picturesque English Revival style homes of this time period are common in other areas of the city, including Walkerville and Riverside.

Although Council has the option to initiate designation which would put a halt on any building/demo application, it is not recommended by staff at this time.

Official Plan Policy:

The Windsor Official Plan includes (9.0) "A community's identity and civic pride is rooted in physical and cultural links to its past. In order to celebrate Windsor's rich history, Council is committed to recognizing, conserving and enhancing heritage resources."

Objectives include (9.3.2.1) "Council will identify Windsor's heritage resources by: ... (c) Researching and documenting the history and architectural and contextual merit of potential heritage resources on an individual property basis; … 9.3.3.4.(a) maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register."

Risk Analysis:

The demolition of the rear attached porch and balcony would allow the proposed building of the addition and conversion into a semi-detached dwelling. The alternative is to initiate designation of the property which would put a hold on any building permits and require heritage alteration permit for alterations such as the addition proposed to the property to seek Council approval. Although designation of property does not

require the consent of the Owner, it is subject to appeals by the owner to the Conservation Review Board, following which City council still holds the final decision. Given the applicant's willingness to incorporate historically appropriate exterior finishing materials into the proposed addition, Administration is not recommending designation at this time. Additional research into the site and a subsequent report to the heritage committee could be requested should Council decide to pursue designation.

Financial Matters:

There is no cost to the city; the property owner is paying the full cost for the proposed demolition of the porch and balcony, and construction of the addition. The proposed addition and conversion to a semi-detached dwelling may increase the assessed value of the property.

Consultations:

Discussion took place mostly through the property owner. Planning and Building department staff were also consulted.

Conclusion:

City staff recommends that the notification of the proposed demolition of the rear attached enclosed porch and balcony of the heritage listed property at 436 Askin Avenue be accepted.

Planning Act Matters: N/A

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/ Deputy City Planner
Thom Hunt	City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor / CLT
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Allan Djordjevic		allandjordjevic@aol.com
Councillor Fabio Costante		fcostante@citywindsor.ca

Appendices:

Appendix A – Heritage demolition application
Appendix B – Historical research and ownership records
Appendix C – Drawings of the proposal

CORPORATION OF THE CITY OF WINDSOR
HERITAGE ALTERATION PERMIT APPLICATION 05/2019

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1
519-255-6543 / 519-255-6544 fax / planningdept@citywindsor.ca

Address of Work 436 ASKIN AVE, WINDSOR N9B2X4

1. Applicant, Agent and Registered Owner Information

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

APPLICANT
Contact Name(s) Allan DJORDJEVIC
Company or Organization
Mailing Address 13983 RIVERSIDE DRIVE
TECUMSEH, ON,
Postal Code N8N 1B7
Email AllanDjordjevic@Aol.com Phone(s) 248-495-6614

REGISTERED OWNER IF NOT APPLICANT
Contact Name(s)
Company or Organization
Mailing Address
Postal Code
Email Phone(s)

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION
Contact Name(s)
Company or Organization
Mailing Address
Postal Code
Email Phone(s)

Who is the primary contact?

☒ Applicant ☐ Registered Owner ☐ Agent

Address of Work 436 ASKIN AVE, WINDSOR, ON N9B 2X4

Designation By-Law No. or District _____

2. TYPE OF APPLICATION Check all that apply:

☒ Alteration ☒ Addition ☐ Demolition ☒ Construction
☐ Erection ☐ Maintenance ☒ Removal ☐ Repair

3. HERITAGE DESCRIPTION OF BUILDING (☐ attachments, if necessary) *Describe the current design or appearance of locations on the building where work is requested. Include site plan, photographs, history, architectural description, number of storeys, style, features, etc.*

PICTURESQUE ENGLISH REVIVAL STYLE, BUILT IN 1929, 2 STORY BRICK AND TUDOR HOUSE

4. DESCRIPTION OF WORK (☐ attachments, if necessary) *The description should be more detailed and extensive depending on the project. Include a written summary of work to be done along with any elevations, drawings, measurements, paint samples, information on building materials, window sizes and configurations, decorative details proposed.*

SEMI-ADDITION AT THE REAR OF EXISTING HOME, ADDITION TO MATCH ARCHITECTURAL ELEMENTS OF EXISTING HOUSE

5. NOTES FOR DECLARATION *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.

APPLICANT Signature(s) _____ Date MARCH 10/2020

_____ Date _____

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, _____, 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
_____ to make this application on my behalf.
name of agent

_____ _____
Signature of Registered Owner Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, Allen Dondeville, hereby authorize the members of the Windsor Heritage Committee, Planning Standing 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.

_____ March 10/2020
Signature of Registered Owner 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.

_____ March 10/2020
Signature of Applicant Date

DO NOT COMPLETE BELOW – STAFF USE ONLY

Approval Record

Date Received by Heritage Planner: _____

Building Permit Application Date, if needed: _____

☐ Approval requiring City Council:

Windsor Heritage Committee: _____

Planning & Economic Development Standing Committee: _____

City Council: _____

☐ Approval requiring City Planner:

Heritage Planner: _____

Staff Decision Appealed to City Council: _____

If so, Date to City Council: _____

Council Decision Appealed: _____

Additional Notes:_____

_____

_____

_____

DECISION

Heritage Permit No.: _____ Date:_____

Council Motion or City Planner's Signature: _____

CONTACT INFORMATION

Planning Department - Planning Policy
Corporation of the City of Windsor
Suite 320 - 350 City Hall Square West
Windsor ON N9A 6S1
planningdept@citywindsor.ca
519-255-6543 x 6179
519-255-6544 (fax)
http//:www.citywindsor.ca

TO MIKE CERVI
FROM CAROL SLATER
RE. DJORDJEVIC
436 ASKIN

HISTORICAL SEARCH
FROM 1923 TO PRESENT.

1046350 ONTARIO INC.

No. 493 DATE: Aug 30, 2020

TO: M. Cervi

REFERENCE: DJORDJEVIC
436 ASKIN

- [x] SEARCH TITLE – HISTORICAL
- [ ] SUB-SEARCH
- [ ] OBTAIN PHOTO
- [ ] TO REGISTRATION
- [ ] TO CLOSING
- [ ] TO SHERIFF
- [ ] UPDATE SEARCH
- [ ] P.P.S.A.
- [ ]

FEE 75.00
DISB. 70.00
H.S.T. 18.85
TOTAL 163.85

Carol Slater
532 Road 5 West, R.R. #3
Cottam, Ont. N0R 1B0
H.S.T. R138354196

Tof S 10976	DEED		MAR 12 1923	① CHITTLE, THOMAS ② LEE, KING			TOWN OF SANDWICH
	$ 3,250.00			ESTATE			LOTS 4, 5, 6
				③ SULLIVAN, MARGARET			PLAN 828
							EAST SIDE ASKIN
Tof S 11246	DEED		JUNE 8 1923	① LEE, KING	② MASSEY, HAROLD		" "
	$ 4,500.00			③ LEE, WONG			
Tof S 16538	DEED		OCT 4 1926	① MASSEY, HAROLD	② GRIFFITH, EDWARD J.W.		
					GRIFFITH, LOUISE JANE		
COPY	ILLEGIBLE			③ MASSEY, SARAH			
	$ 2500.00						
WW 55534	DEED		NOV. 15 1951	① GRIFFITH, EDWARD J.W.	② KENNEDY, JOSEPH ALOYSIUS		S ½ LOTS
	$ 21,000.00			GRIFFITH, LOUISE JANE	KENNEDY, JULIETTE MARIE		LOT 6
					as J.T.		E/S ASKIN
							PLAN 828

R 368867	DEED		SEPT 30 1966	① KENNEDY, JOSEPH ALOYSIUS KENNEDY, JULIETTE MARIE	② THIBERT, NORMAN ERNEST THIBERT, MARY THERESE		C of W S½ LOT 5 ALL LOT 6 PLAN 828 E/S ASKIN BLVD
	$25,000.00						
R983572	DEED		AUG 3 1986	① THIBERT, NORMAN ERNEST THIBERT, MARY THERESE	② DINGLER, DANIEL WARD DINGLER, SUSAN STEINDORF		" "
	$161,750.00						
R 1121061	TRANSFER		MAR 8 1990	① THIBERT, NORMAN ERNEST THIBERT, MARY THERESE	② DINGLER, DANIEL WARD DINGLER, SUSAN STEINDORF		
CE 692607	TRANSFER PERSONAL REP.		DEC 11 2015	① ESTATE OF DINGLER, DANIEL WARD	② DJORDJEVIC, ALLEN DJORDJEVIC, CLORINDA		

Ontario ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND REGISTRY OFFICE #12

01232-0190 (LT)

PREPARED FOR CSlaterO1
ON 2020/08/06 AT 20:16:08

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: LT 6 PL 828 TOWN OF SANDWICH; PT LT 5 PL 828 TOWN OF SANDWICH AS IN R1121061 ; WINDSOR

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
RE-ENTRY FROM 01232-0438

PIN CREATION DATE:
1999/05/28

OWNERS' NAMES	CAPACITY	SHARE
DJORDJEVIC, ALLEN	JTEN	
DJORDJEVIC, CLORINDA	JTEN	

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
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 1999/05/28						
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1999/05/28 **						
**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: 1999/05/31 **						
R1116041	1990/01/17	CHARGE		*** COMPLETELY DELETED ***	THE TORONTO DOMINION BANK	
R1121061	1990/03/08	TRANSFER		*** COMPLETELY DELETED ***	DINGLER, DANIEL WARD DINGLER, SUSAN STEINDORF	
CE342514	2008/08/21	APL OF SURV-LAND		*** COMPLETELY DELETED *** DINGLER, SUSAN STEINDORF	DINGLER, DANIEL WARD	
CE691859	2015/12/07	TRANSMISSION-LAND		*** COMPLETELY DELETED *** DINGLER, DANIEL WARD	DINGLER, NOAH EBERHARD AMRAM DINGLER, DANIEL WARD - ESTATE	
CE692607	2015/12/11	TRANS PERSONAL REP	$351,000	DINGLER, NOAH EBERHARD AMRAM	DJORDJEVIC, ALLEN	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE RECEIVED THEM ALL OF.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
					DJORDJEVIC, CLORINDA	
	REMARKS: PLANNING ACT STATEMENTS.					
CE692608	2015/12/11	CHARGE	$351,000	DJORDJEVIC, ALLEN DJORDJEVIC, CLORINDA	CANADIAN IMPERIAL BANK OF COMMERCE	C
CE696083	2016/01/11	DISCH OF CHARGE		*** COMPLETELY DELETED *** THE TORONTO DOMINION BANK		
	REMARKS: R1116041.					

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE RECEIVED ALL OF THEM ALL UP.

T of S 10976

8-4-22B
Deeds
Form No. 1-4

Published by John A. Newsome, 102 West Richmond St., Toronto.

This Indenture,

made in duplicate the Nineteenth day of February
in the year of our Lord one thousand nine hundred and twenty-three
In Pursuance of the Short Forms of Conveyances Act: and The Devolution of Estates Act.

Between

ANTOINE PHILIPPE EUGENE PANET of the City of Windsor in the County of Essex and Province of Ontario, Solicitor, the Executor of the last will of Thomas Chittle late of the said City of Windsor Insurance Broker, deceased,

hereinafter called the Grantor of the FIRST PART

KING LEE of the same place, Restaurant Keeper,

hereinafter called the Grantee of the SECOND PART

MARGARET SULLIVAN of the same place, Married Woman

[redacted] of the THIRD PART

Whereas the said Thomas Chittle died on or about the 6th. day of July 1920, having duly made his last will and testament, Probate whereof was granted to the said Antoine Philippe Eugene Panet by the Surrogate Court of the County of Essex on the 6th. day of August 1920 and was registered in the Registry Office of the County of Essex on the 15th. day of September 1920 in Book "K" General Register as No. 4039; And whereas the said Thomas Chittle had agreed to sell the lands hereinafter described and all monies due under the said agreement have been paid

Witnesseth, that in consideration of the premises and the sum of One---- dollars of lawful money of Canada now paid by the said grantee to the said grantor (the receipt whereof is hereby by him acknowledged) he the said grantor

DO TH Grant unto the said grantee in fee simple
ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Sandwich in the County of Essex and Province of Ontario and being composed of Lots Four (4) Five (5) and Six (6) according to registered plan No. 828, and more fully described as follows, being on the East side of Askin Boulevard, south of Fanchette Street.

TO HAVE AND TO HOLD unto the said grantee his heirs and assigns to and for their sole and only use forever, subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

And the said grantor covenants with the grantee that he has done no act to incumber the said lands.

And the said grantor releases to the grantee all his claims upon the said lands.

And the party of the third part hereby releases to the said grantee all her claims upon the said lands.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals

Signed Sealed and Delivered)
in the presence of)

Jack Davis

A. Phillips
Grantor

Margaret Sullivan

Form No. 113

Published by John A. Newsome, 102 West Richmond St., Toronto.

Affidavit, Land Transfer Tax

In the Matter of an Act respecting the Taxation of Real Estate Transfers.

Ontario
County
of Essex
To wit:

I King Lee
of the City of Windsor
in the County of Essex

the Grantee
(Grantee, Grantor or duly authorized Agent or Solicitor for Grantee or Grantor as the case may be)

named in the within Deed (or Transfer) make oath and say:

1. That I have personal knowledge of the facts herein deposed to.
2. That the full and true purchase price of the land and premises therein described, including existing encumbrances and the value of any property, security or thing given as a consideration, is Three thousand two hundred fifty ($3250.00) Dollars, and no more.

F.D.W.

Sworn before me at the City
of Windsor
in the County
of Essex
this 5th day of March
A. D. 19 73.

F. D. Woods
A Commissioner etc.

King Lee

City Council Agenda - November 9, 2020
Page 438 of 643

This name strictly in full, no initial. Occupation Addition

CANADA
PROVINCE OF ONTARIO

I Alex K. Davis
of the City of Windsor
in the County of Essex,
To Wit: real estate Broker make oath and say:

1. THAT I was personally present and did see the within Instrument and a Duplicate duly signed, sealed and executed by A. Phi. E. Panet and Margaret Sullivan two of the parties thereto.
2. THAT the said Instrument and Duplicate were executed by the said parties at the City of Windsor in the County of Essex.
3. THAT I know the said parties and that each of them is over the full age of twenty-one years.
4. THAT I am a subscribing witness to the said Instrument and Duplicate.

SWORN before me at the City of Windsor in the County of Essex, this 20th day of February in the year of our Lord, 1923

Alex K. Davis.

A. Phi. E. Panet.
A Commissioner for taking Affidavits, Etc

R. Tps. 10976

DATED 19th. February 1923

A. Phi. E. Panet, Executor et al.

—TO—

King Lee

Deed of Land

SITUATE

Town of Sandwich.

Published by John A. Newsome, 102 W Richmond St., Toronto

8 2 8

E

REGISTRAR'S OFFICE
MAR 1 1923
ESSEX CO.
SANDWICH, ONT.

I certify that the within instrument was duly entered and registered in the Registry Office of the Registry Division of the County of Essex, - in Book R for the Town of Sandwich at 3 o'clock P. M. of the 12 day of March, 1923. Number 10976

Registrar

T&S 11246

Form101—No Dower — United Typewriter Company, Limited, Toronto.

This Indenture

made (in duplicate) the Seventeenth day of May one thousand nine hundred and Twenty-three.

In pursuance of the Short Forms of Conveyances Act,

Between

KING LEE, of the City of Windsor, in the County of Essex and Province of Ontario, Restaurant Keeper, hereinafter called the Grantor.

OF THE FIRST PART.

HAROLD MASSEY, of the village of Petite Cote, in the County of Essex, Machinist, hereinafter called the Grantee.

OF THE SECOND PART.

-and-

WONG LEE, the wife of King Lee, hereinafter called the Party of the Third Part.

Witnesseth, that in consideration of the sum of four thousand five hundred.

Dollars of lawful money of Canada, now paid by the said Grantee to the said Grantor, the receipt whereof is hereby by him acknowledged, he the said Grantor **Doth Grant** unto the said Grantee in fee simple

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Town of Sandwich, in the County of Essex and Province of Ontario and being composed of lots Four, Five and Six (4,5 and 6) according to registered plan number 828, and more fully described as follows, being on the east side of Askin Boulevard south of Fanchette Street.

To have and to hold unto the said Grantee his heirs and assigns to and for his and their sole and only use forever,

Subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

The said Grantor **Covenant**s with the said Grantee **That** he has the right to convey the said lands to the Grantee notwithstanding any act of the said Grantor.

And that the said Grantee shall have quiet possession of the said lands, free from all incumbrances.

And the said Grantor **Covenant**s with the said Grantee that he will execute such further assurances of the said lands as may be requisite.

And the said Grantor **Covenant**s with the said Grantee that he has done no act to incumber the said lands.

And the said Grantor **Release**. to the said Grantee **All** his claims upon the said lands.

AND the said wife of the said Grantor hereby bars her dower in the said lands.

In Witness Whereof the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

Louise Arthur

King Lee

Wong Lee

Affidavit, Land Transfer Tax

In the matter of an Act respecting the Taxation of Real Estate Transfers.

Ontario
of
To wit:

I Harold Massey
of the village of Petite Cote
in the County of Essex

the Grantee

(Grantee or Grantor or duly authorized Agent or Solicitor for Grantee or Grantor as the case may be)

named in the within Deed (or Transfer) make oath and say:

1. That I have personal knowledge of the facts herein deposed to.
2. That the full and true purchase price of the land and premises therein described, including existing encumbrances and the value of any property, security or thing given as a consideration, is

$4500.00

Dollars, and no more.

Sworn before me at the City
of Windsor
in the County
of Essex
this 17th day of
May A. D. 192 3

Harold Massey

Talbot Clay

A Commissioner etc.

CANADA
Province of Ontario
County of Essex
To Wit:

I, Louise Arthur, of the City of Windsor in the County of Essex Stenographer make oath and say:

1. That I was personally present and did see the within Instrument and a Duplicate thereof duly signed, sealed and executed by Ying Lee and Wong Lee the parties thereto.

2. That the said Instrument and Duplicate were executed by the said parties at the City of Windsor

3. That I know the said parties

4. That I am a subscribing witness to the said Instrument and Duplicate.

SWORN before me at the City of Windsor in the County of Essex this 17th day of May A.D. 192 3.

Louise Arthur

Talbot F. Clay
A Commissioner, etc.

I, of the of in the

TO WIT:

do solemnly declare

THAT I was at the time of the execution and delivery by me of the within instrument and of the full age of 21 years.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act"

DECLARED before me at the of in the County of this day of A.D. 192

A Commissioner, etc.

Dated May 17th A.D. 1923.

Ying Lee

To

Harold Stanley

Deed of Land

SITUATE

Town of Sandwich

United Typewriter Co., Limited, Toronto

1.10

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E

TALBOT CLAY
BARRISTER

I certify that the within instrument is duly entered and registered in the Registry Office of the Registry Division of the County of Essex, in Book for the Town of Sandwich at 11 o'clock AM, of the 8th day of June A.D. 1923 Number 11276

Registrar

JUN 8 1923
ESSEX CO.
SANDWICH, ONT.

TOLS 16536

Form 101—No Dower
" 102—With "

United Typewriter Company, Limited, Toronto.

This Indenture

made (in duplicate) the [redacted] day of [redacted]

one thousand nine hundred and [redacted]

In pursuance of the Short Forms of Conveyances Act,

Between

[redacted]

Witnesseth, that in consideration of [redacted]

[redacted] Dollars of lawful money of Canada, now paid by the said Grantee to the said Grantor, the receipt whereof is hereby by [redacted] acknowledged, the said Grantor Do Grant unto the said Grantee in fee simple [redacted]

All and Singular that certain parcel or tract of land and premises situate, lying and being [redacted]

To have and to hold unto the said Grantee [redacted] heirs and assigns to and for [redacted] their sole and only use forever, [redacted]

Subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

The said Grantor Covenant with the said Grantee That he has the right to convey the said lands to the Grantee notwithstanding any act of the said Grantor.

And that the said Grantee shall have quiet possession of the said lands, free from all incumbrances.

And the said Grantor Covenant with the said Grantee that he will execute such further assurances of the said lands as may be requisite.

And the said Grantor Covenant with the said Grantee that he has done no act to incumber the said lands.

And the said Grantor Releases to the said Grantee All claims upon the said lands.

And the said [redacted] wife of the said party of the first part hereby bars her dower in the said lands.

In Witness Whereof the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered IN THE PRESENCE OF

S. Hepworth

[redacted]

Mrs. Sarah [redacted]

Form 346 — United Typewriter Co., Limited, Toronto

Affidavit, Land Transfer Tax Act

In the Matter of the Land Transfer Tax Act, 1921 and 1922

PROVINCE OF ONTARIO
COUNTY OF Essex
To wit

I, W. H. Furlong of the City of Windsor in the County of Essex, solicitor for the grantor named in the within (or annexed) transfer make oath and say:

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor of either of them.

1. I am solicitor for the grantee named in the within (or annexed) transfer.

2. I have a personal knowledge of the facts stated in this affidavit.

3. The true amount of the moneys in cash and the value of any property or security included in the consideration is as follows:

(a) Moneys in cash paid $2500.00

(b) Property transferred in exchange to the value of —

(c) Securities transferred in the value of —

Set out liens and encumbrances in detail.

4. The amount of liens and encumbrances subject to which such transfer is made is as follows: —

5. The total consideration in moneys, cash, property, liens and encumbrances is $2500.00

and no more.

When clauses 3, 4 and 5 are applicable, clauses 6 and 7 should be struck out. When clauses 4, 6 and 7 are applicable, clauses 3 and 5 should be struck out.

6. The only consideration for the within (or annexed) transfer is natural love and affection.

7. The relationship between the Grantor and Grantee is that of —

Sworn before me at the City of Windsor, in the County of Essex this 2nd day of October A.D. 1926

N. J. Riordan
A Commissioner, etc.

W. H. Furlong

CANADA
Province of Ontario

I, Elizabeth A. Stephenson

of the [redacted] of [redacted]

in the [redacted] of [redacted]

Do Wilt:

make oath and say:

1. That I was personally present and did see the within Instrument and a Duplicate duly signed, sealed and executed by [redacted] the parties thereto.

2. That the said Instrument and Duplicate were executed by the said parties at the [redacted] of [redacted]

3. That I know the said parties.

4. That I am a subscribing witness to the said Instrument and Duplicate.

SWORN before me at the [redacted]
of [redacted]
in the [redacted]
of [redacted]
this 24th day of September
A.D. 19 [redacted]

A Commissioner, etc.

Dated 20th September A.D. 19 85

Between

[redacted]

and

[redacted]

Deed of Land

SITUATE

[redacted]

Solicitors

[redacted]

[redacted]

BARRISTERS, SOLICITORS, NOTARIES, ETC.

[redacted] ONTARIO

[redacted]

I certify that the within instrument was duly entered and registered in the Registry Office of the [redacted] this [redacted] day of [redacted] A.D. 19 [redacted] at [redacted] o'clock [redacted] minutes [redacted] and was numbered [redacted]

Registrar

[redacted]

Deputy

Dated [redacted]

Received [redacted]

Delivered [redacted]

Typed [redacted]

Compared [redacted]

Examined [redacted]

Engrossed [redacted]

Paid [redacted]

Stamps [redacted]

Fee [redacted]

Agent [redacted]

Solicitor [redacted]

Address [redacted]

Phone [redacted]

Reference [redacted]

Our File No. [redacted]

Your File No. [redacted]

Solicitor's Lien

Solicitor's Lien

Solicitor's Lien

WW555534

Newsome & Gilbert, Limited, Toronto
Form 109

This Indenture

made in duplicate the Twenty-sixth day of September
in the year of our Lord one thousand nine hundred and Fifty-one.

In Pursuance of the Short Forms of Conveyances Act:

Between

EDWARD J. W. GRIFFITH, Manager, and LOUISE JANE GRIFFITH, his wife, as joint tenants and not as tenants in common, both of the City of Windsor, in the County of Essex and Province of Ontario, hereinafter called the GRANTORS

OF THE FIRST PART.

- and -

JOSEPH ALOYSIUS KENNEDY, King's Counsel and JULIETTE MARIE KENNEDY, his wife, as joint tenants, both of the said City of Windsor hereinafter called the GRANTEES

OF THE SECOND PART.

Witnesseth that in consideration of - - - - - - - -

Twenty-one Thousand- - - - - - - - -dollar s of lawful money of Canada now paid by the said grantee to the said grantor (the receipt whereof is hereby by them acknowledged) the y the said grantors DO GRANT unto the said grantee s in fee simple as joint tenants and not as tenants in common.

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being composed of the South half of Lot Number Five (5) and Lot Number (6) Six on the East side of Askin Boulevard, in the Town of Sandwich, in the County of Essex, according to Registered Plan #828, and which may be more particularly described as follows: COMMENCING on the East side of Askin Boulevard where the same is intersected by the Southerly limit of the said Lot 6; Thence Easterly along Southefly limit of said Lot 6 to the Easterly limit thereof; Thence Northerly along the Easterly limit of said Lots Six and Five a distance of Fifty feet (50'); Thence Westerly parallel to the Southerly limit of Lot Six to the Easterly limit of Askin Boulevard; Thence Southerly along said Easterly limit of Askin Boulevard Fifty feet (50') to the Place of beginning.

TO HAVE AND TO HOLD unto the said grantee s their heirs and assigns to and for their sole and only use forever, as joint tenants and not as tenants in common.

SUBJECT NEVERTHELESS to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

The said grantor s COVENANT with the said grantee s THAT they have the right to convey the said lands to the said grantee s notwithstanding any act of the said grantor

AND that the said grantee s shall have quiet possession of the said lands free from all encumbrances.

AND the said grantors COVENANT with the said grantee s that they will execute such further assurances of the said lands as may be requisite.

AND the said grantor s COVENANT with the said grantee s that they have done no act to encumber the said lands.

AND the said grantors RELEASE to the said grantee ALL their claims upon the said lands.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

E J W Griffith

Nancy Rushowe

Louise J. Griffith

Affidavit, Land Transfer Tax Act

IN THE MATTER OF THE LAND TRANSFER TAX ACT, 1921 AND 1972

PROVINCE OF ONTARIO
COUNTY OF

To Wit:

I, William I. Farrow
of the City of Windsor
in the County of Essex for the
Grantors named in the within (or annexed) transfer make oath and say:

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor of either of them.

1. I am Grantors Solicitor named in the within (or annexed) transfer.
2. I have a personal knowledge of the facts stated in this affidavit.
3. The true amount of the monies in cash and the value of any property or security included in the consideration is as follows:

(a) Monies paid in cash		$ 18000
(b) Property transferred in exchange;		
Equity value $		
Encumbrance $		$
(c) Securities transferred to the value of		$
(d) Balances of existing encumbrances with interest owing at date of transfer		$
(e) Monies secured by mortgage under this transaction		$ 3000
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject		$
Total consideration		$ 21000

4. If consideration is nominal, is the transfer for natural love and affection?
5. If so, what is the relationship between Grantor and Grantee?
6. Other remarks and explanations, if necessary.

Sworn before me at the
of Windsor City
in the County of Essex
this 13th
day of Nov A.D. 19 51

David J. Dilon
A Commissioner, etc.

W. I. Farrow

THE REGISTRY ACT

COUNTY OF

TO WIT:

AFFIDAVIT AS TO MARRIAGE STATUS

I,
in the within instrument named make oath and say:

Strike out words and parts not applicable and initial

THAT at the time of the execution and delivery by me of the within instrument I was [married], [unmarried], [a widower], and of the full age of twenty-one years or

HUSBAND THAT at the time of the execution and delivery by me of the within instrument I was legally married to _____, the person joining therein as my wife to bar her dower and was of the full age of twenty-one years or

WIFE THAT at the time of the execution and delivery of the within instrument, I was legally married to _____, the person named therein as my husband, and he was of the full age of twenty-one years.

SWORN before me at the
of
in the
of
this day of
A.D. 19

A Commissioner for taking Affidavits, etc.

CANADA
Province of Ontario
County of Essex
To Wit:

I Nancy Rushmere
of the City of Windsor
in the County of Essex
Stenographer make oath and say:

1. That I was personally present and did see the within Instrument and a duplicate duly signed, sealed and executed by Edward J. W. Griffith and LouiseJane Griffith, his wife

the parties thereto.

2. That the said Instrument and duplicate were executed by the said parties at the City of Windsor in the County of Essex.

3. That I know the said parties

4. That I am a subscribing witness to the said Instrument and duplicate.

Sworn before me at the City of Windsor in the County of Essex this 13th day of November A.D. 1951.

Nancy Rushmere

W. ... Farrell

A Commissioner for taking Affidavits, &c.

Dated 19 51

EDWARD J. W. GRIFFITH et ux

TO

JOSEPH ALOYSIUS KENNEDY et ux

#36 Glenwood Windsor

Deed of Land

SITUATE

Newspaper of Gilbert, Limited, Toronto

HARVIE & HOLLAND,
Barristers and Solicitors,
803 Canada Trust Building,
Windsor, Ontario.

I certify that the within Instrument was duly entered and registered in the Registry Office of the County of Essex, in Book ... for the City of Windsor, West ... of the ... day of ... A.D. 19..., at ... o'clock ... M., Number ...

Registrar

NOV 15 1951
ESSEX CO.
WINDSOR, ONT.

Deed without Dower
Form 109

368867

THIS INDENTURE made in duplicate the 27th day of September, in the year of our Lord one thousand nine hundred and sixty-six.

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT:

B E T W E E N :

JOSEPH ALOYSIUS KENNEDY, Queen's Counsel, and JULIETTE MARIE KENNEDY, his wife, both of the City of Toronto, in the County of York, (formerly of the City of Windsor, in the County of Essex), and Province of Ontario, as joint tenants and not as tenants in common,

hereinafter called the GRANTORS,

OF THE FIRST PART

- and -

NORMAN ERNEST THIBERT, of the said City of Windsor, Physician, and MARY THERESE THIBERT, his wife, of the same place, as joint tenants and not as tenants in common,

hereinafter called the GRANTEES,

OF THE SECOND PART

WHEREAS by Agreement for Sale dated September 6, 1956 and registered September 18, 1959 as Instrument Number 206405, the Grantors agreed to sell to William A. T. Whittal, Executive, and Verlin Whittal, his wife, as joint tenants and not as tenants in common, the lands hereinafter described;

AND WHEREAS by Assignment dated September 16, 1959 and registered September 18, 1959 as Instrument Number 206406, the said William A. T. Whittal and Verlin Whittal assigned all their right, title and interest as Purchasers in the Agreement aforesaid to Norman Ernest Thibert and Mary Therese Thibert, the Grantees herein, as joint tenants and not as tenants in common;

AND WHEREAS the Grantees have paid all monies due under the

Agreement aforesaid and are entitled to a conveyance of the said lands;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of other good and valuable consideration and the sum of One Dollar ($1.00) of lawful money of Canada now paid by the said Grantees to the said Grantors (the receipt whereof is hereby them acknowledged) they the said Grantors DO GRANT unto the said Grantees in fee simple, as joint tenants and not as tenants in common ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Windsor, in the County of Essex and Province of Ontario, being composed of the South half of Lot Five (5), and all of Lot Six (6) according to Registered Plan No. 828, on the east side of Askin Boulevard, which said lands may be more particularly described as follows:

COMMENCING on the east side of Askin Boulevard where the same is intersected by the southerly limit of said Lot Six (6);

THENCE easterly along the southerly limit of said Lot Six (6) to the easterly limit thereof;

THENCE northerly along the easterly limit of said Lot Six (6) and Lot Five (5) a distance of Fifty Feet (50');

THENCE westerly parallel to the southerly limit of Lot Six (6) to the easterly limit of Askin Boulevard;

THENCE southerly along the said easterly limit of Askin Boulevard Fifty Feet (50') to the place of beginning. - - - - -

TO HAVE AND TO HOLD unto the said grantees, their heirs and assigns to and for them and their sole and only use forever,

SUBJECT NEVERTHELESS to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

The said grantors COVENANT with the said grantees THAT they have the right to convey the said lands to the said grantees notwithstanding any act of the said grantors.

AND that the said grantees shall have quiet possession of the said lands free from all encumbrances.

AND the said grantors COVENANT with the said grantees that they will execute such further assurances of the said lands as may be requisite.

AND the said grantors COVENANT with the said grantees that they have done no act to encumber the said lands.

AND the said grantors RELEASE to the said grantees ALL their claims upon the said lands.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF:

Margaret A. Southwood

Joseph Aloysius Kennedy

Juliette Marie Kennedy

AFFIDAVIT AS TO LEGAL AGE AND MARITAL STATUS

PROVINCE OF ONTARIO
COUNTY OF ESSEX
To Wit:

I/WE Joseph Aloysius Kennedy
of the City of Toronto
in the County of York, Queen's Counsel.

Strike out words and parts not applicable and initial.

in the within instrument named, make oath and say that at the time of the execution of the within instrument,

1. I was of the full age of twenty-one years;

If Attorney see footnote.

2. And that Juliette Marie Kennedy

who also executed the within instrument was of the full age of twenty-one years

3. I was legally married to the person named therein as my wife/~~husband~~

~~xxkwaxmarriedxdivorcedxxidowx~~

SWORN before me at the City
of Toronto
in the County
of York
this 27th day of September
A.D. 19 66

J. K. Kennedy

A Commissioner for taking Affidavits, etc.

NOTE: If Attorney, substitute in space provided, "I am Attorney for.....(State name).....one of the parties named therein and he/she was of the full age of twenty-one years."

Affidavit, Land Transfer Tax Act

IN THE MATTER OF THE LAND TRANSFER TAX ACT.

PROVINCE OF ONTARIO
COUNTY OF ESSEX
To Wit:

I, Joseph Aloysius Kennedy
of the City of Toronto
in the County of York,
~~xxxxx~~
named in the within (or annexed) transfer make oath and say:

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor of either of them.

1. I am one of the Grantors named in the within (or annexed) transfer.
2. I have a personal knowledge of the facts stated in this affidavit.
3. The true amount of the monies in cash and the value of any property or security included in the consideration is as follows:

(a) Monies paid in cash		$25,000.00
(b) Property transferred in exchange;		
	Equity value $	
	Encumbrance $	$ nil
(c) Securities transferred to the value of		$ nil
(d) Balances of existing encumbrances with interest owing at date of transfer		$ nil
(e) Monies secured by mortgage under this transaction		$ nil
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject		$ nil
Total consideration		$25,000.00

All blanks must be filled in

4. If consideration is nominal, is the transfer for natural love and affection?
5. If so, what is the relationship between Grantor and Grantee?
6. Other remarks and explanations, if necessary

Sworn before me at the City
of Toronto
in the County
of York
this 27th
day of September A.D. 19 66

J. K. Kennedy

A Commissioner, etc.

THIS SPACE TO BE RESERVED FOR REGISTRY OFFICE CERTIFICATES

368867

Dated 27th September 1966

JOSEPH ALOYSIUS KENNEDY and
JULIETTE MARIE KENNEDY

TO

NORMAN ERNEST THIBERT and
MARY THERESE THIBERT
436 Askin Boulevard
Windsor, Ontario

Deed of Land

SITUATE

in the City of Windsor, in
the County of Essex

Newsome and Gilbert, Limited, Toronto

McPHERSON, PRINCE & GEDDES
802 Canada Building
WINDSOR, Ontario

/jm

ABST'D
INDEXED
COPIED
FILED

SEP 30 4 09 PM '66

REGISTRY DIVISION OF ESSEX

Number 368867

I certify that the within instrument is registered in the Registry Office for the Registry Division of the County of Essex at 4 o'clock P.M. of the 30 day of Sept. 1966.

Registrar

CHECKED BY

A Commissioner for taking Affidavits, etc.

CANADA
PROVINCE OF ONTARIO
COUNTY of ESSEX
TO WIT:

I, of the City of Toronto in the County of York

1. THAT I was personally present and did see the within or annexed instrument and a duplicate thereof duly signed, sealed and executed by Joseph Aloysius Kennedy and Juliette Marie Kennedy

2. THAT the said Instrument and duplicate were executed by the said parties thereto at the City of Toronto

3. THAT I know the said parties

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the City of Toronto in the County of York this 27th day of September A.D. 1966

A Commissioner for taking Affidavits, etc.

CANADA
PROVINCE OF ONTARIO
of
TO WIT:

I, of the of in the

make oath and say:

1. THAT I was personally present and did see the within or annexed Instrument and a duplicate thereof duly signed, sealed and executed by

2. THAT the said Instrument and duplicate were executed by the said part at the of the parties thereto.

3. THAT I know the said part

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the in the
of of
this
day of A.D. 19

A Commissioner for taking Affidavits, etc.

DYE & DURHAM CO. LIMITED
Form No. 970

A

Province of Ontario

Transfer/Deed of Land

Form 1 — Land Registration Reform Act, 1984

FOR OFFICE USE ONLY

983572

12 35 AUG 2 7 1986

New Property Identifiers — Additional: See Schedule ☐

Executions — Additional: See Schedule ☐

(1) Registry ☒ Land Titles ☐ (2) Page 1 of 3 pages

(3) Property Identifier(s) Block Property — Additional: See Schedule ☐

(4) Consideration
ONE HUNDRED AND SIXTY-~~TWO~~ THOUSAND SEVEN HUNDRED AND FIFTY---------- Dollars $ 161,750.00

(5) Description This is a: Property Division ☐ Property Consolidation ☐

South half Lot 5, all of Lot 6,
Plan 838, City of Windsor,
County of Essex

as in Schedule attached

(6) This Document Contains (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☒ Additional Parties ☐ Other ☐

(7) Interest/Estate Transferred
Fee Simple

(8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that
we are spouses of one another

Name(s)	Signature(s)	Date of Signature Y	M	D
THIBERT, Norman Ernest	Norman Ernest Thibert	1986	08	27
THIBERT, Mary Therese	Mary Therese Thibert	1986	08	27

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction

Name(s)	Signature(s)	Date of Signature Y	M	D

(10) Transferor(s) Address for Service 206-3663 Riverside Drive East, Windsor, Ontario N8Y 4V3

(11) Transferee(s)

	Date of Birth Y	M	D
DINGLER, Daniel Ward	1945	04	06
DINGLER, Susan Steindorf	1941	10	11

as joint tenants and not as tenants in common

(12) Transferee(s) Address for Service 436 Askin Blvd., Windsor, Ontario N9B 2X4

Planning Act — OPTIONAL

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 49 of the Planning Act, 1983.

Signature ..... Date of Signature Y M D

Signature ..... Date of Signature Y M D

Solicitor for Transferor(s) I have explained the effect of section 49 of the Planning Act, 1983 to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.

Name and Address of Solicitor

Signature ..... Date of Signature Y M D

Affix Statement by Solicitor for Transferee(s) here if necessary

(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 49 (21a) (c) (ii) of the Planning Act, 1983 and that to the best of my knowledge and belief this transfer does not contravene section 49 of the Planning Act 1983. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Name and Address of Solicitor

Signature ..... Date of Signature Y M D

(15) Assessment Roll Number of Property

Cty.	Mun.	Map	Sub.	Par.
37	39	050	100	09100

(16) Municipal Address of Property

436 Askin Blvd.,
Windsor, Ontario.
N9B 2X4

P.R.

(17) Document Prepared by:
Current & Marri
BARRISTERS & SOLICITORS
SUITE 300
333 OUELLETTE AVENUE,
WINDSOR, ONTARIO N9A 4J1

FOR OFFICE USE ONLY

Fees and Tax	
Registration Fee	16
Land Transfer Tax	1342.50
	70.00
Total	1428.50

10173 (12/84)

Additional Property Identifier(s) and/or Other Information

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Windsor, in the County of Essex and Province of Ontario, being composed of the South half of Lot Five (5), and all of Lot Six (6) according to Registered Plan No. 828, on the east side of Askin Boulevard, which said lands may be more particularly described as follows:

COMMENCING on the east side of Askin Boulevard where the same is intersected by the southerly limit of said Lot Six (6);

THENCE easterly along the southerly limit of said Lot Six (6) to the easterly limit thereof;

THENCE northerly along the easterly limit of said Lot Six (6) and Lot Five (5) a distance of Fifty Feet (50');

THENCE westerly parallel to the southerly limit of Lot Six (6) to the easterly limit of Askin Boulevard;

THENCE southerly along the said easterly limit of Askin Boulevard Fifty Feet (50') to the place of beginning. - - - - -

FOR OFFICE USE ONLY

Affidavit of Residence and of Value of the Consideration

(Amended Aug. 1, 1988)

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF *(insert brief description of land)* South half of Lot 5 and all of Lot 6, Registered Plan 828, east side of Askin Boulevard, City of Windsor, County of Essex,

BY *(print names of all transferors in full)* Norman Ernest Thibert and Mary Therese Thibert

TO *(see instruction 1 and print names of all transferees in full)* Daniel Ward Dingler and Susan Steindorf Dingler

I, *(see instruction 2 and print name(s) in full)* Daniel Ward Dingler

MAKE OATH AND SAY THAT:

1. I am *(place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 2)*
   - ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
   - ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
   - ☐ (c) A transferee named in the above-described conveyance;
   - ☐ (d) The authorized agent or solicitor acting in this transaction for *(insert name(s) of principal(s))* _____ described in paragraph(s) (a), (b), (c) above; *(strike out references to inapplicable paragraphs)*
   - ☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for *(insert name(s) of corporation(s))* _____ described in paragraph(s) (a), (b), (c) above; *(strike out references to inapplicable paragraphs)*
   - ☒ (f) A transferee described in paragraph(C) *(insert only one of paragraph (a), (b) or (c) above, as applicable)* and am making this affidavit on my own behalf and on behalf of *(insert name of spouse)* Susan Steindorf Dingler who is my spouse described in paragraph (C) *(insert only one of paragraph (a), (b) or (c) above, as applicable)* and as such, I have personal knowledge of the facts herein deposed to.
2. *(To be completed where the value of the consideration for the conveyance exceeds $250,000).*
   I have read and considered the definition of "single family residence" set out in clause 1(1)(ja) of the Act. The land conveyed in the above-described conveyance
   - ☒ contains at least one and not more than two single family residences.
   - ☐ does not contain a single family residence.
   - ☐ contains more than two single family residences. *(see instruction 3)*

   Note: Clause 2(1) (d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of $250,000 where the conveyance contains at least one and not more than two single family residences.
3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(f) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. *(see instructions 4 and 5)* none
4. **THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:**

(a) Monies paid or to be paid in cash	$ 161,750.00		
(b) Mortgages (i) Assumed *(show principal and interest to be credited against purchase price)*	$ nil		
(ii) Given back to vendor	$ nil		
(c) Property transferred in exchange *(detail below)*	$ nil		
(d) Securities transferred to the value of *(detail below)*	$ nil		
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	$ nil		
(f) Other valuable consideration subject to land transfer tax *(detail below)*	$ nil		
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX *(Total of (a) to (f))*	$ 161,750.00	$ 161,750.00	
(h) VALUE OF ALL CHATTELS - items of tangible personal property *(Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1980, c.454, as amended)*		$ 1,000.00	
(i) Other consideration for transaction not included in (g) or (h) above		$ nil	
(j) TOTAL CONSIDERATION		$ 162,750.00	

All Blanks Must Be Filled In. Insert "Nil" Where Applicable.

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. *(see instruction 6)* _____
6. If the consideration is nominal, is the land subject to any encumbrance? _____
7. Other remarks and explanations, if necessary. _____

Sworn before me at the City of Windsor,
in the County of Essex,
this 28th day of August, 19 86.

A Commissioner for taking Affidavits, etc.

Daniel W. Dingler
signature(s)
Daniel Ward Dingler

Property Information Record

A. Describe nature of instrument: Deed to joint tenants

B. (i) Address of property being conveyed *(if available)* 436 Askin Blvd., Windsor, Ontario, N9B 2X4

(ii) Assessment Roll No. *(if available)* 050 100 09100

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed *(see instruction 7)*
436 Askin Blvd., Windsor, Ontario, N9B 2X4

D. (i) Registration number for last conveyance of property being conveyed *(if available)* 368867

(ii) Legal description of property conveyed: Same as in D.(i) above. Yes ☒ No ☐ Not known ☐

E. Name(s) and address(es) of each transferee's solicitor
Holden & Moorhouse
802 Canada Building
Windsor, Ontario
N9A 1A8

For Land Registry Office use only
REGISTRATION NO.
Land Registry Office No.
Registration Date

DYE & DURHAM CO. LIMITED
Form No. 970

A

Province of Ontario

Transfer/Deed of Land

Form 1 — Land Registration Reform Act, 1984

FOR OFFICE USE ONLY

1121061

1990 -3 PM 3:41

New Property Identifiers — Additional: See Schedule ☐

Executions — Additional: See Schedule ☐

(1) Registry ☒ Land Titles ☐ (2) Page 1 of 3 pages

(3) Property Identifier(s) Block Property — Additional: See Schedule ☐

(4) Consideration

ONE ---------- Dollars $ 1.00

(5) Description This is a: Property Division ☐ Property Consolidation ☐

South half of Lot 5, all of Lot 6, Plan 828, City of Windsor, County of Essex

see Schedule attached

(6) This Document Contains (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☒ Additional Parties ☐ Other ☐

(7) Interest/Estate Transferred
Fee Simple

(8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that

we are spouses of one another.

Name(s)	Signature(s)	Date of Signature Y	M	D
THIBERT, Norman Ernest	Norman Ernest Thibert	1990	01	31
THIBERT, Mary Therese	Mary Therese Thibert	1990	01	31

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction

Name(s)	Signature(s)	Date of Signature Y	M	D

(10) Transferor(s) Address for Service 206-3663 Riverside Drive East, Windsor, Ontario, N8Y 4V3

(11) Transferee(s)

	Date of Birth Y	M	D
DINGLER, Daniel Ward	1945	04	06
DINGLER, Susan Steindorf	1941	10	11
as joint tenants and not as tenants in common			

(12) Transferee(s) Address for Service 436 Askin Blvd., Windsor, Ontario, N9B 2X4

Planning Act — OPTIONAL

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 49 of the Planning Act, 1983.

Signature Norman E. Thibert Date of Signature Y 1990 M 01 D 31

Signature Mary T. Therese Thibert Date of Signature Y 1990 M 01 D 31

Solicitor for Transferor(s) I have explained the effect of section 49 of the Planning Act, 1983 to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.

