

City Council Meeting

Date: Monday, May 25, 2020

Time: 1:00 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 – *vacant*

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 Costante has been Appointed Acting Mayor for the month of May, 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
"VON Week" – May 17-23, 2020 |
| 6. | COMMITTEE OF THE WHOLE |
| 7. | COMMUNICATIONS INFORMATION PACKAGE |
| 7.2. | Succession Planning: 2019 Initiative & Reserve Account Expenditures Update - City Wide (CM 9/2020) |
| 7.3. | Educational Assistance Reserve Account - Expenditures for 2019 - City Wide (CM 11/2020) |
| 7.4. | Summary of Ministry of Labour (MOL) visits from July to December 2019 - City Wide (CM 13/2020) |
| 7.5. | 2019 Annual Report - Building Permit Fee Reserve Fund - City Wide (C 36/2020) |
| 7.6. | Compliance with Applicable Laws & Regulations, 2020 Q1 - City Wide (CM 12/2020) |
| 7.7. | Status Report on Implementation of Audit Recommendations - 2020 Q1 - City Wide (CM 14/2020) |

- 7.8. Summary of Hotline Issues Referred to Management by PwC – 2020 Q1 - City Wide **(CM 15/2020)**
- 7.9. Response to CQ 10/2020 - That Administration report back to Council on the options that could be considered to create safer opportunities for the public to enjoy access to our parks trail systems that enhance the ability for people to respect physical distancing protocols. - City Wide **(C 90/2020)**
- 7.10. Stormwater Financing Study Project Update, City Wide **(C 52/2020)**
- 7.11. 2019 Annual Investment Compliance Report - City Wide **(C 89/2020)**

8. **CONSENT AGENDA**

- 8.1. Snow Angels Volunteer Acknowledgements 2019-2020 Season-City Wide **(CM 16/2020)**
- 8.2. Status of the Corporation's Unpaid and Paid Student and Work Agency Programs in 2019 - City Wide **(CM 18/2020)**
- 8.3. Application for Property Tax Relief under Section 357 of the Ontario Municipal Act, 2001 - Ward 3 **(C 88/2020)**
- 8.4. Natural Resources Canada ZEVIP Grant Program Fleet Stream - Electric Vehicle Charging Stations for Light Duty Vehicle Fleet Project - City Wide **(C 38/2020)**
- 8.5. Amendment to Agreement with Dillon Consulting Ltd, - Proposal No. 66-15 LRWRP Diesel and MCC Upgrades - City Wide **(C 81/2020)**
- 8.6. Consulting Services for Lou Romano Water Reclamation Plant (LRWRP) Centrifuge #1 Control System Upgrade RFP 170-19 Award - Ward 2 **(C 82/2020)**

CONSENT COMMITTEE REPORTS

- 8.7. William T. Wesgate House, 225 Giles Boulevard West – Heritage Alteration Permit and Community Heritage Fund Request (Ward 3) **(SCM 127/2020) (S 54/2020)**
- 8.8. Interim Control By-law Exemption 2020-9 - SBDRE (Windsor) Holdings Company Ltd. - 1790 Provincial Road - Ward 9 **(SCM 128/2020) (S 52/2020)**
- 8.9. Interim Control By-law Exemption 2020-4 - 2513821 Ontario Inc. - 3490 Marentette Avenue - Ward 9 **(SCM 129/2020) (S 16/2020)**
- 8.10. Close and Convey the North/South Alley between 722 Brant Street and 736 Brant Street - SAA/5838 - Applicant: Victoria Yen-Shin Lin – 722 Brant Street – Ward 4 **(SCM 130/2020) (S 22/2020)**

- 8.11. Close and Convey the North/South Alley Between Hickory Road and Albert Road, North of Milloy Street and South of Alice Street - Applicant R. Pouget - SAA/5858 - Ward 5 (**SCM 131/2020**) (**S 35/2020**)
- 8.12. Close and Convey Part of the North/South Alley Between Windsor Avenue and McDougall Street, South of Wyandotte Street East, Abutting 241 Wyandotte Street East - Applicant: Abraham Bazzi - SAA/5910 - Ward 4 (**SCM 132/2020**) (**S 37/2020**)
- 8.13. Economic Revitalization Community Improvement Plan (CIP) application submitted by 2520034 Ontario Limited for 1785 Walker Road (Ward 4) (**SCM 133/2020**) (**S 55/2020**)
- 8.14. Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes December 3, 2019 (**SCM 144/2020**) (**SCM 41/2020**)
- 8.15. Report No. 154 of the Windsor Licensing Commission - Regulation of Licensed City of Windsor Pet Shops (**SCM 145/2020**) (**SCM 27/2020**)
- 8.16. Minutes of the Windsor Licensing Commission of its meeting held February 26, 2020 (**SCM 146/2020**) (**SCM 95/2020**)
- 8.17. Minutes of the Windsor Bicycling Committee of its meeting held January 14, 2020 (**SCM 147/2020**) (**SCM 85/2020**)
- 8.18. Report No. 71 of the Windsor Bicycling Committee - Revised 2020 Windsor Bicycling Committee Terms of Reference and Mandate (**SCM 148/2020**) (**SCM 65/2020**)
- 8.19. Report No. 72 of the Windsor Bicycling Committee - Capital funding for traffic calming measures (**SCM 149/2020**) (**SCM 86/2020**)
- 8.20. 881 Drouillard Road - Parking Encroachment - Ward 5 (**SCM 150/2020**) (**S 43/2020**)
- 8.21. Parking Agreement with RockTech Solutions Canada - Ward 3 (**SCM 151/2020**) (**S 48/2020**)
- 8.22. Fire Stations No. 2 and 5 Project Completion Report (**SCM 152/2020**) (**S 209/2018**)
- 8.23. Preparations for Recycling Transition to Extended Producer Responsibility - City Wide (**SCM 153/2020**) (**S 23/2020**)
- 8.24. Additional Information - CQ 5/2019 - Implementing Photo Radar - City Wide (**SCM 154/2020**) (**S 45/2020**)
- 8.25. Additional Information - CQ 5/2019 - Implementing Red Light Cameras - City Wide (**SCM 155/2020**) (**S 47/2020**)
- 8.26. Bike Share and Scooter Share Services - City-wide (**SCM 156/2020**) (**S 7/2020**)
- 8.27. Temporary Traffic Calming Measures (CQ14-2019 CQ15-2019) - City-wide (**SCM 157/2020**) (**S 58/2020**)

9. **REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS**

10. **PRESENTATIONS AND DELEGATIONS**
PRESENTATIONS: (10 minute maximum)
 - 10.1. PwC Internal Audit Summary Report January 1, 2020 - April 30, 2020 (**SCM 141/2020**)
 - 10.2. PwC Internal Audit response to the COVID-19 crisis prepared by the City Auditor General dated May 2020 (**SCM 142/2020**)

11. **REGULAR BUSINESS ITEMS (Non-Consent Items)**
 - 11.1. Lane Closures for Physical Distancing - Wyandotte BIAs - Wards 5 & 6 (**C 87/2020**)
Clerk's Note: The second portion of the motion pertaining to social distancing will be addressed in a separate memo to Council to be included with the consolidated agenda.
 - 11.2. 2020 Tax Policy Decisions and the Establishment of the 2020 Final Property Tax Rates - City Wide (**C 44/2020**)
 - 11.3. 2020 Business Improvement Area Budget and Levy Approvals - Wards 2,3,4,5 7 6 (**C 86/2020**)

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)

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

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

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

17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

Regular City Council
Monday June 1, 2020
1:00 p.m. (meeting to be held electronically)

Community Services and Parks Standing Committee
Wednesday June 3, 2020
9:00 a.m. (meeting to be held electronically)

Development and Heritage Standing Committee
Monday June 8, 2020
1:00 p.m. (meeting to be held electronically)

21. **ADJOURNMENT**



Subject: Succession Planning: 2019 Initiative & Reserve Account Expenditures Update - City Wide

Reference:

Date to Council: May 25, 2020

Author: Alicia Saroli, (A) Workforce Planning Specialist

519-255-6515, ext. 6536; asaroli@citywindsor.ca

Vincenza Mihalo, Executive Director Human Resources

519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Human Resources

Report Date: March 5, 2020

Clerk's File #: AS/10122

To: Mayor and Members of City Council

Recommendation:

That the Report from the Executive Director of Human Resources detailing the initiatives and expenses incurred through the Succession Planning Reserve Account (1784) in 2019 **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

The purpose of this report is to provide City Council with a summary of the program initiatives and expenditures that flowed through the Succession Planning Reserve Account in 2019.

Succession Planning is a strategic plan to successfully navigate personnel changes in the event of retirement, resignation, internal transfers, promotions, unexpected departures, discharge or newly created positions. The process includes identifying, developing and supporting employees to fill these key positions as they become vacant.

An effective succession plan enables the corporation to:

- Have the right people in the right place at the right time
- Ensure the continuity of growth and leadership in critical positions
- Develop a qualified pool of candidates that are ready to fill key positions

- Encourage and motivate employees to aspire for advancement
- Improve employees' ability to respond to changes in the workplace
- Create a variety of learning opportunities for the timely transfer of knowledge
- Minimize costs associated with recruiting new talent
- Incorporate an effective attraction and retention strategy
- Mitigate loss of knowledge
- Avoid critical errors
- Minimize interruption of business continuity and customer service

This Succession Planning Reserve Account (1784) was established by way of Council Motion M34-2012 from the January 23, 2012 meeting of City Council which authorized Administration to create the fund as a result of the consolidation of Capital funds from the Service Delivery Review Succession Planning project and the Operating Funds approved during the 2011 budget process.

Administered by Human Resources, funding is accessible through the preparation and submission of a Delegation of Authority to the Chief Administrative Officer (CAO) outlining the departmental situation where an impending vacating position has been identified. Each Delegation of Authority requires CAO approval before two incumbents can overlap any specific position for up to three months to ensure historical and knowledge transfer is achieved through a job – shadowing experience.

Recognizing the need for a succession planning strategy, City Council further authorized the creation of the Talent Management Program by way of Council Resolution 84-2014 from the April 7, 2014 meeting:

***THAT** the report of the Executive Director of Human Resources dated February 25, 2014 providing Council with an update on program initiatives and expenses that flowed through the Succession Planning Reserve Account (1784) in 2013 **BE RECEIVED** for information; and*

*Additionally that City Council **APPROVE** a maximum amount of \$15,000 from the Succession Planning Reserve Account in 2014 towards the development of a Talent Management Program (Career Counselling) to build on existing succession planning strategies.*

Carried.

This program has been designed for internal candidates to be considered for key positions that are at risk of being vacated (due to eligible retirement, transfers, departures) or are considered difficult to fill (due to technical expertise or labour shortage).