Name and Address of Solicitor

Signature Date of Signature Y M D

Affix Statement by Solicitor for Transferee(s) here if necessary

(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 49 (21a) (c) (ii) of the Planning Act, 1983 and that to the best of my knowledge and belief this transfer does not contravene section 49 of the Planning Act 1983. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Name and Address of Solicitor

Signature Date of Signature Y M D

(15) Assessment Roll Number of Property

Cty.	Mun.	Map	Sub.	Par.
37	39	050	100	09100

(16) Municipal Address of Property

436 Askin Blvd.
Windsor, Ontario,
N9B 2X4

(17) Document Prepared by:

Holden & Moorhouse
802 Canada Building
Windsor, Ontario
N9A 1A8

ETAS

FOR OFFICE USE ONLY

Fees and Tax	
Registration Fee	$ 22 00
Land Transfer Tax	
	TO Correct
Total	$ 22 00

10173 (12/84)

Additional Property Identifier(s) and/or Other Information

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Windsor, in the County of Essex and Province of Ontario, being composed of the South half of Lot Five (5), and all of Lot Six (6) according to Registered Plan No. 828, on the east side of Askin Boulevard, which said lands may be more particularly described as follows:

COMMENCING on the east side of Askin Boulevard where the same is intersected by the southerly limit of said Lot Six (6);

THENCE easterly along the southerly limit of said Lot Six (6) to the easterly limit thereof;

THENCE northerly along the easterly limit of said Lot Six (6) and Lot Five (5) a distance of Fifty Feet (50');

THENCE westerly parallel to the southerly limit of Lot Six (6) to the easterly limit of Askin Boulevard;

THENCE southerly along the said easterly limit of Askin Boulevard Fifty Feet (50') to the place of beginning. - - - - - -

OR OFFICE USE ONLY

DYE & DURHAM CO. LIMITED
Form No. 500
(Amended Aug. 1, 1986)

Form 1 - Land Transfer Tax Act
Affidavit of Residence and of Value of the Consideration

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF *(insert brief description of land)* south half of Lot 5, all of Lot 6, Registered Plan 828, City of Windsor, County of Essex

BY *(print names of all transferors in full)* Norman Ernest Thibert and Mary Therese Thibert

TO *(see instruction 1 and print names of all transferees in full)* Daniel Ward Dingler and Susan Steindorf Dingler

I, *(see instruction 2 and print name(s) in full)* Daniel K. Moorhouse

MAKE OATH AND SAY THAT:

1. I am *(place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s))*: *(see instruction 2)*

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☒ (d) The authorized agent or solicitor acting in this transaction for *(insert name(s) of principal(s))* Daniel Ward Dingler and Susan Steindorf Dingler described in paragraph(s) ~~(a)~~, ~~(b)~~, (c) above; *(strike out references to inapplicable paragraphs)*
- ☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for *(insert name(s) of corporation(s))* _____ described in paragraph(s) (a), (b), (c) above; *(strike out references to inapplicable paragraphs)*
- ☐ (f) A transferee described in paragraph( ) *(insert only one of paragraph (a), (b) or (c) above, as applicable)* and am making this affidavit on my own behalf and on behalf of *(insert name of spouse)* _____ who is my spouse described in paragraph ( ) *(insert only one of paragraph (a), (b) or (c) above, as applicable)* and as such, I have personal knowledge of the facts herein deposed to.

2. *(To be completed where the value of the consideration for the conveyance exceeds $250,000).*
I have read and considered the definition of "single family residence" set out in clause 1(1)(ja) of the Act. The land conveyed in the above-described conveyance

- ☒ contains at least one and not more than two single family residences.
- ☐ does not contain a single family residence.
- ☐ contains more than two single family residences. *(see instruction 3)*

Note: Clause 2(1) (d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of $250,000 where the conveyance contains at least one and not more than two single family residences.

3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(f) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. *(see instructions 4 and 5)* None

4. **THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:**

(a) Monies paid or to be paid in cash	$ 1.00	
(b) Mortgages (i) Assumed *(show principal and interest to be credited against purchase price)*	$ nil	
(ii) Given back to vendor	$ nil	
(c) Property transferred in exchange *(detail below)*	$ nil	
(d) Securities transferred to the value of *(detail below)*	$ nil	
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	$ nil	
(f) Other valuable consideration subject to land transfer tax *(detail below)*	$ nil	
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX *(Total of (a) to (f))*	$ 1.00	$ 1.00
(h) VALUE OF ALL CHATTELS - items of tangible personal property *(Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1980, c.454, as amended)*		$ nil
(i) Other consideration for transaction not included in (g) or (h) above		$ nil
(j) TOTAL CONSIDERATION		$ 1.00

All Blanks Must Be Filled In. Insert "Nil" Where Applicable.

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. *(see instruction 6)* Transferors previously conveyed the land to transferees using incorrect description of land

6. If the consideration is nominal, is the land subject to any encumbrance? Yes

7. Other remarks and explanations, if necessary.
Conveyance is given to correct error in description.

Sworn before me at the City of Windsor
in the County of Essex
this 8th ~~12th~~ day of March 1990

A Commissioner for taking Affidavits, etc.

D. Moorhouse
signature(s)

Property Information Record

A. Describe nature of instrument: Deed to joint tenants

B. (i) Address of property being conveyed *(if available)* 436 Askin Boulevard, Windsor, Ontario. N9B 2X4

(ii) Assessment Roll No. *(if available)* 37 39 050 100 09100

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed *(see instruction 7)*
436 Askin Boulevard, Windsor, Ontario. N9B 2X4

D. (i) Registration number for last conveyance of property being conveyed *(if available)* 368867

(ii) Legal description of property conveyed: Same as in D.(i) above. Yes ☒ No ☐ Not known ☐

E. Name(s) and address(es) of each transferee's solicitor
Daniel K. Moorhouse
Holden & Moorhouse
802-374 Ouellette Avenue
Windsor, Ontario
N9A 1A8

For Land Registry Office use only
REGISTRATION NO.
Land Registry Office No.
Registration Date

LRO Annotation

Execution certificate 27412306-5402040B Clear - Michelle Osborne 2015/12/17

Properties

PIN	01232 - 0190 LT	*Interest/Estate*	Fee Simple
Description	LT 6 PL 828 TOWN OF SANDWICH; PT LT 5 PL 828 TOWN OF SANDWICH AS IN R1121061 ; WINDSOR		
Address	436 ASKIN AVENUE WINDSOR		

Consideration

Consideration $351,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name DINGLER, NOAH EBERHARD AMRAM
Address for Service 1095 Lincoln Avenue
Phoenixville, PA
19460 USA

This document is not authorized under Power of Attorney by this party.

Transferee(s)		Capacity	Share
Name	DJORDJEVIC, ALLEN	Joint Tenants	
Date of Birth	1967 11 10		
Address for Service	13983 Riverside Dr., Tecumseh, ON N8N 1B7		
Name	DJORDJEVIC, CLORINDA	Joint Tenants	
Date of Birth	1970 03 18		
Address for Service	13983 Riverside Dr., Tecumseh, ON N8N 1B7		

Statements

The personal representative has the authority to transfer the land under the terms of the will, if any, the Estates Administration Act and the Succession Law Reform Act.

Title to the land is not subject to spousal rights under the Family Law Act

The debts of the deceased are paid in full

No consents are required for this transfer

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEREE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

Daniel Kenneth Moorhouse	1061 University Avenue West Windsor N9A 5S5	acting for Transferor(s)	Signed 2015 12 11

Tel 519-258-5002
Fax 519-258-0241

I am the solicitor for the transferor(s) and I am not one and the same as the solicitor for the transferee(s).

Signed By

I have the authority to sign and register the document on behalf of the Transferor(s).

Fernando Michael Carmine Cervi	400–1500 Ouellette Ave. Windsor N8X 1K7	acting for Transferee(s)	Signed	2015 12 11

Tel 519–258–9494
Fax 519–258–9985

I am the solicitor for the transferee(s) and I am not one and the same as the solicitor for the transferor(s).
I have the authority to sign and register the document on behalf of the Transferee(s).

Submitted By

MICHAEL CERVI	400–1500 Ouellette Ave. Windsor N8X 1K7	2015 12 11

Tel 519–258–9494
Fax 519–258–9985

Fees/Taxes/Payment

Statutory Registration Fee	$62.85
Provincial Land Transfer Tax	$3,740.00
Total Paid	$3,802.85

File Number

Transferor Client File Number :	1957–003
Transferee Client File Number :	2015 11 24 02

LAND TRANSFER TAX STATEMENTS

In the matter of the conveyance of: 01232 – 0190 LT 6 PL 828 TOWN OF SANDWICH; PT LT 5 PL 828 TOWN OF SANDWICH AS IN R1121061 ; WINDSOR

BY: DINGLER, NOAH EBERHARD AMRAM

TO: DJORDJEVIC, ALLEN — Joint Tenants

DJORDJEVIC, CLORINDA — Joint Tenants

1. DJORDJEVIC, ALLEN AND DJORDJEVIC, CLORINDA

I am

☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;

☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;

☑ (c) A transferee named in the above-described conveyance;

☐ (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) (_) above.

☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) (_) above.

☐ (f) A transferee described in paragraph() and am making these statements on my own behalf and on behalf of _____who is my spouse described in paragraph(_) and as such, I have personal knowledge of the facts herein deposed to.

3. **The total consideration for this transaction is allocated as follows:**

(a) Monies paid or to be paid in cash	351,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	351,000.00
(h) VALUE OF ALL CHATTELS –items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	351,000.00

PROPERTY Information Record

A. Nature of Instrument: Transfer By Personal Representative

LRO 12 Registration No. CE692607 Date: 2015/12/11

B. Property(s): PIN 01232 – 0190 Address 436 ASKIN AVENUE WINDSOR Assessment Roll No 3739050 – 100091000000

C. Address for Service: 13983 Riverside Dr., Tecumseh, ON N8N 1B7

D. (i) Last Conveyance(s): PIN 01232 – 0190 Registration No. R1121061

(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes ☑ No ☐ Not known ☐

E. Tax Statements Prepared By: Fernando Michael Carmine Cervi
400–1500 Ouellette Ave.
Windsor N8X 1K7

GENERAL NOTES

CODE AND PROCEDURES

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE CURRENT EDITION OF THE ONTARIO BUILDING CODE. THE OWNER / BUILDER IS RESPONSIBLE FOR ENSURING THAT ANY CHANGES TO THE CODE ARE COMPLIED WITH AND ALL AMENDMENTS ARE INCORPORATED IN THE CONSTRUCTION OF THIS PLAN. ALL WORK SHALL CONFORM TO LOCAL CODES AND BYLAWS. IT IS THE OWNER/BUILDERS RESPONSIBILITY TO NOTIFY AG DESIGN OF ANY REQUIREMENTS THAT EXCEED THE ONTARIO BUILDING CODE.

CONCRETE

THE COMPRESSIVE STRENGTH OF CONCRETE AFTER 28 DAYS SHALL NOT BE LESS THAN:
- 32 MPA (4650 PSI) WITH 5 TO 8 % AIR ENTRAINMENT FOR GARAGE FLOORS, CARPORTS FLOORS AND ALL EXTERIOR FLATWORK.
- 20 MPA (2900 PSI) FOR INTERIOR FLOORS OTHER THEN THOSE FOR GARAGES AND CARPORTS
- 15 MPA FOR FOUNDATION WALLS, COLUMNS, FOOTINGS, PIERS AND OTHER APPLICATIONS

SITE BATCHED CONCRETE SHALL CONFORM TO THE ONTARIO BUILDING CODE REQUIREMENTS.

WHEN THE AIR TEMPERATURE IS BELOW 5°C CONCRETE SHALL BE KEPT AT A TEMPERATURE OF NOT LESS THAN 10°C OR MORE THAN 25°C WHILE BEING PLACED AND MAINTAINED AT A TEMPERATURE OF NOT LESS THAN 10°C FOR 72 HOURS AFTER PLACING. NO FROZEN MATERIAL OR ICE SHALL BE USED IN THE CONCRETE.

FOOTINGS

FOOTINGS AND PADS ARE TO BE PLACED ON UNDISTURBED SOIL, ROCK, OR COMPACTED GRANULAR FILL, TO AN ELEVATION BELOW FROST PENETRATION WITH A MINIMUM SOIL BEARING CAPACITY OF 75 KPA. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO VERIFY THE SOIL BEARING CAPACITY PRIOR TO CONSTRUCTION. IF A LESSER BEARING CAPACITY IS ENCOUNTERED IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO HAVE THE FOUNDATION REDESIGNED BY A QUALIFIED PROFESSIONAL TO SUIT SITE CONDITION.

WHERE WATER TABLE LEVELS ARE WITHIN A DISTANCE BELOW THE BEARING SURFACE LESS THAN OR EQUAL TO THE WIDTH OF THE FOOTING, THE FOOTINGS SHALL BE DOUBLED IN WIDTH UNDER WALLS AND DOUBLED IN AREA UNDER POSTS.

FOUNDATION WALLS

FOUNDATION WALLS TO EXTEND A MINIMUM 8" ABOVE FINISHED GRADE.

GRADE LINES ON PLANS ARE ASSUMED, OWNER/CONTRACTOR TO VERIFY.

WHERE EXTERIOR FINISHED GROUND LEVEL IS AT A HIGHER ELEVATION THAN THE GROUND LEVEL INSIDE THE FOUNDATION WALLS SHALL BE DAMP PROOFED & WHERE HYDROSTATIC PRESSURE OCCURS WATER PROOFING IS REQUIRED.

WOOD FRAMING GENERAL

ALL WOOD FRAMING SHALL COMPLY WITH SECTION 9.23 OF THE ONTARIO BUILDING CODE.

ALL STRUCTURAL FRAMING LUMBER SHALL BE GRADE STAMPED AS SPRUCE - PINE - FIR (S-P-F) NO.2 OR BETTER WITH A MOISTURE CONTENT OF 19% OR LESS AT TIME OF CONSTRUCTION.

WOOD FRAMING MEMBERS THAT ARE NOT TREATED WITH A WOOD PRESERVATIVE AND BEAR ON CONCRETE OR IN DIRECT CONTACT WITH THE GROUND SHALL BE SEPARATED WITH A 6 MIL POLY OR TYPE 'S' ROLL ROOFING.

ALL NOTCHING AND DRILLING OF FRAMING MEMBERS SHALL CONFORM TO SUBSECTION 9.23.5 OF THE ONTARIO BUILDING CODE.

FLUSHED FRAMED WOOD MEMBERS SHALL BE SUPPORTED WITH APPROPRIATE JOIST HANGERS AND FASTENERS.

ROOF FRAMING

ROOF SHEETING SHALL BE INSTALLED WITH THE SURFACE GRAIN AT RIGHT ANGLES TO THE ROOF FRAMING JOINTS PERPENDICULAR TO ROOF RIDGE SHALL BE STAGGERED WITH EDGES SUPPORTED ON TRUSSES. IF TONGUED AND GROOVED EDGE PANEL TYPE SHEETING IS NOT USED THAN EDGES PARALLEL TO THE ROOF RIDGE SHALL BE SUPPORTED BY METAL 'H' CLIPS OR NOT LESS THAN 1.5"X1.5" BLOCKING SECURELY NAILED BETWEEN FRAMING MEMBERS.

VENTILATION OF ROOF SPACE TO BE VENTED TO A MINIMUM OF OF 1/150 OF INSULATED ROOF AREA.

MECHANICAL & ELECTRICAL

MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.

STEEL BEAMS

STEEL BEAMS SHALL MEET THE REQUIREMENTS FOR GRADE 350W STEEL IN CSA G40.21, "GENERAL REQUIREMENTS FOR ROLLED OR WELDED STRUCTURAL QUALITY STEEL"

SMOKE ALARMS

SMOKE ALARMS SHALL CONFORM TO CAN/ULC-S531 "SMOKE ALARMS"

SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND BE INSTALLED AS PER CAN/ULC-S553 "INSTALLATION OF SMOKE ALARMS"

SMOKE ALARMS SHALL HAVE A VISUAL SIGNALLING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE"

SMOKE ALARMS SHALL BE INSTALLED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT. C/W BATTERY BACKUP AS PER O.B.C REQUIREMENTS

ALL SMOKE ALARMS SHALL BE INTERCONNECTED SO THE ACTIVATION OF ONE ALARM WILL CAUSE ALL ALARMS TO SOUND

STEEL LINTELS SUPPORTING MASONRY VENEER

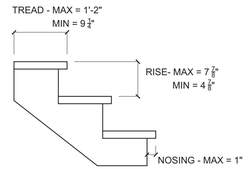
STEEL LINTELS SUPPORTING MASONRY VENEER OVER OPENINGS SHALL HAVE EVEN AND LEVEL BEARING AND SHALL HAVE NOT LESS THAN 6" LENGTH OF BEARING AT END SUPPORTS, AND BEAR ON MASONRY, CONCRETE OR STEEL.

STEEL ANGLE LINTELS SHALL BE PRIMED OR PAINTED OR OTHERWISE PROTECTED FROM CORROSION

DEADBOLT

DOORS THAT REQUIRE A DEADBOLT SHALL BE EQUIP WITH A DEADBOLT LOCK WITH A CYLINDER HAVING NO MORE THAN FIVE PINS AND A BOLT THROW NOT LESS THAN 25MM LONG, PROTECTED WITH A SOLID OR HARDENED FREE-TURNING RING OR BEVELED CYLINDER HOUSING

STAIR AND GUARD INFORMATION



STAIR DIMENSIONS

STAIRS SHALL HAVE A WIDTH OF NOT LESS THAN 34"

THE CLEAR HEIGHT OVER STAIRS SHALL BE NOT LESS THAN 6'-4"

RISERS SHALL HAVE A UNIFORM HEIGHT IN ANY ONE FLIGHT WITH A MAXIMUM TOLERANCE OF 5/8" BETWEEN ADJACENT TREADS AND 3/8" BETWEEN THE TALLEST AND SHORTEST RISERS IN A FLIGHT.

TREADS SHALL HAVE A UNIFORM RUN WITH A MAXIMUM TOLERANCE OF 1/4" BETWEEN ADJACENT TREADS, AND 3/8" BETWEEN THE DEEPEST AND SHALLOWEST TREADS IN A FLIGHT

HANDRAILS

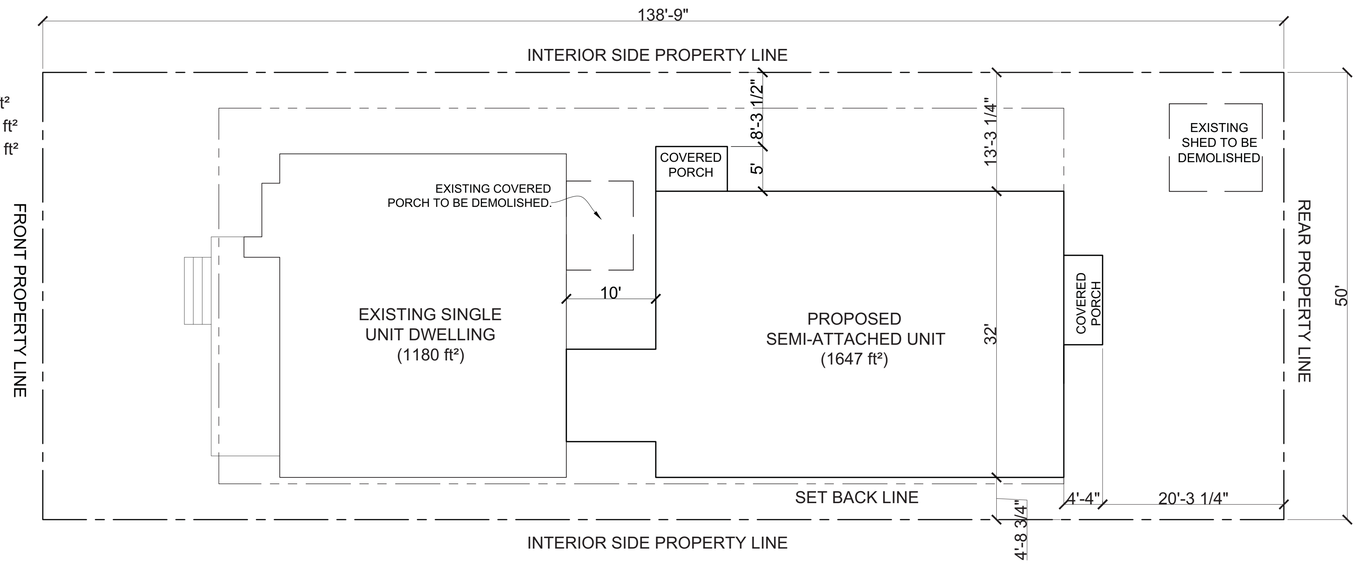
THE HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38"

GUARDS

THE MINIMUM HEIGHT OF GUARDS SHALL BE NOT LESS THAN 36"

ALL GUARDS SHALL BE CONSTRUCTED AS PER SB-7 REQUIREMENTS

LOT AREA = 6937.5 ft²
EXISTING DWELLING COVERAGE = 1180 ft²
PROPOSED ADDITION COVERAGE = 1647 ft²
TOTAL COVERAGE = 2842 ft²
LOT COVERAGE = 41%



PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"

DO NOT SCALE

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK

THIS DESIGNER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE CONTRACTOR OR HIS SUBTRADES.

THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE CONTRACTOR OR HIS SUBTRADES FAILURE TO CARRY OUT THE WORK ACCORDING TO THESE PLANS, SPECIFICATIONS AND RELATED DOCUMENTS.

CONSTRUCTION MUST COMPLY WITH THE LATEST STANDARDS OF THE ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.

ALL DRAWINGS AND SPECIFICATION ARE THE PROPERTY OF THE DESIGNER AND ARE PROTECTED BY COPY RIGHT.

I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

Individual BCIN: 37168 Firm BCIN: 43361

AG DESIGN
Windsor, ON
Phone : 519-965-7176

SEMI-DETACHED ADDTION
436 ASKING AVENUE
Windsor, ON

GENERAL NOTES & SITE PLAN

Date : March 9, 2020
Scale : 1/4" = 1'-0"
Project No. : 061/19
Drawing No. :

A-0.1

LEGEND

FW1 — BITUMINOUS DAMP PROOFING
10" POURED CONCRETE FOUNDATION WALL, R20 BLANKET INSULATION, ON 20"X8" POURED CONCRETE FOOTING ON UNDISTURBED SOIL

FW2 — 8" POURED CONCRETE FOUNDATION WALL ON 18" X 8" POURED CONCRETE FOOTING ON UNDISTURBED SOIL

LOAD BEARING INTERIOR WALL
2X6 WOOD STUDS @ 16" O/C W/ SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD BLOCKING @ 3'-11" O/C HORIZONTAL ON 16" X 8" POURED CONCRETE FOOTING ON UNDISTURBED SOIL

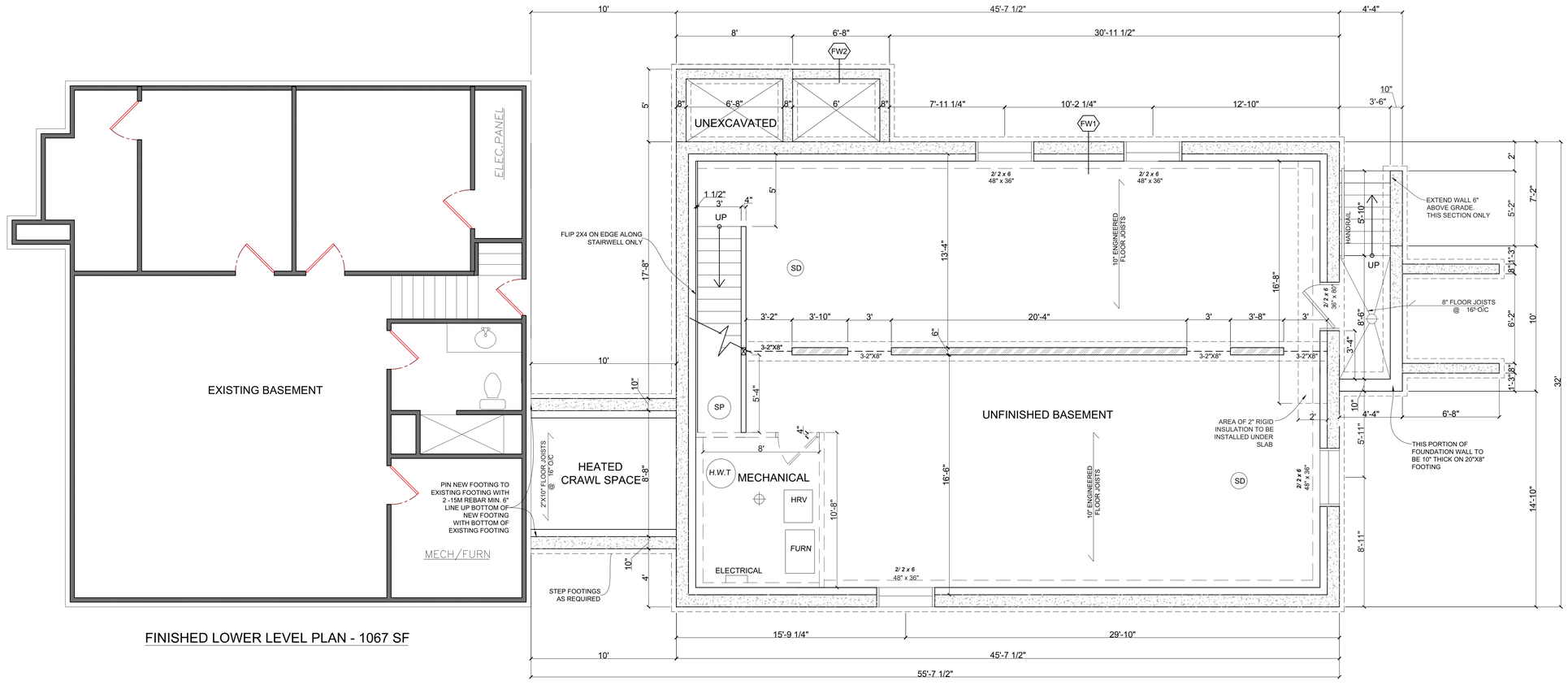
FLOOR DRAIN

SP — SUMP PUMP C/W COVER TO RESIST REMOVAL BY CHILDREN AND SEALED TO MAINTAIN CONTINUITY OF THE AIR BARRIER SYSTEM

SD — DENOTES SMOKE ALARM C/W CO^2 DETECTOR. REFER TO GENERAL NOTES.

NOTES

1. ALL INTERIOR PARTITIONS TO BE P1 UNLESS NOTED OTHERWISE.
2. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.



FINISHED LOWER LEVEL PLAN - 1067 SF

DO NOT SCALE

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Individual BCIN: 37168 Firm BCIN: 43361

AG DESIGN
Windsor, ON
Phone : 519-965-7176

SEMI-DETACHED ADDTION

436 ASKING AVENUE
Windsor, ON

BASEMENT PLAN

Date : March 9, 2020
Scale : 1/4" = 1'-0"
Project No. : 061/19
Drawing No. :

A-1.0

LEGEND

LOAD BEARING INTERIOR WALL
2X6 WOOD STUDS @ 16" O/C W/ SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD BLOCKING @ 3'-11" O/C HORIZONTAL

W1 EXTERIOR WALL
SIDING AS PER OWNER
AIR BARRIER ON 1/2" PLYWOOD EXTERIOR GRADE SHEETING
2X6 WOOD STUDS @ 16' O/C, R24 BATT INSULATION
6 MIL POLY VAPOUR BARRIER W/ 1/2" DRYWALL

W2 EXTERIOR WALL WITH 1 HR F.R.R. EW1a of SB-3
NON-COMBUSTIBLE SIDING (CEMENT BOARD)
AIR BARRIER ON 1/2" PLYWOOD EXTERIOR GRADE SHEETING
2X6 WOOD STUDS @ 16' O/C
R24 BATT INSULATION
6 MIL POLY VAPOUR BARRIER
5/8" TYPE X DRYWALL

W3 EXTERIOR WALL WITH 1 HR F.R.R. B1a or B1b of SB-3
6" OR 8" CONCRETE BLOCK (REFER TO SECTION)
2X6 STEEL STUDS @ 16' O/C
R24 BATT INSULATION
6 MIL POLY VAPOUR BARRIER
1/2" DRYWALL

C/H CRAWL SPACE ACCESS HATCH 32"X24" MINIMUM. INSTALLED AS PER OBC REQUIREMENTS.

EF DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.

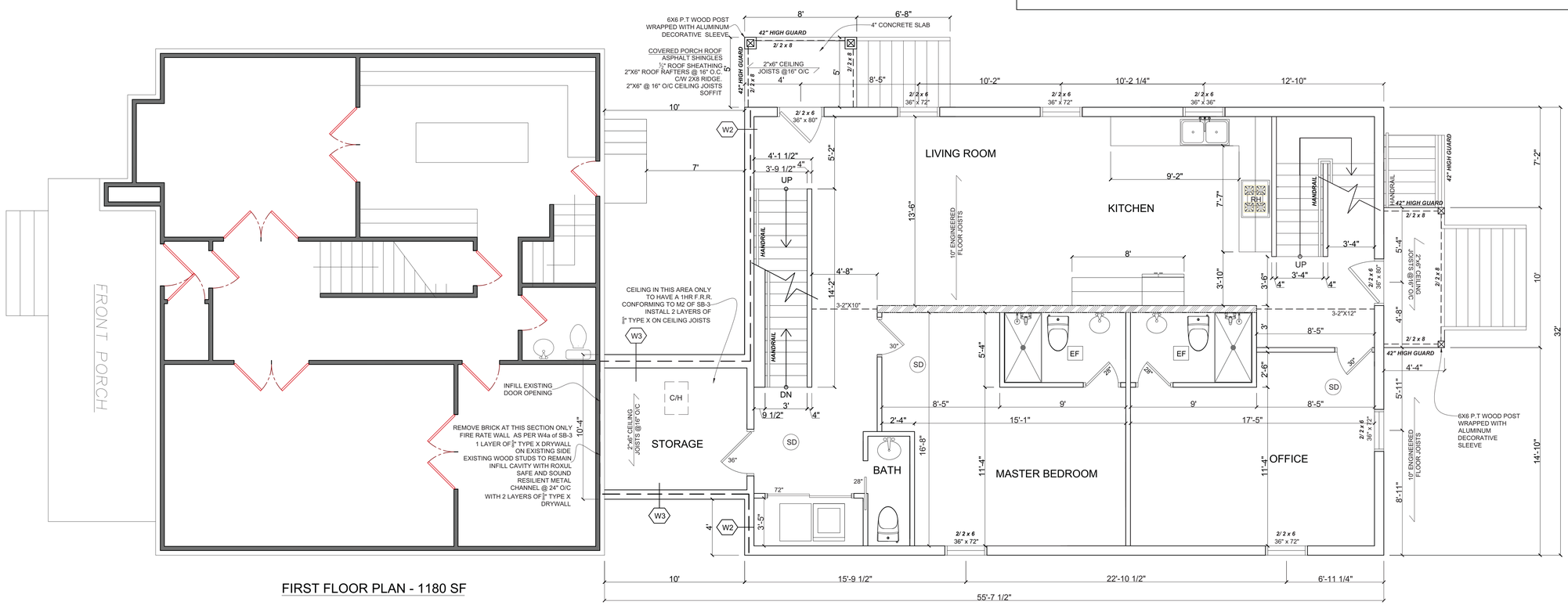
RH DENOTES RANGE HOOD VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.

P1 INTERIOR NON-LOAD BEARING WALLS
2X4 WOOD STUDS @ 16" O/C
1/2" DRYWALL ON BOTH SIDES OF STUDS

SD DENOTES SMOKE ALARM C/W CO^2 DETECTOR. REFER TO GENERAL NOTES.

NOTES

1. ALL INTERIOR PARTITIONS TO BE P1 UNLESS NOTED OTHERWISE.
2. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.



FIRST FLOOR PLAN - 1180 SF

DO NOT SCALE

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AG DESIGN
Windsor, ON
Phone : 519-965-7176

SEMI-DETACHED ADDTION

436 ASKING AVENUE
Windsor, ON

MAIN FLOOR PLAN

Date : March 9, 2020
Scale : 1/4" = 1'-0"
Project No. : 061/19
Drawing No. :

A-1.1

LEGEND

W1 — EXTERIOR WALL
SIDING AS PER OWNER
AIR BARRIER ON 1/2" PLYWOOD EXTERIOR GRADE SHEETING
2X6 WOOD STUDS @ 16" O/C, R24 BATT INSULATION
6 MIL POLY VAPOUR BARRIER W/ 1/2" DRYWALL

P1 — INTERIOR NON-LOAD BEARING WALLS
2X4 WOOD STUDS @ 16" O/C
1/2" DRYWALL ON BOTH SIDES OF STUDS

SD — DENOTES SMOKE ALARM C/W CO² DETECTOR. REFER TO GENERAL NOTES.

EF — DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.

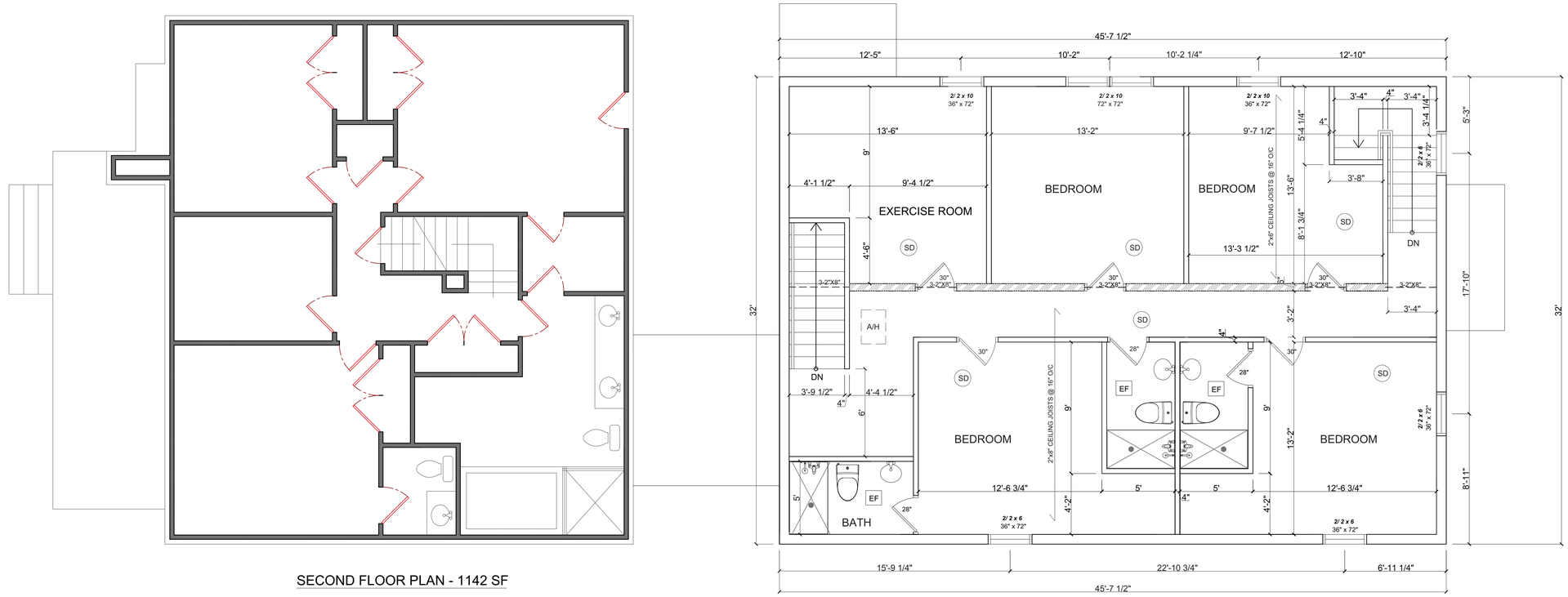
A/H — ATTIC ACCESS HATCH 20" X 28" MINIMUM. INSTALLED AS PER OBC REQUIREMENTS

LOAD BEARING INTERIOR WALL
2X6 WOOD STUDS @ 16" O/C W/ SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD BLOCKING @ 3'-11" O/C HORIZONTAL

ROOF CONSTRUCTION
ASPHALT ROOF SHINGLES ON ROOF FELT
½" OSB SHEATHING
ENGINEERED ROOF TRUSSES
WITH R-60 BATT INSUL.
6 mil POLY VAPOUR BARRIER
½" GYPSUM BOARD

NOTES

1. ALL INTERIOR PARTITIONS TO BE P1 UNLESS NOTED OTHERWISE.
2. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.



SECOND FLOOR PLAN - 1142 SF

DO NOT SCALE

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AG DESIGN
Windsor, ON
Phone : 519-965-7176

SEMI-DETACHED ADDTION
436 ASKING AVENUE
Windsor, ON

SECOND FLOOR PLAN

Date : March 9, 2020
Scale : 1/4" = 1'-0"
Project No. : 061/19
Drawing No. :

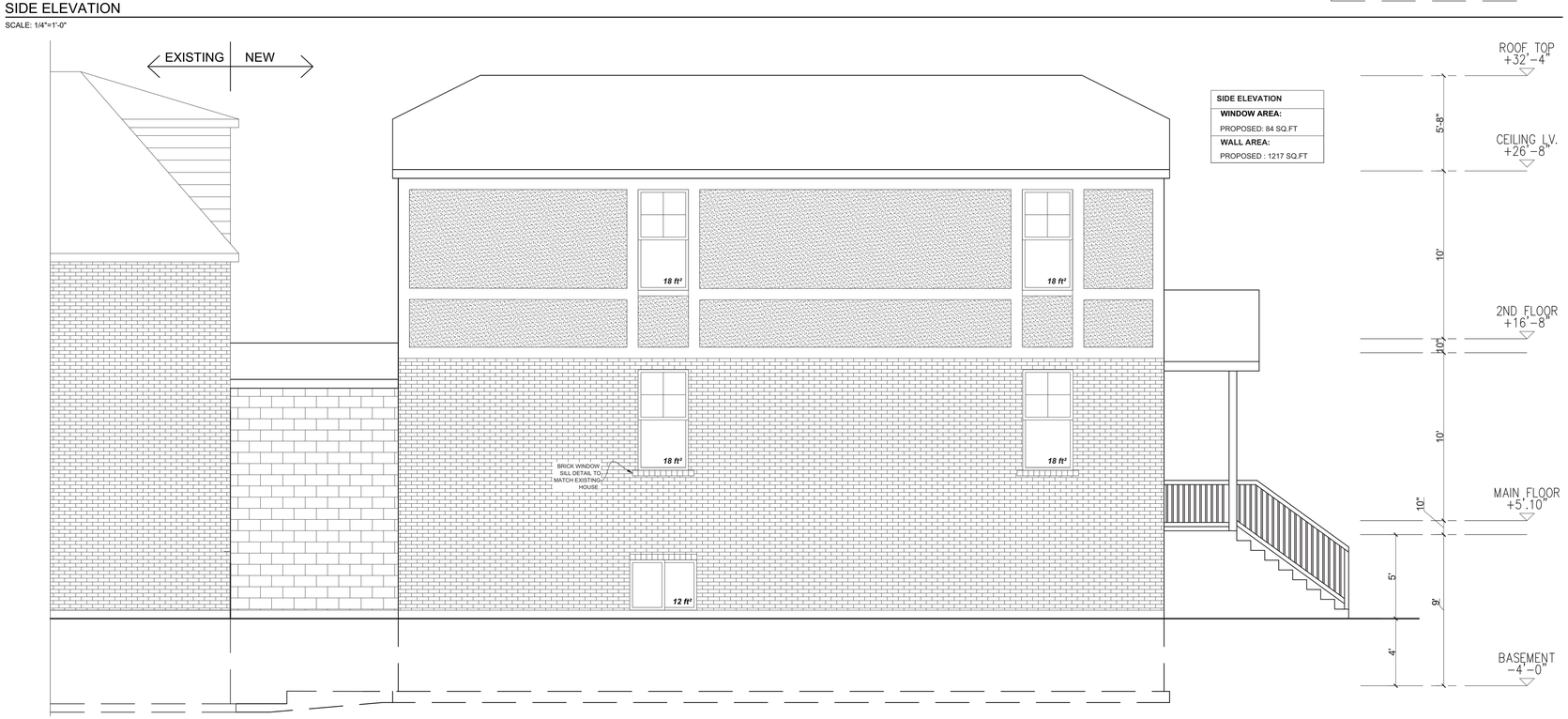
A-1.2

EXISTING BRICK DETAIL AROUND WINDOW REFERENCE

EXISTING BRICK WINDOW SILL DETAIL REFERENCE

SIDE ELEVATION

SCALE: 1/4"=1'-0"



SIDE ELEVATION

SCALE: 1/4"=1'-0"

DO NOT SCALE

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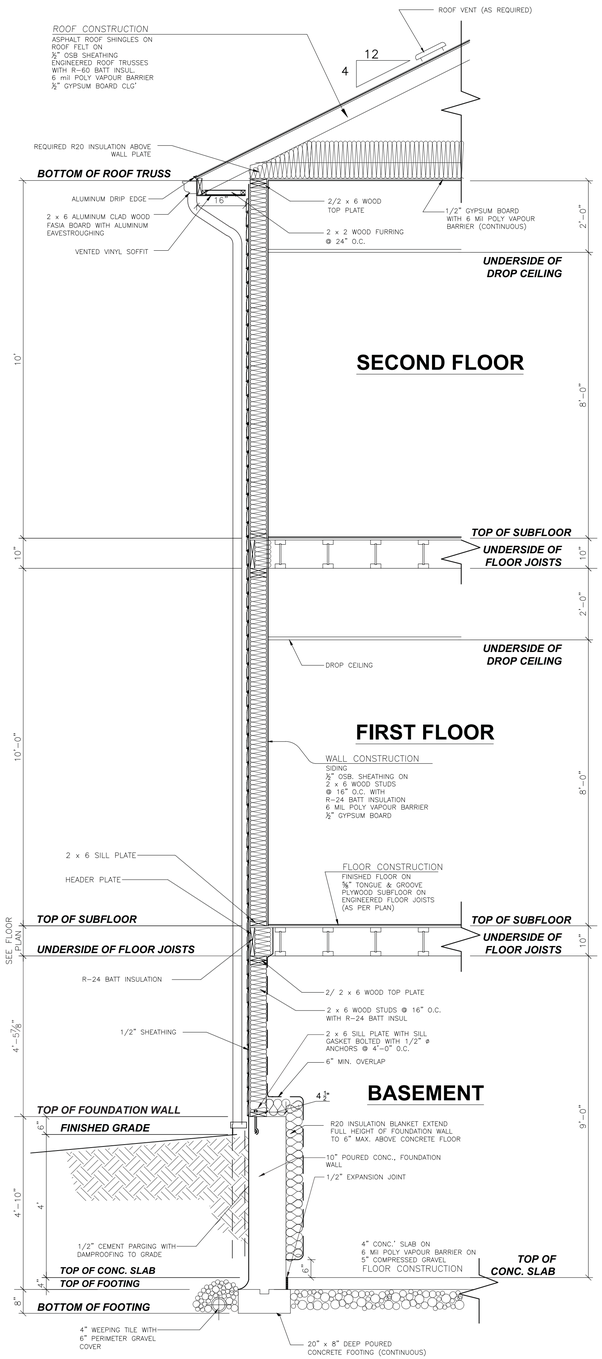
SEMI-DETACHED ADDTION

436 ASKING AVENUE
Windsor, ON

ELEVATIONS

Date : March 9, 2020
Scale : 1/4" = 1'-0"
Project No. : 061/19
Drawing No. :

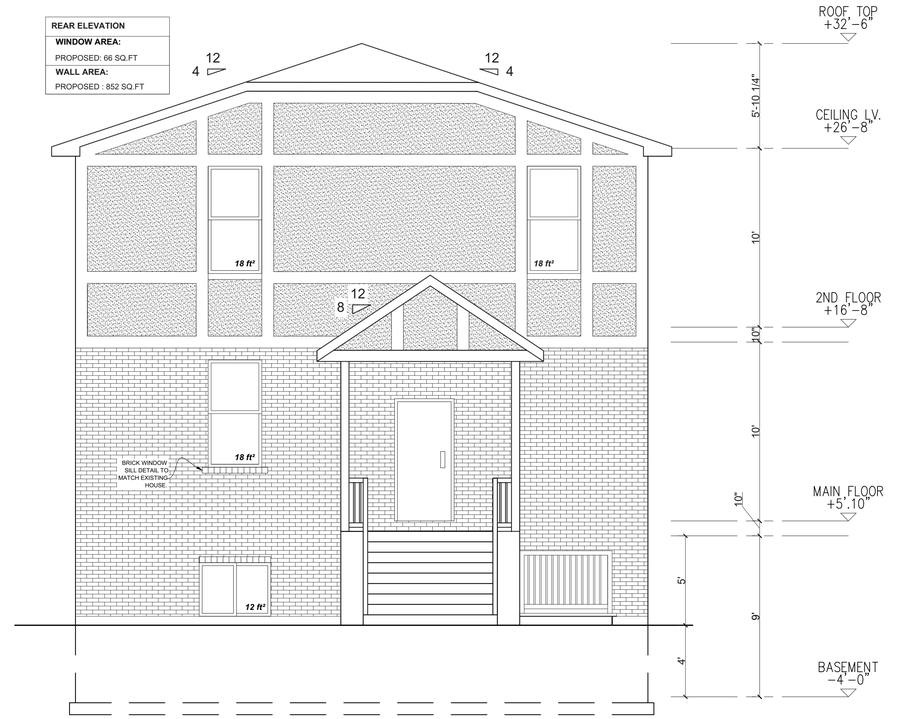
A-2.0



WALL SECTION

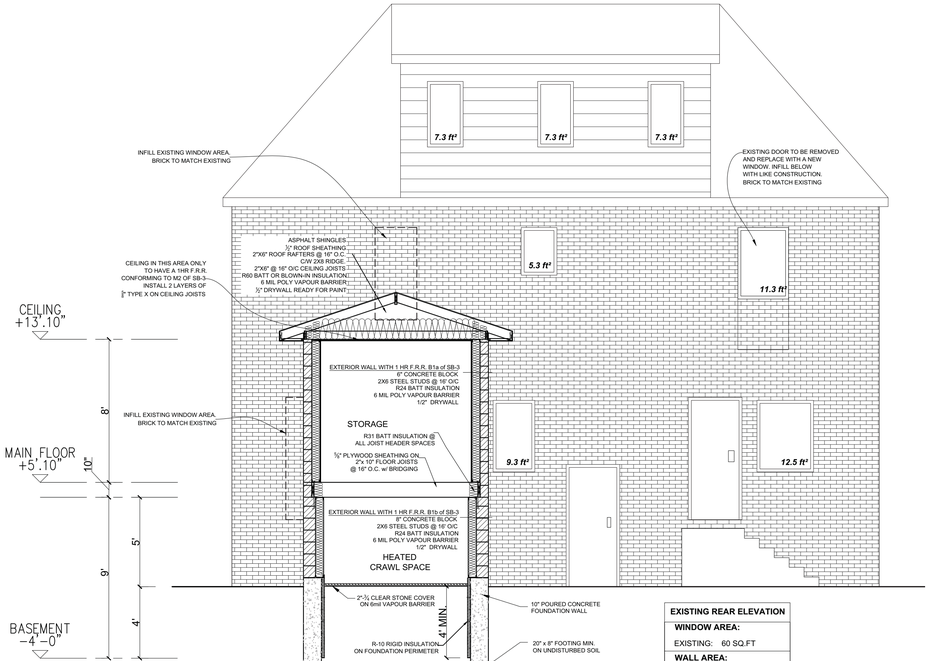
SCALE: 1/2"=1'-0"

REAR ELEVATION
WINDOW AREA:
PROPOSED: 66 SQ.FT
WALL AREA:
PROPOSED : 852 SQ.FT



REAR ELEVATION

SCALE: 1/4"=1'-0"



EXISTING REAR ELEVATION
WINDOW AREA:
EXISTING: 60 SQ.FT
WALL AREA:
EXISTING : 744 SQ.FT

EXISTING REAR ELEVATION

SCALE: 1/4"=1'-0"

DO NOT SCALE

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Windsor, ON
Phone : 519-965-7176

SEMI-DETACHED ADDTION

436 ASKING AVENUE
Windsor, ON

ELEVATIONS & SECTION

Date : March 9, 2020
Scale : 1/4" = 1'-0"
Project No. : 061/19
Drawing No. :

A-2.1

NEW
EXISTING

THE CITY OF WINDSOR
ONTARIO, CANADA

ADDITIONAL INFORMATION MEMO

TO: Members of City of Windsor Council

FROM: Kristina Tang (Heritage Planner) and George Robinson (Planner II-Revitalization & Policy Initiatives)

DATE: October 27, 2020

SUBJECT: Additional Memorandum Re: Motion of the Development & Heritage Standing Committee for Report S 53/2020: 436 Askin Avenue- Partial Demolition of a Heritage Listed Property (Ward 2)

Re: DHSC Motion for Report S 53/2020

This memorandum provides additional information about the recommendations for Council's information. On October 13, 2020, the Development and Heritage Standing Committee (DHSC) approved this motion:

I. THAT the report of the Planner II Revitalization & Policy Initiatives and Heritage Planner dated September 25, 2020, entitled "436 Askin Avenue-Partial Demolition of a Heritage Listed Property" **BE RECEIVED**; and,

II. THAT Administration **BE REQUESTED** to give notice of intention to designate the property located at 436 Askin Ave in accordance with Part IV of the *Ontario Heritage Act*; and,

III. THAT Administration **REPORT BACK** to Council regarding initiation of a Heritage Conservation District for this area; and, that the report include suggestions related to boundaries that may be considered.

While Council has the option of choosing to receive the notice of intention to demolish and taking no further action (as per the original recommendation from Administration) should Council be in agreement with the DHSC Motion, it is recommended that the resolution be reworded to provide clarity, as follows:

I. THAT Administration **BE REQUESTED** to give notice of intention to designate the property located at 436 Askin Ave in accordance with Part IV of the *Ontario Heritage Act*; within 60 days from September 25, 2020; and

II. THAT the request to demolish the enclosed porch and balcony at the rear of 436 Askin Ave to facilitate a rear addition and conversion to a semi-detached dwelling as currently proposed, BE REFUSED, in accordance with Ontario Heritage Act, Section 30 Effect of the Notice of Designation; and,

III. THAT Administration **REPORT BACK** to Council regarding initiation of a Heritage Conservation District Area Study for this area; and, that the report include suggestions related potential boundaries, optional designation of an Heritage Conservation District Study Area Bylaw, timing of the study and funding considerations.

There is a 60 day limitation from September 25, 2020 when the notice of intention to demolish was received, for Council to take no action and allow for the demolition. The other option is to initiate the notice of intention to designate the property and thereby effect any permits of the property to be void, and/or for interim control of alteration, demolition or removal to the property. In other words, any permits initiated within the 60 days are suspended until Council's decision,

and further suspended if Council authorizes the Notice of Intention to Designate such that no further work may be done until a heritage process similar to that for a designated property is initiated.

Ontario Heritage Act reads:

Effect of notice of designation
Permits void

***30** (1) If a notice of intention to designate a property as property of cultural heritage value or interest is given under section 29, any permit that allowed for the alteration or demolition of the property and that was issued by the municipality under any Act, including a building permit, before the day the notice was served on the owner of the property and on the Trust and published in a newspaper is void as of the day the notice of intention is given in accordance with subsection 29 (3). 2005, c. 6, s. 18.*

Interim control of alteration, demolition or removal

(2) Sections 33 and 34 apply with necessary modifications to property as of the day notice of intention to designate the property is given under subsection 29 (3) as though the designation process were complete and the property had been designated under section 29. 2005, c. 6, s. 18.

The rewording of the motion better reflects the legislative requirements and authorities prescribed by the *Act*. The notice of intention to designate must be served to the Owner of the Property, to the Ontario Heritage Trust, and published on a newspaper of general circulation. Amongst other required contents, the notice of intention to designate is to include a statement explaining the cultural heritage value or interest of the property. After thirty days, if there is no objection, Council may pass a by-law to designate the property. If a notice of objection is served, the matter is heard by the appointed provincial Conservation Review Board which convenes as needed. The Conservation Review Board provides a report and recommendation on whether or not the property should be designated, for City Council to make the final decision.

Information on the HCD is included in later section of this memorandum.

Heritage Designation

Heritage designation evaluation is based on O.Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest. If designation proceeds to the final step, the designation bylaw would include the Statement of Cultural Heritage Value or Interest of the property and a description of the heritage attributes of the property. Therefore, these components have been described in further detail in this memorandum and a draft Statement has been provided in Appendix A.

Front elevation of 436 Askin Ave.

Physical or Design Considerations

The main building is a large 2½-storey Tudor Revival style house with brick walls and steeply pitched roofs, designed with the front facing west to Askin Avenue. The asymmetrical facade includes a steeply pitched two-storey projecting portico with a stepped chimney, off-set from the center to the north. The main roof is clipped on the north end and marked by a large rectangular chimney on the south end. Although the gable ends feature stucco and decorative half-timbering, the majority of the building is constructed of variegated brick with brown to buff colours, including varieties of red colours. The projecting portico has many decorative features, including an arched voussoir entryway radiating out in a sunburst pattern, and a center oriel window apparently with leaded glass. Decorative brick patterns accentuate the portico, with brick in a variety of header, stretcher, rowlock, soldier, and sailor orientations. Around the building, soldier course brick delineate the floors, openings are framed by brick surrounds and rowlock brick window sills, and corners of the building are marked by protruding columns capped by stacked, sloping sailor brick coping. Other features include a recessed arched west facing front door, and various original window types including wood sash windows with three over one single hung windows, six over one sash windows, casement windows with leaded glass in diamond pattern, and stained glass windows. (Reference Appendix B for additional photos of the property)

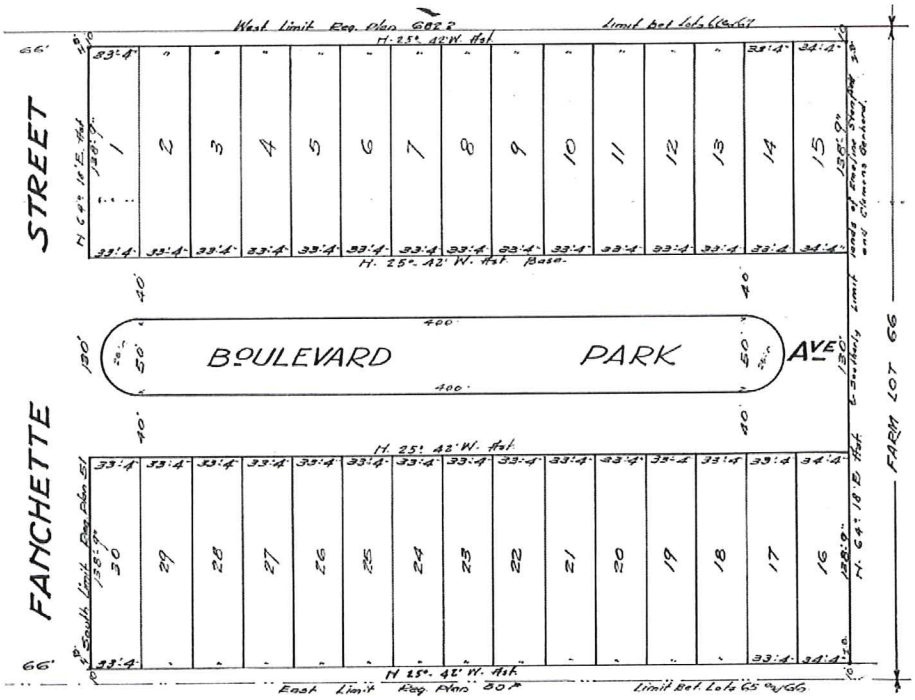
There are several additions: A one-storey enclosed porch is attached to the north half of the east side (rear) of the house. While the materials used to enclose the rear porch may not be original to the house, the brick pilings and door location on the exterior brick wall adjacent to the main floor kitchen suggests that there may have been a deck with or without the second floor balcony at original time of construction. A review of aerial photography shows a deck and balcony at this

location in 1949. A subsequent rear uncover deck is on the southeast corner. An east-side sliding glass door provides access to the deck, a review of the masonry suggests the opening for which may not be original. It appears that the large shed dormer clad in wood shingles with three windows face the east at the rear of the building is also not part of original design.

The building is a representative example of Tudor Revival style and displays a high degree of craftsmanship, especially in the decorative brickwork.

Historical or Associative Considerations:

From an early survey in 1881, the subject lands are identified as part of the French farm lots located in the Town of Sandwich. The French farm subdivision patterns of narrow lots perpendicular to the river front were laid out throughout the region up to Cabana Road or 4th Concession. During the early decades of the twentieth century up to 1930, the Border Cities experienced unprecedented growth with a population increase of nearly tenfold. The prosperity of the economy in the region had attracted much development and boom in populations. By the 1920s, many of the farm lots close to the riverfront were going through the process of being developed and homes were being built in the area, including along Askin Avenue. The subject parcel consists of Lot 6 and Part of Lot 5 on Plan 868 which was approved by the Town of Sandwich on December 20th, 1916.



Registered Plan 868, as approved by the former Town of Sandwich in 1916.

According to property title and ownership records, the property was purchased by Edward and Louise Griffith in Oct. 1926 for $2500. It appears the building was constructed c.1928, with the Griffiths indicating occupancy at the subject property's address of 212 Askin Avenue in 1928 (per 1928-1929 City Directories and The Border Cities Star newspaper records). They were long-time owners, selling 436 Askin in Nov. 1951 for $21000. According to Edward Griffith's obituary posted in the

Windsor Star in August 1978, he had owned an insurance agency business and was a life member of the Windsor Lodge #403 AF and AM.

While the building is an excellent example of early 20th century residential dwellings in the area and detailed masonry, unfortunately information about the architect, building or designer has not been found and there does not appear to be any known outstanding historical/associative value to the property.

Contextual Considerations

The subject property's period architecture visually and historically connects to the era of its original early 20th century subdivision plan, along with the wide tree median right-of-way design on Askin Avenue. Askin Avenue varies in width, but is approximately 40 metres in front of 436 Askin Avenue. This section of Askin incorporates a treed landscaped boulevard including a median island that is approximately 15 metres in width, also landscaped with grass, shrubs, and a mix of deciduous trees. While treed boulevards are common in Windsor, median boulevards are uncommon, and it is rare to find a local road with such a wide treed median. The original plan of subdivision laid out in 1916 indicates the median to be a defining feature on this block.

This block of Askin Avenue between Fanchette Street and Wyandotte Street consists of one and two storey residential buildings. The majority of the buildings are single detached houses, although there are several traditional type semi-detached houses and duplexes. 436 Askin is of similar epoch as many other homes constructed in the area. Building permit records and Fire Insurance Maps indicate that many of the original homes that remain on Askin Avenue were constructed in the mid-to-late 1920's, ranging in architectural styles of craftsmen bungalows, American foursquare, and colonial revival styled homes, etc. The subject property's Tudor Revival architecture is distinctive as it is comparatively less common in the immediate area.

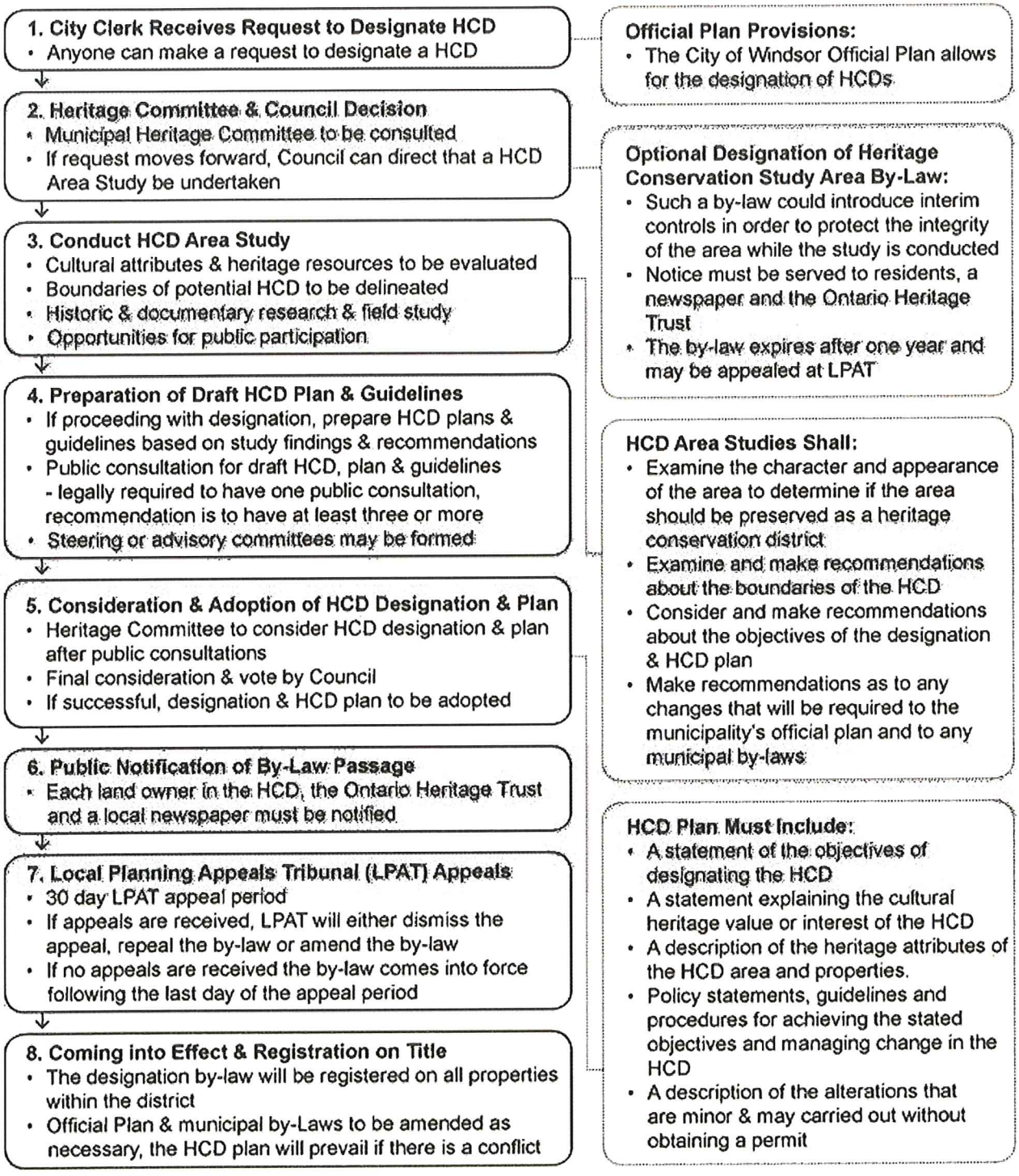
The properties along Askin Avenue were originally developed with a rear alley for servicing and access. The alley abutting 436 Askin Avenue was closed by By-law 58-2016 and the portion of the alley was subsequently added to this parcel in 2020. Single-vehicle-width driveways with access to the front are typical along this block.

South of the block, Wyandotte Street is designated as a Main Street in the Official Plan, and features a mix of commercial uses and apartment-style dwellings. The main campus of the University of Windsor is one block to the west of the subject site. Amidst changes in the surrounding context, the original building typology and Tudor revival style of this house contributes to maintaining the character of the area as a mature residential neighbourhood with heritage character.

Heritage Conservation District

If approved by Council, Recommendation III of the DHSC Motion and the Administration recommended reworded motion would be subject of a future report back by Administration. Some brief points are provided to assist Council's decision.

The following flowchart provides some procedures for the Heritage Conservation District (HCD) Designation Process.



The entire HCD designation can be a lengthy process requiring much examination and engagement with the property owners impacted. While not required, the process usually starts with a HCD Area Study and therefore the recommended revised motion includes the change to report back on information to consider before starting an HCD Area Study. Preliminarily, it appears that the heritage resources in the area will reach beyond just Askin Avenue, and are concentrated from Riverside Drive West to Wyandotte Street West, between Vista Place to Randolph Avenue, where some heritage

properties have already been recognized or are in the process of being recognized onto the Windsor Municipal Heritage Register. The Ontario Heritage Act allows for the optional designation of a HCD Study Area Bylaw for up to one year, but it is not automatic and requires the passing of a bylaw. Such a bylaw may prohibit or set limitations to alterations, erection, demolition or removal of buildings or structures in the HCD Study Area. It is Council's discretion to pass the one year HCD Study Area Bylaw.. However, any person who objects could appeal to the Local Planning Appeal Tribunal. This risks delay in completion of the study. The Tribunal will hold a public hearing to hear the objections and will decide on the acceptability of the study area bylaw or any interim controls adopted under the bylaw. It is anticipated that there may be objections and appeals to such a Bylaw in this area.

Alternatively, the HCD Study can take place and conduct the research, investigation, and public consultation needed, without the optional passage of the bylaws or potential risk of appeals to the Study stages.

With respect to timing and funding of a study, Administration notes that as Council (per CR 334/2019) has directed administration to proceed with the implementation of the Walkerville Heritage Conservation District Study (which is anticipated to commence after Walkerville Districting Plan is completed), any other Heritage Conservation District Study will have to proceed subsequent to that and would be subject to Council's budgetary considerations. Any new request for a HCD Study is currently not funding. These details will be supplemented at the time of the future report back to Council.

Kristina Tang
Heritage Planner

George Robinson
Planner II- Revitalization & Policy Initiatives

Thom Hunt
City Planner / Executive Director
Planning & Building

Michael Cooke
Manager of Planning Policy/ Deputy City Planner

Wira Vendrasco
Deputy City Solicitor

for

Shelby Askin Hager
City Solicitor and Corporate Leader
Economic Development and Public Safety

Onorio Colucci
Chief Administrative Officer

Appendix A- Draft Statement of Cultural Heritage Value or Interest

Description of Historic Place

436 Askin Avenue is located on the east side of Askin Avenue, south of Fanchette Street. The 2 ½-storey brick and stucco house was built c.1928 in the Tudor Revival style.

Design or Physical Value:

The building is a large 2½-storey Tudor Revival style house with brick walls and steeply pitched roofs, designed with the front facing west to Askin Avenue. The asymmetrical facade includes a steeply pitched two-storey projecting portico with a stepped chimney, off-set from the center to the north. The main roof is clipped on the north end and marked by a large rectangular chimney on the south end. Although the gable ends feature stucco and decorative half-timbering, the majority of the building is constructed of variegated brick with brown to buff colours, including varieties of red colours. The projecting portico has many decorative features, including an arched voussoir entryway radiating out in a sunburst pattern, and a center oriel window apparently with leaded glass. Decorative brick patterns accentuate the portico, with brick in a variety of header, stretcher, rowlock, soldier, and sailor orientations. Around the building, soldier course brick delineate the floors, openings are framed by brick surrounds and rowlock brick window sills, and corners of the building are marked by protruding columns capped by stacked, sloping sailor brick coping. Other features include a recessed arched west facing front door, and various original window types including wood sash windows with three over one single hung windows, six over one sash windows, casement windows with leaded glass in diamond pattern, and stained glass windows.

The building is a representative example of Tudor Revival style and displays a high degree of craftsmanship, especially in the decorative brickwork.

Historical or Associative Value:

From an early survey in 1881, the subject lands are identified as part of the French farm lots located in the Town of Sandwich. The French farm subdivision patterns of narrow lots perpendicular to the river front were laid out throughout the region up to Cabana Road or 4th Concession. During the early decades of the twentieth century up to 1930, the Border Cities experienced unprecedented growth with a population increase of nearly tenfold. The prosperity of the economy in the region had attracted much development and boom in populations. By the 1920s, many of the farm lots close to the riverfront were going through the process of being developed and homes were being built in the area, including along Askin Avenue. The subject parcel consists of Lot 6 and Part of Lot 5 on Plan 868 which was approved by the Town of Sandwich on December 20th, 1916.

According to property title and ownership records, the property was purchased by Edward and Louise Griffith in Oct. 1926 for $2500. It appears the building was constructed c.1928, with the Griffiths indicating occupancy at the subject property's address of 212 Askin Avenue in 1928 (per 1928-1929 City Directories and The Border Cities Star newspaper records). They were long-time owners, selling 436 Askin in Nov. 1951 for $21000. According to Edward Griffith's obituary posted in the Windsor Star in August 1978, he had owned an insurance agency business and was a life member of the Windsor Lodge #403 AF and AM. .

Information about the architect, building or designer of the building is unknown.

Contextual Value:

This block on Askin Avenue between Fanchette Street and Wyandotte Street consists of one and two storey residential buildings. The majority of the buildings are single detached houses, although there are several traditional type semi-detached houses and duplexes. 436 Askin is of similar epoch as many other homes constructed in the area. Building permit records and Fire Insurance Maps indicate that many of the original homes that remain on Askin Avenue were constructed in the mid-to-late 1920's, ranging in architectural styles of craftsmen bungalows, American foursquare, and colonial revival styled homes, etc. The subject property's Tudor Revival architecture is distinctive as it is comparatively less common in the immediate area. Single-vehicle-width driveways with access to the front are typical along this block. South of the block, Wyandotte Street is designated as a Main Street in the Official Plan, and features a mix of commercial uses and apartment-style dwellings. The main campus of the University of Windsor is one block to the west of the subject site. Amidst changes in the surrounding context, the original building typology and Tudor Revival house contributes to maintaining the character of the area as a mature residential neighbourhood with heritage character.

The subject property's period architecture visually and historically connects to the era of its original early 20th century subdivision plan, along with the wide tree median right-of-way design on Askin Avenue. The section of Askin Avenue incorporates a treed landscaped boulevard, and a wide median island that is approximately 15 metres in width, also landscaped with grass, shrubs, and a mix of deciduous trees. This locally uncommon wide treed median is a defining feature on this block and part of the original plan of subdivision laid out in 1916.

Description of Heritage Attributes:

Attributes that contribute to the design or physical value of 436 Askin Avenue:

2½-storey Tudor Revival style house, built in c.1928

- Steeply pitched side-gabled roof with two-storey front-facing gabled portico
- Asymmetrical façade with portico off-set from the center to the north
- Majority of building constructed of variegated brick with brown to buff colours, including varieties of red colours
- Main side-gable roof clipped on the north end and marked by a large rectangular brick chimney on the south end with triple chimney pot
- Side-gable ends feature stucco and decorative half-timbering
- Gables with plain or half-timbered vergeboard
- Steeply pitched projecting portico features
    - 2 sided oriel window with casement windows of leaded glass with crest
    - Stepped brick chimney with two chimney pots and sailor brick coping ends
    - Arched voussoir entryway radiating out in sunburst pattern in front center, and arched opening at south side
    - Opening with brick sill and column with brick coping to south of front facing plane
    - Decorative brick patterns in a variety of header, stretcher, rowlock, soldier and sailor, orientations, and projecting units in random pattern, accentuate the porch
    - Situated atop brick (with projecting units) and concrete deck

- Recessed arched west facing front door
- Canopy or over the first floor front west facing windows (north of porch)

- Variety of original window types including wood sash windows with three over one single hung, six over one windows, casement windows with leaded glass in diamond pattern, and stained glass windows
- Brick surrounds over openings feature double rowlock lintels, projecting stretch and header brick at sides, and rowlock sills for windows
- Soldier brick course delineating floors
- Corners of the building marked by protruding columns topped by stacked, slopping sailor brick coping

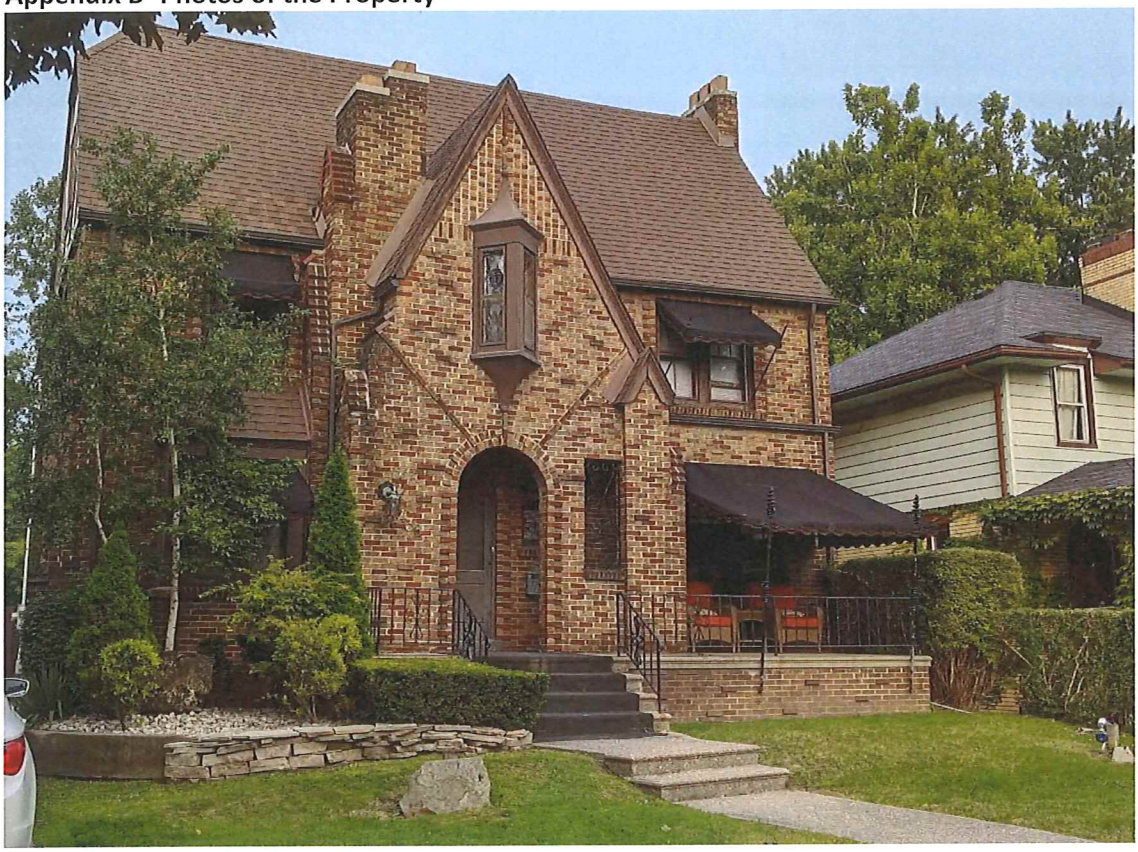
Attributes that contribute to the historical or associative value of 436 Askin Avenue:

- Developed alongside the growth in the Border Cities area as part of a Town of Sandwich subdivision
- Associated with first owners Edward & Louise Griffith

Attributes that contribute to the contextual value of 436 Askin Avenue:

- Original building typology and tudor revival style of house contributes to maintaining the character of the area as a mature residential neighbourhood with heritage character
- The subject property's period architecture visually and historically connects to the era of its original early 20th century subdivision plan, along with the wide tree median right-of-way design on Askin Avenue.

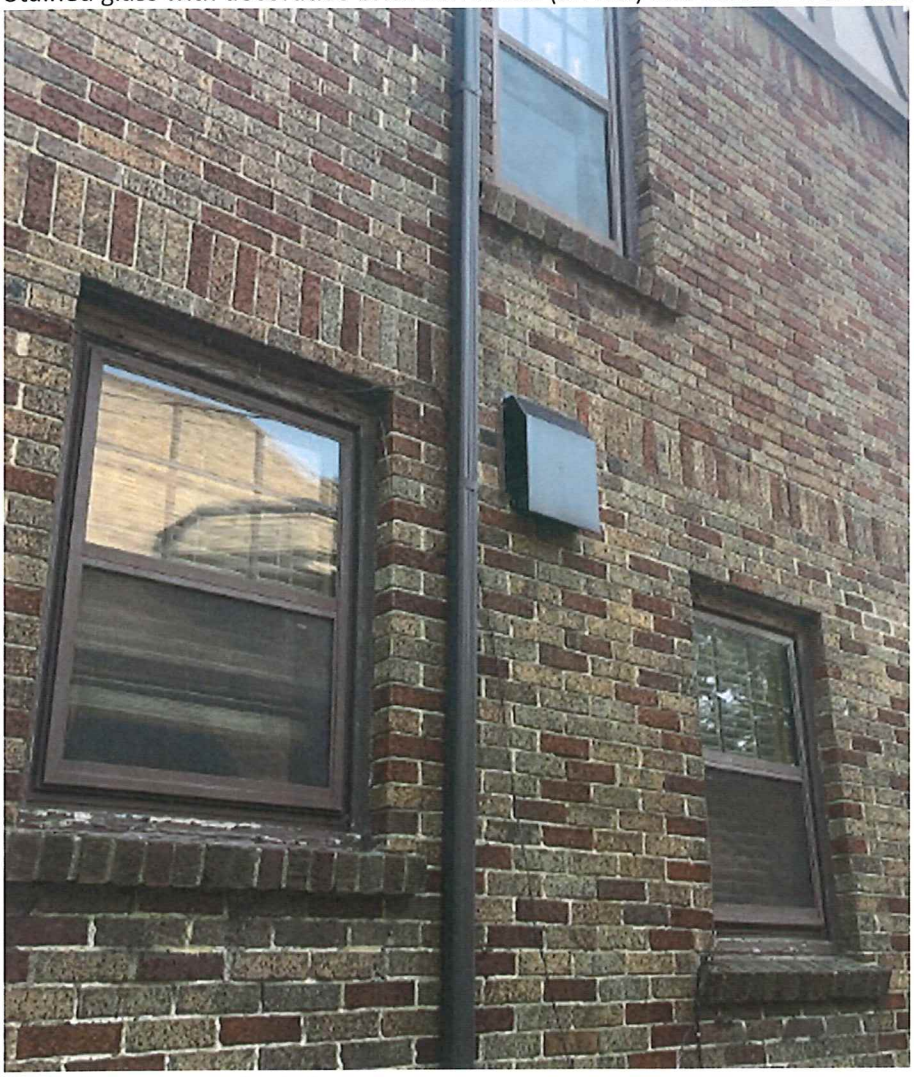
Appendix B- Photos of the Property



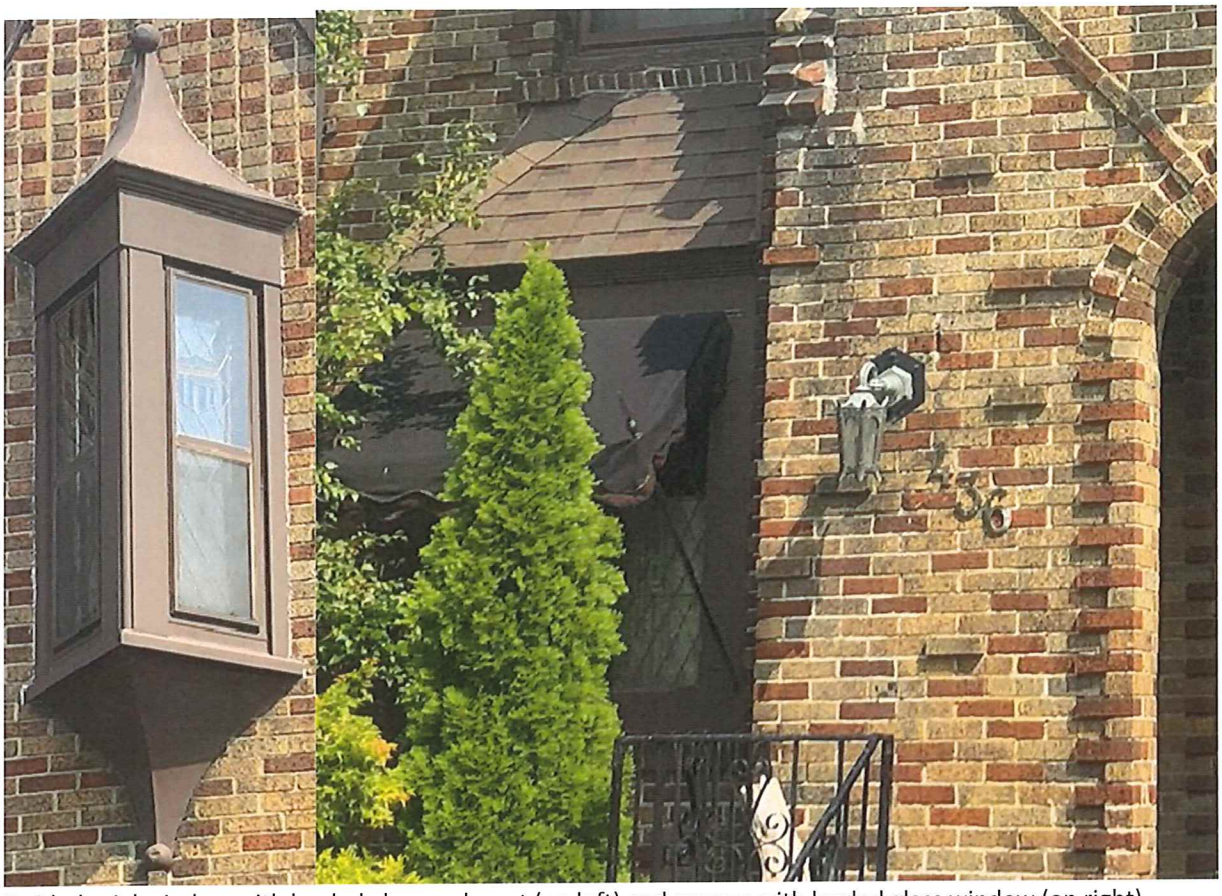
Front elevation

View from Northwest and side (north) of stained glass window and decorative half-timbering

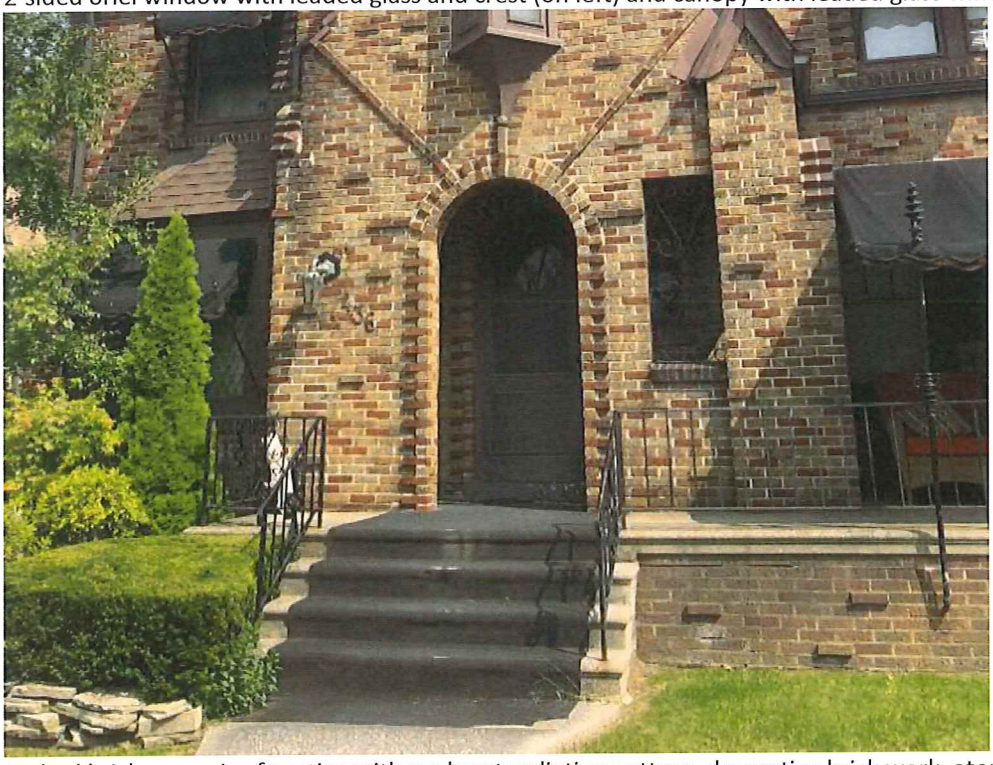
Stained glass with decorative brick surrounds (on left) and column with stacked brick coping (on right)



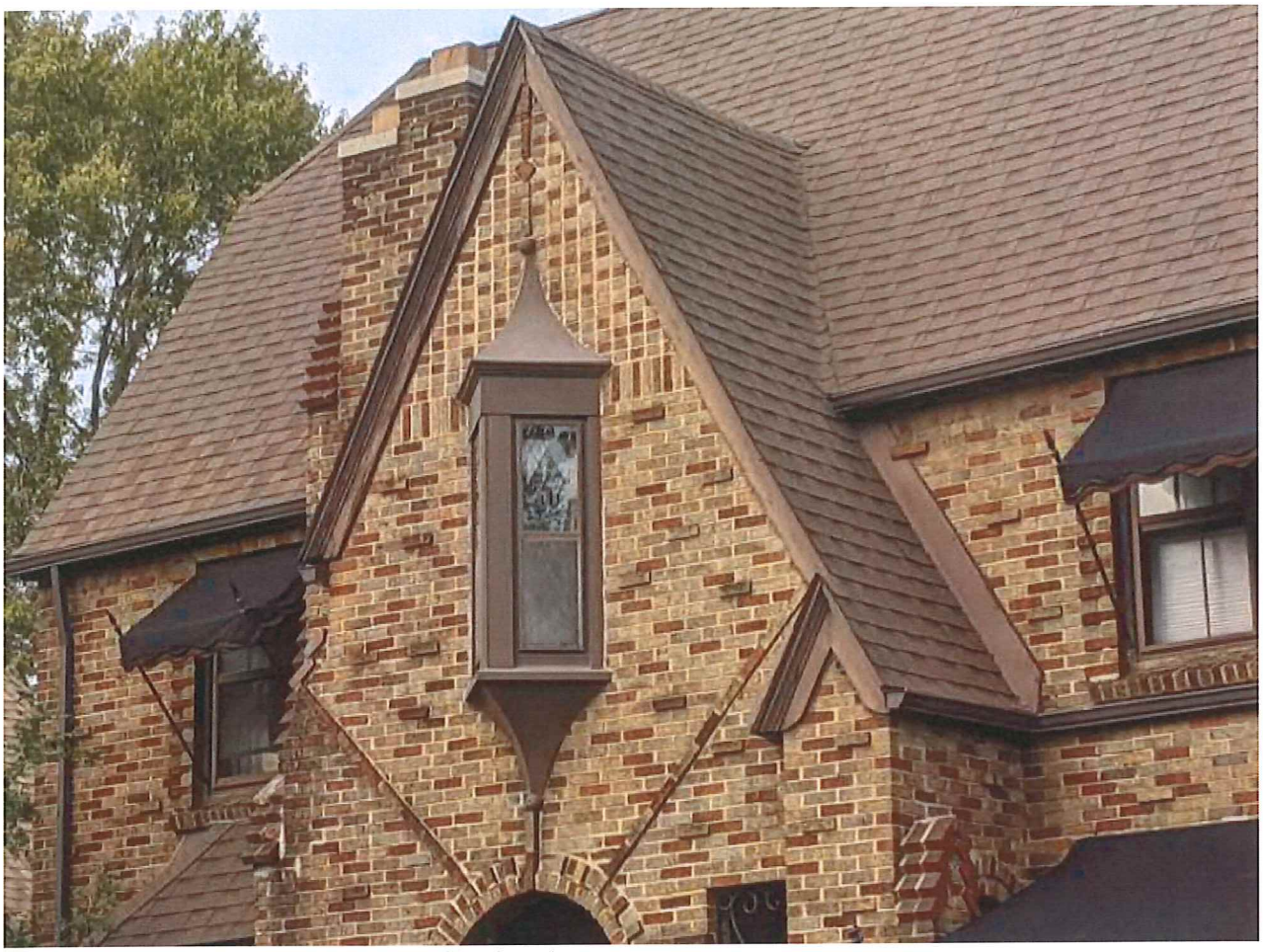
Other six over one sash windows



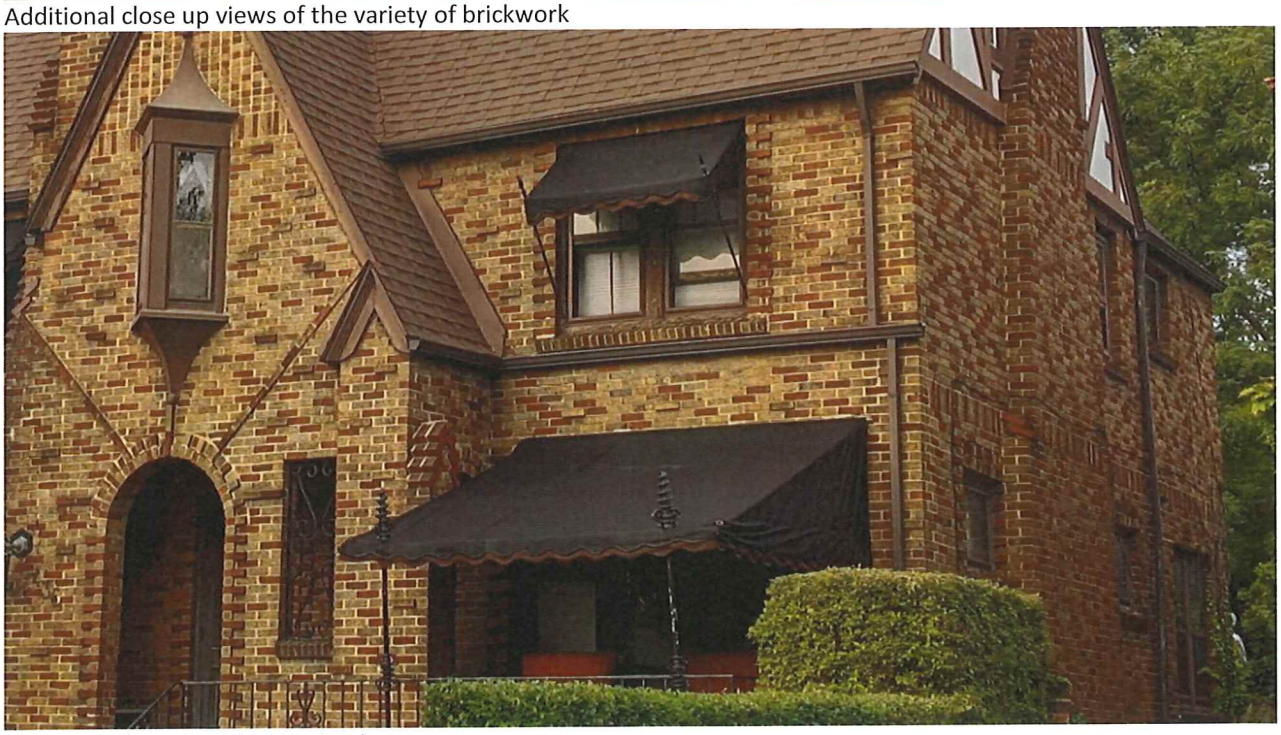
2-sided oriel window with leaded glass and crest (on left) and canopy with leaded glass window (on right)



Arched brick voussoir of portico with sunburst radiating pattern, decorative brick work, atop the brick and concrete deck



Additional close up views of the variety of brickwork



View from front (southwest view)

Close-up view from south side of building

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 312/2020

Subject: Economic Revitalization Community Improvement Plan (CIP) application submitted by Kadri Family Holdings Ltd. for 1567 Ouellette Avenue (Ward 3)

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 208**

I. THAT the request made by Kadri Family Holdings Ltd. to participate in the Small Business Investment Grant Program **BE APPROVED** for the portion of the municipal tax increment resulting from the proposed development of a business incubator located at 1567 Ouellette Avenue for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,

II. THAT the grant payments:

a. **BE CALCULATED** based on the percentage of gross floor area within the building that is allocated to the business incubator use (i.e. estimated to be 50% based on the CIP application); or,

b. **BE CANCELLED** and approval to participate in the Small Business Investment Grant Program **BE RESCINDED** if the percentage of gross floor area within the building that is allocated to the business incubator use falls below 25%; and,

III. THAT Administration **BE DIRECTED** to prepare an agreement between the City and Kadri Family Holdings Ltd. and/or persons or companies that have legally been assigned the right to receive grant payments to implement the Small Business Investment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,

IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Small Business Investment Grant Agreement; and,

V. THAT the approval to participate in the Small Business Investment Grant Program

EXPIRE if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Councillor Morrison was absent from the meeting when the vote was taken on this matter.

Report Number: S 112/2020
Clerk's File: SPL/10759

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: Economic Revitalization Community Improvement Plan (CIP) application submitted by Kadri Family Holdings Ltd. for 1567 Ouellette Avenue (Ward 3)

Reference:

Date to Council: October 13, 2020
Author: Greg Atkinson, Senior Planner
519-255-6543 ext. 6582
gatkinson@citywindsor.ca
Planning & Building Services
Report Date: September 24, 2020
Clerk's File #: SPL/10759

To: Mayor and Members of City Council

Recommendation:

I. THAT the request made by Kadri Family Holdings Ltd. to participate in the Small Business Investment Grant Program **BE APPROVED** for the portion of the municipal tax increment resulting from the proposed development of a business incubator located at 1567 Ouellette Avenue for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,

II. THAT the grant payments:

a. **BE CALCULATED** based on the percentage of gross floor area within the building that is allocated to the business incubator use (i.e. estimated to be 50% based on the CIP application); or,

b. **BE CANCELLED** and approval to participate in the Small Business Investment Grant Program **BE RESCINDED** if the percentage of gross floor area within the building that is allocated to the business incubator use falls below 25%; and,

III. THAT, Administration **BE DIRECTED** to prepare an agreement between the City and Kadri Family Holdings Ltd. and/or persons or companies that have legally been assigned the right to receive grant payments to implement the Small Business Investment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,

IV. THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Small Business Investment Grant Agreement; and,

V. THAT the approval to participate in the Small Business Investment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Executive Summary: N/A

Background:

City Council approved the Economic Revitalization Community Improvement Plan (CIP) at its January 31, 2011 meeting via CR 50/2011. The adopting By-law 30-2011 was passed by Council at its February 14, 2011 meeting.

The Economic Revitalization CIP provides financial incentives to encourage new investment in targeted economic sectors for the purposes of diversifying the local economy and creating/retaining jobs. The CIP allows the City to take a variety of measures to further the objectives of the Economic Revitalization 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.

To date, City Council has approved a number of applications made under the CIP representing a range of targeted economic sectors including manufacturing, research and development, creative industries, logistics, health & life sciences, and tourism.

Dillon Consulting (acting as agent) has applied for financial incentives under the Small Business Investment Grant Program on behalf of the property owner—Kadri Family Holdings Ltd. The holding company is jointly owned by Eddie Kadri and Rolla Halabi.

The subject property is located at 1567 Ouellette Avenue and is currently vacant (see Location Map). The property is 0.16 hectares (0.41 acre) in size, designated 'Mixed Use' in the City's Official Plan and zoned Commercial District 3.5 (CD 3.5), which permits a range of commercial, office, and residential uses.

Discussion:

Small Business Investment Grant Program

The Small Business Investment Grant Program is intended to stimulate investment in targeted economic sectors by small businesses that create or retain jobs in Windsor. Small businesses with less than 20 employees are eligible to apply—provided an investment results in an increase of at least $25,000 to the assessed value of a

property.

Successful applicants may receive an annual grant for up to 100% of the municipal property tax increase created by an investment in development or redevelopment of a building or property—provided it conforms with the Economic Revitalization CIP. The annual grants may continue, at Council's discretion for up to 10 years or until up to 100% of the eligible investment costs are repaid.

Proposed Construction

The applicant proposes to construct a one storey, 479 square metre (5,158 square foot) office building that would house a business immigration law office (Kadri Law) and business incubator (Start Up Central). Based on plans submitted by the owner approximately 50% of the gross floor area within the proposed building will be allocated to Start Up Central. The estimate cost of the proposed development is $1.2M.

Eligible Sector

Start Up Central proposes to provide prospective entrepreneurs with the resources, insight, and professional services needed to launch a business in Canada. Start Up Central is eligible under the Professional Services sector (defined below) Kadri Law is not an eligible use under CIP.