Discussion:

Human Resource Succession Planning processes were examined and reviewed as part of the City Council approved 2014/2015 Internal Audit Plan. The audit review outcome identified a number of recommendations in the April 29, 2016 Final Internal Audit Report. One of the findings identified the use of the Succession Planning Reserve Fund, and to seek direction to use the reserve fund for other reasons or activities related to talent management and succession planning.

The Corporation is facing the imminent retirement of the baby boomer generation; approximately 40% of the corporate workforce is approaching retirement eligibility over the next ten years, and therefore posing a risk to knowledge retention and technical expertise. In order to maintain a highly skilled workforce and improve employee skills, knowledge and core competencies for current and future positions, the Corporation has established a number of tools and supports within Succession Planning to achieve this goal which include:

- Corporate Coaching
- Employee Mentoring
- Leadership Windsor-Essex Leadership Program
- Masters' Certificate in Municipal Leadership
- Art of Supervision
- Apprenticeships
- Corporate Training & Development

Talent Management, Job Overlapping and Educational Assistance & Tuition Reimbursement are additional succession planning tools designed to create an environment that supports the growth and development needs of the workforce.

The Talent Management Program establishes a framework for implementing high-potential identification and development strategies and programs. Funds from the Succession Planning Reserve account are utilized to support individual employee development plans that focus on strengthening or shrinking gaps between expected competencies and the current knowledge, skills and abilities of each employee participant. These development plans include options such as self-directed learning and research, formal training & development, formal education, mentoring and leadership coaching.

The 2019 installment of the Talent Management Program has identified ten positions that would pose a risk to the Corporation if left vacant. In partnership with a local leadership coach, the Corporation is endeavoring to provide professional coaching and knowledge transfer opportunities to internal staff to prepare for impending vacancies.

In addition, the Corporate Coaching Program has been reintroduced and will support the development of eleven active employees through 2020.

Risk Analysis:

There are no significant or critical risks associated with the recommendation.

Planning for the expected departure of employees with a significant amount of historical knowledge is critical to the long-term growth and success of the workplace. Succession planning and knowledge transfer are considered essential risk management tools to preserve vital knowledge within the workplace. Both Talent Management and Job Shadowing are important elements to help offset this risk.

Financial Matters:

During the 2019 Budget Deliberation process, City Council approved a budget increase of \$100,000 to fund the Talent Management Program and Succession Planning reserve. During the 2018 Budget Deliberation process, City Council approved a recommended increase to the Human Resources Department Succession Planning Reserve of \$5,000. Council further approved on April 23, 2018 via CR 237/2018 a one-time transfer of \$500,000 from the 2017 Year End Operating Budget surplus to the Succession Planning Reserve. This funding will be utilized towards knowledge retention and to help offset any potential customer service level impacts that may arise during the transition periods given the number of retirements continues to increase.

Table 1 details the 2019 Succession Planning Reserve Account (1784) requests, associated funding and balance of the Reserve Account.

Table 2 details newly approved and/or departmental requests for succession planning funding for 2020 as of March 1, 2020.

Succession Planning Reserve 1784 funding requests will continue to be reported to City Council on an annual basis.

Table 1: 2019 Succession Planning Reserve Account (1784)

Opening Balance as of January 1, 2019		\$705,371
<i>Transfer from Human Resources Operating Budget</i>		\$105,000
Talent Management Program – through to February 28, 2019	CAO-4449	(\$13,303)
Talent Management Program – effective March 1, 2019	RFP #148-18 Contract #5312	(\$8,128)

Council Services - Elections Management*	CAO-4286	\$0
Public Works Operation - Fleet Coordinator*	CAO-4893	(\$18,999)
Parks, Recreation & Culture and Facilities - Manager of Administration*	CAO-4926	\$0
Transit Windsor – Maintenance Stores*	CAO-4935	(\$7,903)
Parks & Rec - Horticulturalist III	CAO-4950	(\$12,509)
Finance - Financial Analyst – TCA	B7/2019	(\$30,469)
Planning - Secretary-Treasurer Committee of Adjustment*	CAO-5140	\$0
Engineering - Manager, Design & Development*	CAO-5147	\$0
Policy, Gaming, Licencing & By-Law Enforcement - Municipal Gaming Analyst*	CAO-5156	\$0
2019 End Balance		\$719,061

*In 2019, these requests were absorbed through the departmental surpluses and therefore no transfers were required from the Succession Planning Reserve Account.

Table 2: 2020 Succession Planning Reserve Account (1784) Requests (as of March 1, 2020).

Opening Balance as of January 1, 2020		\$719,061
<i>Transfer from Human Resources Operating Budget</i>		\$105,000
Corporate Coaching Cost Projection		(\$16,200)

Talent Management Program		(\$53,872)
Building – Building Inspector	CAO-5174	(34,346)
Fire – Public Education Officer	CAO-23/2019	(\$23,322)
Finance – Financial Analyst – TCA	B7/2019	(\$41,685)
Parks Development – Manager, Parks Development	<i>unconfirmed @ 03/01/2020</i>	(\$11,731)
Fire Dispatch – Emergency Communications Officer	<i>unconfirmed @ 03/01/2020</i>	(\$49,975)
Balance at March 1, 2020		\$592,930

Consultations:

Alexandra Taylor, Financial Planning Administrator

Conclusion:

We are providing Council with this update for 2019 and in the first quarter of 2021 we will provide council with the 2020 information. Human Resources will continue to monitor the program closely.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Alexandra Taylor	Financial Planning Administrator

Name	Title
Joe Mancina	Chief Financial Officer & City Treasurer – Corporate Leader of Finance & Technology
Valerie Critchley	City Clerk/License Commissioner – Corporate Leader Public Engagement & Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

**Council Report: CM 11/2020****Subject: Educational Assistance Reserve Account - Expenditures for 2019 - City Wide****Reference:**

Date to Council: May 25, 2020

Author: Vincenza Mihalo, Executive Director of Human Resources

519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Renee Ruccolo, Organizational Development Specialist

519-255-6515, ext. 6207; ruccolo@citywindsor.ca

Human Resources

Report Date: March 9, 2020

Clerk's File #: AS/10122

To: Mayor and Members of City Council

Recommendation:

That the Report from the Human Resources Department providing Council with an update of the expenses flowed through the Educational Assistance Reserve Account for 2019 **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

Under Council Resolution 331/2007, City Administration was authorized to set up an Educational Assistance Reserve Account, thereby reallocating existing budget amounts from each departmental account for Education Allowances (i.e., account #8220) into one consolidated operating budget line item to be administered by the Human Resources Department. This includes all corporate departments, but not boards and agencies such as Police Services and Roseland Golf & Curling Club. Eligible educational allowance reimbursement expenses are charged to the Human Resources Operating Budget with any annual surplus or deficits flowing through the reserve account and subject to reports to City Council detailing transfers flowing through the account. It should be noted that for the purposes of this report, Transit Windsor and the Windsor Public Library (WPL) are included as these entities became part of our Corporate Training Program in late 2014 (WPL) and 2015 (Transit). Hence, the purpose of this communication is to provide Council a report summarizing the expenses within the Educational Assistance Reserve Account for 2019.

Discussion:

On March 23, 2015, City Council approved the revised Learning & Organizational Development Opportunities Policy, inclusive of the Educational Assistance Program. For the purposes of the program, Educational Assistance is defined as reimbursement of the cost of tuition and mandatory (or ancillary) fees. Essentially, eligibility under the Program requires that the course(s) of study has a direct benefit to the City in the employee's current permanent position for full reimbursement, or has a **potential future** benefit to the City for 50 percent reimbursement, subject to successful completion of the course(s) of study. The purpose of the Program is to promote:

- a) the enhancement of knowledge, skills, and abilities required to maximize performance;
- b) the acquisition of new competencies for changing job requirements or advancement;
- c) the development of career options to support the changing needs of both the Corporation and its employees; and
- d) succession planning by providing employees an opportunity to attain credentials needed for the delivery of quality services.

It is also noted that employees applying to this program do so on a course by course basis. No commitment is made to entirely fund degree or diploma programs, as continued funding is subject to annual budget constraints.

The reason for consolidating Educational Allowance into one account is to ensure a fair and equitable distribution of budgeted resources to all City departments, and facilitate equal access to the funds by employees.

Risk Analysis:

Succession planning has and continues to be identified as a significant risk to the corporation and is overseen by the Executive Director of Human Resources. One of the many mitigating strategies to deal with this risk is the Educational Assistance & Tuition Reimbursement Program. Given the motivation and determination of our employees to continue to grow within the Corporation there is little to no risk in terms of investing in the educational needs of the workforce to ensure a productive, high performing and optimally sound workplace.

While there is always a risk where an employee receives some form of reimbursement from the Corporation for an educational program or course of study, a Scale of Repayment allows the Corporation to recoup up to a maximum of 100% of funds if the employee resigns his/her employment or is terminated or discharged by the City. In such cases, the amount of repayment is based on the completed years of service by the employee and the date of payment for tuition reimbursement.

Should there continue to be an appropriate budget allocation and reserve account available to our employees to meet the ever-changing needs of the Corporation as a result of legislative changes, technological changes and retirements, there is little to no risk in terms of continuing to offer this tool in an effort to provide an adequate Succession Plan. This report is provided to City Council to identify expenditures flowing through the Educational Assistance Reserve Fund and to provide transparency.

Financial Matters:

The Educational Assistance budget, as managed by the Human Resources Department, is outlined below in Table 1. As stipulated in the Report to Council 17615 on March 23, 2015, and approved per CR61/2015 to charge eligible educational allowance reimbursement expenses to the Human Resources Operating Budget with any annual surplus or deficits flowing through the Educational Assistance Reserve (Account 1770) subject to an annual report to City Council detailing transfers flowing through this Reserve. Actual expenditures were higher than budgeted for 2019, requiring a transfer in the amount of **\$9,506** from the reserve account.

Table 1: Educational Assistance Program

	2015	2016	2017	2018	2019
Educational Assistance Budget	\$52,607	\$56,287 ¹	\$56,287	\$56,287	\$56,287
Tuition Reimbursement	\$50,863	\$33,134 ²	\$44,443	\$77,523 ⁵	\$65,001
Employee Tuition Repayment	\$0	\$213	\$0	\$0	\$0
Transfer to / (from) Reserve Account	\$1,744	\$23,366	\$11,844	(\$21,236)	(\$9,506)
Other Transfers to Reserve Account	\$0	\$1,000 ³	\$2,000 ⁴	\$0	\$1,000 ⁶
Balance in Reserve Account (1770)	\$122,559	\$146,925	\$160,769	\$139,533	\$131,027

¹ The 2016 Educational Assistance Budget was increased by \$3,680 to include Transit Windsor's budget.

² The amount of tuition paid in 2016 is less than previous years due to outstanding tuition reimbursement requests not yet received as of the date of this report.

³ In 2016, an Apprenticeship Grant in the amount of \$1,000 was received and transferred to the Reserve Account.

⁴ In 2017, an Apprenticeship Grant in the amount of \$2,000 was received and transferred to the Reserve Account.

⁵ The increased spike in the amount of tuition paid in 2018 was attributed largely in part to rising costs of University level courses which placed some additional pressure on the educational assistance budget.

⁶ In 2019, an Apprenticeship Grant in the amount of \$1,000 was received and transferred to the Reserve Account.

In such cases where an employee receives some form of reimbursement from the Corporation for an educational program or course of study, and the employee resigns his/her employment or is terminated, retires or discharged by the City, a scale of reimbursement is applied for the purpose of repayment to the Corporation.

The above does not include Educational Assistance in the Social Services department in the Housing, Children Services and Ontario Works Programs. These service areas share eligible expenditures with the provincial government and County cost sharing is applicable to the Municipal portion as provided in Table 2. The actual expenditures were less than budgeted in 2016, resulting in a \$10,549 surplus which was closed out at year-end as part of the Corporation's overall surplus.

Table 2: Educational Assistance Program in Social Services

	2015	2016	2017	2018	2019
Social Services Operating Budget	\$8,820	\$13,770	\$18,420	\$14,735	\$16,091
Actual Expenditures	\$5,907	\$ 5,087	\$1,730	\$4,487	\$5,822
Provincial Subsidy Recovery	(\$4,088)	(\$3,751)	\$(1,230)	(\$3,226)	(\$4,554)
County of Essex Recovery	(\$632)	(\$385)	\$ (179)	(\$468)	(\$552)
<i>Net Cost to Social Services</i>	<i>\$1,186</i>	<i>\$951</i>	<i>\$321</i>	<i>\$793</i>	<i>\$715</i>

Table 3 outlines statistics on Educational Assistance applications processed in Human Resources, inclusive of the Social Services Department.

Table 3: Educational Assistance Applications

	2015	2016	2017	2018	2019
Employee Applications Received & Processed for each year respectively	95	141	154	128	122 ¹
Applications Reimbursed for each year respectively	69	97	101	106	99
Applications Paid by Department (through apprenticeship program)	4	4	5	4	3
Applications Unpaid each year (at the submission of this report)	36	48	79	56	49
Applications Denied each year respectively	0	2	1	0	2
Total Number of Employees Reimbursed for each year respectively	35	56	47	56	44 ²

¹ Of the 122 applications received and processed in 2019, 49 represent applications received and processed in 2019 and 50 represent applications received and processed in 2018. A further 24 applications that were processed in 2019 have been paid in 2020 as of the date of this report.

² Of the 44 employees receiving reimbursement, 24 of them took more than 1 course

The process for obtaining educational assistance consists of two elements. Employees must first complete an application requesting educational assistance **prior** to enrolling in a course of study at a recognized educational institution, upon which time the Executive Director or designate is to determine whether the request is eligible and if so, to indicate the level of assistance approved, based on job relatedness. Upon course completion, employees must submit an application requesting reimbursement of tuition fees, along with proof of successful completion of the course of study and accompanying receipt outlining costs. The figure relative to the *unpaid* applications, is representative of a number of factors, including requests for reimbursement of tuition fees not yet received and paid, the course of study not yet complete and/or dropped, the course of study cancelled through the educational institution or where the applicant received a failing grade, in which case there is no tuition reimbursement provided under the Educational Assistance Policy.

As part of the Corporation's transfer agreement with St. Clair College, employees of the Corporation have enjoyed a 70% reduction in tuition costs since 2007. This tuition incentive which was made available for a span of ten (10) years was to conclude in March, 2017, however the discount was extended a further year until March, 2020. At the time of this report, a further renewal was granted to extend the discount until March 31, 2021. The impact of employees taking advantage of this discount, applicable to credited courses under continuing education, is resulting in significant savings to the employer as well as to employees.

The Human Resources Department also receives and processes applications for the Skilled Trades Apprenticeship Program in accordance with all applicable Collective Agreements and/or Memoranda of Understanding with the various Bargaining Units, and guided by the rules and regulations governing Educational Assistance. Anyone approved under the Skilled Trades Apprenticeship Program will be reimbursed appropriately, however funding for this program will be made available through departmental specific training accounts based on the availability of departmental funding. As of the writing of this report:

- four (4) employees completed the Construction Craftworker Apprenticeship;
- one (1) employee completed the Industrial Electrician Apprenticeship;
- two (2) employees are registered in the Truck and Coach Apprenticeship;
- one (1) employee is registered in the Automotive Service Technician Apprenticeship

Taking effect July 1, 2017, all reimbursements as they relate to Educational Assistance & Tuition Reimbursement for US Post-Secondary Institutions are paid equal to that in Canadian dollars, hence no exchange rate is to be applied. As such, any difference in the exchange rate is the responsibility of the employee should they choose or need to obtain a course of study in the U.S. While such requests are minimal as most reimbursements are in Canadian funds, this change was the result of substantially higher U.S. tuition costs, a tumbling Canadian dollar and a modest budget. It was important to impose this stipulation in an effort to ensure a fair and equitable distribution of educational funds corporately.

Consultations:

L. Higgins, Manager of Intergovernmental Subsidies & Financial Administration

A. Taylor, Financial Planning Administrator

H. Seksenova, Financial Planning Administrator, Employment & Social Services

Conclusion:

Educational Assistance continues to be an important program under the Learning & Development Opportunities portfolio, providing a mechanism for employees to acquire the knowledge and skills needed to meet growing job requirements as well as the current and future needs of the Corporation as a whole.

This consolidated report represents an annual summary of expenses related to Educational Assistance and Tuition Reimbursement. Human Resources will continue to report to Council as to the expenditures under the Educational Assistance Program. The next report pertaining to Educational Assistance expenditures in 2020 will be submitted to City Council by the end of the first quarter of 2021, following the deadline for submission of requests for tuition reimbursement and allowing time to process and issue the payments.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Alexandra Taylor	Financial Planning Administrator
Jelena Payne	Commissioner Community Development and Health, Corporate Leader - Social Development & Health
Joe Mancina	Chief Financial Officer & City Treasurer – Corporate Leader of Finance & Technology
Valerie Critchley	City Clerk & License Commissioner – Corporate Leader of Public Engagement & Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:



Subject: Summary of Ministry of Labour (MOL) visits from July to December 2019 - City Wide

Reference:

Date to Council: May 25, 2020

Author: Julie Ryckman, Occupational Health & Safety and 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: April 23, 2020

Clerk's File #: AS2020

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 July 1st to December 31st 2019.

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 noted for the last six months.

The following is a summary of the Field Reports issued to the Corporation for the timeframe from July 1st to December 31st 2019:

1 – On July 8th 2019 a field visit was conducted by the MOL at the 350 City Hall Square site to consult with corporate representatives in regard to training provided to Building Inspectors as it relates to asbestos awareness training and protocols for site investigations as it relates to the presence of asbestos containing materials. During this site visit corporate representatives confirmed that the Corporation has an existing asbestos awareness training program and provided training records to confirm

compliance with training requirements for this employee group for the period from 2012 through to 2019.

Further discussion occurred between the Corporation and MOL representatives as to the processes in place for when an Inspector enters various buildings for the purposes of inspection of mechanical and heating, cooling and ventilation (HVAC) systems, structural and plumbing, as well as for proactive measures. **As a result of this site visit, no deficiencies were noted and no orders were issued.**

2 - On September 12th 2019 a field visit was conducted by the MOL to the Parks and Recreation Administration site to investigate the employers' report of a claim to an occupational disease as per Section 52(2) of the Occupational Health and Safety Act (OHSA). The affected worker had reported to their supervisor that a rash had developed on their forearm which they believed resulted from a workplace exposure. During their investigation the MOL representatives discussed the use of a risk assessment to be conducted prior to workers attending a site to perform work that would identify sources of skin irritation. Further discussion occurred as to a number of possible control measures to minimize worker exposure. **No deficiencies were noted and no orders issued as a result of this investigation.**

3 – A field visit was conducted by the MOL on September 23rd 2019 to our Huron Lodge worksite in response to our report of an occupational disease claim, and specifically a worker's claim to having developed a rash on their chin/jaw, which was later diagnosed as shingles. The worker reported their belief that their rash developed after having provided care to a resident who also had a rash. As per the requirements of Section 52(2) of the Occupational Health and Safety Act (OHSA), the Corporation reported the worker's claim to an occupational disease to the MOL Call Centre within the prescribed timeframe.

During their investigation, Huron Lodge management reported to the MOL representatives the infection prevention and control (IPAC) protocols along with standard operating procedures for the use of appropriate universal/contact precautions. As well notification protocols were reviewed in place to ensure workers are notified of infection hazards and appropriate protective measures. **No deficiencies were identified and no orders were issued as a result of this investigation.**

4 – A field visit was conducted by the MOL on October 3rd 2019 to the WFCU Centre in response to a worker complaint of upper respiratory irritation resulting from a workplace chemical exposure. The exposure was reported to have occurred while the worker was performing routine cleaning duties in a washroom at the WFCU site. The MOL representatives were provided with documentation to verify that the affected worker had successfully complete their general and site-specific WHMIS training. SDS documentation was confirmed to be available to workers for products used in the cleaning process being performed when the incident is reported to have occurred.

As a result of their investigation **MOL representatives issued three orders**, the first relating to the employers duty to ensure workers are made aware of supplier information on the reactivity of chemical products used in their work; and two in relation to contraventions of labelling of a WHMIS-controlled products. A separate report was brought to Council in relation to these orders, CM 36/2019 **noting compliance was achieved in each of the orders by the due date.**

5 – A field visit was conducted by the MOL on November 19th 2019 to Talbot Trail School to investigate the employer's report of a critical injury, and specifically a fractured wrist. During the investigation MOL representatives were made aware of the snow ploughing and salting protocols in place to ensure walkways are maintained in safe condition. As a result of the MOL's investigation of this incident, **no deficiencies were noted and no orders issued.**

6 – A field visit was conducted by the MOL on November 26th at the Forest Glade Arena site as a result of the employer's report of a critical injury to a worker, and specifically loss of consciousness. Upon investigation the MOL representative was advised that a worker lost consciousness after striking his head on a shelf while working in one of the locker rooms. As a result of the MOL investigation, **no deficiencies were identified and no orders were issued.**

7 - A field visit was conducted by the MOL on December 4th 2019 to the 350 City Hall square location for the purpose of investigating a worker complaint that the Corporation does not have a scent policy which lead to the employee experiencing asthma attacks resulting from workplace exposure to scented products used by their co-workers.