> *Professional Services (Business Incubator)*
>
> *Business Incubator: is a facility or building that provides a flexible, affordable working space in combination with an array of business support resources and services intended to accelerate the successful launch and early development of start-up companies. A Business Incubator must demonstrate to the satisfaction of the Municipality that its business model and services provided focus on one or more of the following:*
>
> - *Creating jobs and wealth;*
> - *Fostering Windsor's entrepreneurial climate;*
> - *Technology transfer and commercialization;*
> - *Building or accelerating growth of local industry clusters;*
> - *Business creation and retention;*
> - *Encouraging women or minority entrepreneurship;*
> - *Identifying potential spin-in or spin-out business opportunities; and*
> - *Contribute to community revitalization and economic diversification.*

Employment

According to the CIP application, the proposed development would retain 6 jobs, which are currently based out of 110 Tecumseh Road East. 6-10 new jobs would be added over the lifespan of the grant program. Because the business has less than 20 employees—the application falls under the Small Business Investment Grant Program, which does not contain minimum job retention or creation requirements.

CIP Objectives

The proposed redevelopment of the property located at 1567 Ouellette Avenue for use as business incubator and recommended Small Business Investment Grant supports the following CIP objectives:

- Encourage investment that results in the productive use of lands and/or buildings for the purposes of establishing or maintaining a business enterprise, or the expansion of existing businesses to realize more effective use of the land's potential;
- Encourage capital investments that create new and/or maintain existing permanent jobs, as well as short-term construction jobs that contribute to the reduction of the unemployment rate;
- Provide financial incentive programs that are attractive to potential investors and corporate decision-makers, but are balanced with expectations of City taxpayers and the City's ability to fund the financial incentive programs;
- Attract investment based on the community's strengths and competitive advantages; and
- Support investment and development that results in an increase in property assessment and grows the non-residential municipal tax base over the long-term.

Risk Analysis:

There is little risk associated with the approval of the CIP application. Staff resources are required for the upfront administration of the grant program and finalization of the legal agreement. Limited staff resources related to on-going monitoring of the employment use and issuance of annual grants will also be required over the next ten years. Should Council refuse the CIP request Start Up Central may not be included as part of the development proposal.

Financial Matters:

Small Business Investment Grant Program

The tax increment portion of the Small Business Investment Grant is not calculated or paid out until all eligible work is completed and the property is reassessed by MPAC. Reassessment of the property must result in an increase in assessment value. The grant amount is recalculated annually based on the actual assessed property value, tax class, municipal tax rate, and percentage of gross floor area within the building allocated to eligible uses.

Because the proposed development is not 100% eligible under the CIP the recommendations indicate that grant payments will be calculated based on the percentage of gross floor area within the building allocated to Start Up Central (i.e. 50% based on the information in the grant application). The area allocated to Start Up Central will be verified prior to grant payments being issued. If the area allocated to Start Up Central decreases to the point where the use is substantially ineligible—grant

payments would cease and approval to participate in the program would be rescinded. Administration recommend requiring a minimum 25% of the building gross floor area be allocated to Start Up Central in order to maintain eligibility under the Small Business Investment Grant Program.

Summary of Potential Financial Incentives

The applicant proposes to spend a total of $1.2M on the project. The current assessment value for the property is $273,000 and the annual property taxes are $6,748 with the municipal share being $4,503. City staff anticipate the post-development assessment value to be $800,000. Total property taxes on the increased assessment value would be $34,034—an increase of $27,285. The post-development annual municipal tax levy would be $26,197—an increase of $21,690.

Based on the percentage of the gross floor area within the building allocated to Start Up Central (i.e. approximately 50%) the annual grant payment would equal $10,845 or $108,450 over the lifespan of the 10-year grant program. This would offset approximately 9% of the eligible investment proposed by Kadri Family Holdings Ltd. The percentage of floor area dedicated to Start Up Central will be verified following construction and prior to the first grant payment. Should the percentage of gross floor area allocated to Start Up Central decrease to 25% the annual grant payment would be $5,422 or a total of $54,225 over the 10 year lifespan of the grant program. Should it fall below 25% the grant payments would cease.

Figure 1: Estimated Grant Calculation - 1567 Ouellette Ave

Year of Grant	Pre-Development Municipal Tax Levy	Estimated Post-Development Municipal Tax Levy	Estimated Value of Grant	Adjusted for 50% of eligible GFA
1	$4,504	$26,194	$21,690	$10,845
2	$4,504	$26,194	$21,690	$10,845
3	$4,504	$26,194	$21,690	$10,845
4	$4,504	$26,194	$21,690	$10,845
5	$4,504	$26,194	$21,690	$10,845
6	$4,504	$26,194	$21,690	$10,845
7	$4,504	$26,194	$21,690	$10,845
8	$4,504	$26,194	$21,690	$10,845
9	$4,504	$26,194	$21,690	$10,845
10	$4,504	$26,194	$21,690	$10,845
Total	**$45,040**	**$261,941**	**$216,901**	**$108,451**

Details	
Current Property Value Assessment	$273,000
Current Municipal Tax Levy	$4,504
Estimated Post-Development Property Value Assessment	$800,000
Estimated Post-Development Municipal Tax Levy	$26,194
Estimated Eligible Investment Costs	$1,200,000
Percentage of Eligible Investment Offset by Grant	9.04%

Because the Small Business Investment Grant program does not cancel taxes, the

applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program, however will be foregoing any incremental property taxes which could otherwise be used to offset future budget pressures.

Consultations:

The Economic Revitalization CIP was subject to extensive stakeholder and public consultation as part of the approval process, including two public open houses, a statutory public meeting of Council and circulation among internal City staff and the Province.

Planning staff have consulted with the applicant prior to accepting the application for the Small Business Investment Grant Program. Staff from the Planning, Finance, and Legal departments were consulted in the preparation of this report.

Conclusion:

Administration recommends that Council approve the request Kadri Family Holdings Ltd. to participate in the Small Business Investment Grant Program. Specifically, that the municipal portion of the tax increment resulting from the proposed business incubator located at 1567 Ouellette Avenue be provided as an annual grant for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization CIP.

Grant payments would be reduced based on the percentage of gross floor area within the building allocated to the business incubator and the grant payments would cease if the area falls below 25%. It is also recommended that approval to participate in the CIP expire if the grant agreement is not signed within one year following Council approval.

The planned development conforms with the Economic Revitalization CIP and assists the City in the achievement of a number of the CIP objectives.

Planning Act Matters:

N/A

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor

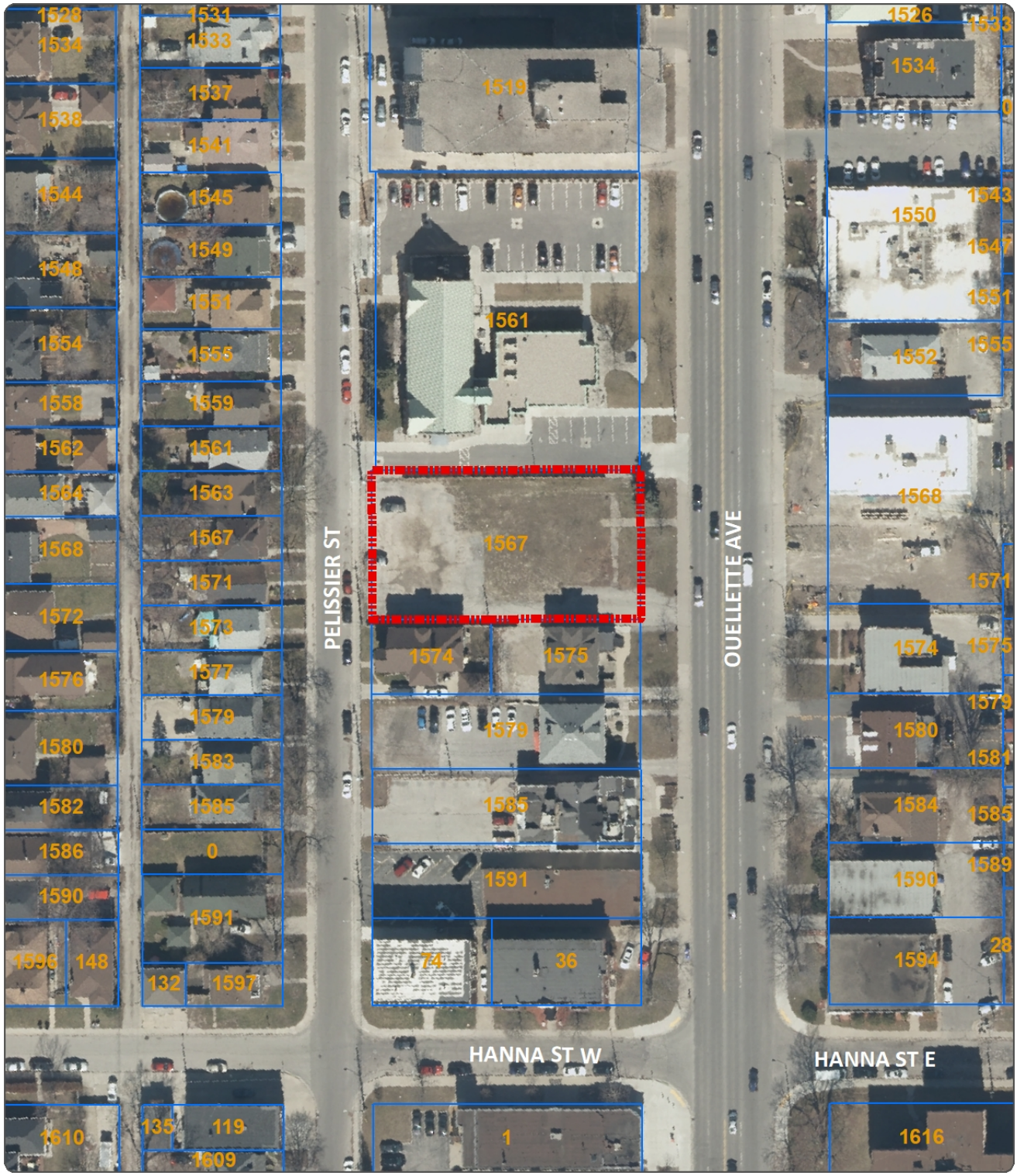
Don Nantais	FPA
Janice Guthrie	Deputy Treasurer
Joe Mancina	Chief Financial Officer
Onorio Colucci	CAO

Notifications:

Name	Address	Email
		ekadri@kadrilaw.com
		Jhurley-burns@dillon.ca

Appendices:

1. Location Map
2. Business Plan Summary



LOCATION MAP: 1567 OUELLETTE AVENUE

SUBJECT PROPERTY

0 5 10 20 30 Meters

KADRI LAW

Global Immigration and Business Law

THE CITY OF WINDSOR CIP Submission

Economic Revitalization Community Improvement Plan

SUMMARY OF KADRI LAW'S BUSINESS MODEL AND PROPOSED NEW FACILITY AT 1567 OUELLETTE AVE – CITY OF WINDSOR

PREAMBLE

For more than 17 years in the City of Windsor, Kadri Law, has represented many of the world's leading multinational companies doing business in Canada. We have helped both small business and titans of industry expand their operations all over Canada, with many success stories along the way. Our clients have invested billions of dollars and creating thousands of jobs in Canada. Kadri Law is recognized on an international level given that we render services to global companies such as Siemens, Domino's Pizza, Samsung, Honda, Toyota, TRQSS, and Meridium. We have also acted for the City of Toronto, the City of Vancouver, the Canadian Space Agency, and locally St. Clair College and the University of Windsor.

Through the culmination of our experiences and the evolution of Kadri Law's specialized focus, we can proudly say we are not a traditional law firm in any respect. We do not practice in any area of law other than Immigration and related business law matters. Beyond just the practice of law itself, Kadri Law has narrowed our focus to the point where 85% of our business is now focused on a highly specialized business immigration practice we have created. Of particular interest has been my rapidly growing practice of helping young entrepreneurs from around the world launch their new businesses in Canada under various Canadian business immigration programs.

KADRI LAW | STARTUP CENTRAL

As the focus on entrepreneurs has shifted our practice towards a unique specialization, we have established Startup Central as part of Kadri Law's Business Incubation Ecosystem program. We now provide prospective entrepreneurs with all of the resources, insights, and professional services needed to successfully launch and accelerate the growth of their business in Canada, and specifically with a focus on the Windsor. With Startup Central and my proposed facility at 1567 Ouellette Ave, we have charted a path to create a dynamic new Business Incubator Ecosystem (BIE) for entrepreneurs that will empower Kadri Law with the resources to enabled this proposed new facility. With the help of the CIP financial incentives, Kadri Law can continue to invest in our business while concurrently promoting the City of Windsor as a premier destination for entrepreneurs.

WHY ARE THE CITY OF WINDSOR CIP FINANCIAL INCENTIVES CRITICAL TO KADRI LAW'S PROPOSED NEW INVESTMENT AT 1567 OUELLETTE AVE.

Our practice is currently located at 110 Tecumseh Road East where we lease a 1,200 square feet office. This proposed development is a significant expansion for us, but one that we can accomplish if able to access these financial incentives offered through the CIP.

Through the City of Windsor's CIP, the financial incentives offered to encourage new investment in targeted economic sectors are exactly what we would need to undertake this business expansion. We believe our proposed expansion and investment would not only enable us to create 5-10 jobs directly through the expansion of Kadri Law, but indirectly the businesses we are able to attract to the city of Windsor will also help diversify the local economy and create even further jobs for our local residents. Our ability to attract these entrepreneurs and investors to our city would be greatly enhanced by this proposed new investment in a facility that will be home to Kadri Law's Startup Central. Our firm will offer a full range of business incubator services and entrepreneurship training, including workshops & mentorship programs.

The proposed new facility at 1567 Ouellette Ave meets CIP eligibility with respect to the established definition of 'Business Incubator'. Further, it will allow Kadri Law to achieve the following critical objectives:

1. Optimize our current workload with the goal of expanding operations to create local wealth & jobs;
2. Recalibrate and expand operations in a new facility that will allow us to hire more employees;
3. Capitalize on the current global circumstances and promote Windsor's entrepreneurial climate in order to attract and retain entrepreneurs;
4. Resume our pre-COVID growth plans to increase investments to create a full business incubator ecosystem for entrepreneurs but with post COVID focus;
5. Provide increased opportunities for women and minority entrepreneurs;
6. Recruit entrepreneurs to our city that will create direct and indirect job growth;
7. Innovate and contribute to our city's revitalization and economic diversification post COVID19;

Our proposed new facility at 1567 Ouellette Ave. will promote a collaborative hands-on-approach to business incubation by providing access to an established network of leading professionals who will guide young entrepreneurs through the various stages of establishing and managing a successful business, while helping them achieve all of their Canadian Immigration objectives.

The proposed floor plan at 1567 Ouellette Ave is approx. 5,000 square feet. This is a 316%

increase over the size of our existing 1,200 sq. ft office where we currently operate from. This expansion would be a massive undertaking for us. The entire 5,000 square foot facility will be 100% integrated into fully operating and supporting Kadri Law's Startup Central Business Incubator Ecosystem for Entrepreneurs launching their businesses here in Windsor. All 4 corners of this proposed facility and everything in between will be deployed to offer designated space for furnished office units, boardrooms, conference and war rooms, and all the support services and professional services to be provided as part of Startup Central. Based upon our discussions during pre-consultation, I am requesting the entire area of the proposed new facility to be included in the calculation of eligible CIP financial incentives. The attached floor plan and this submission will seek to address the nature and extent of our fully integrated operations we are proposing to mobilize within this proposed dynamic new facility.

WHY KADRI LAW'S PROPOSED INVESTMENT IS IMPORTANT TO THE CITY OF WINDSOR

Entrepreneurs and small business owners are, in many ways, an embodiment of the spirit and determination that built this great country. They can certainly help lead our city's recovery post COVID19. The more entrepreneurs we attract to the city, the more we diversify and strengthen the backbone of our economy. Among other things, Kadri Law will offer flexible and affordable furnished office spaces to nurture new business while providing on-site access to the critical business support, resources, and service needed to launch and grow new business.

This proposed new facility will act as a truly unique ecosystem for entrepreneurs who are critical to our local economy. As they succeed, they will create jobs and wealth for the residents of Windsor and the surrounding communities. This proposed new facility will offer everything they need to grow and expand in Windsor as Kadri Law's Startup central will seek to acclimate new entrepreneurs to the tremendous entrepreneurial climate in our city.

Our unique and functional workspaces are specifically designed to enable acceleration and growth. Accessibility to on-site management training, mentorship programs, and workshops for entrepreneurs will make our proposed facility truly unique and dynamic. At Kadri Law, we believe our proposed new facility will offer a truly collaborative environment while giving young entrepreneurs new to our city access to our network of leading professionals while connecting them to the brilliance of Windsor and all that it has to offer.

KADRI LAW'S PROPOSED INVESTMENT WILL ALSO PROVIDE A UNIQUE FOCUS ON WOMEN AND MINORITY ENTREPRENEURS

We are presently working with more and more women and minority entrepreneurs who would greatly benefit from our proposed investment at 1567 Ouellette Ave.

We recognize the exceptional potential in women and minority entrepreneurs, but also recognize the obstacles they face as a result of racial, gender, or geographic inequalities. We have developed relationships within our network of leading professionals to provide business incubator services that focus on minorities and women with the entrepreneurial spirit and drive but who need the support and the opportunities they rightfully deserve.

Women and minority entrepreneurs have significant potential and if given the opportunity they can contribute to the revitalization of our community and the kind of economic diversification we need as a region to truly thrive. They deserve equal opportunity to pursue their dreams of

starting and growing a small business. We hope to provide more of those opportunities for women and minority entrepreneurs that can lead to economic self-sufficiency by realizing the power of their tremendous potential. We will also offer unique workshops and training programs specifically geared towards women and minority entrepreneurs.

Within our facility, we will offer programs designed to introduce entrepreneurs to the various aspects of Canadian entrepreneurship. We will incorporate industry experts and leading professionals to work with young entrepreneurs to help them set up and learn to run the different areas of their business. Our goal is to help entrepreneurs build the foundation for the success of their business by helping them create the blueprint needed to pursue that success. We want to empower entrepreneurs with the support structure they need to meet head-on the future challenges they may face

KADRI LAW

Business Incubator Services for Entrepreneurs. Through our Startup Central initiative, Kadri Law will be offering the following services for Entrepreneurs:

- ☑ Business Advisory and Consulting Services
- ☑ Branding and Graphic Design Services
- ☑ Legal Referrals and Guidance
- ☑ Tax, Accounting and Financial Advisory Support
- ☑ HR, Staffing, and Bookkeeping Services
- ☑ Market and Product Research Services
- ☑ Financing and Capital Forming Services
- ☑ Business Plan Development
- ☑ Website Design/Development and Online SEO
- ☑ Public Relations and Communication Support
- ☑ Commercial and Residential Real Estate Services
- ☑ Sales and Marketing Services
- ☑ Furnished Office Spaces and Support
- ☑ Entrepreneurial Workshops & Mentorship Programs

Within the context of our growing practice, Kadri Law has never passed on an opportunity to extol the virtues of Windsor as a great place to launch and start a business. While Windsor often receives serious consideration, it ultimately loses many opportunities to the GTA. We believe that within the context of what we seek to create at our proposed facility, a dynamic new Business Incubator Ecosystem for entrepreneurs will serve as a compelling selling point in our ability to attract and retain these new entrepreneurs to the city of Windsor.

One of the fastest growing industry segments in our practice is the tech sector. Overall, the Canadian tech sector is booming. While Toronto may still dominate Canada's tech sector, other dynamic markets across the country such as Waterloo are gaining recognition. However, cities like Windsor that border with large US cities have a unique opportunity in that they have been thrust into the spotlight as a result of US restrictions on highly skilled H1B workers. Given the low cost of living combined with diverse, vibrant, and safe communities, Windsor offers accessible corporate infrastructure for big and small employers while sitting in close proximity to North America's pre-eminent international US-CANADIAN border crossing. Startup Central will seek to highlight and promote Windsor as a premier tech destination.

Prior to COVID19, there was already an emerging battle among developed countries as they wage war to incentive and attract entrepreneurs to settle in their country. My belief is that COVID19 will only accelerate this fight as no country in the world has been sparred from the economic disruption caused by COVID19. As countries grapple with developing plans to re-emerge and rebuild their economies, entrepreneurs will play an even more critical role in economic recovery, both nationally and on the local level for every Canadian city.

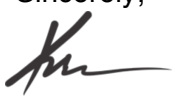
Kadri Law has been ahead of the curve on this issue and recent articles have captured our attempt to catapult Canada as a premier destination for business and entrepreneurs. In fact, we have leveraged our reputation within the global business community as a industry leading Canadian Immigration and Business Law Firm in order to advance innovative immigration visa solutions to address the uncertainty caused by COVID19 and President Trump's US Visa restrictions. We are laser focused on devising innovative cross border strategies that take full advantage of Canadian law. Kadri Law has been featured in prominent tech publications such as Yahoo Finance, Nearshore America, India Times, etc. [See Appendix A]

CONCLUDING STATEMENTS

We firmly believe that both the City of Windsor and Kadri Law will benefit by having this proposed new facility, as the same is a critical step forward to implement our Business Model as summarized herein. Further, we have demonstrated eligibility with respect to the definition of 'Business Incubator' within the CIP. In order for Kadri Law to prosper in the new post COVID19 economy, our refocusing on Entrepreneurs, together with a coordinated effort to attract them to the city Windsor will match or exceed our competitors in large metropolitans like Toronto and Vancouver. The CIP incentives will help Kadri Law invest in the city to help achieve continued growth and increased revenues during an unprecedented expansion of our business that will create jobs and economic diversification in Windsor.

The Economic Revitalization Plan CIP incentives will play a significant role in our decision to undertake this investment. If approved, the grant program would allow Kadri Law to bring our vision of creating a dynamic and unique Business Incubator Ecosystem for Entrepreneurs right here in Windsor. In doing so, we can help create more jobs and wealth for our local residents. The relief offered through CIP will provide Kadri Law with the ability to help offset part of the substantial cost of new construction and focus on helping build a stronger local economy, one that is more diverse and strengthened by the drive and dedication of young entrepreneurs.

Sincerely;



Eddie H. Kadri
Kadri Law

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 313/2020

Subject: Economic Revitalization Community Improvement Plan (CIP) application submitted by St. Clair-Rhodes Development Corp. for 3355 Munich Court (Ward 9)

Moved by: Councillor Sleiman
Seconded by: Councillor Holt

Decision Number: **DHSC 209**

I. THAT the request made by Active Claims Management (2018) Inc. on behalf of property owner St. Clair-Rhodes Development Corp. to participate in the Business Retention and Expansion Grant Program **BE APPROVED** for the portion of the municipal tax increment resulting from the proposed development of eligible uses (i.e. Computer Software Developer, Corporate Office, and Canadian Head Office) located at 3355 Munich Court for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,

II. THAT the grant payments:

a. **BE CALCULATED** based on the percentage of gross floor area within the building that is allocated to the eligible uses (i.e. estimate to be 35% based on the CIP application); or,

b. **BE CANCELLED** and approval to participate in the Business Retention and Expansion Grant Program **BE RESCINDED** if the number of employees associated with eligible uses falls below 35; and,

III. THAT Administration **BE DIRECTED** to prepare an agreement between the City, Active Claims Management (2018) Inc., St. Clair-Rhodes Development Corp., and/or persons or companies that have legally been assigned the right to receive grant payments to implement the Business Retention and Expansion Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,

IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and,

V. THAT the approval to participate in the Business Retention and Expansion Grant Program **EXPIRE** if the grant agreement is not signed by applicant and owner within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Councillor Morrison was absent from the meeting when the vote was taken on this matter.

Report Number: S 129/2020
Clerk's File: SPL/10759

Clerk's Note: The recommendation of the Standing Committee and Administration are the same.

Subject: Economic Revitalization Community Improvement Plan (CIP) application submitted by St. Clair-Rhodes Development Corp. for 3355 Munich Court (Ward 9)

Reference:

Date to Council: October 13, 2020
Author: Greg Atkinson, Senior Planner
519-255-6543 est. 6582
gatkinson@citywindsor.ca
Planning & Building Services
Report Date: September 24, 2020
Clerk's File #: SPL/10759

To: Mayor and Members of City Council

Recommendation:

I. THAT the request made by Active Claims Management (2018) Inc. on behalf of property owner St. Clair-Rhodes Development Corp. to participate in the Business Retention and Expansion Grant Program **BE APPROVED** for the portion of the municipal tax increment resulting from the proposed development of eligible uses (i.e. Computer Software Developer, Corporate Office, and Canadian Head Office) located at 3355 Munich Court for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,

II. THAT the grant payments:

a. **BE CALCULATED** based on the percentage of gross floor area within the building that is allocated to the eligible uses (i.e. estimate to be 35% based on the CIP application); or,

b. **BE CANCELLED** and approval to participate in the Business Retention and Expansion Grant Program **BE RESCINDED** if the number of employees associated with eligible uses falls below 35; and,

III. THAT, Administration **BE DIRECTED** to prepare an agreement between the City, Active Claims Management (2018) Inc., St. Clair-Rhodes Development Corp., and/or persons or companies that have legally been assigned the right to receive grant payments to implement the Business Retention and Expansion Grant Program

in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,

IV. THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and,

V. THAT the approval to participate in the Business Retention and Expansion Grant Program **EXPIRE** if the grant agreement is not signed by applicant and owner within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Executive Summary:

N/A

Background:

City Council approved the Economic Revitalization Community Improvement Plan (CIP) at its January 31, 2011 meeting via CR 50/2011. The adopting By-law 30-2011 was passed by Council at its February 14, 2011 meeting.

The Economic Revitalization CIP provides financial incentives to encourage new investment in targeted economic sectors for the purposes of diversifying the local economy and creating/retaining jobs. The CIP allows the City to take a variety of measures to further the objectives of the Economic Revitalization 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.

To date, City Council has approved a number of applications made under the CIP representing a range of targeted economic sectors including manufacturing, research and development, creative industries, logistics, health & life sciences, and tourism.

Active Claims Management (2018) Inc. has applied for financial incentives under the Business Retention and Expansion Grant Program on behalf of the property owner—St. Clair-Rhodes Development Corp. Active Care Management (ACM) provides worldwide medical and non-medical assistance, medical case management, cost containment services and claims processing to the insurance industry and third party administrators. Its headquarters are currently located in Windsor at 3430 Wheelton Drive.

The subject property is located at 3355 Munich Court and is occupied by a 7,989 m^2 (85,993 ft^2) industrial building (see Location Map). The property is 2.3 hectares (5.7 acres) in size, designated 'Industrial' in the City's Official Plan and zoned Manufacturing

District 2.4 (CD 2.4), which permits a range of industrial and office uses.

Discussion:

Business Retention and Expansion Grant Program

The Business Retention and Expansion Grant Program is intended to stimulate investment in targeted economic sectors for the purpose of expanding and diversifying Windsor's economy. Existing non-manufacturing business within an eligible sector that retain a minimum of 35 jobs or create a minimum of 20 jobs are eligible to apply under the program.

Successful applicants are eligible to receive an annual grant for up to 100% of the municipal property tax increase created by an investment in development or redevelopment of a building or property—provided it conforms with the Economic Revitalization CIP. The annual grants may continue, at Council's discretion, for up to 10 years or until up to 100% of the eligible investment costs are repaid.

Proposed Construction

The owner proposes to renovate the existing building to convert the use from industrial to office including a new roof, windows, facade, demolition of interior, and reconstruction of new office layout. The parking lot will be expanded and new landscaping will be installed.

Eligible Sector

While insurance industry businesses do not fall into a targeted sector defined within the CIP, Active Care Management is a large business that currently employs 50 employees that do fall into eligible sectors. Approximately 20 of the current employees are eligible under Creative Industries Sector:

> *Computer Software Developer*
>
> *Companies that design, write, modify and test computer software for the mass market*

Approximately 30 of the current employees are eligible under Management of Companies and Enterprises Sector:

> *Corporate Office*
>
> *A facility or building that is the permanent working location of senior level management employees primarily engaged in administering, overseeing, and managing other establishments of the company or enterprise. These establishments normally undertake the strategic or organizational planning and decision making role of the company or enterprise.*
>
> *Canadian Head Office*
>
> *A facility or building that is the permanent working location of the company's executives and senior level management that are primarily engaged in providing general management and/or administering, overseeing, and managing other*

establishments of the company or enterprise. A head office is only recognized as a production unit if it is located in a separate physical location than the rest of the company or enterprise.

Because the proposed development is not 100% eligible under the CIP the recommendations indicate that grant payments will be calculated based on the percentage of gross floor area within the building allocated to eligible uses (i.e. 35% based on the information in the grant application). The area allocated to eligible uses (i.e. Computer Software Developer, Corporate Office, and Canadian Head Office) will be verified prior to grant payments being issued.

Employment

According to the CIP application Active Care Management currently has 360 employees based out of its current facility located at 3430 Wheelton Drive in Windsor. 20 employees work as computer software developers, 30 employees serve a head office function (i.e. president, vice-president, senior management), and 310 employees make up the balance of the corporate office (i.e. medical professionals, claim administrators, primary assistance, and support services). The CIP application anticipates the hiring of 300 additional employees over the time frame of the grant program in all areas of the organization, including software developers & corporate head office staff.

Employment numbers will be verified prior to the issuance of grant payments. If the number of employees associated with eligible uses falls below 35 (i.e. the minimum threshold set out in the CIP) the grant payments would cease and approval to participate in the program would be rescinded.

CIP Objectives

The proposed redevelopment of the property located at 3355 Munich Court for use as business incubator and recommended Small Business Investment Grant supports the following CIP objectives:

- Encourage investment that results in the productive use of lands and/or buildings for the purposes of establishing or maintaining a business enterprise, or the expansion of existing businesses to realize more effective use of the land's potential;
- Encourage capital investments that create new and/or maintain existing permanent jobs, as well as short-term construction jobs that contribute to the reduction of the unemployment rate;
- Support investments in specified high potential economic sectors that contribute to the diversification of the local economy;
- Provide financial incentive programs that are attractive to potential investors and corporate decision-makers, but are balanced with expectations of City taxpayers and the City's ability to fund the financial incentive programs; and
- Support investment and development that results in an increase in property assessment and grows the non-residential municipal tax base over the long-term.

Risk Analysis:

There is little risk associated with the approval of the CIP application. Staff resources are required for the upfront administration of the grant program and finalization of the legal agreement. Limited staff resources related to on-going monitoring of the eligible employment uses and issuance of annual grants will also be required over the next ten years. Should Council refuse the CIP request Active Care Management may decide to expand in a different municipality, which is outlined in its business plan summary (see Appendix B) and include locations in LaSalle, Burlington, and Kingston as well as municipalities in Quebec, Manitoba, and British Columbia.

Financial Matters:

Business Retention and Expansion Grant Program

The tax increment portion of the Business Retention and Expansion Grant is not calculated or paid out until all eligible work is completed and the property is reassessed by MPAC. Reassessment of the property must result in an increase in assessment value. The grant amount is recalculated annually based on the actual assessed property value, tax class, and municipal tax rate.

Summary of Potential Financial Incentives

The applicant proposes to spend a total of $13M on the project. The current assessment value for the property is $3,752,000 and the annual property taxes are $187,745 with the municipal share being $140,845.

City staff anticipate the post-development assessment value to be $11,400,000. Total annual property taxes on the increased assessment value would be $515,766—an increase of $328,021. The post-development annual municipal tax levy would be $373,266—an increase of $232,421. Based on the percentage of the floor area dedicated to the eligible uses (i.e. approximately 35%) this would result in an annual grant of $81,347 or $813,473 over the lifespan of the 10-year grant program. This would offset approximately 6% of the eligible investment proposed by Active Care Management. The percentage of floor area dedicated to eligible uses will be verified following construction and prior to the first grant payment.

Figure 1: Estimated Grant Calculation - 3355 Munich Court				
Year of Grant	Pre-Development Municipal Tax Levy	Estimated Post-Development Municipal Tax Levy	Estimated Value of Grant	Adjusted for 35% of eligible GFA
1	$140,845	$373,266	$232,421	$81,347
2	$140,845	$373,266	$232,421	$81,347
3	$140,845	$373,266	$232,421	$81,347
4	$140,845	$373,266	$232,421	$81,347
5	$140,845	$373,266	$232,421	$81,347
6	$140,845	$373,266	$232,421	$81,347
7	$140,845	$373,266	$232,421	$81,347
8	$140,845	$373,266	$232,421	$81,347
9	$140,845	$373,266	$232,421	$81,347
10	$140,845	$373,266	$232,421	$81,347
Total	**$1,408,452**	**$3,732,660**	**$2,324,208**	**$813,473**

Details	
Current Property Value Assessment	$3,752,000
Current Municipal Tax Levy	$140,845
Estimated Post-Development Property Value Assessment	$11,400,000
Estimated Post-Development Municipal Tax Levy	$373,266
Estimated Eligible Investment Costs	$13,000,000
Percentage of Eligible Investment Offset by Grant	6.26%

Because the Business Retention and Expansion Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program, however will be foregoing any incremental property taxes which could otherwise be used to offset future budget pressures.

Consultations:

The Economic Revitalization CIP was subject to extensive stakeholder and public consultation as part of the approval process, including two public open houses, a statutory public meeting of Council and circulation among internal City staff and the Province.

Planning staff have consulted with the applicant prior to accepting the application for the Business Retention and Expansion Grant Program. Staff from the Planning, Finance, and Legal departments were consulted in the preparation of this report.

Conclusion:

Administration recommends that Council approve the request Active Care Management (2018) Inc. on behalf of St. Clair Rhodes Development Corp. to participate in the Business Retention and Expansion Grant Program. Specifically, that the municipal portion of the tax increment resulting from the proposed development of eligible uses (i.e. Computer Software Developer, Corporate Office, Canadian Head Office) located at 3355 Munich Court be provided as an annual grant for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization CIP.

Grant payments would be calculated based on the percentage of gross floor area within the building allocated to the eligible uses. Grant payments would cease and approval to participate in the program would be rescinded if the number of employees working within eligible uses falls below 35. It is also recommended that approval to participate in the CIP expire if the grant agreement is not signed within one year following Council approval. The planned development conforms with the Economic Revitalization CIP and assists the City in the achievement of a number of the CIP objectives.

Planning Act Matters:

N/A

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Don Nantais	FPA
Janice Guthrie	Deputy Treasurer
Joe Mancina	Chief Financial Officer
Onorio Colucci	CAO

Notifications:

Name	Address	Email
		sheila@midsouth.ca
		dacchione@active-care.ca

Appendices:

1. Location Map
2. Business Plan Summary

LOCATION MAP: 3355 MUNICH COURT

SUBJECT PROPERTY

0 20 40 80 120 Meters

BUSINESS HISTORY & OVERVIEW

CanAm Special Risk Agency (CanAm) was founded in 1994 in Windsor servicing the Canadian marketplace with Travel & Special Risk Insurance Policies. In 1999, David Rivelis, President of CanAm, partnered with another local organization (Cypher Systems Group) thus enabling further growth of the CanAm brand and expanding its product offerings. In 2007, CanAm purchased Active Care Management (ACM) bringing that organization and new jobs to Windsor. At the time of the ACM purchase, ACM employed less than 10 employees. In just over 10 years, ACM/CanAm grew to almost 300 employees who live in the Windsor/Essex County area. In 2018 ACM/CanAm became part of Global Excel Management (GEM) group of companies and remain a privately held Canadian entity. David Rivelis remains as President ACM/CanAm and is also GEM's President of Global Strategy. In addition to Mr. Rivelis' role within both organizations all senior managers have strategic, operational & decision-making impact to Windsor and other sites globally. Windsor roots, Global impact.

ACM has been providing worldwide medical and non-medical assistance, medical case management, cost containment services and claims processing to the insurance industry and third-party administrators for almost three decades.

ACM/CanAm are active corporate citizens within the community thru various charitable initiatives and a reciprocal business relationship with St. Clair College.

ACM/CanAm and the Global Excel Management group of companies are one of the largest independent health risk management companies in the world. We have more than 360 clients in 90 countries. Some of these partners are global insurance providers like Manulife Financial, CAA, and large Canadian banks.

Our vision is to transform and simplify access to quality healthcare worldwide. In order to do that we've had to transform and change as well, and even now we continue to evolve and adapt. At one of our recent international client conferences, we used the slogan "Rethink, Retool, Refine" and you'll find this philosophy continuously at work across all our teams. As an organization we try to continually adapt, adjust and improve – internally and externally.

PROJECT: NEW CORPORATE OFFICE/HEAD QUARTERS

Since 2018, ACM/CanAm have grown in Windsor, from 200+ employees to 300+ employees and our footprint has expanded from one 28,000 square foot building to 2 buildings totaling 56,000 square feet. As we continue to grow our client base we are reaching a breakpoint in our brick & mortar capabilities. Our operational needs require further expansion and our business philosophy includes a close, relationship heavy work environment. As such, our best and only solution is to move into a larger building that can house our current employee base as well as provide continued growth potential.

SOLUTION

ACM has extensively researched the Windsor region for a suitable home for our new, World Class, Corporate Office/Head Quarters. Our research included review of several existing Windsor properties, some of which include:

- Windsor Crossings - 1555 Talbot Road – up to 70,000 sq. ft. (Renovation)
- 700 Tecumseh Road East – up to 70,000 sq. ft. (Compete Renovation)
- 4000 Rhodes (New Build to Suite) – up to 120,000 sq. ft.
- 3355 Munich Crt – up to 102,000 sq. ft. (Complete Renovation)
- Dougall Plaza – 2477 Dougall Ave – up to 128,000 sq. ft. (Complete Renovation)

In addition to Windsor, we have researched other cities including but not limited to:

- Burlington, ON
- Kingston, ON
- Sherbrooke, QC
- Winnipeg, MB
- Abbotsford, BC
- Vernon, BC

All these properties would include a sizable incurred cost, by ACM/CanAm, to renovate the building, improve the property, upgrade/add technology, add electrical, add network cabling, add redundant fiber optic feeds, add furniture and move our employees, furniture, access controls, & technology to a new, larger location. As we are service provider, additional costs will be incurred in contractor overtime & off-peak time wages to ensure our move is completed with minimal to no impact to our service deliverables.

Our Senior Leadership and Steering Committee have concluded that 3355 Munich Crt. is our preferred choice. The land owner/developer can provide a flexible solution that can meet our current, short-term & long-term needs. In addition, the location provides high visibility and the property provides for a show piece, world class, facility that will benefit our recruiting, employee retention and client growth.

Additionally, although network technology continues to migrate to cloud based services, we, as a global service provider require an infallible infrastructure (redundancies to ensure business continuity) to support our servers, computers and phones. This new location will provide the ability to build an upgraded Data Centre that will act as backup/redundant site in conjunction with other global properties.

The CIP incentives specifically benefit this project as the Munich location would be converted from an Industrial to Commercial location thus affecting a projected tax levy increase. Tax relief provided through the CIP grant make this project economically viable & therefore becomes a catalyst for our growth.

EMPLOYMENT & GROWTH

Our service offerings are interactional in nature, people supporting people. As such, we've continued to build a dedicated, professional team focused on Medical and Non-Medical Assistance, Medical Case Management, Cost Containment Services, Claims Processing and insurance Sales. In addition, we have in house developers and analysts that comprise our Innovation Group which is engaged by our business operations to ensure ongoing deployment of tools and services to keep pace with client and end user expectations. Our roadmap is focused on creating features which align with our underwriter's objectives and include Portfolio Optimization, Expense Efficiency, Accelerated Growth, Digital Customer Leadership, and a High Performing Team.

We estimate, based on client needs, that our employee headcount will grow to 500+ within the next 5 years. Additionally, as we continue to be an influential leader in our industry, we fully anticipate continued long-term growth (beyond 5 years). All of which will require additional Administrative, Recruiting & Human Resource employees to achieve our projected short and long-term growth. It is also important to note that our workforce is skilled. Ranging from Entry Level Customer Care to Senior Level Management and includes experts in technology, software development, analytics, business management, medical, insurance, project management, infrastructure and a long list of other (non-minimum wage) positions. Finally, we encourage growth from within. This not only helps us with employee retention but also provides for training and growth in our greatest asset and our future leaders.

CONCLUSION

There is no doubt that ACM/CanAm need a long-term solution that will ensure our stability and provide for prosperous growth. We firmly believe that Windsor can be our world class, long-term home.

The Economic Revitalization CIP Grant ensures our growth remains in Windsor and, if approved, will be a catalyst for growth of skilled, vibrant, economy resistant employment. Additionally, the tax cost savings will help to offset the expansion costs associated with an upgraded/redundant network infrastructure, new technology, new furnishings and ultimately long-term economic stability in Windsor.

Committee Matters: SCM 315/2020

Subject: Minutes of the Windsor Bicycling Committee of its meeting held July 28, 2020

Moved by: Councillor Francis
Seconded by: Councillor Costante

Decision Number: **ETPS 787**
THAT the minutes of the Windsor Bicycling Committee (WBC) of its meeting held July 28, 2020 **BE RECEIVED**.
Carried.

Report Number: SCM 272/2020
Clerk's File: MB2020

Committee Matters: SCM 272/2020

Subject: Minutes of the Windsor Bicycling Committee of its meeting held July 28, 2020

Windsor Bicycling Committee

Meeting held July 28, 2020

A meeting of the Windsor Bicycling Committee is held this day commencing at 10:00 o'clock a.m. via teleconference, there being present the following members:

Councillor Kieran McKenzie, Chair
Ken Acton
Klaus Dohring
Teena Ireland (arrives at 10:10 a.m.)
Jessica Macasaet-Bondy
John Popham (arrives at 10:12 a.m.)
Erika Valvasori
Ellen van Wageningen

Regrets received from:

Brian Churchmack
Robert Hicks

Also present are the following resource personnel:

Shawna Boakes, Senior Manager Traffic Operations/Parking
Jeff Hagan, Transportation Planning Senior Engineer
Kevin Morse, Windsor Essex County Health Unit
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 10:06 o'clock a.m. and the Committee 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 J. Macasaet-Bondy, seconded by E. van Wageningen,
That the minutes of the Windsor Bicycling Committee of its meeting held January 14, 2020 **BE ADOPTED** as presented.
Carried.

4. Business Items

4.1 Active Transportation Master Plan Update

J. Hagan reviews the memorandum dated July 20, 2020 entitled "Mid-year Update: 2020 Cycling Initiatives". He advises this memorandum summarizes the cycling policy and infrastructure initiatives that are currently underway or have been completed in 2020.

In terms of the Cycling Policies, J. Hagan provides the following comments:

- ***Vision Zero Policy*** – When recruitment for the Vision Zero Stakeholder Group occurs, the WBC will be invited to identify a representative to participate in the Stakeholder Group (pending approval by the Striking Committee).

- ***Bicycle Parking Policy*** – Work done to date is primarily a community comparison of approaches used in other jurisdictions. The WBC will be consulted at key points in policy development.

- ***Complete Streets Policy*** – Work done to date is primarily a community comparison of approaches used in other jurisdictions. The WBC will be consulted at key points in policy development.

- ***Traffic Calming Policy Update*** – The WBC will be invited to provide comments on the draft policy. A key component of the update will be to harmonize the Traffic Calming Policy with the recommendations of the Active Transportation Master Plan.

E. Valvasori remarks that there are pathways in the ANSI (area of natural and scientific interest) that require the addition of dirt as there are muddy conditions. J. Hagan responds that this is a maintenance issue typically addressed by parks. He notes his role is to define where the new trails will be constructed.

In response to a question asked by E. Valvasori regarding potholes, the Chair recommends concerns be emailed to the 311 Call Centre. J. Hagan suggests taking a photo to pinpoint the exact location of the pothole(s).

K. Dohring refers to the bike parking policy and asks if events will be included. J. Hagan responds upon review of similar policies in other municipalities, that events are not included. He indicates that they are looking at various aspects regarding the development of the bike parking policy and anticipates the final version will be brought forward in 2021.

The Chair states the ATMP has very specific language regarding what the city would like to consider in terms of policy and bylaws. He asks Administration as the comparative analysis is underway, are the next steps what is currently outlined in the ATMP. J. Hagan responds affirmatively.

E. van Wageningen suggests that future updates provided by the Transportation Planning Senior Engineer also include the timelines when the construction of a project is planned.

E. van Wageningen refers to an area of concern which is the turn around for the railroad tracks located on South Cameron near Devonshire Mall. She notes there are quite a few cyclists and pedestrians who frequent this area and she asks if interim measures can be done, i.e. replacing the worn dirt trail with asphalt. J. Hagan responds they are aware of this area and preliminary designs of what they would like to see long term have been completed. As the Committee has noted this is as an area of concern, it will be addressed sooner rather than later.

In response to a question asked by K. Acton regarding in terms of buffered and segregated bike lanes, is the city looking at integrating buffered cycle lanes into future designs coming forward, J. Hagan responds two locations have been identified – Hawthorne Road and the cycle track between Lauzon Parkway and Lauzon Road.

T. Ireland expresses concern regarding cycling along Riverside Drive and subsequently transferring to the walkway in the Sandwich Towne area. She questions what the long term goals for Riverside Drive are. J. Hagan responds the ultimate vision for Riverside Drive is to go from the east end to the west end. . In this regard, the city is actually doing property acquisitions for the next phase. He adds information regarding the Riverside Drive Vista Improvements Program, is available on the City's website.

J. Macasaet-Bondy refers to the Dougall Avenue – Ouellette Place/Eugeni intersection. She advises that there are many more people cycling on this route now and adds that the gaps are being noted. She requests that improvements to this section be prioritized as it is important to establish a strong north/south connection. J. Hagan replies that this section is to be reconstructed with bike facilities on it.

The Chair reports that the Official Opening of the Walker/Rhodes Industrial Trail will be held on July 20, 2002 at 10:30 a.m.

Moved by E. Valvasori, seconded by E. van Wageningen,

That the Active Transportation Master Plan update provided by the Transportation Planning Senior Engineer **BE RECEIVED.**

Carried.

4.2 Traffic Management Infrastructure & Cycling

Shawna Boakes, Senior Manager Traffic Operations/Traffic provides the following comments relating to cameras on traffic signals:

- Bicycle detection is done through camera technology at intersections
- Eighty per cent of the signals are on camera and the remaining twenty per cent will come on line eventually.
- The cameras are from four to seven years of age which is old technology as the algorithms change on a daily basis.
- Working with the Finance Department to develop a Request for Proposal to shortlist three different technologies to trial out in the field.
- This will be an opportunity for members of the WBC to volunteer to assist. When they put the technology out into the field, there are no bicycles in their department to test the technology when the new cameras are installed.
- They want to include “error” as one of the elements that they will assess as part of their trial period.
- Looking for volunteers from the WBC. If they were provided with a radio and were asked to cycle through an intersection 100 times over the next month and to advise how many times you had to wait longer than (a time would be provided) based on the length of the signal times. The evaluation of the technology would be based on the actual input from the cyclists and that would go to the ultimate selection of the new technology.
- Volunteers will be required in late September/early October 2020. If there is a problem with an existing intersection, they would be looking for a volunteer now.
- She suggests the public use the 311 Call Centre to track issues and which will allow their Department to track certain intersections.

In response to a question asked by the Chair regarding the placement of the volunteer at an intersection and the camera, S. Boakes responds as long as the cyclist is in the curb lane, the camera should pick up their movement.