The MOL representative was advised that the Corporation has a Scent Safe Workplace Procedure, which falls under the Healthy Workplace Policy, training for staff on the Procedure and controls in place to ensure compliance. As a result of this investigation, **no deficiencies were found and no orders were issued.**

8 - A field visit was conducted by the MOL on December 9th 2019 to the to the 350 City Hall square location for the purpose of a follow up visit to their complaint investigation of December 4th, 2019. The follow up visit on December 9th involved the MOL Inspector who conducted the December 4th investigation and the MOL's Occupational Hygienist. This site visit further pursued a worker's complaint that the Corporation does not have a scent policy which reportedly lead to the employee experiencing asthma attacks resulting from workplace exposure to scented products used by their co-workers.

As part of field visit an investigation of the control measures in place ensued which involved a walk through of the work area of the affected worker. As well an examination of the site heating, cooling and ventilation system occurred lead by the maintenance engineer of the site. As a result of this second site visit and investigation, **no deficiencies were found and no orders were issued.**

Report	Note	Compliance Date	Disposition
Field Visit No. 03564NMMR029 Consultation visit.	No orders issued	Not Applicable	Follow up review by department of instruction to Building Inspectors for process to follow upon arrival at inspection site re asbestos on site
Field Visit No. 04222NQTT137 Investigation of a claim to an occupational disease.	No orders issued	Not Applicable	No further follow up required.
Field Visit No. 04222NRJQ147 Investigation of a claim to an occupational disease.	No orders issued	Not Applicable	No further follow up required.
Field Visit No. 04222NRVP178 Investigation of a claim to an occupational disease.	Three orders issued	Each order complied with prior to their individual compliance dates.	Follow up action taken to ensure site-specific WHMIS training is in place and an audit of janitors' closets at the site to ensure compliance with WHMIS labelling requirements.
Field Visit No. 04222NVFP284 Investigation of a critical injury to a worker.	No orders issued	Not Applicable	Action was taken to remind the worker to avoid short cuts and use proper pathways when travelling from one work area to another.

Report	Note	Compliance Date	Disposition
Field Visit No. 044222NVNP297 Investigation of report of critical injury to a worker.	No orders issued	Not Applicable	Action taken to remove shelf from dressing room, placement of shelf will be reassessed.
Field Visit No. 04222NVXQ318 Investigation of an anonymous complaint.	No orders issued	Not Applicable	No follow up required.
Field Visit No. 04222NWFT331 Complaint investigation follow to field visit 04222NVXQ318.	No orders issued	Not Applicable	No follow up required.

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 OHS Act 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:

Despite the issuance of three orders, we do not foresee any financial issues resulting from any of the MOL Field Visits detailed in this report.

Financial Matters:

There are no financial issues resulting from any of the MOL Field Visits detailed in this report, any training and follow up required was conducted by in-house staff.

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	Corporate Leader – Parks, Facilities, Recreation & Culture
Jelena Payne	Commissioner Community Development & Health, Corporate Leader – Social Development & Health

Joe Mancina	Chief Financial Officer & City Treasurer - Corporate Leader of Finance & Technology
Shelby Askin Hager	City Solicitor – Corporate Leader for Economic Development and Public Safety
Valerie Critchley	City Clerk – Corporate Leader for Public Engagement and Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:



Subject: 2019 Annual Report - Building Permit Fee Reserve Fund - City Wide

Reference:

Date to Council: May 25, 2020
Author: Don Nantais
Financial Planning Administrator
519-255-6100 ext 1668
dnantais@citywindsor.ca

John Revell, Chief Building Official
(519) 255-6267 ext 6444
jrevell@citywindsor.ca
Planning & Building Services

Report Date: February 27, 2020
Clerk's File #: SB2020

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE** the 2019 Annual Report on Building Permit Fees for information.

Executive Summary:

N/A

Background:

Attached in Appendix A is a copy of the 2019 Annual Financial Report on Building Permit Fees to be received for information purposes. This Annual Report is issued pursuant to the requirements of Section 7(4) of the *Building Code Act, 1992* (BCA) as amended. Section 7(4) requires municipalities to report annually as stated below:

Every 12 months, each principal authority shall prepare a report that contains such information as may be prescribed about any fees authorized under clause (1)(c) and costs of the principal authority to administer and enforce this Act in its area of jurisdiction.

Municipalities are mandated to report annually the amount of building permit fees collected, and all costs related to the administration and enforcement of the BCA, together with a statement of financial position of any established Building Permit Fee Reserve Fund. Municipalities are not permitted to include costs associated with

enforcement of property standards or other by-laws, nor can building permit fees be used to fund the costs of such work.

In July 2005, the City of Windsor established a Cost Stabilization Fund as permitted under the BCA. The purpose of this fund is to record any cumulative operating surpluses to help offset any potential permit revenue declines inherent with the economic cycles of the building industry. A deficit in the Building Permit Fee Reserve can be addressed by increasing permit fees, reducing expenditures, subsidization from the general tax levy, or a combination of all three.

Costs reported on the statement include both Building Services direct costs as well as indirect Corporate costs. Financing charges incurred on any balances in the reserve are also itemized.

Section 7 of the BCA does allow the municipality to levy fees to offset the anticipated costs of providing service. There is no provision supporting retroactive recouping of losses. This means that fees cannot be adjusted to recover past revenue shortfalls thereby penalizing future permit applicants.

Discussion:

Any surplus in the Building Permit Fee Reserve Fund is limited to use for Building Code enforcement related activities. The Fund may be used to offset costs where revenues in any given year do not cover actual operating costs, or where there are anticipated new costs (i.e., new staff or capital expenditures), which are projected in future years. There is no limit specified in the *Building Code Act* with respect to the magnitude of the balance in the Fund (either positive or negative).

Approximately 70% percent of the Building Services budget is utilized directly in carrying out the enforcement of the *Ontario Building Code*. The remainder of the Building Services budget is funded from the tax levy and provides for the enforcement of regulatory by-laws, property standards and the delivery of housing rehabilitation programs inspections, storm and sanitary sewer inspections and liquor license inspections.

Considerations To Address The Budgeted Draw On Reserve

A reduction in the draw on the Reserve can be achieved either through increasing revenue, or decreasing expenditures.

To enhance revenue, Administration has recommended increases (mostly inflationary) in permit fees in most budget years. The 2019 budgeted draw on Reserve was set at \$807,388. The budgeted draw on Reserve is the estimated additional amount needed over and above anticipated revenue in order to pay the total forecasted direct and indirect costs of Building Code Enforcement for the year. In other words, for every permit revenue dollar earned, there is a corresponding reduced need to draw against the Reserve Fund in order to pay for the total operating costs.

To reduce expenditures, a reduction of staff complement and/or operating expenses would be required. It should also be noted that many factors can come into play that impact the service being provided. For example, the *Ontario Building Code* may be revised annually by the Ministry of Municipal Affairs and Housing. Numerous changes

can and do occur which translate into more tasks being required of Building Code Enforcement Staff and consequently more staff time needed on projects. The volume of permits issued in 2019 (3,301) was less than 2018 (4,501) but the total construction value (and in many cases project complexity) was 46% higher in 2019 than that of 2018.

Additional Points of Information

Building Services has no control over the local economy nor a precise forecast of how the economy will trend. There does exist, however, signs of a positive trend and general optimism among the local community. Planning projections suggest that current economic growth will continue for some time with hopefully much of the development activity being represented by infilling as opposed to only perimeter expansion.

The department is nearing the end of its implementation of the EVOLVE digital permitting system. This will help streamline service delivery to the development community and add efficiencies.

Risk Analysis:

There are no legal/risk management impediments to approving the recommendation in this report. Subsection 7(4) of the *Building Code Act* requires the municipality to prepare an annual report respecting building permit related fees. Factors affecting and options for remedying the Reserve balance are noted throughout the report.

Financial Matters:

The budgeted operating draw on Reserve for 2019 was \$807,388. Due to exceptionally favourable operating results, the department was able to make a contribution to the Reserve in the amount of \$805,485. This amount includes one time recoveries totalling \$325,000 combined from staff working on the EVOLVE project and staff gapping that occurred during the year. The table below shows historical operating (draws)/contributions against the Reserve since 2012.

History of Building Permit Fee Reserve Operating (Draws)/Contributions

Year	2012	2013	2014	2015	2016	2017	2018	2019
Draw	(\$427,828)	(\$964,907)	(\$512,509)	\$145,774	\$79,266	\$430,259	(\$127,148)	\$805,485

The balance in the Building Permit Fee Reserve at December 31, 2019 was approximately (\$9.6 million) deficit. City Council previously approved the establishment of a placeholder reserve (Building Permit Fee Reserve Contra Account) to offset the deficit. The Contra Account had a December 31, 2019 balance of \$10.3 million.

Construction Statistics

Appendix B (Historical Construction Values) provides some construction statistics from the past decade recorded by Building Services. During that time, institutional construction represented the largest contributor to permit revenues collected. In contrast, the previous decade was when we saw much of the revenue coming from residential construction type projects.

Consultations:

Copies of the Annual Report are made available to the public; i.e. posted on the Corporate website. The City of Windsor will also post the report by letter to the construction industry via the Greater Windsor Home Builders Association, Windsor Construction Association and the Ministry of Municipal Affairs and Housing.

Conclusion:

Building Services continually strives to be fiscally prudent and make every effort to address and control any annual deficit in the Building Permit Fee Reserve.