Moved by K. Dohring, seconded by T. Ireland,

That the initiative provided by the Senior Manager Traffic Operations/Parking to propose upgrades to the Traffic Management System to improve visibility of active transportation users through intersections across the City of Windsor **BE ENDORSED.**

Carried.

4.3 Bike Parking Requirements and Planning

The Chair advises there is no reference to "bike parking at events" in the Active Transportation Master Plan. He refers to the Active Transportation Master Plan and the following excerpt as it relates to the development of a Bike Parking Policy:

"ACTION 3B.1: DEVELOP AND IMPLEMENT A BIKE PARKING POLICY

The City should develop a bike parking policy to outline criteria for bicycle parking in the public right-of-way (including bicycle corrals as noted in Action 3B.4) and at public facilities (as noted in Action 3B.3), as well as to support businesses in existing developments to retrofit existing buildings to provide bicycle parking and other amenities, such as storage and change room facilities to support employees' cycling to work year-round. Adding these facilities would likely require a reallocation of existing motor vehicle parking to bicycle parking. There are a number of other North American cities that have implemented these bylaw regulations including San Francisco, Toronto and Minneapolis.

1 to 9 vehicle parking spaces: No bicycle parking is required

10 to 19 vehicle parking spaces: 2 bicycle parking spaces are required

20 or more vehicle parking spaces: 2 bicycle parking spaces required for the first 19 spaces, plus 1 additional bicycle parking for each additional 20 vehicle parking spaces

The Zoning Bylaw also provides requirements for the size and location of bicycle parking spaces. However, the Zoning Bylaw does not distinguish between short-term and long-term secure bicycle parking requirements, nor does it provide guidance on siting, location, or quality of bicycle parking. In addition, the Zoning Bylaw does not provide any requirements for end-of-trip facilities for new developments. It is recommended that the City conduct a Bicycle Parking Study to inform a subsequent update to the bicycle parking requirements in the Zoning Bylaw and to expand current Official Plan policies:

To be based on the corresponding land use (instead of based on motor vehicle parking requirements);

To specify different requirements for short-term and long-term bicycle parking, including secure bicycle parking facilities;

To provide design guidance for the siting, location, and quality of short-term and long-term bicycle parking;

To provide flexible parking requirements to allow for a reduction in motor vehicle parking if bicycle parking and other amenities go beyond minimum requirements; and

To require end-of-trip facilities such as showers and clothing lockers in new developments based on land use.

In addition, the City should continue to ensure that these bicycle parking regulations are being enforced in all new developments."

Discussion ensues regarding the need to *"require end of trip facilities such as showers and clothing lockers in new developments"*. Comments are provided regarding the possible retrofit of existing buildings and the costs associated with that construction.

K. Morse reports through research for a bike events policy, he notes the City of Mississauga has a tool kit for bike events but does not have a policy.

E. Valvasori indicates there are two issues; the first being parking at bike events which could be deferred at this time as there are no precedents. The second relates to new employers and the requirement for showers which could be addressed at this time.

K. Acton states in terms of "land use" as referenced in the ATMP "to require end of trip facilities such as showers and clothing lockers in new developments based on ***land use",*** he states it is important to note that land use which is basically the buildings and the occupancies that you can put on that land varies drastically. For example, if something is zoned commercial land use, there can be multiple types of businesses on it. If you look at the Ontario Building Code, there are classifications of buildings, and if you were to segregate those, you will alienate a lot of individuals and would create hardships for them. There will be challenges on how this is implemented which will be felt by the community.

The Chair advises that if a building has more than 9 parking spaces, you have to provide bike parking. He adds the direction to provide showers and secure bicycle parking facilities is highlighted in the ATMP as a priority and aligns with the City of Windsor objective to improve and promote cycling across the community.

Moved by J. Macasaet-Bondy, seconded by K. Acton,
That a Bike Parking Policy Subcommittee **BE ESTABLISHED** for the purpose of developing language for a Bicycle Parking Policy to recommend to the Transportation Planning Department.
Carried.

4,4 Outreach Campaign Trails and Maps

The Chair suggests the promotion of cycling infrastructure through videos that feature members of the WBC. He adds the 2020 WBC operating budget is $5,250.

The Chair suggests that a terms of reference or an RFP be discussed at the next meeting.

K. Morse volunteers to assist in the outreach campaign.

4.5 Fireworks

The Chair reports the fireworks will proceed, however the public is not encouraged to come down to the riverfront due to COVID-19. The public is encouraged to watch from home.

The Chair adds that bike parking for the fireworks will not be provided.

5. Date of Next Meeting

The next meeting will be held at the call of the Chair.

6. Adjournment

There being no further business, the meeting is adjourned at 12:00 o'clock p.m.

_____
CHAIR

_____
COMMITTEE COORDINATOR

Committee Matters: SCM 316/2020

Subject: Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes of the meeting held August 5, 2020

Moved by: Councillor Francis
Seconded by: Councillor McKenzie

Decision Number: **ETPS 788**
THAT the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) of its Regular Board meeting held August 5, 2020 **BE RECEIVED**.
Carried.

Report Number: SCM 274/2020
Clerk's File: MB2020

Committee Matters: SCM 274/2020

Subject: Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes of the meeting held August 5, 2020

Essex-Windsor Solid Waste Authority
Regular Board Meeting
MINUTES

Meeting Date:	**August 5, 2020**
Time:	**In-Camera Session - 1:00 PM (PLEASE NOTE THE TIME)** **Regular Session – Following In-Camera Session**
Location and Meeting Instructions:	**Meeting to take place via teleconference (no video)** **Board Members and Staff will receive e-mail notification which will include telephone dialing instructions**

Anyone from the public or media wishing to be able to listen to the meeting is required to send an e-mail request to the Authority's General Manager Eli Maodus at emaodus@ewswa.org by noon of the meeting date. Telephone dialing instructions will be provided. The public and media will be able to listen to the meeting but will not be allowed to participate in the discussions.

Attendance

Board Members:	Gary Kaschak - Chair	City of Windsor
	Kieran McKenzie	City of Windsor
	Jim Morrison	City of Windsor
	Ed Sleiman	City of Windsor
	Marc Bondy	County of Essex
	Aldo DiCarlo – Vice Chair	County of Essex
	Hilda MacDonald	County of Essex
	Gary McNamara	County of Essex (Ex-Officio)
EWSWA Staff:	Eli Maodus	General Manager
	Michelle Bishop	Manager of Finance & Administration
	Tom Marentette	Manager of Waste Disposal
	Cathy Copot-Nepszy	Manager of Waste Diversion
	Teresa Policella	Executive Secretary
City of Windsor Staff:	Anne Marie Albidone	Manager of Environmental Services
	Dwayne Dawson	Executive Director of Operations
	Tony Ardovini	Deputy Treasurer Financial Planning
Others:	David Sundin	McTague Law Firm
Absent:	Fabio Costante	City of Windsor
	Drew Dilkens	City of Windsor (Ex-Officio)
	Natasha Couvillion	Manager of Performance Measurement & Financial Administration
	Cindy Becker	Financial Planning Administrator
	Mary Birch	Director of Council & Community Services/Clerk
	Sandra Zwiers	Director of Financial Services/Treasurer

1. Call to Order

The Chair called the meeting to order at 1:02 PM.

2. Roll Call of Board Members Present

Marc Bondy - Yes

Fabio Costante - No

Aldo DiCarlo - Yes

Gary Kaschak - Yes

Hilda MacDonald - Yes

Kieran McKenzie - Yes

Gary McNamara - Yes

Jim Morrison - Yes

Ed Sleiman – Yes

3. Motion to Move to In-Camera

Moved by Gary McNamara
Seconded by Kieran McKenzie

Recommendation:

That the Board move into a closed meeting pursuant to Section 239 (2) of the Municipal Act, 2011, as amended for the following reasons:

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

47-2020
Carried Unanimously

4. 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 course of the meeting that it would be noted at that time.

5. Approval of the Minutes

A. July 7, 2020 Regular Meeting Minutes

Moved by Gary McNamara
Seconded by Kieran McKenzie
THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated July 7, 2020, be approved and adopted.

48-2020
Carried Unanimously

6. Business Arising from the Minutes – No items

No items were raised for discussion.

The General Manager noted that there have been no cases of Covid at any of the Authority locations. He was pleased to report that all employees have been healthy.

7. Correspondence – No items

There were no correspondence items for consideration.

8. Delegations – No items

There were no delegations present.

9. Finance and Administration – No items

There were no items for discussion

10. Waste Disposal – No items

There were no items for discussion.

11. Waste Diversion

The Chair stated that a motion is required to proceed with the action recommended in the In-Camera report and to direct the Chair and General Manager to proceed with the actions required pertaining to the Waste Diversion matter. Further, a motion is needed to receive as Information the Waste Diversion information item referenced in the In-Camera report.

Moved by Ed Sleiman
Seconded by Gary McNamara
THAT the Board proceed with the action recommended in the In-camera report and to direct the Chair and General Manager to proceed with the actions required pertaining to the Waste Diversion matter

THAT the Board receive as Information the Waste Diversion information item referenced in the In-Camera report.

49-2020
Carried Unanimously

12. Other Items

No other items were raised for discussion.

13. By-Laws

A. 12-2020

Being a By-Law to Confirm the Proceedings of the Meeting of Board of the Essex-Windsor Solid Waste Authority

Moved by Marc Bondy
Seconded by Gary McNamara
THAT By-Law 12-2020, Being a By-Law to Confirm the Proceedings of the Meeting of the Board of the Essex-Windsor Solid Waste Authority

50-2020
Carried Unanimously

14. Future Meeting Dates

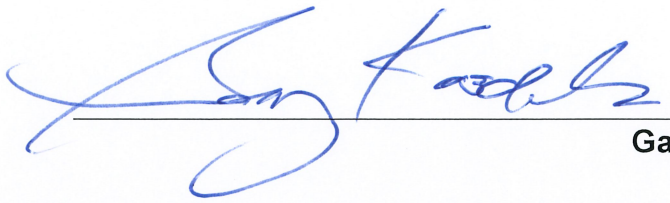
Wednesday, August 12, 2020 – Will be cancelled
Tuesday, September 1, 2020 – May be rescheduled to a date later in September
Tuesday, October 6, 2020
Tuesday, November 3, 2020 – 2021 Budget Deliberation Meeting
Tuesday, December 1, 2020

15. Adjournment

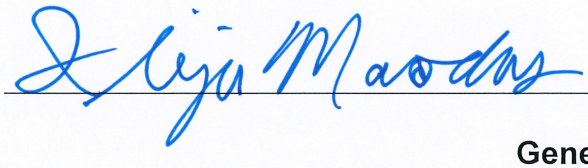
Moved by Gary McNamara
Seconded by Marc Bondy
THAT the Board stand adjourned at 2:09 pm.

51-2020
Carried Unanimously

All of which is respectfully submitted.



Gary Kaschak
Chair



Ilija Maodus
General Manager

Item No. 8.19

Committee Matters: SCM 317/2020

Subject: City of Windsor Carbon Budget

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 789**

1. THAT the report of the Community Energy Plan Administrator dated September 30, 2020, entitled "City of Windsor Carbon Budget" **BE RECEIVED** for information; and,

2. THAT Administration **BE REQUESTED** to report annually for Council's information, regarding the progress being made on achieving Greenhouse Gas Emissions targets as articulated in the Degrees of Change document.

Carried.

Report Number: S 135/2020
Clerk's File: EI/10822

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

Subject: City of Windsor Carbon Budget

Reference:

Date to Council: 10/21/2020
Author: Kyle Bassett
Community Energy Plan Administrator
kbassett@citywindsor.ca
519-253-7111 x 3224

Pollution Control
Report Date: 9/30/2020
Clerk's File #: EI/10822

To: Mayor and Members of City Council

Recommendation:

1. That the report of the Community Energy Plan Administrator dated 9.30.2020 entitled City of Windsor Carbon Budget **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

In 2015, The City of Windsor began the process of developing a long-term comprehensive plan to address energy and greenhouse gas emissions through the completion of a Community Energy Plan (CEP) and associated Corporate Climate Action Plan. These plans were approved by City Council in July 2017 (CR426/2017).

The Community Energy Plan (CEP) included a community-wide goal to reduce GHG emissions by 40% of 2014 levels and to reduce per-capita energy consumption by 40%.

In follow up to the Climate Change Emergency Declaration of November 2019 (CR570/2019), the Acceleration of Climate Change Actions in response to the Climate Change Emergency Declaration report was received by Council in May 2020 (CR187/2020). This report outlined priority mitigation and adaptation measures in response to the Climate Change emergency. Included in those priority items was an investigation into carbon budgets and how they can be used to track the City's greenhouse gas (GHG) emissions and put these emissions into a global context.

This report serves to address carbon budgets as outlined in the Acceleration of Climate Change Actions report (S18/2020).

Discussion:

What is a Carbon Budget?

A carbon budget is an upper limit of permitted GHG emissions to maintain a statistical probability of maintaining global temperatures to a certain threshold. Human activities since the industrial era have resulted in GHG emissions which, through planetary and atmospheric interactions, have increased global temperatures. These global temperature increases have resulted in climate change impacts which negatively affect habitability, productivity and quality of life. Reducing and limiting GHG emissions works to mitigate climate change by reducing the affect of atmospheric interactions and thus reducing temperature increases.

Carbon budgeting in a modern context works to prevent dangerous levels of climate change by restricting global emissions. The latest science indicates that in order to restrict warming to less than 1.5 degrees Celsius, total $C0_2$ emissions from all anthropogenic sources around the globe, since 1870 should not exceed 2500 Gigatonnes (Gtonnes). Presently, approximately 2100 Gtonnes had been emitted leaving 400 Gtonnes as a global carbon budget.

Per the Intergovernmental Panel of Climate Change (IPCC), warming needs to be maintained to 1.5 degrees Celsius in order to prevent "Climate Breakdown". The IPCC compared impacts from of a changing climate at a 2 degrees Celsius increase over the goal of limiting temperature increases to a 1.5 Celsius increase, and found the following:

- As many as 457 million more people exposed to climate risks and related poverty;
- Twice as many people suffering from water scarcity;
- Twice as many plants and three times as many insects losing their habitat;
- An ice-free arctic every 10 years instead of 100 years;
- The exposure of 2.6 times as many people to extreme heat at least every five years;
- Double the decline in global fisheries.

In order to translate the global emissions budget to a localized, City-level, budget calculations are made using the IPCC C40 Cities Convergence and Contraction methodology.

Convergence and Contraction

Allocation of a carbon budget to specific cities is based on the approach known as Convergence and Contraction which allocates emissions budgets based on GDP and emissions levels. Cities with high GDP and high emissions are required to reduce emissions the fastest, while cities (primarily in developing countries) with low GDP and low emissions are permitted to increase their emissions to a certain level conducive to a standard in quality of life before eventually reducing them. This method ensures that the global transition to low-carbon societies is done so in an equitable manner, with the

greatest burden put upon those nations and cities with the greatest resources with which to address it.

The highly industrialized City of Windsor is classified as a high emissions, high GDP city and as such must reduce emissions drastically and rapidly to be in accordance with the global carbon budget.

Calculation of Carbon Budget

The IPCC outlines that high GDP, high emissions cities must converge on a per-capita emissions limit of 3.2 tonnes per year by the year 2030 and then decrease to zero emissions by 2050. Beyond 2050 no net emissions are permitted. The carbon budget for Windsor is calculated using these convergence points along with the current level of GHG emissions for Windsor, as presented to council in report S164/2019.

The baseline for calculating Windsor's carbon budget is the current per-capita emissions level of 8.9 Tonnes per year (2018 inventory). There are two major milestones in the carbon budget approach, the 3.2 tonnes per capita by 2030 and net zero by 2050. By graphing these goals along with the current baseline, carbon budgets for the 2030 and 2050 goals can be calculated. The graph below displays a timeline for emissions reduction based on the IPCC C40 carbon budget protocol.

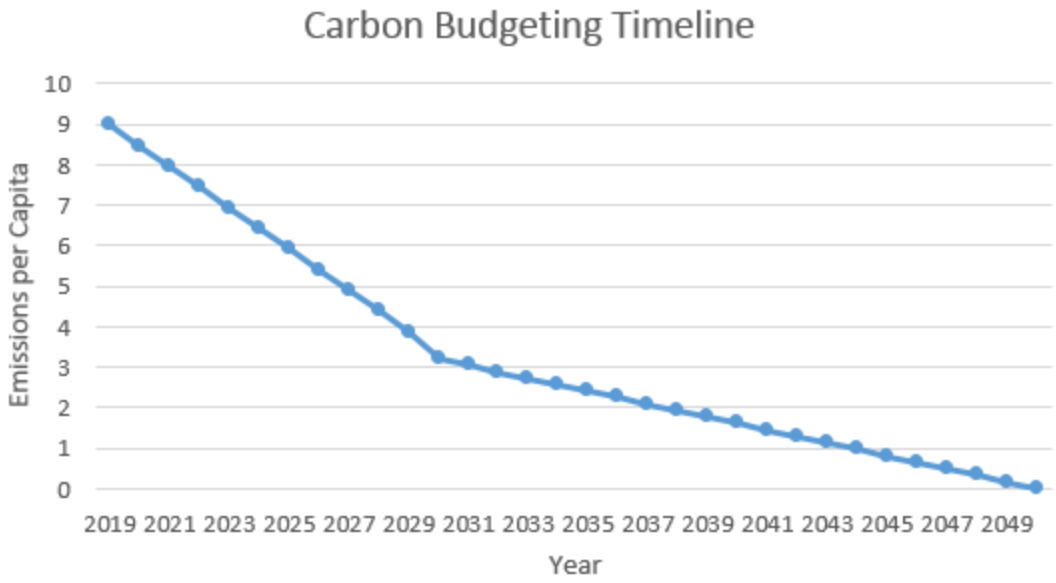


Figure 1 – Allowable Carbon Emissions vs Time 2019 through 2050.

Using the calculated carbon budgets for 2030 and 2050 it can be determined in which year the allotted carbon budget will be exceeded for each milestone if per capita emissions remain at current levels while accounting for population growth. The table below presents the carbon budget for each milestone and the year that the carbon budget is used up.

Carbon Budget Milestone	Carbon Budget	Year budget is exhausted at current emissions levels
2030	15,490,727 Tonnes	2025
2050	26,359,408 Tonnes	2029

As determined from the calculations, without emissions reductions the City of Windsor will exhaust the 2030 carbon budget in 2025 and the 2050 carbon budget in 2029.

It should be noted that the emissions reduction targets for carbon budgeting are significantly more aggressive than Windsor's current community energy plan emissions reduction target. The CEP target, current emissions projection and carbon budget trajectories are displayed in Figure 2 below.

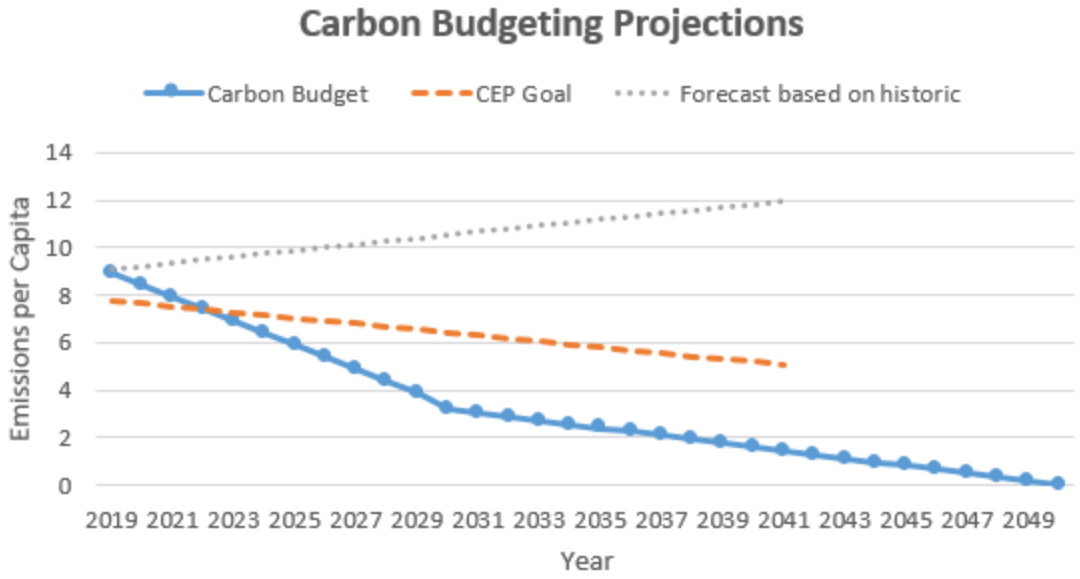


Figure 2 – Carbon Budget timeline compared to emissions reduction trajectory per the Community Energy Plan as well as forecast future emissions.

To be in accordance with IPCC C40 carbon budget the City's target would need to reduce to 3.2 tonnes by year 2030 or approximately 64% below 2017 levels by 2030.

Federal Net-Zero Commitment

During the throne speech of September 2020, Prime Minister Justin Trudeau further outlined a proposed commitment for Canada to be net-zero by the year 2050.

This would align with the IPCC carbon budget approach to climate change mitigation. Carbon budgeting as a general tool is critically important in achieving the net zero target.

If the federal net-zero target is formally committed to, the City of Windsor will have five years to revise its own emissions reduction targets to align with the federal target in order to align with the requirements of the Global Covenant of Mayors. This alignment is also required in order to proceed with certain grant opportunities.

Canadian and International Cities with Carbon Budgets

The list below summarizes various cities with carbon budgets and the associated year that the total 2050 budget is exhausted.

Edmonton – Carbon budget exhausted 2028

Toronto – Carbon budget exhausted 2033

Vancouver – Carbon budget currently being prepared

Oslo, Norway – Present emissions are 2.3 tonnes per capita. On track for goal of net zero by 2030.

Frankfurt, Germany – Budget exhausted 2031

Manchester, UK – Budget exhausted 2028

Windsor, ON – Budget exhausted 2029

Risk Analysis:

There are no significant risks associated with this information report.

Climate Change Mitigation Risks

This information report identifies certain global risks of not effectively limiting climate change to 1.5 degrees Celsius.

Climate Change Adaptation Risks

The information presented in this information report does not contain specific risks directly but effective mitigation efforts work to reduce future adaptation requirements.

Financial Matters:

There are no financial costs associated with this information report.

Consultations:

Clean Air Partnership in collaboration with City of Edmonton and City of Oslo

Conclusion:

Carbon budgets are a powerful tool for tracking and guiding climate change mitigation efforts. Using the IPCC C40 methodology the total carbon budget for Windsor is 26.3 Megatonnes. At current emissions levels, the City of Windsor will exhaust its carbon budget in 2029. Drastic action needs to be taken in order to reduce emissions in order for Windsor to do its part to align with IPCC targets.

Planning Act Matters: N/A

Approvals:

Name	Title
Karina Richters	Supervisor, Environmental Sustainability and Climate Change
Jake Renaud	Senior Manager of Pollution Control
Mark Winterton	City Engineer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

Item No. 8.20

Committee Matters: SCM 318/2020

Subject: CQ7-2020 40 km/h Residential Speed Limits - City-wide

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: **ETPS 790**
THAT Council **APPROVE** Option 2: Decrease the default City-wide speed limit to 40 km/h and place 50 km/h speed limit signs on major roads that would remain at 50 km/h; and,

That the following next steps **BE APPROVED**:

- Develop specific criteria to identify which streets should be signed at 40 km/h.
- Develop a speed reduction strategy, either as an element of the Vision Zero Action Plan or separately.
- Develop refined cost estimates and bring forward a proposal to Council for consideration as part of budget deliberations, including the recommendation to establish a reserve for sign maintenance.
- At key points in the above steps, carry out public consultation with affected residents.

Carried.
Councillor Francis voting nay.

Report Number: S 111/2020
Clerk's File: ST2020

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

Subject: CQ7-2020 40 km/h Residential Speed Limits - City-wide

Reference:

Date to Council: October 21, 2020
Author: Jeff Hagan
Transportation Planning Senior Engineer
519-255-6267 ext 6003
jhagan@citywindsor.ca
Planning & Building Services
Report Date: October 5, 2020
Clerk's File #: ST2020

To: Mayor and Members of City Council

Recommendation:

THAT report S 111/2020, "CQ7-2020 40 km/h Residential Speed Limits," **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At the March 2, 2020 meeting of Council, Councillor Kaschak asked the following Council Question:

> ***CQ7-2020***
>
> *Asks that if Council decides to move forward with reducing the speed limit to 40 km/h on all city residential streets, that administration advise of the timelines and cost to implement this across the city.*

This report provides the requested response.

Highway Traffic Act

In urban areas, the normal default speed limit set by the Highway Traffic Act is 50 km/h. In the City of Windsor, this default speed limit applies to all streets except those where a different speed limit has been set out in Traffic By-law 9148 and posted with appropriate speed limit signs.

A 2017 amendment to the Highway Traffic Act allows municipalities to establish, through their by-laws, a different prevailing speed limit for either a portion of the municipality or for all roads under its jurisdiction. Certain other municipalities have used this power to either:

- Establish 40 km/h as the default speed limit for the entire municipality, or
- Establish 40 km/h "speed areas" for specific neighbourhoods.

An example of speed area signage from Hamilton, Ontario is provided as Figure 1.

Figure 1: Speed Area Signage Example (source: Urbanicity.com)

Vision Zero Policy

The Vision Zero Policy was adopted by Council on February 24, 2020. The Vision Zero Policy identifies the goal of zero fatal and serious injury collisions on City of Windsor streets.

As of the 5-year collision review done for the 2017 Road Safety Report, collisions on local roads and Class 2 Collector roads (i.e. the road classifications addressed in this report) represented 14% of fatal and serious injury collisions at intersections and 24% of fatal and serious injury collisions occurring mid-block between intersections.

Discussion:

Three options were considered to implement 40 km/h speed limits on residential streets. Diagrams of each option are provided in Appendix 1:

1. Keep the default City-wide speed limit at 50 km/h and place 40 km/h speed limit signs on residential streets,
2. Decrease the default City-wide speed limit to 40 km/h and place 50 km/h speed limit signs on major roads that would remain at 50 km/h, or

3. Keep the default City-wide speed limit at 50 km/h and implement 40 km/h speed areas in residential neighbourhoods.

The Council Question referred to "residential streets." This has been interpreted to refer to streets in residential neighbourhoods that are intended for lower speeds, lower volumes of traffic, and with an emphasis on property access over mobility (i.e. local roads and Class 2 Collector roads in residential areas).

Residential properties can also be found on other, higher-order road classifications, such as Class 1 Collectors, and Class 1 and Class 2 Arterial Roads; however, since these streets are intended for higher vehicle volumes and speeds, they have not been assumed to be included in the 40 km/h speed reduction.

Advantages and disadvantages of each option are summarized in Table 1. Costs given are high-level estimates and should be confirmed with detailed cost estimates, should Council choose to move forward with any of these options.

Table 1: Comparison of Speed Limit Reduction Options

Issue for Consideration	Option		
	1 – Sign 40 km/h residential streets individually	**2 – Reduce the City-wide default speed limit to 40 km/h**	**3 – Implement speed areas in residential neighbourhoods**
Initial cost (approximate)	$1,043,000	$734,000	$1,088,000
Ongoing annual maintenance cost (approximate)	$69,000	$39,000	$60,000
Phasing	Implementation can be phased neighbourhood by neighbourhood (or street by street)	Cannot be phased	Implementation can be phased neighbourhood by neighbourhood
Scalability	Can be implemented only in selected neighbourhoods, if desired	Cannot be implemented in selected neighbourhoods – must be implemented City-wide	Can be implemented only in selected neighbourhoods, if desired
Driver Awareness & Understanding	Highest: all 40 km/h streets would have signage identifying the speed limit to drivers.	Lowest: no signs – except at the City boundary – would identify 40 km/h streets. An education campaign and/or educational signage may be needed to foster driver awareness of the new speed limits.	Intermediate: drivers would see signs identifying the speed limit as they enter 40 km/h zones, but the speed limit would not be communicated to drivers as often as under Option 1.

In general, the total cost to implement a 40 km/h speed limit is lowest for Option 2; however, Option 2 cannot be phased and cannot be implemented only in selected neighbourhoods.

Should Council wish to implement the speed limit reduction in phases with the cost and effort spread out over multiple years, or to implement a speed reduction only in specific areas (e.g. neighbourhoods where resident support is highest), Option 2 would not be suitable.

Feedback was received from Windsor Police Service and the Provincial Offenses Office; both indicated that, of the three options, Option 1 would be preferable from an enforcement perspective. Windsor Police Service indicated that without additional measures to encourage compliance, the increased enforcement demand associated with any of the three options would increase police effort and cost associated with speed enforcement.

The capital costs for Option 1 and Option 3 are within 4% of each other. The high-level cost estimates provided in this report do not provide enough precision to confirm which of these two options has the lower cost.

Time Required for Implementation

Option 1 & Option 3

For Option 1 and Option 3, the minimum time to begin implementing 40 km/h speed limit reductions is in the order of 6 months. This time period would allow for the required amendments to Traffic By-law 9148, utility locates, and production and installation of an initial set of signs.

The total time to implement Option 1 or Option 3 for residential neighbourhoods City-wide would depend on several factors. If carried out entirely by City staff at current staffing levels, this work would likely need to be phased over several years. Implementing either Option 1 or Option 3 City-wide in a single year would likely require hiring temporary staff at additional cost.

Option 2

For Option 2, the minimum time to implement a 40 km/h speed limit in residential neighbourhoods is approximately two years. Implementing this option in a single year would likely require hiring temporary staff at additional cost.

The City-wide default speed limit could not be changed until all major roads that would remain at 50 km/h have speed limit signs installed. This work could likely be carried out by City staff at current staffing levels over two years' construction seasons; once these new 50 km/h signs are installed, Traffic By-law 9148 would be amended to reduce the City-wide default speed limit to 40 km/h.

Option 2 cannot be phased. It would be implemented City-wide as soon as the default speed limit is changed.

Impacts of Speed Limit Changes

Speed Limit Changes in Isolation

In general, most research has found that reducing speed limits, in and of itself, does not cause significant changes in operating speeds. This conclusion was identified in the best practices review that was carried out for the 2015 Traffic Calming Policy update and was reflected in the Policy: the Policy does not support reducing speed limits as a traffic calming measure unless the speed limit change is accompanied by physical changes to the street to encourage lower speeds.

In terms of safety and collisions, research about the effectiveness of speed limit reductions has produced mixed conclusions, with some studies indicating slight reductions in collision rates and others indicating no change or slight increases. Overall, it is unlikely that there would be a measurable safety benefit from lowering speed limits from 50 km/h to 40 km/h without other measures to encourage lower speeds.

Speed Limit Changes as Part of an Overall Strategy

Reductions in operating speeds have a clearly demonstrated safety benefit, both in terms of reducing the likelihood of collisions as well as the severity of collisions that do occur.

Reduced speed limits would be an important aspect of an overall speed reduction strategy, since lower speed limits would allow lower design speeds and target speeds, which would in turn allow changes in City design standards that would encourage lower speeds.

Impacts on the School Neighbourhood Policy

The School Neighbourhood Policy was adopted by Council in 2016 (CR645/2016). At the time, the total capital cost to implement the Policy was identified as $1.8 million; due to price increases, the current estimated cost to implement the Policy is $2.3 million. The majority of this cost is for “40 km/h when flashing” signs in school zones.

The School Neighbourhood Policy does not require “40 km/h when flashing” signs on streets where the prevailing speed limit is 40 km/h. Because of this, reducing the speed limit to 40 km/h in residential neighbourhoods has the potential to reduce the cost to implement the School Neighbourhood Policy significantly. With a 40 km/h speed limit on all local residential and Class 2 Collector roads, the estimated cost to implement the School Neighbourhood Policy would be $320,000 (i.e. a reduction of $1,986,000 from the current estimate of $2,306,000).

If the School Neighbourhood Policy is modified, the impact of a 40 km/h speed limit reduction may vary. The School Neighbourhood Policy is due for its 5-year review in 2021; this review has not yet begun.

Next Steps

Should Council wish to implement 40 km/h speed limits on residential streets, the following next steps would be recommended:

- Develop specific criteria to identify which streets should be signed at 40 km/h.
- Identify a preferred option to implement the 40 km/h speed limit.
- Develop a speed reduction strategy, either as an element of the Vision Zero Action Plan or separately.
- Develop refined cost estimates and bring forward a proposal to Council for consideration as part of budget deliberations, including the recommendation to establish a reserve for sign maintenance.
- At key points in the above steps, carry out public consultation with affected residents.

Risk Analysis:

No critical or significant risks are associated with this informational report.

The following risks have been identified with the options presented:

- **Timing risks:** all three options, but especially Option 2, require careful coordination of several activities, including some that would be carried out by outside organizations (e.g. utility locates for the installation of new signage). Delays in any of these activities could make this coordination difficult or impossible. This risk is likely minimal for Option 1 & 3 and moderate for Option 2, and can be mitigated by the City's normal project management practices.
- **Community impact risks:** reducing the speed limit in residential neighbourhoods may not be supported by all residents. Speed limit reductions without other measures to encourage lower speeds may also cause an increase in speeding complaints and traffic calming requests. These impacts can be mitigated by:
    - Carrying out public consultation before implementing the speed limit reduction (available for all three options),
    - Implementing the speed limit reduction as part of an overall speed reduction strategy (available for all three options),
    - Implementing the speed limit reduction as a pilot program in a limited area before implementing it City-wide (not available for Option 2), or
    - Only implementing the speed limit reduction in neighbourhoods where resident support has been established (not available for Option 2).

The Windsor Police Service notes that any of the options identified in the report carry with them financial and operational risks associated with increased enforcement demand. The magnitude of these risks has not yet been identified. Should Council choose to move forward with any of the options presented, additional consultation with police to identify the magnitude of these risks as well as mitigating strategies is recommended.

Financial Matters:

The estimated cost to implement a 40 km/h speed limit in residential neighbourhoods is summarized in Table 3. Costs given are high-level estimates and should be confirmed with detailed cost estimates, should Council choose to move forward with any of these options.

Table 2: Cost Estimates (all amounts approximate)

Item	Option		
	1 – Sign 40 km/h residential streets individually	**2 – Reduce the City-wide default speed limit to 40 km/h**	**3 – Implement speed areas in residential neighbourhoods**
Initial cost	$1,043,000	$734,000	$1,088,000
Ongoing annual maintenance cost	$69,000	$39,000	$60,000

The Signs & Markings operational budget does not have sufficient funds for this expenditure. Should Council direct that a speed limit reduction in residential neighbourhoods be implemented, a submission to budget will be required to provide Council with an opportunity to approve the allocation of the required funding.

For the “phaseable” options (Options 1 & 3), costs could be spread out over multiple years to reduce the budget required in any given year.

Options 1 & 3 would also allow costs to be reduced by implementing the speed limit reduction only in portions of the City (e.g. where resident support is greatest) rather than City-wide, should Council so choose.

Impacts on School Neighbourhood Policy Implementation

A widespread speed limit reduction to 40 km/h would reduce the total capital cost to implement the School Neighbourhood Policy by $1,986,000. If the speed limit reduction were applied to only certain portions of the City, the cost savings would be reduced.

In the 2020 Capital Budget, a total of $797,800 is included in the forecast for the School Neighbourhood Implementation project (OPS-001-18), with $307,800 forecast for 2028+ and the remainder forecast for 2022-2027.

The School Neighbourhood Policy is due for review in 2021. If this review results in significant changes to the Policy, then the cost reduction due to the speed limit reduction may vary.

Impacts on Police

Windsor Police Service notes that any of the options presented has the potential to increase their operating costs. The magnitude of these impacts is not currently known; should Council choose to move forward with any of these options, it is recommended that impacts on Windsor Police Service operations and budget be identified when a more refined proposal is brought forward for Council's consideration.

Consultations:

Dwayne Dawson, Operations

Shawna Boakes & Roberto Peticca, Traffic Operations

Terry Pearce, Provincial Offenses Office

Insp. Jill Lawrence, Sgt. Morgan Evans, Sgt. Craig Judson & Barry Horrobin, Windsor Police Service

Conclusion:

There are several methods available to reduce speed limits to 40 km/h in residential areas. The costs and minimum time to implement this speed limit reduction would depend on the method chosen; some options allow a phased approach so that the effort and budgetary impact could be spread out over multiple years, should Council so choose.

In and of itself, a speed limit reduction is not likely to have significant impacts on either overall operating speeds or safety. However, a speed limit reduction would be an important component of an overall speed reduction strategy that incorporates other measures to reduce vehicle speeds.

Planning Act Matters:

N/A

Approvals:

Name	Title
John Revell	Chief Building Official
Don Nantais	Financial Planning Administrator
Mark Winterton	City Engineer
Shelby Askin-Hager	City Solicitor
Joe Mancina	City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

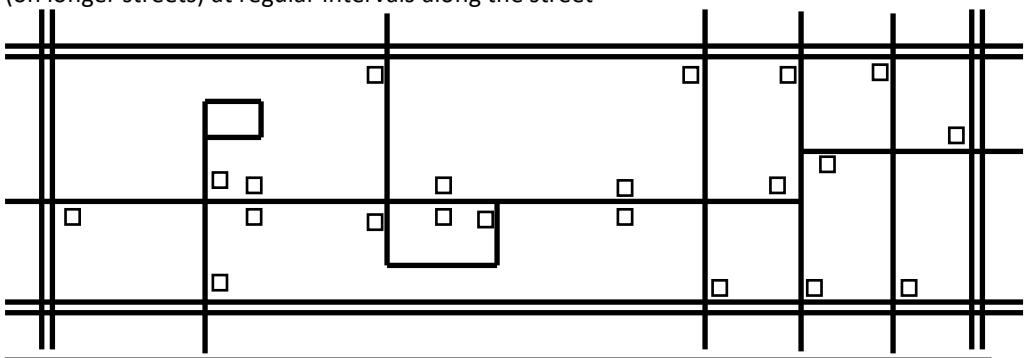
Name	Address	Email
Councillor Kaschak		

Appendices:

1 Options for Implementing a 40 km/h Speed Limit

Option 1: Sign residential streets at 40 km/h individually

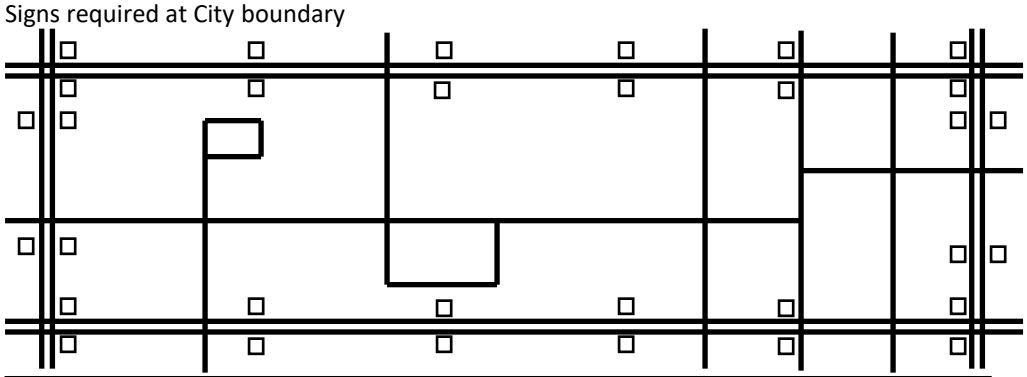
- All residential streets are signed 40 km/h at the turn off of the major street, the start of the street, and (on longer streets) at regular intervals along the street



Major Street (50 km/h)
Residential Street (40 km/h)
Speed Limit Sign (40 km/h)

Option 2: Reduce the City-wide default speed limit to 40 km/h

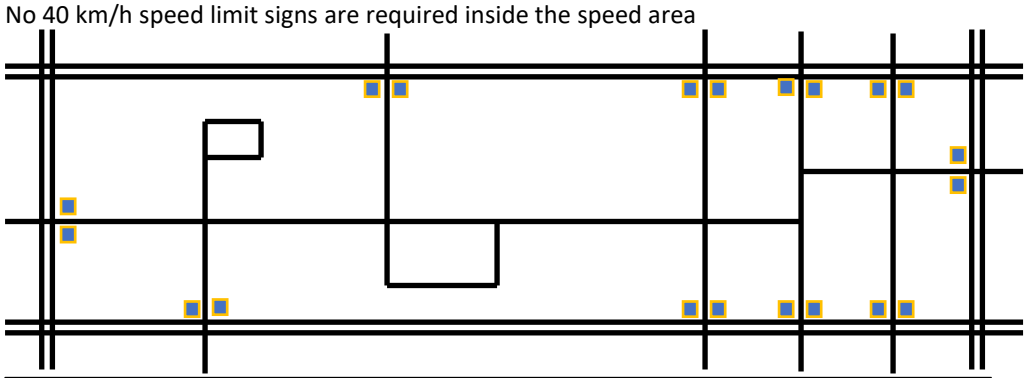
- 50 km/h major roads are signed
- No signs required on 40 km/h roads
- Signs required at City boundary



Major Street (50 km/h)
Residential Street (40 km/h)
Speed Limit Sign (50 km/h)

Option 3: Implement speed areas in residential neighbourhoods

- 40 km/h "speed area" signs required at the boundary of the speed area
- No 40 km/h speed limit signs are required inside the speed area



Major Street (50 km/h)
Residential Street (40 km/h)
Speed Area Sign (40 km/h)

Item No. 10.1

Committee Matters: SCM 298/2020

Subject: Presentation- Update Report: Windsor-Essex Regional Community Safety and Well-Being Plan

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: **CSPS 118**
THAT the presentation by Leonardo Gil, Project Manager – Community Development and Health Services, entitled "Update Report: Windsor-Essex Regional Community Safety and Well-Being Plan" **BE RECEIVED**.
Carried.

Report Number: SCM 277/2020
Clerk's File: SS2019 & MH/13786

Committee Matters: SCM 277/2020

Subject: Presentation- Update Report: Windsor-Essex Regional Community Safety and Well-Being Plan

Update Report: Windsor-Essex Regional Community Safety and Well-Being Plan

Presentation Date: Wednesday, October 7th 2020

Presentation By: **Leonardo Gil**, Project Manager
City of Windsor

Overview

- Background
  - Legislative Requirements
  - CSWB Planning Framework
- Key Project Updates
  - Risk Factor Data Categories
- Project Methodologies
  - Consultation and Engagement Approaches
  - Enhanced Sector Network
  - Project Timelines

Background – Legislative Requirements

- The Province has legislated all municipalities under the *Police Services Act* to prepare and adopt a Community Safety and Well-Being (CSWB) Plan.

- In consideration of COVID-19, on April 14, 2020, the Province passed the *Coronavirus (COVID-19) Support and Protection Act, 2020* which allowed an extension to the submission deadline past January 1, 2021 to a date yet to be determined.

- **Additional legislative requirements related to CSWB planning include:**
  - Establishing a multi-sectoral advisory committee (must include 7 key sectors identified in the legislation);
  - Conducting consultations

- **Contents of the plan must include:**
  - Identifying priority risk factors;
  - Identifying strategies to reduce the prioritized risk factors (e.g. new services, changing or coordinating existing services);
  - Setting measurable outcomes

Background – CSWB Planning Framework

- CSWB Plans result in integrated approaches to service delivery that involve multi-sectoral partnerships to proactively address local priorities related to crime and complex social issues.
- The CSWB planning framework promotes upstream activities by focusing on social development, prevention, and risk intervention.
- CSWB Plans leverage and build upon existing efforts and partnerships and encourages the development of shared goals across sectors.
- Upon Council endorsement of the Plan, partners can work toward implementing shared goals and strategies.
- CSWB Plans are living documents which involve an ongoing process of issue identification and planning through continued collaboration with community organizations, leaders and residents.
- Ultimately, all members in a community are seen to have a role to play and as such, identified strategies must strive to be culturally and socially responsive.

Key Project Updates

Since the July 13th Council Report (CR337/2020), the following key steps have taken place:

- Finalization of revised project methodologies and timelines.
- Discussions with AMO and OMSSA representatives including a Province wide CSWB working group have been completed to assess the status of other municipalities as well as the provincial deadline.
    - Discussions have lead to a presumed deadline of December 31, 2021. As of the writing of this presentation a Provincial deadline has not yet been established.
- Finalization of Consulting Agreement. Consulting firm ***StrategyCorp*** has been successfully awarded the contract through a RFP.
- Presentation to Regional CAOs table to provide project updates.
- Re-engagement of the Data team has been completed to establish current state analysis data categories and indicators.
- Completion of an interactive Regional Asset Map developed in conjunction with the City of Windsor's Geomatics Department.
- First virtual Regional Systems Leadership Table meeting since the project pause is planned for September 29, 2020.

Key Project Update – Risk Factor Data Categories

- Through research and in consultation with the Data Team, 21 risk and protective factor categories identified in the CSWB Framework were synthesized into the following 7 data categories.

1. Crime and Victimization
2. Education
3. Financial Security
4. Mental Health & Substance Use
5. Physical Health
6. Housing & Neighbourhoods
   A. Housing
   B. Environment
7. Covid-19 Impact
   A. Health
   B. Economic

- Publicly available databases were used to identify indicators relevant to the seven categories.
- Data team members have been consulted through an online survey, group meeting and one-on-one meetings to finalize indicators for each category.
- These data categories and indicators will form the basis of the Current State Analysis as well as inform the development of the online survey.
- To support the Regional Systems Leadership Table in identifying and prioritizing local issues, qualitative approaches will be used throughout the consultation phase to contextualize data.

Project Methodologies

- Consultation and Engagement Approach
- Enhance Sector Network
- Project Timeline

Consultation and Engagement Approach

- Due to considerations and restrictions related to COVID-19, an online engagement process will be used.
- Dial in options and CSWB Tool Kits which include paper copies of the survey will be used to mediate barriers to participation.

Engagement Approach

1. **Enhanced Sector Network | Oct. – Dec. 2020; Jan. – Jul. 2021**
2. **Municipal Council Presentations | Oct. – Nov. 2020**
    - Presentations will ensure all elected officials within the region are informed of the CSWB planning efforts.
3. **Online and Print Public Surveys | Feb. – Mar. 2021**
4. **Virtual Town Halls | Feb. – Mar. 2021**
    - Nine sessions will be conducted: 1 session per municipality; 2 sessions for the City of Windsor.
5. **Virtual Focus Groups with CAOs and Elected Officials | Apr. 2021**

Enhanced Sector Network Approach

Purpose

- To leverage existing strategies and leadership within Windsor and Essex County.
- To best inform the CSWB process and Regional Systems Leadership Table through the contextualization of community data from multiple population lenses.
- To ensure diverse voices from historically underrepresented communities are heard and priorities are woven throughout the planning process.