Planning Act Matters:

N/A

Approvals:

Name	Title
Don Nantais	Financial Planning Administrator
John Revell	Chief Building Official
Tony Ardovini	On behalf of CFO & City Treasurer
Shelby Askin Hager	City Solicitor
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Greater Windsor Home Builders Association	2880 Temple Drive Windsor, ON, N8W 5J5	519-948-3247 windsorsexhba@gmail.com
Windsor Construction Association	2880 Temple Drive Windsor ON, N8W 5J5	519-974-9680 construction@wca.on.ca
Ministry of Municipal Affairs and Housing Building and Development Branch	777 Bay Street 2 nd Floor, Toronto, ON M5G 2E5	416-585-6666

Appendices:

- 1 Appendix A - Financial Data
- 2 Appendix B - Historical Construction Data

APPENDIX A

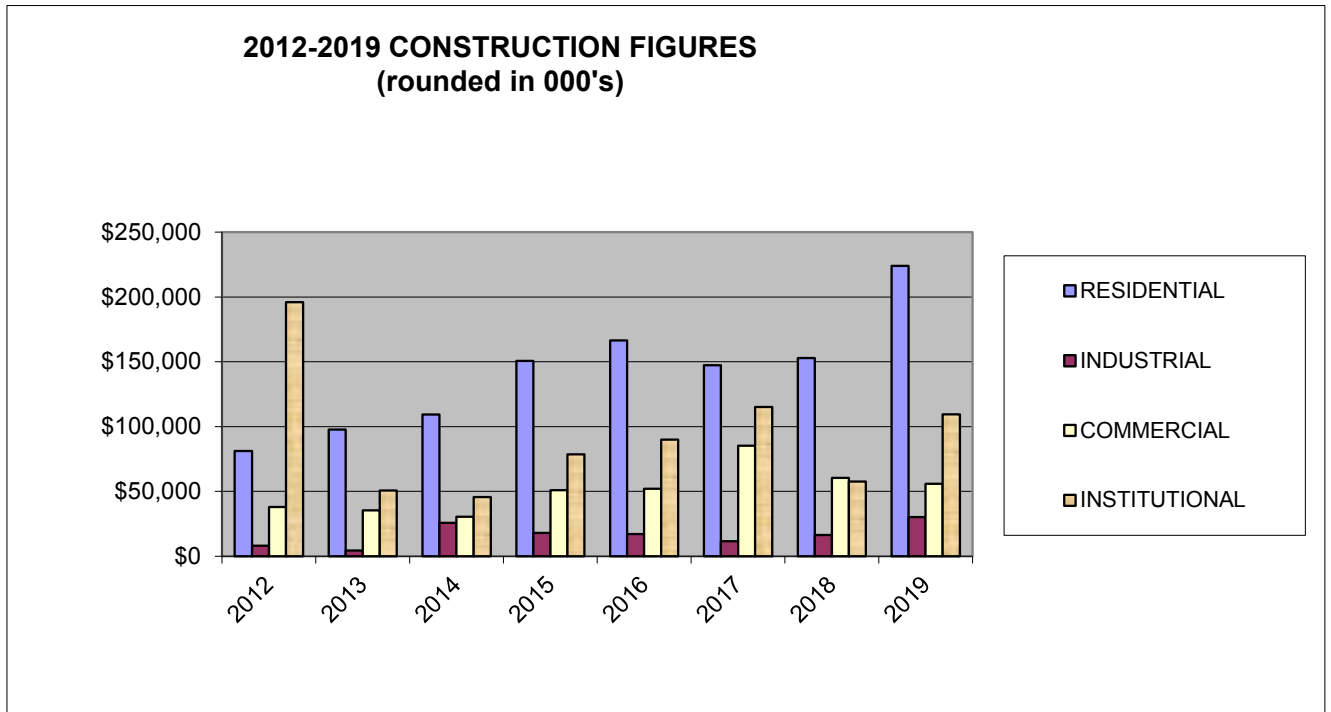
**CORPORATION OF THE CITY OF WINDSOR
ANNUAL REPORT OF BUILDING PERMIT FEE RESERVE
For the year ending December 31st, 2019**

		<u>2018</u>	<u>2019</u>
BUILDING PERMIT RELATED FEES COLLECTED	(A)	<u>\$4,069,053</u>	<u>\$5,295,917</u>
 <u>DIRECT COSTS</u>			
Permit Services Salary & Benefits		\$1,608,214	\$1,676,290
Permit Services Other Costs		\$133,031	\$7,688
Inspection Services Salary & Benefits		\$1,305,222	\$1,697,405
Inspection Services Other Costs		\$220,894	\$201,872
Building Admin.		\$245,766	\$223,645
Geomatics		\$246,148	\$318,962
	Total Direct Costs	<u>\$3,759,275</u>	<u>\$4,125,862</u>
 <u>INDIRECT COSTS</u>			
(Municipal Benchmarking Network Canada method utilized to allocate program support costs)			
Facility Management		\$124,907	\$58,706
Technology Services		\$153,853	\$164,342
Accounting & Finance		\$51,534	\$55,547
Human Resources		\$101,828	\$79,894
Corporate Services Admin.		\$4,805	\$6,081
	Total Indirect Costs	<u>\$436,927</u>	<u>\$364,570</u>
 TOTAL: DIRECT & INDIRECT COSTS	 (B)	 <u>\$4,196,202</u>	 <u>\$4,490,432</u>
 Calculated Legislated Permits Operating (Deficit)/Surplus	 (A) - (B)	 <u>(\$127,149)</u>	 <u>\$805,485</u>
 <u>STATEMENT OF BUILDING PERMIT FEE RESERVES:</u>			
Building Permit Fee Reserve Fund (Deficit)/Surplus Opening Balance January 1st		(\$9,896,559)	(\$10,216,103)
Interest Charges and Finance Fee		(\$192,396)	(\$223,733)
Building Permit Fee (Deficit)/Surplus For The Year		(\$127,148)	\$805,485
One Time Funding From Reserve For Approved Budget Reduction		\$0	\$0
Cumulative Building Permit Fee Reserve Fund (Deficit)/Surplus at December 31st		<u>(\$10,216,103)</u>	<u>(\$9,634,351)</u>

APPENDIX B

Total Construction Values (in 000's) year 2012 to 2019

	2012	2013	2014	2015	2016	2017	2018	2019
RESIDENTIAL	\$81,339	\$97,826	\$109,428	\$150,851	\$166,517	\$147,306	\$153,011	\$224,014
INDUSTRIAL	\$8,320	\$4,374	\$25,932	\$17,976	\$17,049	\$11,642	\$16,533	\$30,183
COMMERCIAL	\$38,099	\$35,392	\$30,509	\$51,076	\$52,116	\$85,368	\$60,666	\$55,884
INSTITUTIONAL	\$196,034	\$50,865	\$45,594	\$78,509	\$90,033	\$115,176	\$57,717	\$109,551
TOTAL	\$323,792	\$188,457	\$211,463	\$298,412	\$325,715	\$359,492	\$287,927	\$419,632





Subject: Compliance with Applicable Laws & Regulations, 2020 Q1 - City Wide

Reference:

Date to Council: May 25, 2020
Author: Marco Aquino
Executive Initiatives Coordinator
519-255-6100 ext 6477
maquino@citywindsor.ca
City Treasurer
Report Date: April 15, 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 Q1.

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 March 31, 2020. Email confirmations of compliance were received from departments as outlined above.

As of March 31, 2020, administration confirms that it is in compliance with all applicable laws, regulations and inquiries received from government agencies, with the exception of the following items:

- Item #23 - Property Tax Assessment Appeals - appeal deadline has been moved to a date yet to be determined;
- Item #46 - MOECC Annual Plant Report-Little River Pollution Control Plant – a deadline extension to August 2020 has been received;
- Item #47 - MOECC Annual Plant Report-Lou Romano Water Reclamation Plant – a deadline extension to August 2020 has been received.

There are no risks or penalties for the delay in submission of these reports.

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.

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
- Valerie Critchley – City Clerk
- Pat Delmore – Executive Director – Transit Windsor
- Melissa Ryan – Manager Provincial Offenses

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 Q1

**City of Windsor
Compliance List
1st Quarter 2020
As of March 31, 2020**

APPENDIX A

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

**City of Windsor
Compliance List
1st Quarter 2020
As of March 31, 2020**

APPENDIX A

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

**City of Windsor
Compliance List
1st Quarter 2020
As of March 31, 2020**

APPENDIX A

	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

NOTE: Item #23 - Property Tax Assessment Appeals - appeal deadline has been moved to a date yet to be determined;
Items #46 & #47 - MOECC Annual Plant Report - a deadline extension to August 2020 has been received



Council Report: CM 14/2020

Subject: Status Report on Implementation of Audit Recommendations - 2020 Q1 - City Wide

Reference:

Date to Council: May 25, 2020
Author: Marco Aquino
Executive Initiatives Coordinator
519-255-6100 ext 6477
maquino@citywindsor.ca
City Treasurer
Report Date: April 23, 2020
Clerk's File #: AF/11247

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE FOR INFORMATION** the Status Report on Implementation of Audit Recommendations as of 2020 Q1 (attached as Appendix A).

Executive Summary:

N/A

Background:

PricewaterhouseCoopers LLP (PwC), as the City's internal audit service provider, has conducted and completed many audit projects during its contracted term, which began in April 2013. The completed projects to date include:

- Governance, Strategic Leadership & Policy Management (June 9, 2014)
- Procurement, Purchasing & Payables (December 15, 2014)
- Manage Information Security (December 15, 2014)
- Transit Windsor (December 15, 2014)
- Your Quick Gateway (YQG) (December 15, 2014)
- Recommend Annual Budgets (July 27, 2015)
- Windsor Detroit Tunnel Corporation (July 27, 2015)
- Windsor Essex Community Housing Corporation (July 27, 2015)
- Manage Changes to Information Systems (July 27, 2015)
- Windsor Public Library (October 26, 2015)
- Manage Infrastructure (January 26, 2016)
- Purchasing Card Review (January 26, 2016)
- Information Technology Governance (January 26, 2016)
- Essex Windsor Solid Waste Authority (January 26, 2016)

- User Fee Review (April 25, 2016)
- Succession Planning Pilot (May 30, 2016)
- Fraud Risk Management (November 28, 2016)
- Enwin Utilities Ltd (November 28, 2016)
- Enwin Energy Ltd (November 28, 2016)
- Windsor Utilities Commission (November 28, 2016)
- Manage the Daily Operations of Service Delivery (May 29, 2017)
- Review of Cash Control Procedures (August 8, 2017)
- Service Provider & Outsourced Services Governance & Management (August 8, 2017)
- Roseland Golf & Curling Club (October 23, 2017)
- Review of Nine BIAs (October 23, 2017)
- Inventory Control and Lifecycle Management (October 23, 2017)
- Tourism Windsor Essex Pelee Island (October 23, 2017)
- Windsor Essex Economic Development Corporation (January 29, 2018)
- Windsor Police Services (June 4, 2018)
- Pollution Control – Preventative Maintenance Compliance & Accountability (August 27, 2018)
- Fleet – Preventative Maintenance Compliance & Accountability (August 27, 2018)
- Fire Rescue Compliance (August 27, 2018)
- YQG - Managing Inventory, Repairs and Maintenance (August 27, 2018)
- Managing Transition of Projects into Operations (November 5, 2018)
- Property Tax Billing and Payment Processing (November 5, 2018)
- Pursuit of Grant Funding (February 4, 2019)
- Facilities Operations (February 4, 2019)
- Social Media Strategy Assessment (February 4, 2019)
- Emergency Response Planning & Preparedness (May 6, 2019)
- CHC Asset Management Housing Portfolio Internal Audit Report (July 29, 2019)
- Life Cycle Costing & Asset Planning Methodology (September 23, 2019)
- Cyber Response Strategy (September 23, 2019)
- HR Recruiting Process & Retention Strategy (September 23, 2019)
- Planning and Development (February 24, 2020)

All of the final reports for these projects were received by City Council on the dates indicated in parentheses above. Further, City Council accepted all the audit recommendations for each report and directed administration to proceed with implementation on the approximate schedule identified in the accompanying management action plans. It should be noted that other projects have been completed by PwC and will be reported to City Council on May 25, 2020. Since they have not been formally received by Council, they have not been included in the list above.

On September 23, 2019, by CR 485/2019, City Council approved the establishment of an Independent Auditor General. The approval adopted a fully outsourced Auditor General's Office and appointed a designated person as the Auditor General being Christopher O'Connor, Partner, PricewaterhouseCoopers LLP (PwC). Internal Audit personnel from PwC will report to the Auditor General, and support the Auditor General

in executing the mandates within the City of Windsor Auditor General Charter, approved on January 20, 2020 by CR 35/2020.

Discussion:

The detailed status report for all outstanding audit recommendations is attached as Appendix A and is as of March 31, 2020. As of that date, management is tracking the status of thirty-five (35) audit recommendations, of which twenty-one (21) audit recommendations are considered open and delayed. Additionally, twenty-two (22) items have been closed since the 2019 Q4 update, as PwC has verified that they have been successfully completed. Since the beginning of PwC's contract as outsourced internal auditor in April 2013, there have been two hundred forty-seven (247) audit recommendations accepted by City Council of which administration has successfully implemented two hundred twelve (212) of them.

The management action plans that accompany each PwC audit report establish timelines for the implementation of each item. Given that these timelines are often estimates and other business issues and priorities compete for management attention, it is not unexpected that occasional minor delays will occur. In some cases, a minor delay is preferable to allow the recommendation to be properly and fully implemented with adequate resources.

In light of the COVID-19 pandemic, meeting the targeted timelines may be difficult given that departmental focus has shifted to providing essential services. Administration will continue to monitor the situation understanding that a reassessment of the dates along the way may become necessary.

Risk Analysis:

The tracking of the implementation status of all audit recommendations was a key risk mitigation strategy for all of the management action plans submitted with each PwC audit report. The Executive Initiatives Coordinator in the Office of the City Treasurer liaises directly with both PwC and the assigned operating department to ensure that the implementation of audit recommendations is kept top of mind and on schedule. PwC also follows up to verify and test that audit recommendations have been appropriately implemented.

Financial Matters:

Following each audit by PwC and direction from City Council, City management proceeds with the implementation of each recommendation within existing operational budgets. In cases where additional funds may be required, the affected operating department would submit a request to City Council. No additional funding is being requested at this time.

Consultations:

PricewaterhouseCoopers LLP

Conclusion:

City administration monitors the status of all audit recommendations following the acceptance by City Council of each PwC audit report and the direction by Council to proceed with implementation. The management action plan that accompanies each PwC audit report establishes timelines for the implementation for each item, though occasional variances from these timelines occur for a variety of reasons.

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
Christopher O'Connor, Partner, Southwest Ontario Leader, Risk Assurance Services - Pricewaterhouse Coopers LLP	95 King Street South, Suite 201, Waterloo ON N2J 5A2	christopher.w.oconnor@pwc.com
David Deluzio, General Manager, Roseland	455 Kennedy Dr Windsor, ON N9G 1S8	ddeluzio@citywindsor.ca
Jim Steele, CEO, Windsor Essex Community Housing Corporation	945 McDougall Street, Windsor, Ontario, N9A 1L9	info@wechc.com
Mark Galvin Chief Executive Officer YQG Inc. (Windsor International Airport)	3200 County Road 42, Unit 200 Windsor, Ontario N8V 0A1	mgalvin@yqg.ca

Appendices:

1 APPENDIX A - City of Windsor Audit Recommendation Tracking Summary - 2020 Q1

APPENDIX A - City of Windsor Audit Recommendation Tracking Summary - March 31, 2020

Finding #	Recommendation/Topic	CLT Member Responsible	Assigned to	Audit Report/Source	Audit Unit/Firm	Date Issued	Target Date for Implementation	Current Status (as of March 31, 2020)	Additional Comments
51a	Documented strategic plan	WDTC Chief Executive Officer	WDTC Chief Executive Officer	WDTC	PwC	July 27, 2015	2016 Q4	Item retargeted to 2020 Q4	In 2018, WDTC launched a new operating company, Windsor Detroit Borderlink Limited ("WDBL). The Board has had an initial Strategic Planning Session and Administration's initial focus has been on operationalizing WDBL's Business Plan.
51b	Evidence of Board review and approval	WDTC Chief Executive Officer	WDTC Chief Executive Officer	WDTC	PwC	July 27, 2015	2016 Q4	Item retargeted to 2020 Q4	See description in 51a
101	Evidence of contract review with the County of Essex to consider: a) Outlining oversight responsibilities, contract ownership and expectations regarding Blue Box collection, and b) Flow through of expenses from the City to the Authority and the terms of the other shared finance services provided by the City.	Chief Administrative Officer	Chief Administrative Officer	EWSWA	PwC	January 26, 2016	2016 Q2	Retargeted to 2020 Q3	
116a	Evidence of public consultations to update User Fee Policy.	Corporate Leader, Parks, Recreation & Culture and Facilities	Executive Director of Recreation & Culture	User Fees Review	PwC	April 25, 2016	2018 Q2	Closed	
116b	Updated User Fee Policy.	Corporate Leader, Parks, Recreation & Culture and Facilities	Executive Director of Recreation & Culture	User Fees Review	PwC	April 25, 2016	2018 Q2	Closed	
159	Develop a procedure around the use of the VMS in accordance with the Purchasing By-Law 93-2012.	City Solicitor	Purchasing Department	Service Provider and Outsourced Services Governance and Management	PwC	August 8, 2017	2018 Q2	Item retargeted to 2020 Q2	
165	Document a reporting and services agreement between the City & RGCC	GM, Roseland	GM, Roseland	Roseland Golf & Curling Club	PwC	October 23, 2017	2018 Q2	Item retargeted to 2020 Q4	
166	Define and document strategic plan	GM, Roseland	GM, Roseland	Roseland Golf & Curling Club	PwC	October 23, 2017	2018 Q4	Item retargeted to 2020 Q4	
167	Update policy manual	GM, Roseland	GM, Roseland	Roseland Golf & Curling Club	PwC	October 23, 2017	2018 Q3	Item retargeted to 2020 Q4	
173	Define overarching Policies for Inventory Control	Chief Financial Officer	Deputy Treasurer – Financial Accounting	Inventory Control and Lifecycle Management	PwC	October 23, 2017	2018 Q4	Closed	
192	Enhance PM Task Instruction Accuracy - Pollution Control	City Engineer	Mechanical Process Engineer	Pollution Control - Preventative Maintenance Compliance & Accountability	PwC	August 27, 2018	2019 Q2	Closed	
193	Conduct Trend Analysis - Pollution Control	City Engineer	Mechanical Process Engineer	Pollution Control - Preventative Maintenance Compliance & Accountability	PwC	August 27, 2018	2019 Q2	Closed	
194	PM Escalation Standards	City Engineer	Mechanical Process Engineer	Pollution Control - Preventative Maintenance Compliance & Accountability	PwC	August 27, 2018	2019 Q2	Closed	
196	Enhance PM Compliance - Fleet	City Engineer	Fleet Coordinator	Fleet - Preventative Maintenance Compliance & Accountability	PwC	August 27, 2018	2019 Q4	Closed	
197	Conduct Trend Analysis - Fleet	City Engineer	Fleet Manager	Fleet - Preventative Maintenance Compliance & Accountability	PwC	August 27, 2018	2019 Q4	Closed	
199	Establish policies and procedures for Apparatus and Training division	City Solicitor	Director of Apparatus/ Chief Training Officer	Fire Rescue Compliance	PwC	August 27, 2018	2019 Q4	Closed	
200	Enhance annual training planning and documentation for monitoring	City Solicitor	Chief Training Officer	Fire Rescue Compliance	PwC	August 27, 2018	2020 Q2	In progress	
201	Improve documentation structure and consistency for training	City Solicitor	Administrative Assistant	Fire Rescue Compliance	PwC	August 27, 2018	2019 Q4	Closed	

APPENDIX A - City of Windsor Audit Recommendation Tracking Summary - March 31, 2020

Finding #	Recommendation/Topic	CLT Member Responsible	Assigned to	Audit Report/Source	Audit Unit/Firm	Date Issued	Target Date for Implementation	Current Status (as of March 31, 2020)	Additional Comments
202	Enhance apparatus maintenance annual planning and documentation for monitoring	City Solicitor	Director of Apparatus	Fire Rescue Compliance	PwC	August 27, 2018	2019 Q4	Closed	
205	Enhance purchasing policy and document inventory and asset management procedures	CEO - Your Quick Gateway	YQG - Director of Operations	YQG - Managing Inventory, Repairs and Maintenance	PwC	August 27, 2018	2019 Q2	Item retargeted to 2020 Q4	
206	Review and document current inventory/asset management systems and processes	CEO - Your Quick Gateway	YQG - Director of Operations	YQG - Managing Inventory, Repairs and Maintenance	PwC	August 27, 2018	2019 Q1	Item retargeted to 2020 Q4	
207	Enhance key vendor management controls	CEO - Your Quick Gateway	YQG - Director of Finance	YQG - Managing Inventory, Repairs and Maintenance	PwC	August 27, 2018	2018 Q4	Item retargeted to 2020 Q4	
209	Enhance compensating controls to address potential segregation of duties	CEO - Your Quick Gateway	YQG - Director of Finance	YQG - Managing Inventory, Repairs and Maintenance	PwC	August 27, 2018	2018 Q4	Item retargeted to 2020 Q4	
211	Enhance project classification and expectation guidelines	CAO - City of Windsor	Executive Initiatives Coordinator - CAO's Office	Managing Transition of Projects into Operations	PwC	November 5, 2018	2019 Q3	Item retargeted to 2021 Q4	Resource assigned to this recommendation has been seconded to the WFM project.
212	Enhance considerations for project risk assessments	CAO - City of Windsor	Executive Initiatives Coordinator - CAO's Office	Managing Transition of Projects into Operations	PwC	November 5, 2018	2019 Q3	Item retargeted to 2021 Q4	See description in 211
213	Formalize detailed Project Implementation Plan	CAO - City of Windsor	Executive Initiatives Coordinator - CAO's Office	Managing Transition of Projects into Operations	PwC	November 5, 2018	2019 Q3	Item retargeted to 2021 Q4	See description in 211
214	Enhance approach to pre/post go-live feedback collection and aggregation	CAO - City of Windsor	Executive Initiatives Coordinator - CAO's Office	Managing Transition of Projects into Operations	PwC	November 5, 2018	2019 Q3	Item retargeted to 2021 Q4	See description in 211
215	Improve evidence of timely completion and review of key billing controls	Chief Financial Officer	Deputy Treasurer, Taxation and Financial Projects	Property tax billing and payment processing	PwC	November 5, 2018	2019 Q3	Closed	
217	Continue to monitor resource needs and benefits of the centralized grant function	Chief Financial Officer	Senior Manager of Asset Planning	Pursuit of Grant Funding	PwC	February 4, 2019	2019 Q2	Closed	
218a	Define service standards and metrics to evaluate performance	CLT-Parks, Facilities, Recreation & Culture	Senior Manager, Facilities	Facilities Operations	PwC	February 4, 2019	2020 Q2	Item retargeted to 2021 Q2	Due to unforeseen circumstances, the Senior Manager, Facilities and the Manager, Assets & Projects were not available in 2019 Q3 & Q4 to address this recommendation. The current pandemic will also cause a delay to the timelines and therefore a retarget is required.
218b	Review of priorities assigned to work orders	CLT-Parks, Facilities, Recreation & Culture	Manager, Facility Operations	Facilities Operations	PwC	February 4, 2019	2019 Q4	Item retargeted to 2021 Q2	See description in item 218a.
218c	Establish goals and targets, and develop metrics to assist in measuring and evaluating progress towards goals.	CLT-Parks, Facilities, Recreation & Culture	Manager, Assets & Projects	Facilities Operations	PwC	February 4, 2019	2020 Q4	Item retargeted to 2021 Q2	See description in item 218a.
218d	Establish service level agreements/statements to define the expectations	CLT-Parks, Facilities, Recreation & Culture	Manager, Assets & Projects and Manager, Facility Operations	Facilities Operations	PwC	February 4, 2019	2020 Q4	Item retargeted to 2021 Q2	See description in item 218a.
219	Enhance Management Discussions	CLT-Parks, Facilities, Recreation & Culture	Manager, Assets & Projects and Manager, Facility Operations	Facilities Operations	PwC	February 4, 2019	2019 Q4	Item retargeted to 2021 Q2	See description in item 218a.
220a	Develop a formal template of criteria for pursuing/not pursuing capital work.	CLT-Parks, Facilities, Recreation & Culture	Manager, Assets & Projects and Manager, Facility Operations	Facilities Operations	PwC	February 4, 2019	2019 Q4	Item retargeted to 2021 Q2	See description in item 218a.
220b	Define clear 'documentation' standard and develop standard forms/templates	CLT-Parks, Facilities, Recreation & Culture	Manager, Assets & Projects and Manager, Facility Operations	Facilities Operations	PwC	February 4, 2019	2021 Q4	On target for 2021 Q4	