Structure

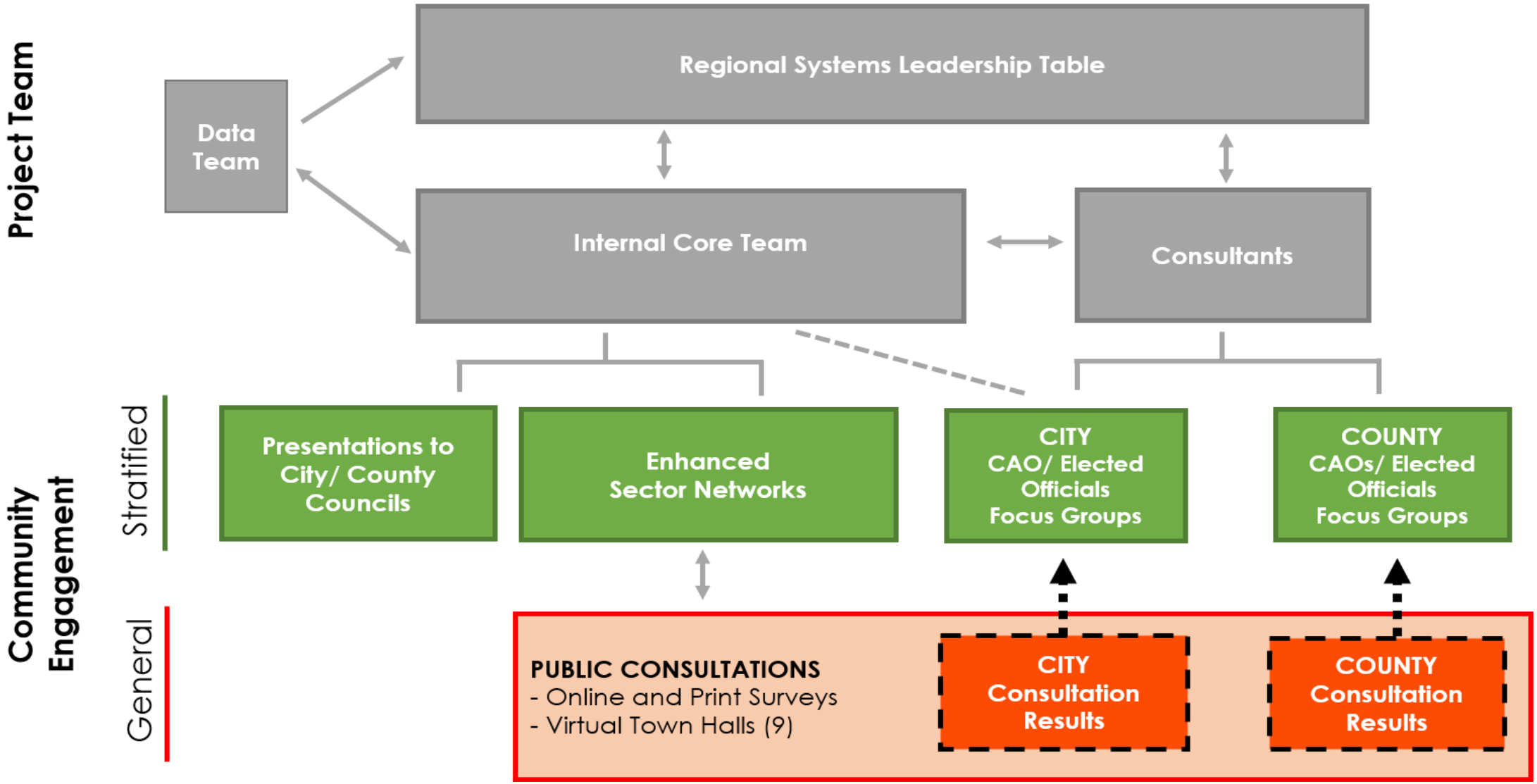
- The ESN will consist of eight (8) network groups. Each group will be comprised of representatives from existing committees and community organizations.

1. Indigenous Communities
2. Racialized Persons
3. Newcomers
4. Youth
5. Seniors
6. 2SLGBTQ+
7. Accessibility Communities
8. Broader Community Groups

Meetings

- Group members will be asked to participate in two (2) meetings over the course of the project.
- Meetings will involve qualitative activities piloted in previous community conversations as well as a prioritization process based on the results of public consultation data analyses.

Engagement Structure Overview



Project Timeline

Estimated Project Timeframe

- June, 2020 – November, 2021 (16 months)

Factors Considered in Timeline Development

- Impact of COVID-19 on community and resident priorities
- Impact of COVID-19 on community assets as well as risk and protective factor data
- Need for greater diversity and inclusion in the planning process.
- Extended deadline advocacy through AMO and OMSSA
- Presumed extended deadline of Dec. 31, 2021

Key Milestones

- **Municipal Council Presentations:** October – November
- **Public Consultation Period:** February 1, 2021- March 12, 2021 (6 week consultation)
- **Report submission to City Council:** September, 2021
- **Report submission to County Council(s):** October – November 2021

Thank You

Leonardo Gil

Project Manager, Community Safety & Well Being Plan

Social Policy & Planning Dept., CDHS

lgil@citywindsor.ca

519-255-5200 x 5270

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 168/2020

Subject: Salary Market Review 2017 - 2018 - CAO and CLT - City Wide

Reference:

Date to Council: November 9, 2020
Author: Vincenza Mihalo, Executive Director of Human Resources
519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Human Resources
Report Date: August 18, 2020
Clerk's File #: AS2020

To: Mayor and Members of City Council

Recommendation:

THAT this report from the Human Resources Department on the Salary Market Comparison Review and the report of Annetts and Associates reporting on the Chief Administrative Officer (CAO) and Corporate Leadership Team (CLT) compensation **BE RECEIVED** for information; and,

THAT the compensation level for the CAO and CLT **NOT BE ADJUSTED** given the results of the salary market review, and remain subject to annual increases consistent with their employment contract.

Executive Summary:

N/A

Background:

The Mandate

At its meeting of November 29, 2010, City Council authorized the completion of the salary market comparison for both the CAO and the CLT to be completed separately from the non union employee group (CR431/2010).

Specifically as well, it should be noted that the Employment Agreement between this CAO and the Corporation states ... "The salary grid will be reviewed annually and shall be increased as may be mutually agreed between the parties or as a minimum, shall be increased in accordance with the process for annual increases and market salary review granted to other senior management employees of the Corporation."

During the February 27, 2012 Executive Committee meeting of City Council, the following recommendation was approved, "*THAT the Executive Director of Human*

Resources PROCEED as per the direction and motion of City Council as it relates to the 2010 Salary Market Comparison for the CAO, that being the same target pay position used for the non-union group should be applied to the CAO and the Corporate Leaders, providing for a salary at the 50th pay percentile." This recommendation was adopted by Council at its meeting held on March 5, 2012 (M125-2012).

Additionally at its February 27, 2012 Executive Committee meeting, City Council approved the following recommendation... "*That the Executive Director of Human Resources PROVIDE for the Corporate Leaders a salary range maintained at no less than the 50th pay percentile of the comparator municipalities commencing in 2010 as indicated in the Market Salary Comparison review..."* and further "*THAT the Corporation of the City of Windsor BE DIRECTED to conduct a salary market comparison review every two years for CANUE employees, the Corporate Leadership Team and the Chief Administrative Officer."* Both of these items were adopted at the March 5, 2012 City Council meeting as M124-2012 and M145-2012 respectively.

The 2012 Salary Market Comparison was for the 3 years of 2010, 2011 and 2012, and City Council approved salary market comparisons be completed thereafter every 2 years. The last salary market review was completed in 2017 for the years 2015 and 2016.

Discussion:

In conducting the 2017-2018 salary market review it was recommended by both the Salary Market Review Committee and the Consultant and further approved through Council Resolution C128/2019 that the methodology remain consistent for the 2017/2018 review with the exception of a change to one comparator municipality. Mississauga was subsequently removed as a comparator municipality for this review and replaced with Guelph. This change better aligned the City of Windsor to comparator municipalities when looking at such criteria as population, budget and the number of employees. The rationale to remove Mississauga and add Guelph, was also based on corporate structure.

The summary report from the Consultants, Annetts and Associates, is attached as "Appendix A" for review and reference. The report compared the CAO and CLT to similar positions within the market comparator group. The following market comparators were used:

- Municipality of Chatham Kent
- City of Kitchener
- City of Guelph
- City of Thunder Bay
- Greater Sudbury

- City of Brampton
- Region of Halton
- Niagara Region
- Region of Waterloo
- City of London
- Region of Durham
- City of Hamilton

In order to maintain consistency with the non-union group and as per City Council direction the target for the CAO and each of the CLT is at the 50th pay percentile of comparator municipalities. Based on the 2017/2018 Salary Market Review, as the CAO and CLT have maintained the target market percentile, there is no adjustment required for 2017 or 2018.

In addition to the contractual obligation through the CAO's Employment Agreement, the purpose of conducting a compensation or salary market review has been to ensure equitable compensation to the CAO and the Corporation's Corporate Leadership Team relative to comparable positions in other comparable municipalities. The review process also allows for market competitiveness against other municipal organizations and in keeping with the following:

A. **Retention and Attraction:** In doing so, it adds an element to the Corporation's overall compensation package, thereby strengthening our ability to retain the existing CAO and Corporate Leaders and to attract new highly talented executive leaders. Interestingly, the retention of existing staff is not as much of an issue as attraction of new staff, especially at the CAO and Corporate Leadership level which require a diverse skill set to lead a variety of different services and handle portfolios that are extremely complex and are high profile in nature. Both the CAO and Corporate Leaders require multi-talented skill sets and strong leadership capabilities. While it is ideal to promote very capable people within the Corporation to these positions, it is not always possible to do so in every portfolio and may require an external search. Individuals in a Corporate Leadership capacity are usually highly sought after by other municipalities (either locally or in other jurisdictions) and/or public sector organizations to fill similar or Chief Administrative/Executive positions. Therefore, maintaining a salary structure at the 50th percentile at the Corporate Leadership level is essential to retaining and attracting the "right people" that can lead the organization and ensure that Council's (as well as the Community's) vision is realized.

B. **Overall Succession Planning:** During its presentation to the Executive Committee meeting of Council on May 30, 2016, PWC provided the following information to the Corporation...."Given the aging workforce employed at the City and the significant number of individuals holding key positions that are eligible

for retirement – developing, monitoring and implementing a human resources plan is critical. Recruiting, training and retaining resources and identifying gaps in future staffing needs in the short, mid and long term is imperative. The objective of succession planning is to ensure that the right people with the right skills are positioned at the right time. The City considers succession planning to be a proactive activity, which seeks to avoid three (3) major issues: 1) Loss of Knowledge; 2) Interruption of customer service and/or business continuity; 3) Critical Errors."

Achieving market competitiveness reinforces the Corporation's succession planning efforts by reducing or minimizing the loss of talent for salary reasons. It provides incentive to the talented CAO and Corporate Leaders to stay with the Corporation with the Corporate Leaders bolstering its leadership complement for the future. It also provides incentive to those in lower level non-union positions to apply for and accept appointments to higher level management jobs. It is imperative that the Corporation has an effective succession plan to avoid loss of knowledge, interruption of customer service and/or business continuity, critical errors, and most importantly effective leadership. It is important to point out that, in addition to the potential to lose staff as a result of a lack of salary market competitiveness, another significant factor impacting the Corporation's ability to maintain a very qualified and experienced workforce is retirement. Recruitments are presently underway to replace two Corporate Leaders as a result of their upcoming retirements. Furthermore, there is one additional Corporate Leader and the CAO that are currently eligible to retire.

Risk Analysis:

Given the consultant's recommendation to have a zero percent salary adjustment for 2017 and 2018 for the CAO and the CLT group, there is no risk assessment. Salary market comparisons will continue to occur every two years as approved by council to ensure that the target 50th percentile is maintained and that there is equitable compensation to the CAO and the Corporation's Corporate Leadership Team relative to comparable positions in other comparable municipalities.

Financial Matters:

As the consultant's recommendation indicates no salary adjustments are required for the CAO or CLT group for either 2017 or 2018, there is no financial impact.

Consultations:

Colette Annetts, Annetts and Associations

Dan Iatonna, Manager, Employee & Consulting Services

Kristin Toniolo, Total Compensation Specialist (A)

Conclusion:

In order to achieve market competitiveness and internal equity, City Council approved a compensation market comparison for the CAO and Corporate Leadership Team. The goal is to provide a competitive compensation package that will retain and attract the most talented executive leaders. As per the consultant's findings, administration is recommending that no adjustments be made to the CAO and CLT salaries as the 50th pay percentile continues to be maintained. Being at the 50th market percentile will continue to help offset adverse effects from a lack of salary competitiveness and attract executive calibre talent to these positions involving heavy workload and high levels of responsibility. It will also provide incentive for up and coming high potential employees with the Corporation to take on more senior roles and responsibility.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director of Human Resources
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - City of Windsor - 2017-2018 CAO/CLT Salary Survey

2017/2018
City of Windsor
CAO/CLT Salary Survey

Prepared by:
Annetts and Associates
February 2020

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Executive Summary

- City of Windsor has a policy of being a median paying employer and employing a median paying pay line in the development of its pay policy.
- There were 46 data cases received out of a possible 66 providing a very good response rate of 70%.
- City of Windsor's CAO ranked at the 60th percentile in 2017 and the 50th percentile in 2018.
- City of Windsor's percentile ranking for the Corporate Leadership Team (excluding the CAO) in 2017 was 56.6% and 2018 was 53%, slightly above the 50th percentile.
- The average salary increase for CAOs in the participant group between 2016 and 2017 was 2.2%. Between 2017 and 2018 the average salary increase in the CAO participant group was 4.2%.
- The average salary increase within the CLT participant group between 2016 and 2017 was 2.6%. Between 2017 and 2018 the average salary increase within the CLT group was 2.8%.

Introduction

Annetts and Associates was engaged by the City of Windsor to complete a salary survey and compensation review for the non-union employee group. This report provides the following: project implementation, general findings, summary of findings, and recommendations.

Project Implementation

Data Collection

1. Identification of Market Comparator Group

12 organizations approved by Council were used for this current Salary Survey/Compensation Review. Council approved one change to the comparator's list. Mississauga was removed as a comparator organization and Guelph was added.

Table 1: Survey Participants

Rank	Organization	Population	FTE	Total Expenditure (millions)
1	Chatham Kent	102	1283	318.2
2	City of Kitchener	255	1165	379.2
3	City of Guelph	131.7	1323	428.9
4	City of Thunder Bay	107.9	2052	545.1
5	Greater Sudbury	161.5	2012	582.6
6	City of Brampton	642.8	3543	780.4
7	City of Windsor	224.1	2734	804.1
8	Region of Halton	583.3	2909	821.5
9	Niagara Region	472.4	3741	907.3
10	Region of Waterloo	601.2	3840	1078.6
11	City of London	393.1	3200	1150.4
12	Region of Durham	691.5	4819	1252.8
13	City of Hamilton	572.5	6595	1763.9
Windsor's Percentile Ranking		33%	42%	50%

2. Survey Questionnaire

A survey questionnaire was sent to each participating organization. Data Collected was;

- Position match job title,
- What position, match reports to,
- the minimum and maximum salaries,
- salary band,
- differences between the jobs being matched, if any,
  (examples provided below combined with how good a match a job is provides us with enough data to determine if a position should be included in the survey)
  - Excludes Library; re-org was in November 2018
  - Job excludes Purchasing
  - Includes Public Health Unit
- if the job is a good match and how close of a match job is as a percentage,
- and effective date of salary.

Data Analysis

1. What did we do?

Once data was collected it was compiled for analysis by position. Data was collected for 8 positions. Two positions, CEO, Your Quick Getaway & Windsor Detroit Tunnel Corporation/Corporate Leader, Transportation Services and Corporate Leader, Parks, Recreation, Culture & Facilities did not have enough data to be included in the survey analysis.

The CEO, Your Quick Getaway & Windsor Detroit Tunnel Corporation/Corporate Leader, Transportation Services received only two responses for matches. For the position of Corporate Leader, Parks, Recreation, Culture & Facilities we had a reasonable response rate of 6, however upon further investigation we determined 4 were not appropriate matches. By looking at the department structure for each organization we learned that the positions provided to us as matches were not senior leaders, but department Directors not reporting to the CAO. The wage disparity for these roles in comparison to other senior leadership roles surveyed was also indicative of poor matches.

Positions were analyzed on the basis of mean, median, 25th, 65th and 75th percentile. Windsor's salaries were also looked at as a percentile ranking within the reported data range. (The definitions of statistical measures appear in Appendix A.)

Compiled data can be found:

Chart 1: CAO vs Median Market Data (2017 & 2018) Page 7
Chart 2: CLT vs Median Market Data (2017 & 2018) Page 7

General Findings – 2017 and 2018 CAO/CLT

The CAO's position in 2017 was at the 60th percentile. In 2018, the CAO's percentile ranking fell to the 50th percentile. The difference between the 50th and 60th percentile ranking is $527. The City of London took over the 60th percentile ranking spot after a 6.3% increase in salary in 2017.

The Corporate Leadership Team's average median ranking has remained similar in 2017 and 2018 but both are above the median at 56.6% and 53% respectively. Currently the CLT is only .5% in real dollars away from the 50th percentile. Dropping below the 50th percentile in 2019 is possible if any participating organization gives extraordinary increases to its senior leaders. In 2017, Chatham-Kent and London both gave significant increase to their senior leaders of 7.2% and 6.3% respectively.

In 2018, 40% (2/5) of the CLT positions were below the 50th percentile. One position was $8,399 below the median, the other $2,188 below the median in actual salary dollars.

In 2018, 40% (2/5) of the CLT's salaries are above the 50th percentile. In 2018, the positions above the median were on average 3% above the median or $9,741, $4733 and $148 above the median in actual salary dollars.

In 2018, 20% (1/5) of the CLT's salaries are at the 50th percentile.

Chart 1: CAO vs Median Market Data (2017 & 2018)

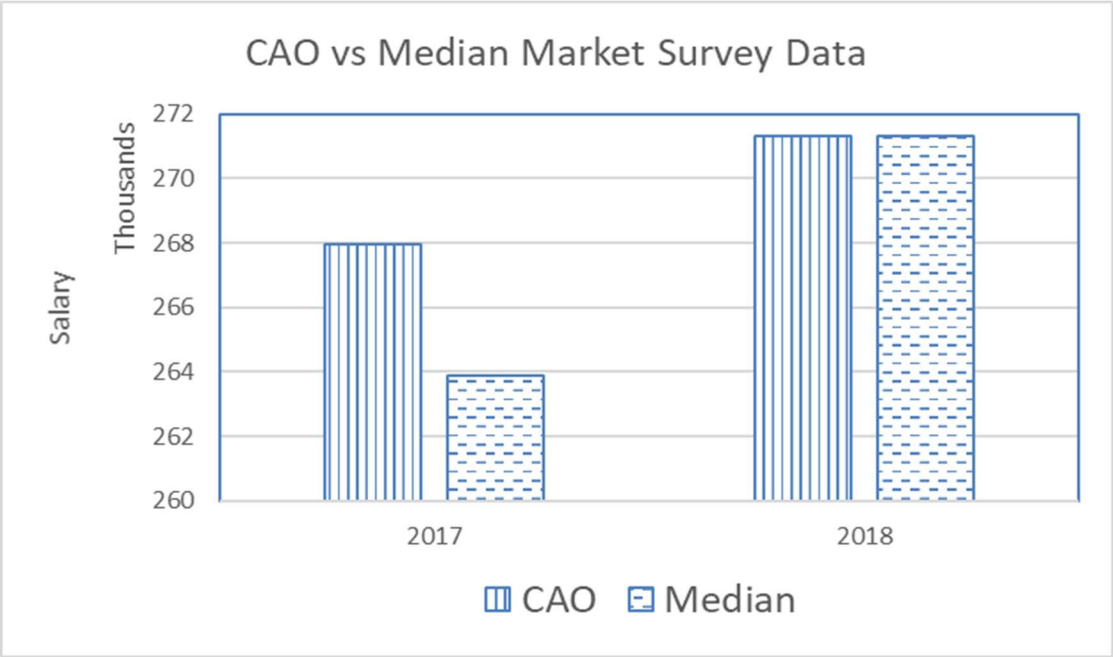
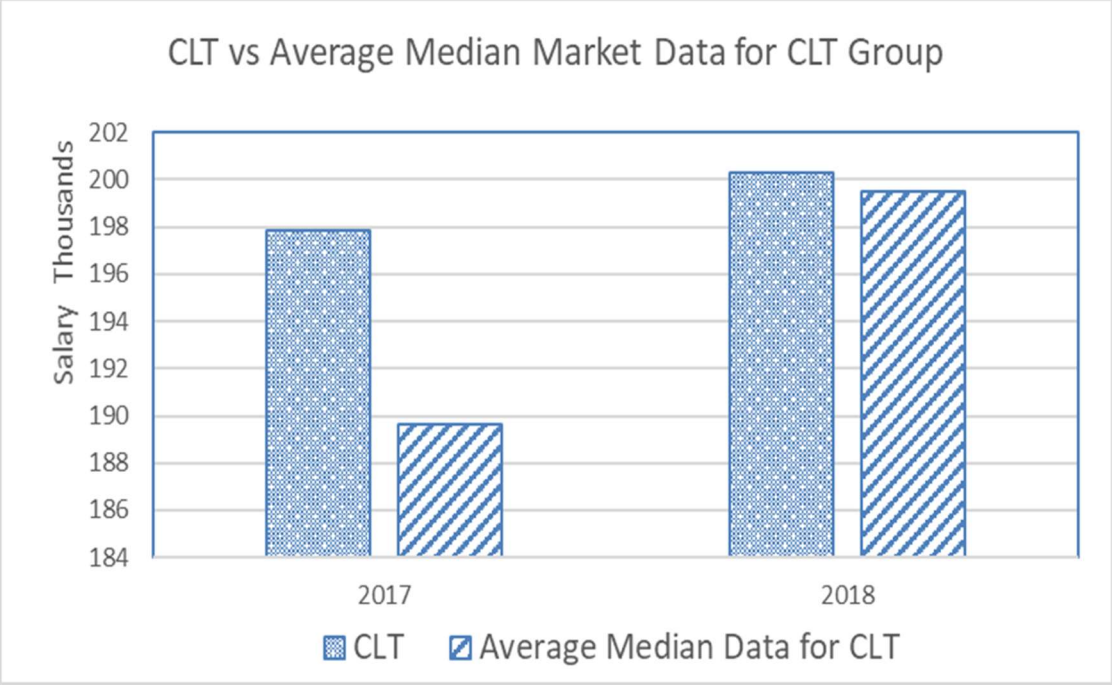


Chart 2: CLT vs Median Market Data (2017 & 2018)



Recommendations

1. The CAO's percentile ranking for 2017 and 2018 was at or above the 50th percentile and requires no adjustment.

2. The CLT's percentile ranking for 2017 and 2018 was at or above the 50th percentile and requires no adjustment.

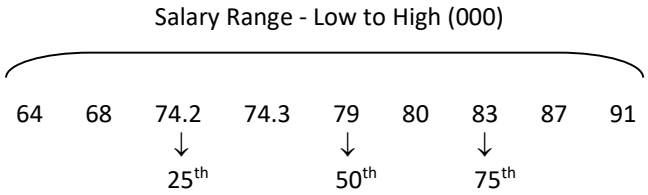
Appendix A

DATA ANALYSIS TERMS

Term	Definition
Position Match	This refers to the technique of comparing positions among the different Counties and Cities based on responsibility, content and scope for the position. Reporting relationship and the number and type of direct reports are considered. Organizations also indicate the position match. A match in the range of 80-120% is considered reasonable for inclusion in the analysis. If an organization indicated a lower or higher percentage match (for example 50%) the data for that position is not included in the analysis.
Cases	This refers to the actual data received for each position match. For example, out of 12 participants for the position of Systems Analyst, there were 12 cases reported or, all participants responded with an appropriate match. For the position of Economic Development Manager, out of 12 participants, there were 7 cases or, 7 participants responded with an appropriate match. The other 5 participants in the survey did not have an appropriate match or a similar position within their organization.
Job Rate	The maximum salary within the salary range. All survey data is shown using job rate only.
Mean	As a measure of central tendency, the mean is calculated by summing all salaries within a job classification and dividing by the number of cases. The mean is also the average.

Median Another measure of central tendency. The median, is the exact middle of the range of ranked data points. For example, in a distribution of 11 salaries, the median is the 6th highest case. 5 cases fall below its value and 5 cases are above its value. The median is by definition equivalent to the 50th percentile. Percentiles are explained below.

Percentiles Percentile is a statistical calculation based on the distribution of data points using a formula which defines the lowest case as 1% and the highest case as 100%. The rank order of the cases is between 1 and 100 percent and are then divided into equal intervals.
For example:



25th At the 25th percentile, 25% of the data falls below this point and 75 % of the data is above this point.

50th The median. 50% of the data is below and 50% of the data is above the median. Where there is an even number of data points, the two middle data items are averaged.

75th At the 75th percentile, 75% of the data falls below this point and 25 % of the data is above this point.

Percentile Ranking City of Windsor's percentile calculation shows where in the 0-100% range your current salaries fall.

Subject: Salary Market Review 2017 - 2018 - Non-Union - City Wide

Reference:

Date to Council: November 9, 2020
Author: Vincenza Mihalo, Executive Director of Human Resources
519-255-6515, ext. 6259; vmihalo@citywindsor.ca
Human Resources
Report Date: August 18, 2020
Clerk's File #: AS2020

To: Mayor and Members of City Council

Recommendation:

THAT this report from the Human Resources Department on the Salary Market Comparison Review and the final report of Annetts and Associates, dated June 2020 reporting the Non Union Salary Market Comparison for 2017 and 2018 **BE RECEIVED** for information; and,

THAT the compensation level for the Non Union employee group, excluding CAO and CLT, for 2017/2018, **NOT BE ADJUSTED** given the results of the salary market review, and remain subject to applicable Council approved annual increases.

Executive Summary:

The current CANUE Terms and Conditions of Employment states the following:

> "The Corporation will conduct a market salary review in 2013 and thereafter every two (2) years for Civic Association of Non Union Employees, and the parties agree that salaries will be maintained at no less than the 50% percentile of the comparator municipalities using the methodology used in the 2010 market salary comparison. In keeping with this agreed methodology, unless as mutually agreed upon by the parties, any salary adjustments required as a result of the market salary comparison will be retroactive to January 1st of the year in which the market salary comparison is scheduled to be commenced. In accordance with past methodology, each salary market review analysis will contain estimates at the 50th, 55th, 60th and 65th percentiles."

It should be noted that the Senior Management Team's current Terms and Conditions specify the same verbiage relating to the requirement to conduct a Market Salary review every two years and to be maintained ay no less than the 50th percentile for the comparator municipalities as it relates to wages.

In keeping with the above mandate, the Corporation, through a sole source process, reference #868 and subsequent Delegation of Authority to execute a contract CAO4823 hired Annetts and Associates "the consultant" to perform the salary market review for 2017 and 2018. Prior to conducting the 2017/2018 salary market review it was recommended to Council in Report C128/2019 "Appendix A" by Administration, the Salary Market Comparison Committee "the committee", and the Consultant that the methodology remain consistent for the 2017/2018 review with the exception of a change to one comparator municipality and four comparator positions. The recommendation was approved through Council Resolution CR326/2019. The summary report from Annetts and Associates is attached as "Appendix B" for review and reference. The report compared the non union employee group to similar positions with the market comparator group.

The consultant's findings show the Corporation's average wage for non union employees has remained above the 50th percentile when assessed with our comparable municipalities. The average percentage salary increases for participating municipalities in 2017 and 2018 respectively were 1.4% and 1.5%. While the City of Windsor's increases of 1.25% for both 2017 and 2018 were lower than the market comparators, the corporation continued to remain slightly above the 50th percentile. According to the consultant, this result is not unexpected and was explained in the following excerpt of the report that read: *"Most major market adjustments last approximately 3-5 years depending on the activity of the market. Other municipal organizations work towards maintaining a market position within the 50th – 65th percentile range. The process of maintaining salary positioning within the market becomes what can best be described as a game of leapfrog. The frequency of market reviews with other organizations varies from every 2 to 5 years. This means that other organizations "leap" to new market positions at variable times and any market corrections that the City makes has short term benefits."* As a result of the 2015/2016 salary market review, in order to achieve the 50th percentile, salaries for the non union group were adjusted by 2.7% and 3.1% respectively. Such adjustments may have temporarily placed the corporation in a higher placement in the "game of leapfrog".

Continuing to maintain no less than the 50th percentile for wages not only satisfies our agreement with CANUE and our Senior Management staff but also provides reassurance that the Corporation has the proper staff complement to provide uninterrupted services to citizens. With an increasing number of employees eligible for retirement, (approximately 29% in the next 5 years) coupled with the fact that it is becoming increasingly difficult to recruit younger workers into the municipal sector, the Corporation has been focusing on succession planning, recruitment and retention strategies. In order for promotions, retention, attraction and succession planning to succeed, the salary provided needs to continue being at no less than the 50th percentile of the wages of comparable municipalities. Understanding that the municipality is unable to compete with the private sector, in relation to wages, a review of the private sector is not undertaken.

As outlined in the Consultant's report for 2017 and 2018, the following is the breakdown of the market percentile rankings of the positions surveyed:

2017 – 65 Positions Surveyed

- 25 were below the 50th percentile
- 5 were at the 50th percentile
- 35 were above the 50th percentile

2018 – 64 Positions Surveyed

- 25 were below the 50th percentile
- 5 were at the 50th percentile
- 34 were above the 50th percentile

With an average of 63 City of Windsor employees per year eligible to retire between 2020 and 2025 not including non-retirement related departures, critical knowledge, specialized expertise and business continuity will be lost if the City does not continue to remain at least minimally competitive in its wages as compared to other municipalities in an effort to retain our current workforce and attract younger employees.

Background:

2005 – First Mandate to Conduct Compensation Reviews

In November 2005, City Council first established the mandate to conduct a compensation or salary market comparison every three (3) years, based on a recommendation made by the Hay Group in the Final Report to Council on Non union Compensation Program. Council re-affirmed the practice of undertaking a review of the non union employees' compensation every three (3) years upon approving in April 2008 a target pay at the 65th percentile of the market, effective January 1, 2007.

2010 – Settlement with CANUE and Amendments to Comparator Groups

On April 1, 2010 the Corporation entered into an agreement with the Civic Association of Non union Employees (CANUE) which included a provision stipulating that a market salary review would be completed every three (3) years commencing in 2010, and that salaries would be maintained at no less than the 50th percentile of the comparator municipalities (approved by Council Resolution CR 127/2010). This particular stipulation was important in reaching a negotiated settlement with CANUE regarding its pending union certification.

Given that the City is a single tier municipality with various areas of responsibility, when reviewing the comparator groups used for purposes of this review in 2010 and moving

forward, three (3) of the comparator groups used in 2007 (The Town of Richmond Hill, City of Vaughan, and the City of Kingston) were eliminated and replaced with two (2) different comparable groups that were deemed to be more appropriate (City of Mississauga and the City of Brampton) (CR431/10). These comparators were determined based on the number of full time employees and annual budget for each municipality. In addition, City Council authorized the completion of the salary market comparison for both the CAO and the CLT to be completed separately from the non union employee group.

February 2012 – Moving to a Two-Year Review

During the February 27, 2012 Executive Committee meeting of City Council, the following recommendation was approved:

"*THAT the Corporation of the City of Windsor BE DIRECTED to conduct a salary market comparison review every two years for CANUE employees, the Corporate Leadership Team and the Chief Administrative Officer.*"

This recommendation was reaffirmed at the March 5, 2012 City Council meeting through M145-2012 and once again in the August 2013 Terms & Conditions of Employment signed between the Corporation and CANUE. The current CANUE agreement now reads:

> "The Corporation will conduct a market salary review in 2013 and thereafter every two (2) years for Civic Association of non union employees and the parties agree that salaries will be maintained at no less than the 50th percentile of the comparator municipalities using the methodology used in the 2010 market salary comparison. In keeping with this agreed methodology, unless as mutually agreed upon by the parties, any salary adjustments required as a result of the market salary comparison will be retroactive to January 1st of the year in which the market salary comparison is scheduled to be commenced. In accordance with past methodology, each salary market review analysis will contain estimates at the 50th, 55th, 60th and 65th percentiles".

The move from a 3 year review cycle to a 2 year review cycle was to allow for lower retroactive payments, better budgeting, and to assist with reducing the risk of premature departure of high performing employees, as well as to enhance the attraction of new employees.

2015 – Updating of Benchmark Positions

In order to complete each study, benchmark positions are chosen in each of the salary bands for comparison with similar positions in the comparator municipalities. Upon commencing the study for the 2013/2014 period, it was discovered that several of these benchmark positions had moved to different salary bands, as a result of organizational changes and reclassifications. To correct this issue, the consultant recommended a change in the benchmark positions to ensure the salary market review was completed with a more accurate sampling of non union positions, as approved through CR137/2015, the comparator municipalities remained intact.

2016 – Engaging a Consultant

In August 2016, a Request for Quotation was completed and administration entered into a contract in November 2016 with Annetts & Associates, represented by Collette Annetts (the "Consultant") to complete the salary market review for 2015 and 2016. The information gathered by the Consultant is used to assess what the appropriate salary ranges for our non union salary schedule would have been for the years of the study based on CANUE the Terms and Conditions of Employment and City Council's approval to maintain the Non union employee's wages at no less than 50th pay percentile of our comparator group.

2019 – Preparing for 2017/2018 Review

As part of the 2015-2016 salary market review, the consultant, made the following recommendation: *"Consideration should be given to reviewing the comparator organizations for the City. Currently, the selection is based on budget, employee size and population. An additional criterion should be added – Municipal structure. Municipal structure, along with number of employees within the organization, are the two most important criteria for identifying good job matches. Upper tiered Municipalities often do not have appropriate matches because of how job duties are organized because of differing responsibilities in engineering, social services and cultural services. Single tier municipalities can be appropriate depending on the number of FTEs employed. As some traditional comparators experience exponential growth, it is incumbent for us to pause and ask if they are still an appropriate comparator."*

Comparator Municipalities

During the Committee meeting, held February 12, 2019, the Consultant recommended that Mississauga be removed as a comparator municipality and be replaced with Guelph. In an effort to maintain consistency and the same methodology, the Consultant further recommended that only one municipality be changed at this time. The Consultant advised that this change better aligns the City of Windsor to comparator municipalities when looking at such criteria as population, budget, number of employees and corporate structure. Furthermore, given its close proximity to Toronto it is very much influenced by the Greater Toronto Area. The City of Guelph was recommended as a replacement comparator city to Mississauga by the consultant for the following reasons:

- Guelph is similar to Windsor as it relates to budget and number of employees
- Guelph's structure is similar to Windsor
- Guelph is a University City
- Guelph stays at or above the 50th percentile

As it relates to the Salary Market Review, the more closely aligned the structures of the comparator municipalities, the more accurate position matches the Consultant is able to make, providing a greater data set for comparison purposes. Following a discussion with the Committee, it was agreed to proceed with the Consultant's recommendation to replace Mississauga.

The change in comparator municipalities was approved through Council Report C128/2019 and the following market comparators were used for the 2017/2018 review:

- Municipality of Chatham Kent
- City of Kitchener
- City of Guelph
- City of Thunder Bay
- Greater Sudbury
- City of Brampton
- Region of Halton
- Niagara Region
- Region of Waterloo
- City of London
- Region of Durham
- City of Hamilton

Discussion:

The summary report of the consultant's findings is attached to this report for Council's review as Appendix B. Included as part of the report is the consultant's Appendix A and B which outlines the positions reviewed and defines relevant terms.

The Consultant collected data for 68 non union positions. In 2017, sixty-five (65) of those positions had sufficient data to be included, which is four (4) data points or more. In 2018, one additional position did not have enough data points and was therefore removed from the 2018 review, which resulted in sixty-four (64) positons having sufficient data for 2018. The positions chosen for review are a sampling of positions from across the Corporation and all non-union salary bands. These positions are representative of all departments throughout the Corporation to ensure a comprehensive review of all the departments is completed. The salary band distribution of the positions is reflective of the total number of positions within each salary band, e.g. there are a larger number of non union positions in salary band 12 than salary band 8, therefore 14 of the sample positions are from salary band 12 while only 2 samples positions are from salary band 8.

The following is a summary of the recommendation made by the Consultant, and reviewed by the committee, which was the Administrative Committee formed to help guide this project. The committee is made up of the following non union employees from across the Corporation in an effort to have membership that is reflective of our workplace:

Member	Representing
Vincenza Mihalo	Project Lead
Valerie Critchley	Corporate Leadership Team
Janice Guthrie	Finance
Shelby Askin Hager	Legal, Planning, Building and POA
Diane Ryan	CAO Office
Tom Graziano	Recreation & Culture, Parks & Facilities
Alina Sirbu	Huron Lodge and Social Services
Anne Marie Albidone	Environmental and Public Works
Roberta Harrison	Operations and Public Works
Pat Delmore	Transit Windsor
Kristin Toniolo	Human Resources
Gayle Jones	CANUE (President)
Peter Evans	CANUE (1st Vice President)

Recommendation

Given the results of the salary market review, Administration, together with the committee, is recommending that no salary adjustments be made as a result of the salary market review for 2017 and 2018 and that salaries continue to be subject to the applicable council approved, negotiated increases for the respective years reviewed. As the non-union employee wages have been maintained at no less than the 50th percentile of mutually agreed upon comparator positions, the corporation has met the contractual obligations as per the Market Salary Comparison section of the CANUE

Terms and Conditions of Employment. The corporation continues to recognize the importance of maintaining wages at no less than the 50th percentile for purposes of succession planning, attraction, retention and to be a competitive employer with neighbouring municipalities. Furthermore, with the changing demographics of today's workforce, the number of retirements continues to be on the rise; 11% of our current employees will be eligible for retirement by the end of 2020. The number of employees eligible for retirement increases to 14% in 2021 and to 29% by the end of 2025. Therefore, it is important to ensure salaries remain within the 50th percentile, to eliminate any issues attracting the required talent needed to maintain efficient customer services and minimize interruption of service through the promotion of internal staff or new external hires.

Risk Analysis:

Given that the Salary Market Review has been completed and the consultant's recommendation is to have a zero percent salary adjustment, there is no risk assessment. Salary market comparisons will continue to occur every two years as approved by council to ensure that no less than the 50th percentile is maintained and that there is equitable compensation to the Non Union employee group relative to comparable positions in other comparable municipalities.

Financial Matters:

As the consultant's recommendation indicates no salary adjustments are required for the Non Union employee group for either 2017 or 2018, there is no financial impact. Council should note however that as the results indicated that wages were just above the 50th percentile, and as salaries in other comparator municipalities potentially increase, our positions may decline and therefore an adjustment may be required for future reviews. Annually Administration provides for the potential for increases to salaries both union and non-union as a result of collective agreement bargaining and salary market reviews which may require a retroactive payout. This annual provision is included as part of the base operating budget and is adjusted based upon known factors so as to mitigate significant fluctuations from year to year.

Consultations:

Colette Annetts, Annetts and Associations

CANUE

Salary Market Comparison Committee

Dan Iatonna, Manager, Employee & Consulting Services

Kristin Toniolo, Total Compensation Specialist (A)

Conclusion:

Given our contractual obligations to CANUE and our Non Union Employee groups, Administration recommends that the salaries for our Non Union Groups are maintained at no less than the 50th percentile. Given our retirement forecasting within the next five years, the implementation of succession planning, attraction of new hires and retention of our current workforce has become critical continuing to maintain wages at no less than the 50th percentile is an additional approach to assist the Corporation with our efforts. The next salary market review will commence in 2021 to review 2019 and 2020.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Shelby Askin Hager	City Solicitor – Corporate Leader of Economic Development & Public Safety
Tony Ardovini	Deputy Treasurer Financial Planning
Janice Guthrie	On behalf of Chief Financial Officer/City Treasurer/Corporate Leader – Finance and Technology
Valerie Critchley	City Clerk/Licence Commissioner, Corporate Leader – Public Engagement & Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Council Report C128/2019 - Non-Union Salary Market Review Comparison 2017-2018
2 Appendix B - City of Windsor - 2017-2018 Non-Union Salary Survey

Subject: Non Union Salary Market Comparison 2017-2018

Reference:

Date to Council: July 8, 2019
Author: Vincenza Mihalo, Executive Director of Human Resources
519-255-6515, ext. 6259; vmihalo@citywindsor.ca
Human Resources
Report Date: June 18, 2019
Clerk's File #: AS2019

To: Mayor and Members of City Council

Recommendation:

THAT the Terms of Reference for the Salary Market Comparison Review Working Committee for the 2017-2018 salary market review **BE RECEIVED** for information; and,

THAT Council **APPROVE** a change to the comparator municipalities used in the 2017-2018 salary market review, while maintaining the total number of comparator municipalities at 13; and,

THAT Council **APPROVE** a change in the comparator positions used in the 2017-2018 salary market review, while maintaining the total number of comparator positions at 68; and,

THAT Council **RE-AFFIRM** the Salary Market Comparison for the Non Union, Senior Management Team, Corporate Leadership Team and Chief Administrative Officer.

Executive Summary:

N/A

Background:

In November 2005, City Council first established the mandate to conduct a compensation or salary market comparison every three (3) years, based on a recommendation made by the Hay Group in its "Final Report to Council on Non-Union Compensation Programs". Council re-affirmed the practice of undertaking a review of the non-union employees' compensation every three (3) years upon approving in April 2008 a target pay at the 65th percentile of the market, effective January 1, 2007.

Additionally, the Corporation entered into an agreement with the Civic Association of Non-Union Employees (CANUE), signed April 1, 2010, whereby a market salary review would be completed every three (3) years commencing in 2010, and that salaries would be maintained at no less than the 50th percentile of the comparator municipalities

(approved by Council Resolution CR127/2010). This stipulation was important in reaching an agreement with CANUE and ending the drive for union certification.

Specifically the Memorandum of Agreement signed by the Civic Association of Non-Union Employees (CANUE), the Corporation of the City of Windsor (the Corporation) and the Corporation of the City of Windsor Professional Employee Trade Union (CCW PETU) states...

> *"The Corporation will agree to conduct a market salary review commencing in 2010 and thereafter every three (3) years for CANUE employees, and that salaries will be maintained at no less than 50% percentile of the comparator municipalities using the methodology used in the 2007 market salary review."*

During the February 27, 2012 Executive Committee meeting of City Council, the following recommendation was approved ...*"THAT the Corporation of the City of Windsor BE DIRECTED to conduct a salary market comparison review every two years for CANUE employees, the Corporate Leadership Team and the Chief Administrative Officer."* This recommendation was reaffirmed at the March 5, 2012 City Council Meeting through M145-2012 and again in the August 2013 Terms & Conditions of Employment signed between the Corporation & CANUE which noted as follows:

> *"The Corporation will conduct a market salary review in 2013 and thereafter every two (2) years for Civic Association of Non-Union Employees, and the parties agree that salaries will be maintained at no less than the 50% percentile of the comparator municipalities using the methodology used in the 2010 market salary comparison. In keeping with this agreed methodology, unless as mutually agreed upon by the parties, any salary adjustments required as a result of the market salary comparison will be retroactive to January 1st of the year in which the market salary comparison is scheduled to be commenced. In accordance with past methodology, each salary market review analysis will contain estimates at the 50th, 55th, 60th and 65th percentiles."*

It is important to note that achieving the 50th market percentile does not bring every individual job to this exact target percentile. Some fall below the market percentiles, while others land close to, or on the number, and there will be positions that exceed the target percentile. However, when the non-union jobs are taken as a whole, the market salary percentile is achieved overall.

In keeping with the agreements, and council resolutions, noted above we are required to complete the next salary market review, which is for the years 2017-2018.

In 2016, prior to the start of the previous Salary Market Review, the Corporation put out RFQ #JK-080816 for the 2015/2016 Salary Market Review. As a result of this process, Annetts and Associates was selected to complete the Salary Market Review for the 2015 and 2016 years. As approved under delegated authority by sole source in CAO report #4823, the Salary Market Review for 2017 and 2018 will be completed by the same consultant. An updated RFQ will be processed for the 2019/2020 Salary Market Review.

Discussion:

The 2017-2018 Salary Market Comparison Review Working Committee (The Committee), formed to help guide this project, held an introductory meeting on February 12, 2019 and approved the attached Terms of Reference for the Committee. The Committee members are outlined in the chart below:

Member	**Representing**
Vincenza Mihalo	Project Lead
Valerie Critchley	Corporate Leadership Team
Janice Guthrie	Finance and IT
Shelby Askin Hager	Legal, Planning, Building, POA and Transportation Planning
Diane Ryan	CAO Office
Tom Graziano	Recreation & Culture, Parks & Facilities
Alina Sirbu	Huron Lodge and Social Services
Anne Marie Albidone	Environmental and Public Works
Roberta Harrison	Operations and Public Works
Pat Delmore	Transit Windsor
Kristin Toniolo	Human Resources
Gayle Jones	CANUE (President)
Peter Evans	CANUE (2nd Vice President)

The Consultant's role is to be an objective, unbiased third party hired to provide detailed information, data and input to the Salary Market Review Committee, to assist in selection of a good sample of comparator positions and municipalities, collect all data, compile findings of salary comparison and present recommendations to the Committee and if requested to Council.

In conducting the 2017-2018 salary market review it is strongly recommended by both the Committee and the Consultant that the methodology remain consistent with the exception of a change to one comparator municipality and four comparator positions for reasons noted below.

Comparator Municipalities

Given that the Corporation of the City of Windsor is a Single Tier municipality, when reviewing the comparator groups used for purposes of this review in 2010 and moving forward, through Council Resolution CR431/2010, three (3) of the comparator groups used in 2007 were eliminated (Town of Richmond Hill, City of Vaughan and the City of Kingston) and replaced with two (2) different comparable groups (City of Mississauga and the Region of Durham). This change in municipalities was based on 2009 population, service delivery and scope of responsibilities. The comparator group used for the 2015-2016 salary market review, based on the above change, was as follows:

- Municipality of Chatham-Kent
- City of Kitchener
- City of Thunder Bay
- City of Greater Sudbury
- Region of Halton
- City of London
- Region of Niagara
- Region of Waterloo
- City of Brampton
- Region of Durham
- City of Mississauga
- City of Hamilton

As part of the 2015-2016 salary market review, Colette Annetts, Annetts & Associates, the "Consultant", made the following recommendation:

"Consideration should be given to reviewing the comparator organizations for the City. Currently, the selection is based on budget, employee size and population. An additional criterion should be added – Municipal structure. Municipal structure, along with number of employees within the organization, are the two most important criteria for identifying good job matches. Upper tiered Municipalities often do not have appropriate matches because of how job duties are organized because of differing responsibilities in engineering, social services and cultural services. Single tier municipalities can be appropriate depending on the number of FTEs employed. As some traditional comparators experience exponential growth, it is incumbent for us to pause and ask if they are still an appropriate comparator."

During the Committee meeting, held February 12, 2019, the Consultant recommended that Mississauga be removed as a comparator municipality and be replaced with Guelph. In an effort to maintain consistency and the same methodology, the Consultant further recommended that only one municipality be changed at this time

The Consultant advised that this change better aligns the City of Windsor to comparator municipalities when looking at such criteria as population, budget, number of employees and corporate structure. Furthermore, given its close proximity to Toronto it is very much influenced by the Greater Toronto Area.

The City of Guelph was recommended as a replacement comparator city to Mississauga by the consultant for the following reasons:

- Guelph is similar to Windsor as it relates to budget and number of employees
- Guelph's structure is similar to Windsor
- Guelph is a University City
- Guelph stays at or above the 50th percentile

As it relates to the Salary Market Review, the more closely aligned the structures of the comparator municipalities, the more accurate position matches the Consultant is able to make, providing a greater data set for comparison purposes. Following a discussion with the Committee, it was agreed to proceed with the Consultant's recommendation to replace Mississauga with Guelph and to forward the recommendation to Council for consideration.

Comparator Positions

In order to assess market adjustments from one survey to the next, the same base group of comparator positions has been used from survey to survey. Prior to the commencement of the 2013-2014 salary market review a number of comparator positions were changed, through council resolution CR137/2015. Due to corporate restructuring at the time, a number of comparator positions were reclassified which led to some salary bands being over represented within the comparators which led to a review of the positions.