APPENDIX A - City of Windsor Audit Recommendation Tracking Summary - March 31, 2020

Finding #	Recommendation/Topic	CLT Member Responsible	Assigned to	Audit Report/Source	Audit Unit/Firm	Date Issued	Target Date for Implementation	Current Status (as of March 31, 2020)	Additional Comments
220c	Documentation of training and that training material & records are centrally located.	CLT-Parks, Facilities, Recreation & Culture	Manager, Assets & Projects	Facilities Operations	PwC	February 4, 2019	2019 Q2	Item retargeted to 2021 Q2	See description in item 218a.
221	Periodic WO Aging Analysis	CLT-Parks, Facilities, Recreation & Culture	Manager, Assets & Projects and Manager, Facility Operations	Facilities Operations	PwC	February 4, 2019	2019 Q4	Item retargeted to 2021 Q2	See description in item 218a.
222	Design and implement Customer Satisfaction Survey	CLT-Parks, Facilities, Recreation & Culture	Senior Manager, Facilities	Facilities Operations	PwC	February 4, 2019	2019 Q4	Item retargeted to 2021 Q2	See description in item 218a.
223	Track Conditions and Building Condition Assessments (BCA) periodically	CLT-Parks, Facilities, Recreation & Culture	Senior Manager, Facilities	Facilities Operations	PwC	February 4, 2019	2019 Q4	Item retargeted to 2021 Q2	See description in item 218a.
224	Refresh SM Policy and Implement SM Procedures	City Clerk	Senior Manager Communications & Customer Service	Social Media Strategy Assessment	PwC	February 4, 2019	2019 Q4	Closed	
225	Enhance formal oversight controls over SM policies / procedures and governance	City Clerk	Senior Manager Communications & Customer Service	Social Media Strategy Assessment	PwC	February 4, 2019	2020 Q4	In progress	
226	Define and implement strategy evaluation and performance reporting processes	City Clerk	Senior Manager Communications & Customer Service	Social Media Strategy Assessment	PwC	February 4, 2019	2020 Q4	In progress	
227	Develop standard forms/templates for new account creation requests	City Clerk	Senior Manager Communications & Customer Service	Social Media Strategy Assessment	PwC	February 4, 2019	2019 Q4	Closed	
228	Improve controls over Access Management	City Clerk	Senior Manager Communications & Customer Service	Social Media Strategy Assessment	PwC	February 4, 2019	2019 Q4	Closed	
229	Document key content management procedures/checklists and review/update key account level roles/responsibilities.	City Clerk	Senior Manager Communications & Customer Service	Social Media Strategy Assessment	PwC	February 4, 2019	2019 Q4	Item retargeted to 2021 Q1	
230	Update the Emergency response plan and document process for performing annual update	City Solicitor	Emergency Planning Officer	Emergency Response Planning & Preparedness	PwC	May 6, 2019	2019 Q3	Closed	
231	Documentation of EMPC meeting minutes and retention of annual review of emergency management documentation	City Solicitor	Emergency Planning Officer	Emergency Response Planning & Preparedness	PwC	May 6, 2019	2019 Q2	Closed	
232	Implement incident notification and briefing documentation/logging	City Solicitor	Emergency Planning Officer	Emergency Response Planning & Preparedness	PwC	May 6, 2019	2019 Q2	Closed	
233	Develop process guidelines for continuous improvement exercises, documentation and reporting	City Solicitor	Emergency Planning Officer	Emergency Response Planning & Preparedness	PwC	May 6, 2019	2019 Q4	Closed	
234	Review completeness of annual ERP training provided to the staff	City Solicitor	Emergency Planning Officer	Emergency Response Planning & Preparedness	PwC	May 6, 2019	2019 Q4	Closed	
235	Present phase 2 regeneration plan prior to assigning accountabilities for SAMP goals and objectives	WEHC Chief Executive Officer	WEHC - Chief Development and Regeneration Officer	CHC - Asset Management Housing Portfolio	PwC	July 29, 2019	2020 Q4	In progress	
236	Update LTAM Policy with approved FCI target and outline requirements for review/ approval when changes are required to FCI into a procedure/guideline	WEHC Chief Executive Officer	WEHC - Director of Asset Management	CHC - Asset Management Housing Portfolio	PwC	July 29, 2019	2020 Q1	In progress	
237	Establish an acknowledgement procedure to document whether changes to scope prior to issuing addendum were reviewed by a qualified professional	City Engineer	Purchasing Manager	Hotline Investigation - NTS-002-NOV-2018	PwC	July 29, 2019	2019 Q4	Closed	

APPENDIX A - City of Windsor Audit Recommendation Tracking Summary - March 31, 2020

Finding #	Recommendation/Topic	CLT Member Responsible	Assigned to	Audit Report/Source	Audit Unit/Firm	Date Issued	Target Date for Implementation	Current Status (as of March 31, 2020)	Additional Comments
238	Enhance controls over authorization, recording and release of materials to contractors	City Engineer	Senior Manager of Traffic Operations	Hotline Investigation - NTS-002-NOV-2018	PwC	July 29, 2019	2019 Q4	Closed	
239	Formalize Incident Management Plan and Procedures	Chief Financial Officer	Executive Director Information Technology	Cyber Response Strategy Assessment	PwC	September 23, 2019	2020 Q4	In progress	
240	Enhance Security Information and Event Management	Chief Financial Officer	Executive Director Information Technology	Cyber Response Strategy Assessment	PwC	September 23, 2019	2020 Q4	In progress	
241	Develop Incident Severity Matrix and Methodology for Incident Response Times using Critical Asset Classification.	Chief Financial Officer	Executive Director Information Technology	Cyber Response Strategy Assessment	PwC	September 23, 2019	2021 Q1	In progress	
242	Formalize Incident Response Tabletop Exercises	Chief Financial Officer	Executive Director Information Technology	Cyber Response Strategy Assessment	PwC	September 23, 2019	2020 Q2	In progress	
243	Develop Working Procedures for Planning and Development Application Processing	City Solicitor	City Planner	Planning and Development	PwC	February 24, 2020	2020 Q3	In progress	
244	Review and Prioritize Action Plan Implementation of 2014 Business Process Review Findings	City Solicitor	City Planner	Planning and Development	PwC	February 24, 2020	2020 Q4	In progress	
245	Consideration to make disclosure to citizens clear and concise.	City Engineer	Coordinator, Right of Way & Field Services	Hotline Investigation Report - NTS-003-SEP-2019	PwC	February 24, 2020	2020 Q4	In progress	
246	Document formal agreement for restoration arrangement with CHAA	CLT-Parks, Facilities, Recreation & Culture	Executive Director of Recreation and Culture	Complaint Investigation Report - Lancaster Plane	Auditor General	February 24, 2020	2020 Q4	In progress	
247	Ensure contract compliance by retention of relevant documentation	CLT-Parks, Facilities, Recreation & Culture	Director of Finance, YQG	Complaint Investigation Report - Lancaster Plane	Auditor General	February 24, 2020	2020 Q4	In progress	

PwC VERIFIED COMPLETION
OPEN AND DELAYED



Council Report: CM 15/2020

Subject: Summary of Hotline Issues Referred to Management by PwC – 2020 Q1 - City Wide

Reference:

Date to Council: May 25, 2020
Author: Marco Aquino
Executive Initiatives Coordinator
519-255-6100 ext 6477
maquino@citywindsor.ca
City Treasurer
Report Date: April 23, 2020
Clerk's File #: AF/11247

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE FOR INFORMATION** the Summary of Hotline Issues Referred to Management by PwC from January 1, 2020 – March 31, 2020 (attached as Appendix A).

Executive Summary:

N/A

Background:

City Council approved CR110/2013 which approved the Hotline & Notification Protocol. The Hotline & Notification Protocol was subsequently updated with M234-2014 on May 20, 2014. PwC monitors the incoming calls, emails and letters to the City's Concerned Citizen/Employee Hotline and uses the approved decision tree contained in the Protocol to determine whether PwC or City management is best suited to investigate and resolve each issue.

As of January 20, 2020, Internal Audit reports to the Auditor General, who will oversee all of Internal Audit's activities, which includes the Concerned Citizen/Employee Hotline.

Discussion:

For the period of January 1, 2020 to March 31, 2020, PwC referred eighteen (18) Hotline messages to management for investigation and action. For a summary of all Hotline messages referred to management by PwC for the period noted, please see Appendix A. As of the date of this report, all Hotline messages referred to management have been reviewed and have been closed. All issues from previous quarters have also been reviewed and closed.