Currently, as a result of departmental and corporate reorganizations, Job Evaluation reviews and to ensure the comparator positions are a proper representative of all service areas across the Corporation and across all non union salary grades the following changes to comparator positions are being recommended to Council by both the Consultant and the Committee:

1. The position Naturalist and Outreach Coordinator (NU0210) was included during the last salary market review survey and was determined to not have any matches within the comparator municipalities, therefore it is recommended this position be replaced with Coordinator, Dietary & Nutrition Services (NU0577). The position of Coordinator, Dietary & Nutrition Services was chosen to increase the number of positions in salary band NU10 and increase the comparator positions from the Community Development and Health portfolio. The NU10 salary band represents 10% of the total number of positions on the non union salary schedule, the current comparator position NU10 is represented by only 4% of the positions, therefore it is important to increase the number of positions in the NU10 salary band. Within the current comparator position list the Community Development and Health portfolio makes up only 8%, to gain a better representation of the area it is important to increase the number of comparator positions in NU10 and within the Community Development and Health portfolio.

2. Two comparator positions have been eliminated from staff establishment due to departmental reorganizations since the last salary market review. Therefore, it is recommended to remove the Supervisor, Payroll (NU0541) and the Manager, Development Applications (NU0304), both eliminated from our structure, and replace with the Manager, Payroll (NU0109) and the Manager, Public Service – Windsor Public Library (NU0586). The Manager, Payroll was chosen in order to have a payroll position within the review. The position Manager, Public Services – Windsor Public Library was chosen as the Committee identified a gap as no other library position is included as a comparator.

The position of Fire Chief and Deputy Fire Chief were both included as part of the last salary market review, the Consultant has recommended removing the Deputy Fire Chief and replacing it with another non union position within the Fire Department. Therefore, it is recommended to Council that the Deputy Fire Chief (NU0048) be replaced with the Emergency Planning Officer (NU0051). This position was chosen as it was determined to give a better representation of the Fire Department rather than simply looking at the top two positions. This also expanded the number of comparator positions in the NU10 salary band as identified above as a concern.

Risk Analysis:

As per the CANUE Terms and Conditions of Employment, the Salary Market Review for 2017-2018 is to be completed using the agreed to methodology to ensure the most appropriate results. Both the Committee and CANUE are in agreement that the methodology will remain consistent with the exception of a change to one comparator

municipality and four comparator positions. There is a risk that maintaining the same municipalities and not updating the comparator positions may not provide relevant comparators based on changes in the municipal environments, alternatively accepting these changes can lead to results that are different than if we proceeded under a status quo methodology. The risk associated with the change and the outcomes and results will be unknown until the review is completed. There is a significant risk of breach of contract with CANUE if the Salary Market Review 2017-2018 is not completed. The risk is rated as significant given that the Council directive and the Memorandum of Agreement signed between CANUE and the Corporation legally requires the Salary Market Review be completed every 2 years using the agreed upon methodology. The Corporation's commitment to abide by the terms of the signed agreement makes the probability of this risk moderate.

Similarly, for the Senior Management Team (SMT) (non-CANUE/Non Union employees excluded from CANUE, i.e. Department Heads, etc.), it is highly recommended that City Council continue to include them in the salary market reviews in keeping with the obligations of the SMT Terms and Conditions of Employment as well as both our pay equity plan and internal equity commitment.

Financial Matters:

As the 2017-2018 Salary Market Comparison Review only recently got underway the financial impact of this review is unknown. The future impact of potential changes to the non union salary grid can only be calculated once the information is provided by the Consultant. At that time calculations will be included within the final recommendations in a subsequent report to City Council.

Consultations:

Colette Annetts, Annetts & Associates

Salary Market Comparison Committee

CANUE

Conclusion:

Undergoing a Salary Market Comparison Review for 2017-2018 with a good set of sample comparison data allows the City of Windsor to meet its obligation to Council, our Non Union employees and CANUE. Further, the Salary Market Review assists in the maintenance of our market competitiveness and provides a reasonable compensation package that will retain, recognize and attract the most talented and productive non-union employees, management and senior leaders.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Katherine Pham	Financial Planning Administrator
Joe Mancina	Chief Financial Officer/City Treasurer/Corporate Leader – Finance and Technology
Shelby Askin Hager for Valerie Critchley	City Clerk/Licence Commissioner, Corporate Leader – Public Engagement & Human Services
Jelena Payne for Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

2017-2018
City of Windsor
Non-Union Salary Survey

Prepared by:
Annetts and Associates
June 2020

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Executive Summary

- City of Windsor has a policy of being a median paying employer and employing a median paying pay line in the development of its pay policy.

- There was a 63% response rate for both 2017 and 2018's survey, with 520/816 data points returned in 2017 and 517/816 data points returned in 2018. 63% is considered a good response rate.

- City of Windsor's percentile ranking for 2017 was 53.6% and in 2018 the percentile ranking was 53.4%. In both years, the City of Windsor's average percentile ranking for positions surveyed was above the market's 50th percentile.

- In 2017, 54% (35/65) of the City of Windsor's positions surveyed were above the median. In 2018, 53% (34/64) of City of Windsor's positions surveyed were above the median. In 2017, 66% of the positions that were above the 50th percentile were within 5% in terms of actual salary dollars. In 2018, 76% of the same group were within 5% of the 50th percentile, in terms of actual salary dollars.

- In 2017, 38% (25/65) of the City of Windsor's positions surveyed were below the median. In 2018, 39% (25/64) of the City of Windsor's positions surveyed were below the median. Of those positions below the median, 36% and 40%, representing 2017 and 2018, were within 5% of the median in terms of actual salary dollars.

- In 2017 and 2018, 8% (5/65 and 5/64) of the City of Windsor's positions surveyed were at the median.

- Overall, the majority of positions in the Windsor survey fall within a 5% band above or below the 50th percentile. In 2017, 50% were within this band. In 2018, 56% fell within this band. This means that the majority of positions could easily move their market position with market shifts because of their proximity to the 50th percentile.

- The average percentage salary increases for participating organizations municipalities in 2017 and 2018 respectively were 1.4% and 1.5%. The City of Windsor's 2017 and 2018 increases were 1.25% in both years.

Introduction

Annetts and Associates was engaged by the City of Windsor to complete a salary survey and compensation for the non-union employee group. This report provides the following: project implementation; general findings; summary of findings; and recommendations.

Project Implementation

Data Collection

1. Identification of Market Comparator Group

12 organizations approved by Council were used for this current Salary Survey/Compensation Review. Council approved one change to the comparator's list. Mississauga was removed as a comparator organization and Guelph was added.

Table 1: Survey Participants

Rank	Organization	Population	FTE	Total Expenditure (millions)
1	Chatham Kent	102	1283	318.2
2	City of Kitchener	255	1165	379.2
3	City of Guelph	131.7	1323	428.9
4	City of Thunder Bay	107.9	2052	545.1
5	Greater Sudbury	161.5	2012	582.6
6	City of Brampton	642.8	3543	780.4
7	City of Windsor	224.1	2734	804.1
8	Region of Halton	583.3	2909	821.5
9	Niagara Region	472.4	3741	907.3
10	Region of Waterloo	601.2	3840	1078.6
11	City of London	393.1	3200	1150.4
12	Region of Durham	691.5	4819	1252.8
13	City of Hamilton	572.5	6595	1763.9
	Windsor's Percentile Ranking	33%	42%	50%

2. Survey Questionnaire

A survey questionnaire was sent to each participating organization. Data Collected was;

- Position match job title,
- What position, match reports to,
- the minimum and maximum salaries,
- salary band,
- differences between the jobs being matched, if any,
  (examples provided below combined with how good a match a job is provides us with enough data to determine if a position should be included in the survey)
  - The receptionist but also involved in more recruitment assistant responsibilities than outlined in description.
  - Oversees EMS contract with Medevie and emergency planning
- if the job is a good match and how close of a match job is as a percentage,
- and effective date of salary.

Data Analysis

1. What did we do?

Once data was collected it was compiled for analysis by position. Data was collected for 68 positions. 65 positions had sufficient data (4 or more data points) to be included in the survey in 2017 and 64 positions had sufficient data to be included in the survey in 2018. The position Landscape Architect only had 4 data points in 2017 and one organization did not report data in 2018 for this position but did for 2017.

Positions excluded because of lack of data in 2017 were:

- NU0147 Manager, Contracts, Field Services & Maintenance
- NU0508 Senior Manger, Development, Projects and Right-of-Way/Deputy City Engineer
- NU0577 Coordinator, Dietary Services and Nutritional Services

Positions excluded because of lack of data in 2018 were:

- NU0147 Manager, Contracts, Field Services & Maintenance
- NU0508 Senior Manger, Development, Projects and Right-of-Way/Deputy City Engineer
- NU0552 Landscape Architect
- NU0577 Coordinator, Dietary Services and Nutritional Services

Positions were analyzed on the basis of mean, median (50th percentile), 25th, 65th and 75th percentile. Windsor's salaries were also looked at as a percentile ranking within the reported data range. (The definitions of statistical measures appear in Appendix A.)

Compiled data can be found:

Chart 1: Graph of Current salaries and Market Median Data (2018) Page 9
Table 4: City of Windsor Non-Union Survey Summary 2017 (Grades 17-14) Page 10
Table 5: City of Windsor Non-Union Survey Summary 2017 (Grades 13-6) Page 11
Table 6: City of Windsor Non-Union Survey Summary 2018 (Grades 17-14) Page 12
Table 7: City of Windsor Non-Union Survey Summary 2018 (Grades 13-6) Page 13

General Findings: 2017-2018 Salary Survey

Our overall finding is that in 2017 and 2018 the City of Windsor maintained their position above the 50th percentile. This has resulted in no additional pay increase to maintain the 50th percentile pay policy for the non-union staff.

A visual view of the median data for each band and the distribution of the external data as it relates to the City of Windsor's 2018 salary structure is provided on Chart 1, page 8. Overall, the median data is well distributed around the City of Windsor's salary structure indicating that no changes need to be made to the Windsor salary structure itself or individuals salary grades. The City has maintained their 50th percentile position within the market. This is not unexpected. Most major market adjustments last approximately 3-5 years depending on the activity of the market. Other municipal organizations work towards maintaining a market position within the 50th – 65th percentile range. The process of maintaining salary positioning within the market becomes what can best be described as a game of leapfrog. The frequency of market reviews with other organizations varies from every 2 to 5 years. This means that other organizations "leap" to new market positions at variable times and any market corrections that the City makes has short term benefits.

54% (35/65 in 2017) and 53% (34/64 in 2018) of Windsor's positions surveyed were above the 50th percentile (median). Tables 4 to 7, Column 3 & 8 (pages 10 to 13) provides a more detailed picture of the survey data. Job data is presented by position, by salary band so that similarly paid positions can be compared together. Column 3 provides the median data for each position. Column 8 provides the percentile ranking for each position within their own data set. **Of the positions above the median, 66% (23/35 in 2017) and 76% (26/34 in 2018) were within 5% of the median in terms of real salary dollars.** Tables 4 to 7, Column 10.

38% (2017) and 39% (2018) of Windsor's positions surveyed were below the 50th percentile (median). Tables 4 to 7, Column 3 & 8 (pages 10 to 13) provides a more detailed picture of the survey data. Job data is presented by position, by salary band so that similarly paid positions can be compared together. Column 3 provides the median data for each position. Column 8 provides the percentile ranking for each position within their own data set. **Of the positions below the median, 36% (9/24 in 2017) and 40% (10/25 in 2018) positions were within 5% of the median in terms or real salary dollars.** This means most of the positions below the median are significantly below the median with less than half close to the median. (Close being within 5%) Table 4 to 7, Column 10.

8% in both 2017 and 2018 of Windsor's positions surveyed were at the 50th percentile (median). Tables 2 to 5, Column 3 & 8 (pages 9 to 12) provides a more detailed picture of the survey data.

Overall, the majority of Windsor's positions surveyed are clustered around the median, there are a greater number of positions above the median that are close to the median. This indicated that Windsor is a position of sensitivity to market changes.

Analysis by band shows us that there are three bands (9, 10 and 13) that have a lower percentile average in 2018, however, over all the distribution of percentile ranking is well balanced. We would not recommend making any structural changes to Windsor's non-union salary bands until a long-term trend can be determined. The build of the non-union salary structure is not an issue at this time, however, if the pattern of low percentile rankings for bands 9, 10 and 13 continues, consideration should be given to changing the percentage increase between bands 9, 10 and 13 to better meet market conditions.

Table 2: Average Percentile Ranking by Band 2017 and 2018

2017	
Band	Percentile Ranking by Band
Band 17	89%
Band 16	57%
Band 15	45%
Band 14	64%
Band 13	36%
Band 12	60%
Band 11	49%
Band 10	32%
Band 9	36%
Band 8	71%
Band 7	38%
Band 5	10%

2018	
Band	Percentile Ranking by Band
Band 17	89%
Band 16	49%
Band 15	52%
Band 14	68%
Band 13	40%
Band 12	59%
Band 11	41%
Band 10	23%
Band 9	30%
Band 8	67%
Band 7	43%
Band 6	60%

Table 3: City of Windsor's Non-Union Salary Structure Percentage Changes between Bands

Band	Max Salary 2018	Percentage Change Between Bands
Band 6	$58,570	
Band 7	$64,155	9%
Band 8	$70,250	9%
Band 9	$76,923	9%
Band 10	$84,232	9%
Band 11	$92,233	9%
Band 12	$100,996	9%
Band 13	$114,630	12%
Band 14	$128,959	11%
Band 15	$146,368	12%
Band 16	$158,809	8%
Band 17	$166,750	5%

Table Description (Page 10-13)

Table 2 & 3, Column 1 shows Windsor's current salaries per position.

Table 2 & 3, Column 2 shows the Position Match for each position. This is the number of viable matches found for each position.

Table 2 & 3, Columns 3 shows the median or 50th percentile. This is defined in the appendix.

Table 2 & 3, Column 4, 5, and 6 shows the 25th, 65th and 75th percentile for each data set. This provide a perspective to the width of the data range.

Table 2 & 3, Column 7 shows the mean or the average salary of the salary range. The mean when compared to the median data shows if the data range is skewed high or low. In Windsor's survey the mean and median for each survey position generally fall within a few thousand dollars of each other, showing an even distribution of salary data.

Table 2 & 3, Column 8 shows the percentile ranking of Windsor's salary within the comparator data set. (See Appendix B – page 18 for an explanation of how this is determined)

Table 2 & 3, Column 9 and 10 shows how close Windsor's salary is to the median in dollars and the dollar amount as a percentage change.

Chart 1: City of Windsor 2018 Salary vs Median Market Survey Data

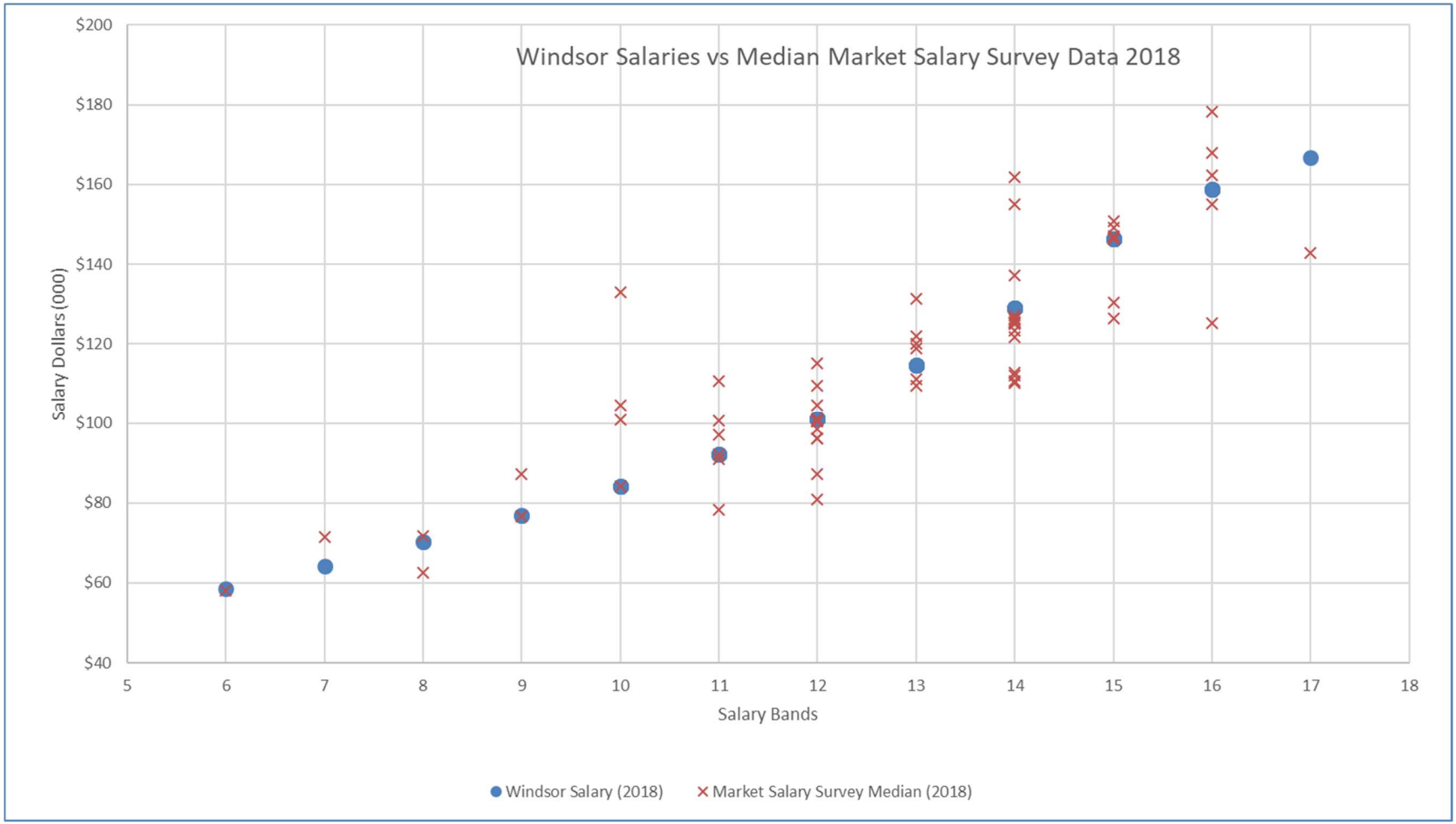


Table 4: City of Windsor Non-Union Survey Summary 2017 (Grades 17 -14)

2017		Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Position ID	Position Description	Windsor	N	Median	25th Percentile	65th Percentile	75th Percentile	Mean	Windsor % ile	Windsor $ From Med	Windsor % From Med
Band 17											
NU0119	Executive Director, LTC & Administrator, Huron Lodge	$ 164,691	9	$ 138,781	$ 129,283	$ 146,120	$ 150,762	$ 138,984	89%	$ 25,910	0.2
Band 16											
NU0042	City Planner/Executive Director, Planning & Building Services	$ 156,848	11	$ 164,920	$ 151,088	$ 171,474	$ 172,854	$ 164,841	36%	-$ 8,072	0.0
NU0047	Fire Chief	$ 156,848	7	$ 175,308	$ 156,626	$ 184,445	$ 186,912	$ 170,404	29%	-$ 18,459	-0.1
NU0122	Director, Care	$ 156,848	9	$ 121,818	$ 117,124	$ 124,043	$ 124,537	$ 124,530	100%	$ 35,031	0.3
NU0576	Chief Building Official	$ 156,848	8	$ 152,475	$ 131,135	$ 159,717	$ 171,189	$ 149,380	63%	$ 4,373	0.0
Band 15											
NU0027	Executive Director, Human Resources	$ 144,561	10	$ 158,652	$ 152,258	$ 167,083	$ 178,906	$ 163,105	10%	-$ 14,091	-0.1
NU0083	Senior Manager, Traffic Operations, Parking and Transportation Planning	$ 144,561	6	$ 141,549	$ 124,807	$ 144,260	$ 149,119	$ 139,656	67%	$ 3,012	0.0
NU0159	Senior Manager, Infrastructure and Geomatics/Deputy City Engineer	$ 144,561	8	$ 144,561	$ 130,400	$ 149,272	$ 158,652	$ 145,245	50%	$ -	0.0
NU0161	Sr. Manager, Pollution Control/Deputy City Engineer	$ 144,561	6	$ 144,561	$ 142,892	$ 151,292	$ 154,000	$ 148,562	50%	$ -	0.0
NU0403	Executive Director, Recreation & Culture	$ 144,561	8	$ 146,927	$ 144,235	$ 156,218	$ 171,189	$ 152,162	38%	-$ 2,366	0.0
NU0474	Senior Manager, Facilities	$ 144,561	9	$ 143,055	$ 134,629	$ 145,019	$ 150,631	$ 141,251	56%	$ 1,506	0.0
Band 14											
NU0023	Manager, Employment Services	$ 127,367	10	$ 119,214	$ 111,506	$ 123,596	$ 125,801	$ 119,716	80%	$ 8,153	0.1
NU0024	Manager, Employee Relations	$ 127,367	11	$ 123,596	$ 115,040	$ 125,380	$ 128,125	$ 120,520	73%	$ 3,770	0.0
NU0025	Manager, Organizational Development & H&S	$ 127,367	9	$ 121,086	$ 114,371	$ 124,043	$ 126,584	$ 119,241	78%	$ 6,281	0.1
NU0071	Manager, Inspections/Deputy CBO	$ 127,367	8	$ 108,379	$ 102,666	$ 115,254	$ 122,957	$ 111,655	88%	$ 18,988	0.2
NU0072	Manager, Permit Services/Deputy CBO	$ 127,367	5	$ 125,162	$ 109,816	$ 128,873	$ 131,886	$ 121,000	60%	$ 2,205	0.0
NU0105	Deputy Treasurer, Financial Accounting	$ 127,367	9	$ 154,089	$ 133,535	$ 161,820	$ 169,117	$ 152,735	22%	-$ 26,722	-0.2
NU0145	Manager, Environmental Services	$ 127,367	10	$ 135,110	$ 125,162	$ 136,573	$ 139,342	$ 131,890	30%	-$ 7,743	-0.1
NU0149	Plant Manager, L.R.W.R.P.	$ 127,367	7	$ 126,923	$ 114,336	$ 128,119	$ 129,334	$ 122,323	57%	$ 443	0.0
NU0285	Manager, Business Process Modernization	$ 127,367	8	$ 119,214	$ 113,328	$ 123,213	$ 124,235	$ 121,343	88%	$ 8,153	0.1
NU0305	Manager, Planning Policy	$ 127,367	9	$ 126,198	$ 123,377	$ 128,529	$ 130,535	$ 126,871	56%	$ 1,168	0.0
NU0307	Deputy Treasurer, Financial Planning	$ 127,367	11	$ 152,258	$ 127,449	$ 154,506	$ 162,194	$ 147,117	18%	-$ 24,891	-0.2
NU0319	Manager, Urban Design	$ 127,367	9	$ 123,994	$ 117,919	$ 127,016	$ 130,193	$ 122,977	67%	$ 3,373	0.0
NU0356	Deputy City Clerk & Sr. Manager, Council Services	$ 127,367	10	$ 110,771	$ 105,395	$ 118,122	$ 123,290	$ 115,051	80%	$ 16,596	0.1
NU0395	Deputy Treasurer, Taxation & Revenue	$ 127,367	7	$ 142,934	$ 130,221	$ 153,137	$ 154,184	$ 142,553	0%	-$ 15,567	-0.1
NU0415	Manager, Policy & Staff Development	$ 127,367	5	$ 109,229	$ 91,449	$ 124,060	$ 126,264	$ 107,952	80%	$ 18,138	0.2
NU0427	Manager, Parks Development	$ 127,367	6	$ 119,214	$ 111,218	$ 122,583	$ 125,162	$ 119,380	83%	$ 8,153	0.1
NU0447	Manager, Fleet	$ 127,367	12	$ 122,957	$ 113,328	$ 124,871	$ 127,367	$ 119,665	75%	$ 4,409	0.0
NU0522	Manager, Employment & Training Initiatives	$ 127,367	6	$ 122,957	$ 105,627	$ 124,107	$ 125,801	$ 114,949	83%	$ 4,409	0.0
NU0540	Manager, Customer Service	$ 127,367	5	$ 111,363	$ 103,743	$ 118,358	$ 121,424	$ 111,029	100%	$ 16,004	0.1

Table 5: City of Windsor Non-Union Survey Summary 2017 (Grades 13-6)

2017		Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Position ID	Position Description	Windsor	N	Median	25th Percentile	65th Percentile	75th Percentile	Mean	Windsor %ile	Windsor $ From Med	Windsor % From Med
Band 13											
NU0065	Manager, Technology Infrastructure	$ 113,215	11	$ 118,107	$ 113,300	$ 121,020	$ 123,277	$ 121,430	18%	-$ 4,892	0.0
NU0144	Engineer III	$ 113,215	11	$ 107,940	$ 94,236	$ 113,853	$ 116,876	$ 105,170	55%	$ 5,274	0.0
NU0374	Legal Counsel	$ 113,215	11	$ 129,655	$ 116,053	$ 137,046	$ 145,599	$ 130,839	18%	-$ 16,440	-0.1
NU0375	Manager, End-User Support	$ 113,215	10	$ 105,900	$ 96,124	$ 111,993	$ 116,214	$ 107,767	70%	$ 7,315	0.1
NU0419	City Forester/Manager, Forestry & Natural Areas	$ 113,215	7	$ 118,086	$ 100,495	$ 127,455	$ 131,700	$ 115,702	43%	-$ 4,871	0.0
NU0423	Manager, Parks Operations	$ 113,215	7	$ 121,818	$ 113,300	$ 124,097	$ 126,556	$ 120,918	14%	-$ 8,603	-0.1
Band 12											
NU0036	Planner III - Economic Development	$ 99,749	4	$ 99,749	$ 95,500	$ 102,089	$ 103,649	$ 100,936	50%	$ -	0.0
NU0051	Emergency Planning Officer	$ 99,749	7	$ 129,212	$ 108,015	$ 134,833	$ 136,593	$ 120,335	14%	-$ 29,462	-0.2
NU0063	Technical Support Analyst	$ 99,749	7	$ 83,404	$ 76,781	$ 93,631	$ 98,822	$ 86,445	86%	$ 16,345	0.2
NU0087	Supervisor, Signs & Markings	$ 99,749	7	$ 97,612	$ 93,860	$ 99,193	$ 101,756	$ 98,137	71%	$ 2,137	0.0
NU0088	Supervisor, Traffic Signals	$ 99,749	8	$ 98,513	$ 95,500	$ 101,354	$ 107,776	$ 100,881	63%	$ 1,236	0.0
NU0172	Supervisor, Maintenance	$ 99,749	11	$ 95,821	$ 90,509	$ 98,768	$ 101,756	$ 97,190	73%	$ 3,928	0.0
NU0192	Supervisor, Environmental Services	$ 99,749	5	$ 93,073	$ 90,235	$ 96,253	$ 97,760	$ 90,671	100%	$ 6,676	0.1
NU0237	Supervisor, Community Programming	$ 99,749	7	$ 85,683	$ 81,568	$ 90,957	$ 95,176	$ 89,183	86%	$ 14,066	0.2
NU0312	Supervisor, EarlyOn Child & Family Centres	$ 99,749	4	$ 96,710	$ 95,776	$ 98,533	$ 99,749	$ 98,601	75%	$ 3,039	0.0
NU0398	Manager, Property Taxation & Taxpayer Support	$ 99,749	6	$ 103,024	$ 101,208	$ 105,120	$ 114,155	$ 107,912	17%	-$ 3,275	0.0
NU0467	Manager, Financial Accounting	$ 99,749	11	$ 113,255	$ 104,771	$ 123,149	$ 124,434	$ 116,276	0%	-$ 13,506	-0.1
NU0510	Supervisor, Parks General	$ 99,749	8	$ 93,652	$ 90,647	$ 98,760	$ 99,749	$ 95,889	75%	$ 6,097	0.1
NU0552	Landscape Architect	$ 99,749	4	$ 92,838	$ 90,442	$ 94,203	$ 95,113	$ 91,576	100%	$ 6,911	0.1
NU0586	Manager, Public Service(LIBRARIES)	$ 99,749	4	$ 103,024	$ 99,749	$ 111,305	$ 116,825	$ 103,539	25%	-$ 3,275	0.0
Band 11											
NU0037	Planner II - Urban Design	$ 91,094	8	$ 90,442	$ 86,687	$ 92,430	$ 97,770	$ 91,316	63%	$ 652	0.0
NU0068	Engineer Plan Examiner	$ 91,094	5	$ 95,149	$ 90,605	$ 100,069	$ 101,800	$ 97,237	40%	-$ 4,054	0.0
NU0102	Supervisor, Purchasing	$ 91,094	10	$ 98,595	$ 90,544	$ 106,146	$ 107,084	$ 100,105	40%	-$ 7,501	-0.1
NU0109	Manager, Payroll	$ 91,094	10	$ 106,392	$ 104,051	$ 114,449	$ 121,086	$ 110,986	0%	-$ 15,298	-0.1
NU0197	Parks Technologist	$ 91,094	4	$ 75,170	$ 71,872	$ 79,518	$ 82,417	$ 77,611	100%	$ 15,925	0.2
Band 10											
NU0278	Occupational Health & Safety Advisor	$ 83,192	12	$ 83,192	$ 79,020	$ 93,793	$ 96,710	$ 88,254	50%	$ -	0.0
NU0297	Supervisor, POA Fines Enforcement	$ 83,192	5	$ 101,776	$ 86,338	$ 107,927	$ 108,228	$ 98,254	20%	-$ 18,584	-0.2
NU0492	Supervisor, GIS	$ 83,192	11	$ 98,899	$ 89,485	$ 102,720	$ 103,627	$ 96,561	9%	-$ 15,707	-0.2
NU0566	Curator	$ 83,192	4	$ 83,192	$ 70,602	$ 85,875	$ 87,664	$ 79,492	50%	$ -	0.0
Band 9											
NU0031	Systems & Controls Analyst	$ 75,974	9	$ 85,359	$ 77,700	$ 87,886	$ 93,288	$ 85,498	11%	-$ 9,386	-0.1
NU0132	Technologist II	$ 75,974	5	$ 75,714	$ 71,784	$ 76,709	$ 78,180	$ 74,175	60%	$ 259	0.0
Band 8											
NU0117	Executive Administrative Assistant	$ 69,382	12	$ 70,051	$ 67,122	$ 73,339	$ 75,619	$ 71,752	42%	-$ 669	0.0
NU0121	Administrative Assistant	$ 69,382	12	$ 60,861	$ 57,112	$ 62,959	$ 64,391	$ 61,126	100%	$ 8,521	0.1
Band 7											
NU0290	Court Administrator (POA)	$ 63,363	8	$ 77,126	$ 59,805	$ 79,699	$ 82,417	$ 72,297	38%	-$ 13,763	-0.2
Band 5											
NU0006	Receptionist/Recruitment Assistant	$ 53,315	10	$ 56,255	$ 54,031	$ 58,696	$ 60,522	$ 57,696	10%	-$ 2,940	-0.1
								Average	53.6%		

Table 6: City of Windsor Non-Union Survey Summary 2018 (Grades 17 -14)

2018		Column 1	Column2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Position ID	Position Description	Windsor	N	Median	25th Percentile	65th Percentile	75th Percentile	Mean	Windsor %ile	Windsor $ From Med	Windsor % From Med
Band 17											
NU0119	Executive Director, LTC & Administrator, Huron Lodge	$166,750	9	$142,928	$132,299	$148,836	$158,979	$142,818	89%	$23,822	17%
Band 16											
NU0027	Executive Director, Human Resources	$158,809	10	$162,259	$156,976	$171,005	$184,144	$167,871	30%	-$3,450	-2%
NU0042	City Planner/Executive Director, Planning & Building Services	$158,809	11	$168,020	$153,642	$175,665	$179,781	$168,977	36%	-$9,211	-5%
NU0047	Fire Chief	$158,809	7	$178,375	$164,358	$187,929	$190,363	$173,829	14%	-$19,566	-11%
NU0122	Director, Care	$158,809	9	$125,148	$121,867	$126,338	$126,665	$127,754	100%	$33,661	27%
NU0576	Chief Building Official	$158,809	8	$155,143	$134,994	$161,970	$174,613	$153,382	63%	$3,666	2%
Band 15											
NU0083	Senior Manager, Traffic Operations, Parking and Transportation Planning	$146,368	6	$146,368	$128,140	$147,047	$151,553	$143,095	50%	$0.00	0%
NU0159	Senior Manager, Infrastructure and Geomatics/Deputy City Engineer	$146,368	8	$146,368	$134,994	$151,596	$161,428	$148,720	50%	$0.00	0%
NU0161	Sr. Manager, Pollution Control/Deputy City Engineer	$146,368	6	$147,123	$146,564	$160,745	$164,233	$153,533	17%	-$755	-1%
NU0305	Manager, Planning Policy	$146,368	9	$130,324	$125,687	$133,747	$137,500	$133,971	89%	$16,044	12%
NU0319	Manager, Urban Design	$146,368	9	$126,317	$123,086	$132,498	$137,407	$132,324	89%	$20,051	16%
NU0395	Deputy Treasurer, Taxation & Revenue	$146,368	7	$150,755	$140,516	$155,605	$157,446	$149,011	43%	-$4,388	-3%
NU0403	Executive Director, Recreation & Culture	$146,368	8	$149,138	$146,368	$159,037	$174,613	$156,212	25%	-$2,770	-2%
NU0474	Senior Manager, Facilities	$146,368	9	$146,284	$140,898	$147,010	$153,138	$144,494	56%	$84	0%
Band 14											
NU0023	Manager, Employment Services	$128,959	10	$121,639	$113,179	$126,068	$127,839	$122,588	80%	$7,320	6%
NU0024	Manager, Employee Relations	$128,959	11	$126,068	$116,981	$127,479	$129,569	$123,114	73%	$2,891	2%
NU0025	Manager, Organizational Development & H&S	$128,959	9	$123,358	$115,870	$126,524	$128,399	$121,920	78%	$5,600	5%
NU0071	Manager, Inspections/Deputy CBO	$128,959	8	$110,275	$108,605	$117,105	$125,416	$118,370	88%	$18,684	17%
NU0072	Manager, Permit Services/Deputy CBO	$128,959	5	$127,187	$112,808	$132,308	$139,007	$130,373	60%	$1,771	1%
NU0105	Deputy Treasurer, Financial Accounting	$128,959	8	$161,834	$128,959	$162,607	$164,000	$152,364	25%	-$32,875	-20%
NU0145	Manager, Environmental Services	$128,959	10	$137,137	$125,148	$138,966	$142,979	$133,839	40%	-$8,178	-6%
NU0149	Plant Manager, L.R.W.R.P.	$128,959	7	$125,309	$112,496	$131,418	$133,523	$123,890	57%	$3,649	3%
NU0307	Deputy Treasurer, Financial Planning	$128,959	10	$155,143	$130,179	$158,982	$162,120	$147,243	18%	-$26,184	-17%
NU0356	Deputy City Clerk & Sr. Manager, Council Services	$128,959	10	$111,986	$107,653	$121,470	$125,299	$121,242	80%	$16,973	15%
NU0415	Manager, Policy & Staff Development	$128,959	5	$110,784	$96,113	$126,302	$128,073	$110,788	80%	$18,175	16%
NU0423	Manager, Parks Operations	$128,959	7	$126,317	$120,623	$128,175	$130,077	$125,315	71%	$2,642	2%
NU0427	Manager, Parks Development	$128,959	6	$124,880	$115,472	$125,362	$127,187	$122,745	83%	$4,079	3%
NU0447	Manager, Fleet	$128,959	12	$125,416	$115,027	$127,118	$128,959	$122,460	75%	$3,543	3%
NU0522	Manager, Employment & Training Initiatives	$128,959	6	$125,416	$108,172	$126,590	$127,839	$118,199	83%	$3,543	3%
NU0540	Manager, Customer Service	$128,959	5	$112,782	$105,108	$120,502	$123,778	$113,445	100%	$16,177	14%

Table 7: City of Windsor Non-Union Survey Summary 2018 (Grades 13-6)

2018		Column 1	Column2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Position ID	Position Description	Windsor	N	Median	25th Percentile	65th Percentile	75th Percentile	Mean	Windsor %ile	Windsor $ From Med	Windsor % From Med
Band 13											
NU0065	Manager, Technology Infrastructure	$114,630	11	$121,894	$114,928	$124,960	$125,742	$124,135	18%	-$7,264	-6%
NU0144	Engineer III	$114,630	11	$111,227	$95,325	$114,690	$115,986	$106,678	64%	$3,403	3%
NU0285	Manager, Business Process Modernization	$114,630	8	$118,864	$114,630	$122,123	$125,416	$121,681	25%	-$4,234	-4%
NU0374	Legal Counsel	$114,630	11	$131,284	$119,633	$139,787	$148,319	$134,050	18%	-$16,654	-13%
NU0375	Manager, End-User Support	$114,630	10	$109,570	$97,813	$113,308	$117,965	$110,109	70%	$5,060	5%
NU0419	City Forester/Manager, Forestry & Natural Areas	$114,630	7	$120,023	$102,067	$129,824	$135,175	$118,420	43%	-$5,393	-4%
Band 12											
NU0036	Planner III - Economic Development	$100,996	4	$100,996	$96,642	$103,800	$105,669	$102,458	50%	$0.00	0%
NU0063	Technical Support Analyst	$100,996	8	$80,910	$78,000	$91,581	$100,237	$86,969	88%	$20,086	25%
NU0087	Supervisor, Signs & Markings	$100,996	7	$100,378	$95,442	$100,781	$103,095	$99,903	71%	$618	1%
NU0088	Supervisor, Traffic Signals	$100,996	8	$100,519	$96,587	$102,675	$109,393	$102,650	63%	$477	0%
NU0172	Supervisor, Maintenance	$100,996	11	$98,553	$93,903	$100,631	$103,095	$99,641	73%	$2,443	2%
NU0192	Supervisor, Environmental Services	$100,996	6	$96,152	$94,053	$99,829	$100,617	$95,855	83%	$4,844	5%
NU0237	Supervisor, Community Programming	$100,996	7	$87,292	$84,287	$92,519	$96,542	$91,632	86%	$13,704	16%
NU0312	Supervisor, EarlyOn Child & Family Centres	$100,996	4	$100,519	$98,813	$100,805	$100,996	$101,873	75%	$477	0%
NU0398	Manager, Property Taxation & Taxpayer Support	$100,996	6	$109,570	$102,786	$109,636	$117,304	$110,772	17%	-$8,574	-8%
NU0467	Manager, Financial Accounting	$100,996	11	$115,097	$108,853	$125,612	$126,845	$119,047	0%	-$14,101	-12%
NU0510	Supervisor, Parks General	$100,996	8	$96,152	$94,535	$100,389	$100,996	$98,280	75%	$4,844	5%
NU0586	Manager, Public Service(LIBRARIES)	$100,996	4	$104,577	$100,996	$113,149	$118,864	$105,978	25%	-$3,581	-3%
Band 11											
NU0037	Planner II - Urban Design	$92,233	8	$92,233	$88,070	$94,336	$99,681	$92,874	50%	$0.00	0%
NU0068	Engineer Plan Examiner	$92,233	5	$97,093	$92,425	$103,282	$107,474	$99,848	20%	-$4,860	-5%
NU0102	Supervisor, Purchasing	$92,233	10	$100,567	$92,617	$108,047	$109,988	$102,398	20%	-$8,334	-8%
NU0109	Manager, Payroll	$92,233	10	$110,582	$107,653	$116,315	$123,358	$113,587	0%	-$18,349	-17%
NU0197	Parks Technologist	$92,233	3	$78,336	$71,850	$83,122	$85,798	$79,312	100%	$13,897	18%
NU0278	Occupational Health & Safety Advisor	$92,233	12	$91,025	$83,653	$95,717	$100,519	$90,759	58%	$1,208	1%
Band 10											
NU0051	Emergency Planning Officer	$84,232	7	$132,975	$105,797	$139,655	$140,898	$121,123	14%	-$48,743	-37%
NU0297	Supervisor, POA Fines Enforcement	$84,232	5	$104,544	$87,877	$113,926	$121,229	$112,144	20%	-$20,312	-19%
NU0492	Supervisor, GIS	$84,232	11	$100,877	$90,630	$105,181	$108,802	$98,971	9%	-$16,645	-17%
NU0566	Curator	$84,232	4	$84,232	$71,661	$87,343	$89,417	$80,777	50%	$0.00	0%
Band 9											
NU0031	Systems & Controls Analyst	$76,923	9	$87,292	$80,909	$91,092	$95,223	$89,128	0%	-$10,369	-12%
NU0132	Technologist II	$76,923	5	$76,755	$72,728	$77,735	$79,359	$75,273	60%	$168	0%
Band 8											
NU0117	Executive Administrative Assistant	$70,250	12	$71,661	$68,305	$75,060	$76,752	$73,321	33%	-$1,411	-2%
NU0121	Administrative Assistant	$70,250	12	$62,644	$57,970	$64,820	$65,357	$62,436	100%	$7,605	12%
Band 7											
NU0290	Court Administrator (POA)	$64,155	7	$71,412	$59,373	$81,783	$84,873	$72,843	43%	-$7,257	-10%
Band 6											
NU0006	Receptionist/Recruitment Assistant	$58,570	10	$58,210	$55,985	$59,978	$63,174	$59,449	60%	$360	1%
								Average	53.4%		

Recommendations

1. Based on our findings, the City of Windsor requires no additional investment to maintain its median paying position in the marketplace. This compensation structure still serves the City of Windsor as a pay policy.

Appendix A

City of Windsor – 2017 Surveyed Positions sorted by above, below, or equal to median.

This table does not include position removed from the survey due to lack of data. (see page 5)

Position Surveyed Above the 50th Percentile	Position Surveyed at the Median	Position Surveyed Below the Median
Administrative Assistant	Curator	City Forester/Manager, Forestry & Natural Areas
Chief Building Official	Occupational Health & Safety Advisor	City Planner/Executive Director, Planning & Building Services
Deputy City Clerk & Sr. Manager, Council Services	Planner III	Court Administrator (POA)
Director, Care	Sr Manager, Infrastructure & Geomatics/Deputy City Engineer	Deputy Treasurer, Financial Accounting
Engineer III	Sr Manager, Pollution Control/Deputy City Engineer	Deputy Treasurer, Financial Planning
Executive Director, LTC & Administrator, Huron Lodge		Deputy Treasurer, Taxation & Revenue
Landscape Architect		Emergency Planning Officer
Manager, Business Process Modernization		Engineer Plan Examiner
Manager, Customer Service		Executive Administrative Assistant
Manager, Employee Relations		Executive Director, Human Resources
Manager, Employment & Training Initiatives		Executive Director, Recreation & Culture
Manager, Employment Services		Fire Chief
Manager, End-User Support		Legal Counsel
Manager, Fleet		Manager, Environmental Services
Manager, Inspections/Deputy CBO		Manager, Financial Accounting
Manager, Organizational Development & H&S		Manager, Parks Development
Manager, Parks Operations		Manager, Payroll
Manager, Permit Services/Deputy CBO		Manager, Property Taxation & Taxpayer Support
Manager, Planning Policy		Manager, Public Service (Libraries)
Manager, Policy & Staff Development		Manager, Technology Infrastructure
Manager, Urban Design		Receptionist/Recruitment Assistant
Parks Technologist		Supervisor, GIS
Planner II - Urban Design		Supervisor, POA Fines Enforcement
Plant Manager, L.R.W.R.P.		Supervisor, Purchasing
Senior Manager, Facilities		Systems & Controls Analyst
Sr Manager, Traffic Ops, Parking and Transportation Planning		
Supervisor, Community Programming		
Supervisor, EarlyOn Child & Family Centres		
Supervisor, Environmental Services		
Supervisor, Maintenance		
Supervisor, Parks General		
Supervisor, Signs & Markings		
Supervisor, Traffic Signals		
Technical Support Analyst		
Technologist II		

City of Windsor – 2018 Surveyed Positions sorted by above, below, or equal to median.

This table does not include position removed from the survey due to lack of data. (see page 5)

Position Surveyed Above the 50th Percentile	Position Surveyed at the Median	Position Surveyed Below the Median
Administrative Assistant		City Forester/Manager, Forestry & Natural Areas
Chief Building Official	Curator	City Planner/Executive Director, Planning & Building Services
Deputy City Clerk & Sr. Manager, Council Services	Planner II - Urban Design	Court Administrator (POA)
Director, Care	Planner III	Deputy Treasurer, Financial Accounting
Engineer III	Sr Manager, Infrastructure & Geomatics/Deputy City Engineer	Deputy Treasurer, Financial Planning
Executive Director, LTC & Administrator, Huron Lodge	Sr Manager, Traffic Ops, Parking and Transportation Planning	Deputy Treasurer, Taxation & Revenue
Manager, Customer Service		Emergency Planning Officer
Manager, Employee Relations		Engineer Plan Examiner
Manager, Employment & Training Initiatives		Executive Administrative Assistant
Manager, Employment Services		Executive Director, Human Resources
Manager, End-User Support		Executive Director, Recreation & Culture
Manager, Fleet		Fire Chief
Manager, Inspections/Deputy CBO		Legal Counsel
Manager, Organizational Development & H&S		Manager, Business Process Modernization
Manager, Parks Operations		Manager, Environmental Services
Manager, Parks Development		Manager, Financial Accounting
Manager, Permit Services/Deputy CBO		Manager, Payroll
Manager, Planning Policy		Manager, Property Taxation & Taxpayer Support
Manager, Policy & Staff Development		Manager, Public Service (Libraries)
Manager, Urban Design		Manager, Technology Infrastructure
Occupational Health & Safety Advisor		Receptionist/Recruitment Assistant
Parks Technologist		Sr Manager, Pollution Control/Deputy City Engineer
Plant Manager, L.R.W.R.P.		Supervisor, GIS
Senior Manager, Facilities		Supervisor, POA Fines Enforcement
Supervisor, Community Programming		Supervisor, Purchasing
Supervisor, EarlyOn Child & Family Centres		Systems & Controls Analyst
Supervisor, Environmental Services		
Supervisor, Maintenance		
Supervisor, Parks General		
Supervisor, Signs & Markings		
Supervisor, Traffic Signals		
Technical Support Analyst		
Technologist II		

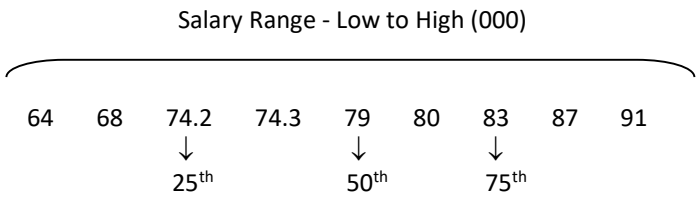
Appendix B

DATA ANALYSIS TERMS

Term	Definition
Position Match	This refers to the technique of comparing positions among the different Municipalities and Cities based on responsibility, content and scope for the position. Reporting relationship and the number and type of direct reports are considered. Organizations also indicate the position match. A match in the range of 80-120% is considered reasonable for inclusion in the analysis. If an organization indicated a lower or higher percentage match (for example 50%) the data for that position is not included in the analysis.
Cases	This refers to the actual data received for each position match. For example, out of 12 participants for the position of Systems Analyst, there were 12 cases reported or, all participants responded with an appropriate match. For the position of Economic Development Manager, out of 12 participants, there were 7 cases or, 7 participants responded with an appropriate match. The other 5 participants in the survey did not have an appropriate match or a similar position within their organization.
Job Rate	The maximum salary within the salary range. All survey data is shown using job rate only.
Mean	As a measure of central tendency, the mean is calculated by summing all salaries within a job classification and dividing by the number of cases. The mean is also the average.
Median	Another measure of central tendency. The median is the exact middle of the range of ranked data points. For example, in a distribution of 11 salaries, the median is the 6th highest case. 5 cases fall below its value and 5 cases are above its value. The median is equivalent to the 50th percentile. Percentiles are explained below.

Percentiles

Percentile is a statistical calculation based on the distribution of data points using a formula which defines the lowest case as 1% and the highest case as 100%. The rank order of the cases is between 1 and 100 percent and are then divided into equal intervals.
For example:



50th The Median. 50% of the data is below and 50% of the data is above

65th At the 65th percentile, 65% of the data falls below this point and 35 % of the data is above this point.

75th At the 75th percentile, 75% of the data falls below this point and 25 % of the data is above this point.

Percentile Ranking City of Windsor's percentile calculation shows where in the 0-100% range your current salaries fall.

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 203/2020

Subject: Proposed expropriation on Provincial Road for the Provincial/Division Corridor Improvements Project, Phase 2-4 from Owner JBM Capital Inc. municipal address: 3051-4001 Legacy Park and 4611 Walker Road-City Wide

Reference:

Date to Council: November 9, 2020
Author: Patrick T. Brode
Senior Legal Counsel
pbrode@citywindsor.ca
519-255-6100 x6377
Legal Services, Real Estate & Risk Management
Report Date: October 14, 2020
Clerk's File #: APM2020

To: Mayor and Members of City Council

Recommendation:

In most instances, a recommendation is made to Council. However, in this case, the City Council is sitting as approving authority under section 8 of the Expropriations Act which provides:

s. 8(1) The Approving authority shall consider the report of the inquiry officer and shall approve or not approve the proposed expropriation or approve the proposed expropriation with such modifications as the approving authority considers proper, but an approval with modifications shall not affect the lands of a registered owner who is not or has not been made a party to the hearing.

If, after consideration, City Council approves, the following wording is suggested:

"That the Council of the City of Windsor acting pursuant to section 8 of the Expropriations Act, adopts the findings contained within the report of the Inquiry Officer Gillian M. Burton dated October 11, 2020 and approves the proposed expropriation of the interests in land being:

Part of the east half of lot 14 in the Sixth Concession being designated as Parts 1, 2, 3, 4, 5, 6, and 7 on Plan 12R-28178 and Parts 23 and 24 on Plan 12R- 28177 for guy wire easements and Part 22 on Plan 12R-28177 for an aerial easement, in the City of Windsor and County of Essex and that the Owner's solicitor be paid the statutory costs of $200.00.

Executive Summary:

N/A

Background:

The background to this project was previously presented to Council on September 14, 2020 in Report C 177/2020 being Schedule "A" attached. The Provincial/Division Corridor Improvements project comprise 20 road widening parcels being about three metres wide, forty guy wire easements for utility poles and ten aerial easements for ground wires. All owners were served with a Notice of Application for Approval to Expropriate and the required notice was published three times in the local newspaper. The time period for the owners to request a hearing has expired. In September, Council considered and approved the expropriation from the other 34 owners located adjacent to this project.

The only owner who requested a hearing of necessity into the taking was JBM Capital Inc. (principal officer Mr. Joe Mikhail, represented by the Kerry Laba firm). That property was not considered on September 14 for the expropriation, but was instead referred to the Chief Inquiry Officer of Ontario for a hearing. A copy of the Notice of Application for Approval to Expropriate Land as served on the owner as well as the relevant sections from the survey plans is attached as Schedule "B."

Gillian M. Burton was appointed to hear the inquiry which she conducted on September 17, 2020 by way of video conference.

Discussion:

A copy of Ms. Burton's report dated October 11, 2020 is attached for City Council's consideration as Schedule "C." Ms. Burton described the context of the proposed taking as follows:

> The City's evidence was provided by Ms. Jane He of the Engineering Department, who is Project Manager for the Provincial Corridor Management Project, resulting from the EA recommendations. She described the physical surroundings of this important intersection in the City's history, citing its designation in the OP in the 90s as the City's gateway and boundary with the Town of Tecumseh. The Cabana/Division Corridor is one of the important commercial/industrial corridors in the Windsor area. At present, there is greatly increasing traffic flow to over 21,000 vehicles per day on the current two-lane road.

And she concluded that:

> I agree with Mr. Brode that these easements are critical to the reconfiguration of Provincial Road as the EA recommended, and Council has approved. It would not be possible to increase the number of lanes to four with one turn lane, effectively five lanes, without relocating the existing utilities. The City proposes easements only, not fee simple takings, and these would not interfere in any significant way with the

existing uses of the property. While the exact extent and location of the utilities' requirements have not been finalized, Ms. He assured us that these proposed expropriations are required now. No expert evidence has led to challenge her testimony. High voltage lines may not be able to be buried, and the other public utilities incur expenses with their required structures and may not be able to run underground.

Therefore, I do not agree with Mr. Laba that the proposed alternative of burying the utilities here is reasonable or even feasible, because of the attendant costs.

Risk Analysis:

As per the previous report to Council, without these easements the Provincial/Division Corridor project will not be possible.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

Council approved funding totalling $20,630,842 for the engineering, land acquisition and construction of necessary improvements along the Provincial / Division corridor (Project I.D. # 7086003).

The project currently has a balance of approximately $8.2 million as of August 11, 2020. There are sufficient funds available within this project to fund expected appropriation expenditures.

Consultations:

Jane He, Engineer III

Conclusion:

City Council to consider as per the Expropriations Act.

Planning Act Matters:

N/A

Approvals:

Name	Title
Patrick Brode	Senior Legal Counsel

Name	Title
Shelby Askin Hager	City Solicitor and Corporate Leader, Economic Development and Public Safety
Mark Winterton	City Engineer and Corporate Leader Environmental Protection and Transportation
Joe Mancina	Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Council Report C 177/2020
2 Ms. Burton's report on hearing held on Sept. 17, 2020
3 Notice of Approval to Expropriate Land

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 177/2020

Subject: Proposed Expropriation of lands on Provincial and Division Roads for the Cabana/Division Corridor Improvements Project, Phase 2 to 4 - Ward 4

Reference:

Date to Council: September 14, 2020
Author: Patrick Brode
Senior Legal Brode
pbrode@citywindsor.ca
519-255-6100 x6377
Legal Services, Real Estate & Risk Management
Report Date: August 28, 2020
Clerk's File #: APM2020

To: Mayor and Members of City Council

Recommendation:

That the City Council of the City of Windsor sitting as an Expropriation Authority under the Expropriations Act **APPROVE** the taking of the lands as shown on Schedule "A" (excepting No. 35), in the City of Windsor for the Cabana/Division Corridor Improvements.

Executive Summary:

N/A

Background:

On July 8, 2019, City Council instructed the City Solicitor to commence the expropriation process for the above lands. The lands required for this project are listed as Schedule "A" and include 35 property owners.

The lands taken comprise twenty road widening parcels being about three metres wide, forty guy wire easements for utility poles and ten aerial easements for above ground wires.

The City Solicitor's office has served all persons having an interest in the land with the Notice of Application for Approval to Expropriate and has published the required notice three times in the local newspaper. The time period for the owners to request a Hearing of Necessity into the taking of the lands has expired.

Discussion:

The lands proposed to be expropriated are essential to the Cabana/Division Corridor project. One owner, JBM Capital Inc. being No. 35 on the Schedule "A" has requested an inquiry. Therefore, this property will have to be dealt with separately.

Risk Analysis:

Without these lands, the Cabana/Division Corridor project will not be possible.

Financial Matters:

Council approved funding totalling $20,630,842 for the engineering, land acquisition and construction of necessary improvements along the Provincial / Division corridor (Project I.D. # 7086003).

The project currently has a balance of approximately $8.2 million as of August 11, 2020. There are sufficient funds available within this project to fund expected appropriation expenditures.

Consultations:

Frank Scarfone, Manager of Real Estate Services
Melissa Osborne, Senior Manager of Asset Planning
Mark DiPasquale, Financial Planning Administrator
Jane He, Engineer III

Conclusion:

That the City Council of the City of Windsor sitting as an approving authority, approves the expropriation of the above described lands in Schedule "A" with the exception of No. 35 and that the City Solicitor be authorized to proceed with a Certificate of Approval to be executed by the City Clerk and Chief Administrative Officer and the registration of a Plan of Expropriation and all other documents necessary to complete the transaction and to make the section 25 Offer of Compensation consistent with the City's appraisal of the land.

Planning Act Matters:

N/A

Approvals:

Name	Title
Patrick Brode	Senior Legal Counsel
Shelby Askin Hager	City Solicitor and Corporate Leader Economic Development and Public Safety
Mark Winterton	City Engineer

Name	Title
Dan Seguin	On behalf of Chief Financial Officer/ City Treasurer And Corporate Leader Finance and Technology
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Proposed Lands to be Expropriated

***Expropriations Act*, R.S.O. 1990, c. E.26 (as amended)**

IN THE MATTER OF the proposed expropriation by the City of Windsor of:

> PT EI/2 LT CON 6, designated as Parts 1, 2, 3, 4, 5, 6, and 7 on Plan 12R-28178 for guy wire easements, Parts 23 and 24 on Plan 12R-28177 for guy wire easements, and Part 22 on Plan 12R-28177 for an aerial easement, in the City of Windsor, County of Essex,

for the purpose of acquisition of lands for Cabana/Division Corridor Improvements Project (Phases 2 to 4).

Date of Hearing September 17, 2020

Appearances:

City of Windsor — Patrick Brode

JBM Capital Inc. — Michael Saba

REPORT

This inquiry was held by video conference pursuant to section 7 of the *Expropriations Act*, R.S.O. 1990, c. E.26 (as amended) (the Act) to determine whether the proposed taking by the City of Windsor of portions of the property owned by the requester is "fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority" as the Act states, or is "reasonably defensible" as the courts have interpreted this test.

PARTIES

Mr. Brode, Senior Legal Counsel, appeared for the City of Windsor, and Mr. Saba appeared for JBM Capital Inc.

THE PROPERTY

The subject land is located at the southern tip of a triangle created by the intersection of Provincial Road and Walker Road in the City. Provincial Road runs on an acute diagonal northwesterly from its commencement at Walker. It is within the Provincial/Division Corridor, identified as a "Civic Way" in the City's Official Plan (OP), Schedule G, and Provincial is designated as a Class II Arterial Roadway in Schedule F. The area is designated "Commercial Centre" in Schedule D of the OP and is zoned *CD3.6 Commercial* by Zoning Bylaw #8600. The municipal addresses

are 3051-4001 Legacy Park/4611 Walker Road. Road signs show these parcels as the "Mikhail Centre", and indicate many retail outlets within it.

The easements are shown on Plans of Survey 12R-28177 and 12R-28178. The City proposes expropriation of easements over several small square portions of PT EI/2 LT CON 6, designated as Parts 1, 2, 3, 4, 5, 6, and 7 on Plan 12R-28178, for guy wire easements. Parts 23 and 24 on Plan 12R-28177 are also sought for guy wire easements. Part 22 on 12R-28177, a narrow strip along the northeast side of Provincial Road, is required for an aerial easement for the relocation of Enwin power lines.

THE OBJECTIVE OF THE EXPROPRIATING AUTHORITY

This proposed expropriation is for the purposes of completing Phases 2 to 4 of the Cabana/Division Corridor Improvement Project. This Project results from a Provincial/Division Environment Assessment Study (EA) which recommended as the preferred solution to increasing traffic the widening of Provincial Road. In order to do this utilities must be relocated beforehand. An approximate two-metre easement on this parcel is required to relocate Enwin power lines. This will affect others along the same side of Provincial Road from Cabana Road to Walker Road. Additional rights of way and utility easements are required for the road widening and associated utility relocation recommended in the EA Study.

SUMMARY OF THE EVIDENCE

The exhibits filed at the hearing are listed in Appendix A of this Report.

City of Windsor

The City's evidence was provided by Ms. Jane He of the Engineering Department, who is Project Manager for the Provincial Corridor Management Project resulting from the EA recommendations. She described the physical surroundings of this important intersection in the City's history, citing its designation in the OP in the 90s as the City's gateway and boundary with the Town of Tecumseth. The Cabana/Division Corridor is one of the important commercial/industrial corridors in the Windsor area. At present there is greatly increasing traffic flow, to over 21,000 vehicles per day, on the current two-lane road. The EA recommended an increase to five lanes, two each way with a middle turning lane. The City OP requires sidewalks and bike lanes for arterial roads like Provincial Road. Thus both are proposed for this portion. These sidewalks are being built on land already owned by the City. Detailed design is still being conducted for this section of the project, and utility relocation is not included. However it is the utility relocation that has led to the proposed expropriations, as a two-metre easement is required for this on the side of Provincial where the subject lands are located.

Ms. He explained that the City required nine (9) guy wire easements and one (1) aerial easement on the property for hydro lines. At this location, distribution pole lines must either be straight or have 'down guys' to compensate for any turn or

angle. These are angled wires which stabilize the poles, and are affixed to the ground within the square segments proposed to be expropriated as easements. The proposed easements enable the line to be maintained as straight as possible, as well as allow for the installation of down guys. The 55-foot poles will be located in the City right of way, approximately one foot from the property line.

The aerial easement (Part 22 on Plan 12R-28177) is only 14.3 m^2 (153.9 sq ft in total - 28.59 m long and 1 m deep). The nine guy wire easements (Parts 23 and 24 on Plan 12R-28177 and Parts 1-7 on Plan 12R-28178) and have a combined area of 70.8 m^2 (762.1 sq ft). The total of the subject parcel impacted by the aerial and guy wire easements is 85.l m^2 (916 sq ft). The areas between the guy wire easements will not be affected. The height of an existing pole narrowly on the property is 55 feet, while the hydro wires proper would be about 10 m high above it. 8.1 sq m is the standard size of land required for the guy wires, with anchoring poles 2.7 deep. The actual size of the segments is 3 m wide and 2.7 m in length (see Plans).

The landowner

Mr. Joe Mikhail joined the video conference as owner of the lands, and in a statement objected to the expropriation process as disruptive to tenants and essentially preordained. He strenuously supported burying the needed utilities, as they would interfere with the value and appearance of the land, and increased insurance costs. Mr. Laba put his case mainly by cross examination and questions of Ms. He. He inquired why the hydro wires could not be buried. It was too expensive, she replied. In addition, although the gas lines have to be underground, most other utilities -Bell, cable services, etc.- are above ground. The height of the wires on this side is necessary as they may also have to serve the west side of the street, largely undeveloped as of now. The authority for the hydro installation has not yet finalized the design. Mr. Mikhail pointed out that the hydro and many utilities are actually owned by the City.

FINDINGS AND OPINION

I agree with Mr. Brode that these easements are critical to the reconfiguration of Provincial Road as the EA recommended, and Council has approved. It would not be possible to increase the number of lanes to four with one turn lane, effectively five lanes, without relocating the existing utilities. The City proposes easements only, not fee simple takings, and these would not interfere in any significant way with the existing uses of the property. While the exact extent and location of the utilities' requirements have not been finalized, Ms. He assured us that these proposed expropriations are required now. No expert evidence was led to challenge her testimony. High voltage lines may not be able to be buried, and other public utilities incur expenses with their required structures and may not be able to run underground.

Therefore I do not agree with Mr. Laba that the proposed alternative of burying the utilities here is reasonable or even feasible, because of the attendant costs. Any

unfairness he claimed is not borne out by fact that all nearby owners must also accept the (essentially linear) utilities on their land. The public interest here must take precedence over Mr. Mikhail's private rights as owner. It makes no difference whether the utilities are publicly owned, as he stated. In fact, in my view it makes the argument for the proposed expropriations even stronger.

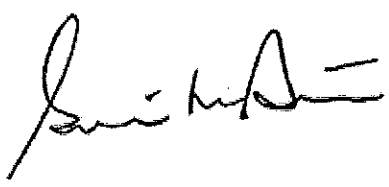
Without easements for the relocation of power lines to the subject lands, the City of Windsor will be unable to continue with roadwork to widen Provincial Road. I conclude that the proposed takings meet the statutory test of reasonableness as there was no realistic, cost effective alternative to solve the many relocation issues. I am persuaded by the opinion of the City's professional engineer, Ms. He, that the proposed takings are necessary for the proper construction of the proposed improvements to Provincial Road.

I am satisfied from the evidence in this case that the City's choices are sound and reasonably defensible. In balancing the owners' desire to retain control over all of the existing parcel with the public interest in effective transportation and utilities (as I must do in deciding whether the proposed taking is fair, sound and reasonably necessary as the Act requires), in this case the private should be subordinate to the public interest. Compensation for adverse effects is provided for under the Act.

After considering all of the evidence and arguments, I conclude that the proposal meets the test in the *Expropriations Act* and the summation of it as set out by the courts. The test in subsection 7(5) of the Act is whether the proposed taking is "fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority". Court decisions such as Re Parkins and the Queen (1977), 13 L.C.R. 327 (O.C.A.) conclude that the test that the inquiry officer must apply can be expressed as whether the proposal is "reasonably defensible in the achievement of the authority's objectives."

For the reasons given above, I find that the proposed taking by the City of Windsor of PT EI/2 LT CON 6, designated as Parts 1, 2, 3, 4, 5, 6, and 7 on Plan 12R-28178 for guy wire easements, Parts 23 and 24 on Plan 12R-28177 for guy wire easements, and Part 22 on Plan 12R-28177 for an aerial easement, in the City of Windsor, County of Essex, is reasonably defensible for the purpose of acquisition of lands for Cabana/Division Corridor Improvements Project (Phases 2 to 4).

As authorized by subsection 7(10) of the Act, I also recommend that Mr. Mikhail be paid the statutory amount of his costs of this Inquiry.



Gillian M. Burton
Inquiry Officer

Date: October 11, 2020

APPENDIX A

EXHIBITS

1. Courier package – hard copies of the documents made available to requester, including Notice of Grounds, as scanned and delivered September 11, 2020 by Chief Inquiry Officer.

COPY

THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE
CITY SOLICITOR
Legal Services Division
400 City Hall Square East, Suite 201
Windsor, ON N9A 7K6

PLEASE REPLY TO:
PATRICK T. BRODE, Legal Counsel
TELEPHONE: 519-255-6100 ext. 6377
FACSIMILE: 519-255-6933
E-MAIL: pbrode@citywindsor.ca

May 28, 2020

Sent via Registered Mail

JBM Capital Inc.
100 Ouellette Avenue, Suite 700
Windsor, ON N9A 6T3

Attention: Joseph Mikhail, President

Dear Sir:

Re: City of Windsor Proposed Expropriation of PT E1/2 LT 14 CON 6, designated as Pts. 1, 2, 3, 4, 5, 6 and 7 on Plan 12R-28178 for guy wire easements, Pts 23 & 24 on Plan 12R-28177 for guy wire easements and Pt 22 on Plan 12R-28177 for an aerial easement, City of Windsor, County of Essex for the purpose of acquisition of lands for Cabana/Division Corridor Improvements Project (Phases 2 to 4)
Our File No. EXP/10219

Further to the above, please find served upon you pursuant to the provisions of the ***Expropriations Act***, a Notice for Application for Approval to Expropriate Land. If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

PATRICK T. BRODE
Legal Counsel

PTB:dj
Attch.

Form 2

Expropriations Act

NOTICE OF APPLICATION FOR APPROVAL TO EXPROPRIATE LAND

IN THE MATTER OF an application by The Corporation of the City of Windsor for approval to expropriate land described as PT E1/2 LT 14 CON 6, designated as Pts. 1, 2, 3, 4, 5, 6 and 7 on Plan 12R-28178 for guy wire easements and Pts 23 & 24 on Plan 12R-28177 for guy wire easements and Pt 22 on Plan 12R-28177 for an aerial easement, City of Windsor, County of Essex, in the City of Windsor, County of Essex for the purposes of Cabana/Division Corridor Improvements Project-Phases 2 to 4.

NOTICE IS HEREBY GIVEN that application has been made for approval to expropriate the land described as PT E1/2 LT 14 CON 6, designated as Pts. 1, 2, 3, 4, 5, 6 and 7 on Plan 12R-28178 for guy wire easements and Pts 23 & 24 on Plan 12R-28177 for guy wire easements and Pt 22 on Plan 12R-28177 for an aerial easement, City of Windsor, County of Essex, City of Windsor, County of Essex.

Any owner of lands in respect of which notice is given who desires an inquiry into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

(a) in case of a registered owner, served personally or by registered mail within thirty days after the registered owner is serviced with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;

(b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

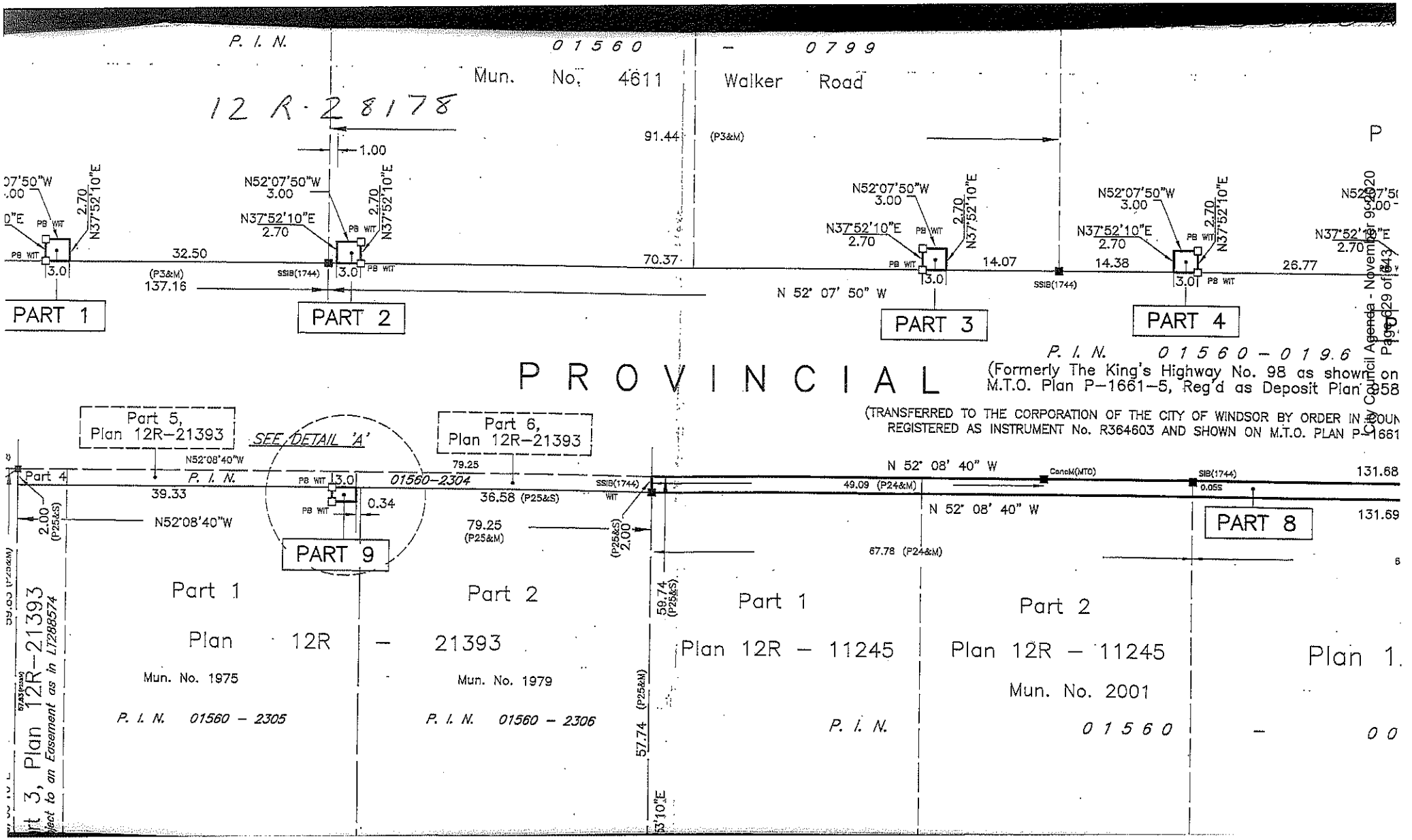
The approving authority is:

The City Council of the City of Windsor
City Hall, P. O. Box 1607
350 City Hall Square West
Windsor, Ontario
N9A 6S1

Name of expropriating authority:

The Corporation of the City of Windsor

Per: _____
Shelby Askin Hager
City Solicitor



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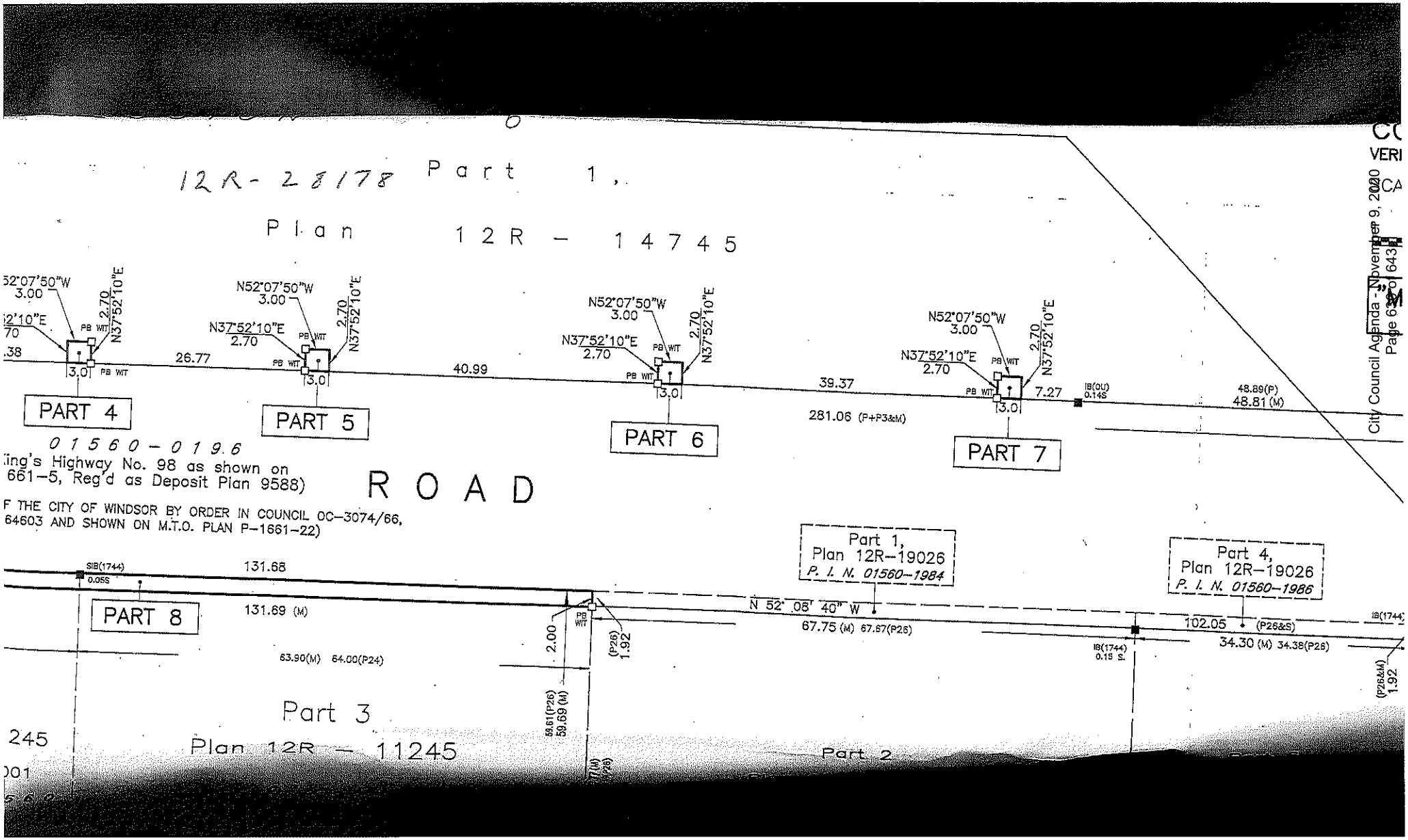

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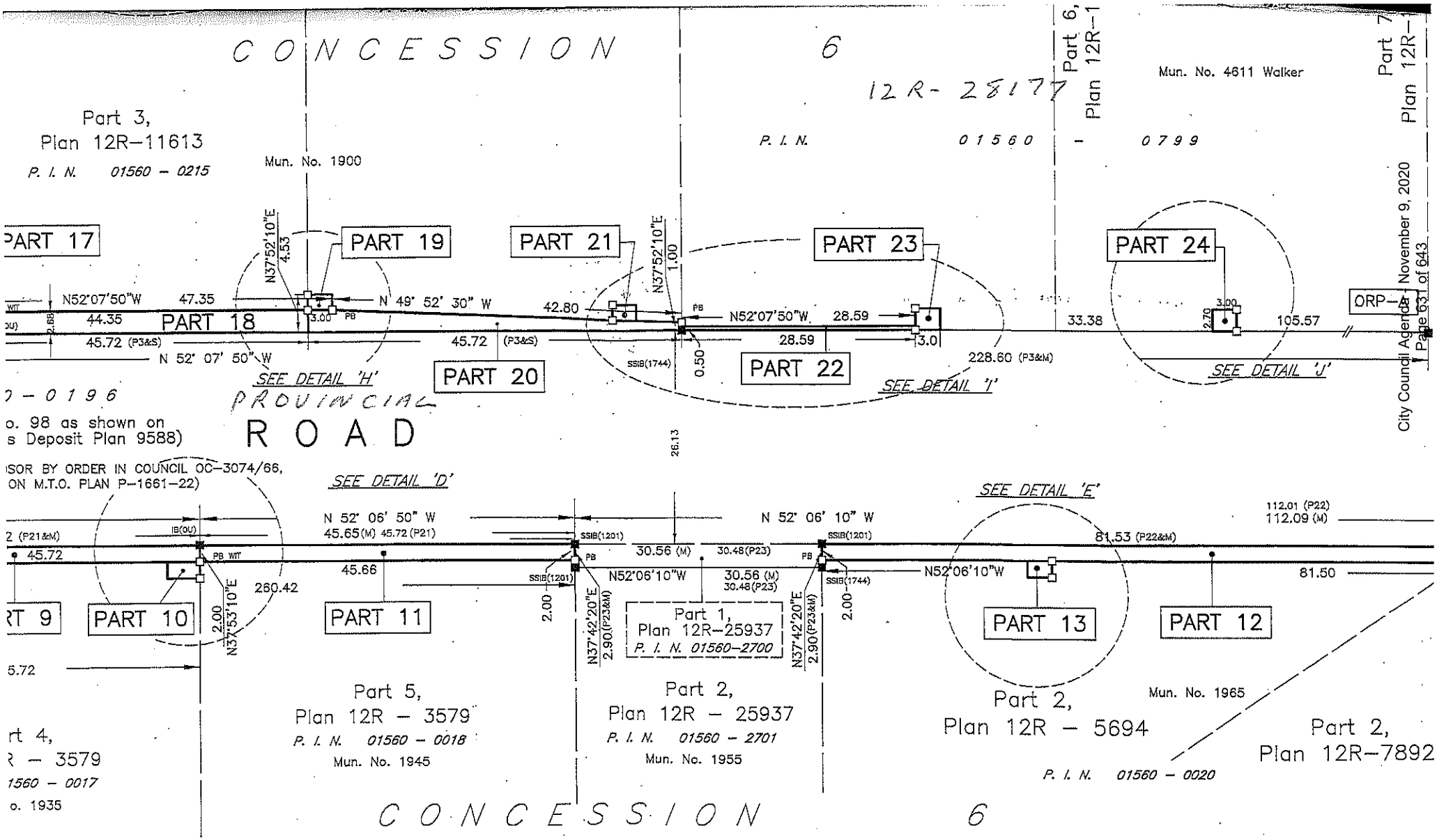
CONCESSION 6
12R-25177
Part 6, Plan 12R-1
Part 7 Plan 12R-
Mun. No. 4611 Walker
Part 3, Plan 12R-11613
P. I. N. 01560 - 0215
Mun. No. 1900
P. I. N. 01560 - 0799
PART 17
PART 18
PART 19
PART 20
PART 21
PART 22
PART 23
PART 24
N52°07'50"W 47.35
44.35
45.72 (P3&S)
N 52° 07' 50" W
N37°52'10"E 4.53
3.00 PB
N 49° 52' 30" W 42.80
N37°52'10"E 1.00
PB
N52°07'50"W 28.59
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SSIB(1744)
228.60 (P3&M)
33.38
2.70
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105.57
ORP-
SEE DETAIL 'H'
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SEE DETAIL 'J'
PROVINCIAL ROAD
SEE DETAIL 'D'
SEE DETAIL 'E'
N 52° 06' 50" W
45.65(M) 45.72 (P21)
N 52° 06' 10" W
30.56 (M)
30.48(P23)
SSIB(1201)
PB WIT
IB(OU)
45.72
45.66
260.42
2.00
N37°53'10"E
N37°42'20"E
2.90(P23&M)
N52°06'10"W
30.56 (M)
30.48(P23)
81.53 (P22&M)
112.01 (P22)
112.09 (M)
81.50
PART 9
PART 10
PART 11
PART 12
PART 13
Part 1, Plan 12R-25937
P. I. N. 01560-2700
Part 5, Plan 12R - 3579
P. I. N. 01560 - 0018
Mun. No. 1945
Part 2, Plan 12R - 25937
P. I. N. 01560 - 2701
Mun. No. 1955
Part 2, Plan 12R - 5694
Mun. No. 1965
Part 2, Plan 12R-7892
P. I. N. 01560 - 0020
CONCESSION 6

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 211/2020

Subject: Purchase of Six, 2021 Chevrolet Bolt, Fully Electric Vehicles for Building Department - City Wide

Reference:

Date to Council: November 9, 2020
Author: Chad Goebel
Fleet Coordinator
519-255-6560 x4235
cgoebel@citywindsor.ca
Public Works - Operations
Report Date: October 23, 2020
Clerk's File #: SB2020 and AF/11247

To: Mayor and Members of City Council

Recommendation:

THAT City Council **APPROVE** the purchase of six (6) 2021 Chevrolet Bolt, Fully Electric Vehicles; and,

THAT the Purchasing Manager **BE AUTHORIZED** to issue a purchase order to Reaume Chevrolet Ltd. in the amount not to exceed $274,014.00 (excluding HST) for the purchase of the six (6) 2021 Chevrolet Bolt, Fully Electric Vehicles, subject to approval as to technical content by the City Engineer and in financial content to the Chief Financial Officer and City Treasurer.

Executive Summary:

N/A

Background:

This purchase is to replace one (1) minivan and provide for five (5) additional vehicles for the Building Department as approved by City Council during the 2020 capital budget process, CR B57/2020.

The Building Department currently has one (1) fully electric vehicle in use and has expressed an interest in utilizing fully electric vehicles wherever possible in the performance of their daily operations.

Discussion:

To select the replacement and additional units, an RFP 119-20 was issued by the Purchasing Department and due to a lack of vendor submissions, the timeline was extended an extra week until September 29th 2020 to allow more time for vendors to bid. This process resulted in a sole submission from Reaume Chevrolet Ltd. that was evaluated in accordance with the purchasing By-Law criteria to determine vendor compliance.

Risk Analysis:

The vehicles identified are currently eligible and qualify for a significant government rebate of $5,000 per vehicle. Any delay in purchasing these vehicles may result in losing our ability to access these rebate dollars if the funds are no longer available or the rebate is discontinued.

Climate Change Risks

Climate Change Mitigation:

Emissions from the corporate fleet are included in the corporate greenhouse gas emissions inventory. As vehicles are replaced, consideration is given to fuel-efficient vehicles. The integration of electric vehicles in the city fleet will have a positive impact on decreasing the total projected emissions and reducing the total cost of fuel.

Climate Change Adaptation:

N/A

Financial Matters:

The six (6) units to be purchased have been approved by the Fleet Review Committee in consideration of forecasted fleet replacements and additions and by City Council during the 2020 capital budget process, CR-B57/2020.

The Chevrolet Bolt EV is a zero-emission vehicle that is currently eligible for a federal incentive of $5,000 per vehicle, however, the vendor is not able to submit for the incentive without a purchase order for their bid.

The total cost for the six (6) vehicles excluding the $5,000 rebate per vehicle is $274,014 excluding HST, or $278,837 including non-refundable HST. If the PO is issued while the federal incentive of $5,000 per vehicle still exists, there is a potential for a savings of $30,000 in government incentives. This will bring the total cost for the six (6) vehicles net of the $5,000 rebate per vehicle to $244,014 excluding HST or $248,309.

The approved 2020 budget for the one (1) replacement unit is $31,139 including non-refundable HST and the budget for the additional five (5) units is $225,000. The total

budget allotted for the purchase of all 6 units is $256,139 which is sufficient funding for the vehicles net of the rebate available.

One vehicle replacement will be charged to the 2020 Corporate Fleet Replacement Project 7201008 and the five additions will be charged to the 2020 Fleet Additions and Upgrades Project 7201009. There are sufficient unencumbered funds remaining in both projects for the purchase of these vehicles.

Consultations:

Karina Richters, Supervisor Environmental Sustainability & Climate Change

Conclusion:

Administration recommends the purchase of these six (6) 2021 Chevrolet Bolt Fully Electric Vehicles from Reaume Chevrolet Ltd.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works Operations
Angela Marazita	Fleet Manager
Dwayne Dawson	Executive Director of Operations
Mark Winterton	City Engineer
Alex Vucinic	Purchasing Manager
Janice Guthrie	On behalf of City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

THE CITY OF WINDSOR ONTARIO, CANADA

Committee Matters: SCM 330/2019

Subject: Adoption of the Minutes of the Corporate Services Standing Committee Meeting held July 29, 2019

Corporate Services Standing Committee Meeting

Date: Monday, July 29, 2019
Time: 6:00 o'clock p.m.

Members Present:

Mayor
Mayor Dilkens

Councillors
Ward 1 - Councillor Francis
Ward 2 - Councillor Costante
Ward 3 - Councillor Bortolin
Ward 4 - Councillor Holt
Ward 6 - Councillor Gignac
Ward 7 - Councillor Kusmierczyk
Ward 8 - Councillor Kaschak
Ward 9 - Councillor McKenzie
Ward 10 - Councillor Morrison

Councillors Regrets
Ward 5 - Councillor Sleiman

1. CALL TO ORDER

Mayor Dilkens calls the meeting of the Corporate Services Standing Committee of Council to order at 6:01 o'clock p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. ADOPTION OF THE MINUTES

3.1. Minutes of the Executive Committee meeting held January 29, 2018

Moved by: Councillor Kaschak
Seconded by: Councillor Francis

THAT the Minutes of the Executive Committee meeting of Council held January 29, 2018 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 60/2018

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

5.5. Corporate Asset Management Plan

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CSC 329
THAT City Council **RECEIVE** and **APPROVE** the attached Asset Management Plan for the City of Windsor in compliance with Ontario Regulation 588/17 – Asset Management Planning for Municipal Infrastructure; and further,

That the report of the Manager of Asset Planning dated July 8, 2019 entitled "Corporate Asset Management Plan" **BE DEFERRED** to the 2020 Budget Deliberations to allow Council to consider the additional recommendations in the report.
Carried.
Councillor Morrison voting nay.

Report Number: S 129/2019
Clerk's File: AF/11247

5. PRESENTATIONS AND DELEGATIONS

5.1. PwC Internal Audit Quarterly Summary Report April 1 to June 30, 2019

Suk Bedi, Director Risk Assurance Services; and Christopher O'Connor, partner, PricewaterhouseCoopers LLP

Suk Bedi, Director Risk Assurance Services; and Christopher O'Connor, partner, PricewaterhouseCoopers LLP appear before the Corporate Services Standing Committee regarding the report PwC Internal Audit Quarterly Summary Report April 1 to June 30, 2019 and provide a brief summary of projects that are underway. Mr. O'Connor indicates that objectives have been met regarding Windsor Essex County Housing Corporation (WECHC) and management action plans are in place. Mr. O'Conner provides a brief summary of the status of the following projects that are underway:

a) Internal Audit Performance Dashboard 2018-19
b) Concerned Citizen and Employee Hotline Status
c) CHC Asset Management Housing Portfolio Internal Audit Report
d) Hotline Investigation Report NTS-002-2018;

and concludes by indicating that timelines are being met.

Moved by: Councillor Gignac
Seconded by: Councillor Costante

Decision Number: CSC 325
THAT the ***attached*** report provided by PricewaterhouseCoopers LLP (PwC) for the period April 1, 2019 to June 30, 2019 comprised of the following:

a) Internal Audit Performance Dashboard 2018-19
b) Concerned Citizen and Employee Hotline Status
c) CHC Asset Management Housing Portfolio Internal Audit Report
d) Hotline Investigation Report NTS-002-2018

BE RECEIVED for information; and further,

THAT City Council **AUTHORIZE** administration to proceed to implement the Management Action Plan as prescribed in the Hotline Investigation Report NTS-002-2018; and,

THAT City Council **DIRECT** administration to report on the progress of the implementation of the Management Action Plans and that such report s should coincide with Pr icewaterhouseCoopers LLP's quarterly updates to Council.
Carried.

Report Number: SCM 244/2019
Clerk's File: AF/11247

5.2. PwC Internal Audit Year in Review 2018-2019

Moved by: Councillor Francis
Seconded by: Councillor Costante

Decision Number: CSC 326
That the attached report provided by PricewaterhouseCoopers (PwC) entitled "Internal Audit Year in Review 2018-2019" dated June 30, 2019 **BE RECEIVED** for information.
Carried.

Report Number: SCM 245/2019
Clerk's File: AF/11247

5.3. Status Report on Implementation of Audit Recommendations - 2019 Q2 - City Wide

Moved by: Councillor Costante
Seconded by: Councillor Holt

Decision Number: CSC 327
THAT City Council **RECEIVE FOR INFORMATION** the Status Report on Implementation of Audit Recommendations as of 2019 Q2 (attached as Appendix A).
Carried.

Report Number: S 126/2019
Clerk's File: AF/11247

5.4. Summary of Hotline Issues Referred to Management by PwC - 2019 Q2 - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Kaschak

Decision Number: CSC 328
THAT City Council **RECEIVE FOR INFORMATION** the Summary of Hotline Issues Referred to Management by PwC from April 1, 2019 – June 30, 2019 (attached as Appendix A).
Carried.

Report Number: S 127/2019
Clerk's File: AF/11247

6.5. Windsor Essex Community Housing Corporation - Annual General Meeting - City Wide

Ami Patel, Chief Financial Officer & Director of Finance, Windsor Essex Community Housing Corporation

Ami Patel, Chief Financial Officer & Director of Finance, Windsor Essex Community Housing Corporation appears before the Corporate Services Standing Committee regarding the administrative report Windsor Essex Community Housing Corporation – Annual General Meeting – City Wide and is available for questions.

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CSC 334

THAT in accordance with the Shareholder Declaration, City Council **RECEIVE** the following documents as it relates to Windsor Essex Community Housing Corporation (WECHC) 2018 fiscal year end:

- Audited Financial Statements
- External Auditor Finding Report
- Management Letter

THAT City Council, acting as the shareholder for WECHC **APPROVE** the resolutions attached as Appendix G and H and presented herein by WECHC; and,

THAT the Mayor **BE AUTHORIZED** to execute the shareholder's resolutions on behalf of The Corporation of the City of Windsor, in accordance with Council direction, with respect to all matters presented herein by WECHC for the year 2018.
Carried.

Report Number: C 140/2019
Clerk's File: SS2019

6. BUSINESS ITEMS

6.1. The Corporation of the City of Windsor 2018 Consolidated Financial Statements

Moved by: Councillor Morrison
Seconded by: Councillor Kaschak

Decision Number: CSC 330
THAT City Council **RECEIVE AND ACCEPT** the Audited Consolidated Financial Statements for the year ended December 31, 2018, including the City of Windsor Trust Fund Statements.
Carried.

Report Number: S 133/2019
Clerk's File: AF/11247

6.2. Compliance with Applicable Laws & Regulations, 2019 Q2 - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CSC 331
THAT City Council **RECEIVE FOR INFORMATION** the Status Report on Compliance with Applicable Laws and Regulations, 2019 Q2.
Carried.

Report Number: S 130/2019
Clerk's File: AF/11247

6.3. 2019 Second Quarter Operating Budget Variance Report

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CSC 332
THAT Council **RECEIVE FOR INFORMATION** the 2019 2nd Quarter Operating Budget Variance Report from the Chief Financial Officer and City Treasurer; and,

THAT the Chief Administrative Officer and the Chief Financial Officer & City Treasurer **BE DIRECTED** to monitor the 2019 Operating Budget and continue to seek further means of offsetting any potential variances that may arise.
Carried.

Report Number: S 131/2019
Clerk's File: AFB/13207

6.4. Delegation of Authority Semi-Annual Report for the Period of January 1, 2019 - June 30, 2019 -- CITY WIDE

Moved by: Councillor McKenzie
Seconded by: Councillor Kusmierczyk

Decision Number: CSC 333
THAT the Delegation of Authority Semi-Annual Report for the first half of 2019 (January 1, 2019 through June 30, 2019) **BE RECEIVED** for information.
Carried.

Report Number: CM 26/2019
Clerk's File: AFB/13207

6.6. Disaster Mitigation and Adaptation Fund (Special Intake)

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CSC 335
THAT in order to undertake a major project aimed at reducing the likelihood of future flooding, City Council approve the following recommendations:

1. THAT City Council **APPROVE** the Chief Administrative Officer to submit an Expression of Interest, and Full Application for the $80,484,001 project identified in this report, to Infrastructure Canada (INFC) for the Disaster Mitigation and Adaptation Fund (DMAF)

subject to the documents being satisfactory in technical content by the City Engineer and financial content by the City Treasurer; and,

2. THAT City Council **SUPPORT** the matching funding for the City's portion of the project, as $5,000,000 each year from 2020 to 2030 from the Sewer Master Plan Implementation Project (ENG-002-19); and,

3. THAT in the event the City receives written confirmation of the Grant funding being awarded to the City, then City Council **APPROVES** the following:

    a) THAT City Council **APPROVE** the use of funding identified in the Sewer Master Plan Implementation Project (ENG-002-19) as the City's matching portion for the DMAF grant, with funding specifically identified as follows:

        1. **PRECOMMITMENT** of $5,000,000 each year from 2020 to 2023 so that these funds are available for immediate use; and,

        2. Placeholder funding of $5,000,000 each year from 2024 to 2030 be **APPROVED** and that once funding for each year is within 5 years it **BE DEEMED** precommited and available for immediate use.

    b) THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any agreements, declarations or approvals required resulting from receiving grant funding approval for the DMAF program and being satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,

    a) The Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents required as part of the request for payment to the City Engineer or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,

    b) The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors/proponent/bidder satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,

    c) The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to affect the recommendation noted above, subject to all specification being satisfactory in technical content to the City Solicitor for legal content and in financial content to the City Treasurer.

Carried.

Report Number: C 145/2019
Clerk's File: EI/13569

7. COMMITTEE REPORTS

None presented.

8. ADJOURNMENT

There being no further business, the meeting of the Corporate Services Standing Committee of Council is adjourned at 6:40 o'clock p.m.
Carried.

Mayor

City Clerk