Risk Analysis:

The Concerned Citizen/Employee Hotline is one of the primary methods of the Corporation to prevent, detect and correct theft, fraud and waste/abuse of City funds and/or assets.

Financial Matters:

City management performs investigations and corrective actions arising from Hotline calls referred by PwC using existing operational budgets. No additional funds are required.

Consultations:

PricewaterhouseCoopers LLP

Conclusion:

From January 1, 2020 to March 31, 2020 PwC referred eighteen (18) items from the Hotline to management for action. As of the date of this report, all Hotline messages referred to management have been reviewed and have been closed. All issues from previous quarters have also been reviewed and closed.

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
Christopher O'Connor, Partner, Southwest Ontario Leader, Risk Assurance Services - Pricewaterhouse Coopers LLP	95 King Street South, Suite 201, Waterloo ON N2J 5A2	christopher.w.oconnor@pwc.com

Appendices:

1 SUMMARY OF HOTLINE CALLS REFERRED TO MANAGEMENT:
JANUARY 1, 2020 to MARCH 31, 2020

APPENDIX A

SUMMARY OF HOTLINE CALLS REFERRED TO MANAGEMENT: JANUARY 1 - MARCH 31, 2020

Tracking Number	Date Received from PwC	General Description	Responsible Member of Management	Management Action	Close Date
NTS-001-JAN-2020	January 10, 2020	Request for a new Internet Café located in Windsor	Valerie Critchley	This request has been referred to the City's 311 system for resolution.	January 13, 2020
NTS-003-JAN-2020	January 22, 2020	Request for a new Internet Café located in Windsor	Valerie Critchley	This request has been referred to the City's 311 system for resolution.	January 22, 2020
NTS-004-JAN-2020	January 27, 2020	Request for the removal of a dead rat	Mark Winterton	This service request has been referred to the City's 311 system for resolution.	January 27, 2020
NTS-005-JAN-2020	January 27, 2020	Complainant alleging that an individual is fraudulently collecting Ontario Works	Jelena Payne	Eligibility Review Officer reviewed the file and met with the client for further information and documentation. Investigation complete and found there was not enough evidence to substantiate the allegation. Matter closed	April 8, 2020
NTS-006-JAN-2020	January 27, 2020	Complaint of poor customer service received from a City of Windsor Department	Valerie Critchley	This customer service complaint has been referred to the City's 311 system for resolution.	January 27, 2020
NTS-007-JAN-2020	January 31, 2020	Anonymous complaint related to the absence of an Internet Cafe in the City of Windsor	Valerie Critchley	This complaint has been referred to the City's 311 system for resolution.	January 31, 2020
NTS-008-JAN-2020	February 6, 2020	Follow-up call received related to a previous Hotline complaint.	Valerie Critchley	This service request has been referred to the City's 311 system for resolution.	February 6, 2020
NTS-001-FEB-2020	February 7, 2020	Management advised PwC regarding a suspected fraudulent activity perpetrated against a City department	Joe Mancina	Management investigated the issue and has implemented strengthened procedures and internal controls to further protect the City from such fraudulent activity.	February 11, 2020
NTS-002-FEB-2020	February 20, 2020	Out of town caller requesting assistance for information related to a personal matter	Jelena Payne	Management contacted the individual and assisted with the requested information.	February 26, 2020
NTS-004-FEB-2020	February 26, 2020	Caller requesting information on how to obtain long term care services for his mother	Jelena Payne	This request has been referred to the City's 311 system for resolution.	February 26, 2020
NTS-007-FEB-2020	March 2, 2020	Matter unrelated to the City of Windsor	Onorio Colucci	No action required.	March 2, 2020
NTS-008-FEB-2020	March 18, 2020	Management advised PwC regarding a potential violation of a corporate procedure by a City employee	Jan Wilson	Management investigated the matter and met with the employee to review related policies and procedures. Discipline was subsequently issued. Matter closed.	March 19, 2020
NTS-001-MAR-2020	March 3, 2020	Matter unrelated to the City of Windsor	Onorio Colucci	No action required.	March 3, 2020
NTS-002-MAR-2020	March 23, 2020	Caller expresses their displeasure regarding publically made comments from a City Councillor towards the Downtown Mission	Onorio Colucci	No action required.	March 23, 2020
NTS-003-MAR-2020	March 23, 2020	Matter unrelated to the City of Windsor	Onorio Colucci	No action required.	March 23, 2020
NTS-004-MAR-2020	March 25, 2020	Complainant expressing concerns around parking in front of their rental unit.	Mark Winterton	This complaint has been referred to the City's 311 system for resolution.	March 25, 2020
NTS-006-MAR-2020	March 30, 2020	Complaint related to a construction project that is ongoing during the pandemic	Mark Winterton	This complaint has been referred to the City's 311 system for resolution.	March 30, 2020
NTS-007-MAR-2020	March 31, 2020	Complainant expressing concerns regarding available parking on a residential street	Mark Winterton	This complaint has been referred to the City's 311 system for resolution.	March 31, 2020



Council Report: C 90/2020

Subject: Response to CQ 10/2020 - That Administration report back to Council on the options that could be considered to create safer opportunities for the public to enjoy access to our parks trail systems that enhance the ability for people to respect physical distancing protocols. - City Wide

Reference:

Date to Council: May 25, 2020
Author: James Chacko
Senior Manager, Parks
519-253-2300 ext. 2763
jchacko@citywindsor.ca

Parks
Report Date: May 8, 2020
Clerk's File #: SR2020

To: Mayor and Members of City Council

Recommendation:

That the report of the Senior Manager, Parks providing a response to CQ 10-2020 **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

On March 17, 2020 due to the COVID-19 Pandemic, the Government of Ontario announced that it was declaring an emergency under s 7.0.1 (1) the *Emergency Management and Civil Protection Act*. As a result, a number of restrictions and closures were ordered with details outlined in the Act. The restrictions announced on March 17th have increased and presently, all outdoor recreation amenities have been ordered closed. Those amenities include:

- All outdoor playgrounds, play structures and equipment;
- All outdoor sports facilities and multi-use fields, including, baseball diamonds, soccer fields, frisbee golf locations, tennis, platform tennis, table tennis and pickle ball courts, basketball courts, BMX parks, and skate parks;
- All off-leash dog areas;
- All portions of park and recreational areas containing outdoor fitness equipment.

At the meeting of Council on May 4th 2020, Councillor McKenzie asked CQ 10-2020:

“That Administration report back to Council on the options that could be considered to create safer opportunities for the public to enjoy access to our parks trail systems that enhances the ability for people to respect physical distancing protocols.”

This report is in response to CQ 10-2020.

Discussion:

As a result of COVID-19 and the subsequent Emergency Orders put in place by the province, media campaigns carried out by the City of Windsor, Local, Provincial and Federal Health Units, the Province of Ontario and the Federal Government, have all stressed the importance of maintaining social distancing. To comply with Municipal and Provincial orders the City of Windsor Parks Department has, at the locations of the aforementioned park amenities, erected signage, physical barriers and installed caution tape to alert the public to the closure of these park amenities. At this time, walking through the park trails is allowed provided individuals are adhering to social gathering and social distancing guidelines and other protocols put in place by the Ministry.

Current Measures

Parks is currently relying on the above mentioned media campaigns, which have included news releases, social media posts, videos and continual information updates on our website citywindsor.ca to educate the public. The department is also working with both the Windsor Police Auxiliary and the City's By-Law Enforcement Officers to provide a presence within the Parks system to enforce the social distancing measures through education.

The Windsor Police Auxiliary are providing three (3), foot patrol units and one (1) mobile unit per shift, which are patrolling City Parks. These patrols are taking place each evening and as well as an additional shift during the day on weekends. The foot patrols are focused on high traffic areas such as the Central Riverfront, Ganatchio Trail and Malden Park, while the mobile patrol cycles through numerous other areas such as Jackson, Captain Wilson, Ford Test Track and Forest Glade Parks.

By-Law Enforcement Officers have been working along with Parks Operations staff to address situations throughout the Park's system. Officers have been present throughout the city Monday to Friday from 8am to 8pm. During these hours, while conducting citywide patrols for a number of issues and when responding to requests from Parks for Covid-19 related issues in specific parks, Officers have been educating park users to the requirements of the Provincial Orders. The ongoing level of assistance that Parks has been receiving from By-Law is likely not sustainable, past the point of the Province revoking the authorised powers of the municipal officers to enforce the Emergency Management and Civil Protection Act (EMCPA). Under normal circumstances only the Police have the authority to enforce regulations under the EMCPA. By-Law is responsible for responding to numerous issues and request for service in areas other than city parks.

To aid in the creations of a safer environment the Parks Department could undertake any number of the following measures:

Signage

The department could install more signage in strategic locations such as at trail heads, to continue to educate the public as to the need to practice social distancing measures. Signage could be installed on existing infrastructure such as bollards, fences and stations that display other signage. There are concerns however, that the installation of additional signage may have limited returns as there are already a number of signs along our trails for items such as, no smoking, dog on leash, no vehicles allowed, etc.

There is also the possibility of stenciling information on the trails themselves. The stencils could display information or provide examples of what proper social distancing looks like, similar to chevrons painted on the highway. There is the potential to work with our Traffic department to have these markings become a permanent fixture on our trails.

Restrict Direction

The department could be directed by Council to develop a procedure that would encourage the public to travel in the same direction on trails, where applicable. It should be noted that this will not be possible on linear trail systems such as along the Central Riverfront or the Ganatchio Trail system. Unfortunately these linear trails account for the majority of our City owned trail system. Locations that this could be applied to are closed loop trails such as at Aspen Lake or Ford Test Track. These types of trails account for approximately 15% of the trail system.

Should Council wish to proceed with implementing these changes on closed loop trails, additional messaging and signage would be required to educate the public. While having all users walk in the same direction can help to alleviate situations where people are passing by one another, it does not address issues of maintaining social distancing while overtaking a slower user.

Closures

The department could identify and close any sections of trails that do not allow for social distancing to occur. This would be a measure that would be used in limited areas, such as those trail segments that are narrow or a dead end.

Removal of Obstructions

This strategy could be used where there are items such as garbage cans, flower planters and other above grade items found within or immediately adjacent to a trail that may restrict the flow of trail users. These items can be removed to allow greater open space. Where possible the items removed can be relocated to a nearby area, or if relocation is not feasible, the items would be stored for future use.

Communication

As noted above, the Parks Department has relied on communication from all levels of government to educate the public on social gathering limitations and social distancing protocols. This communication, in addition to the current signage in place at City parks, has provided a great deal of opportunity for the public to be aware of the current

restrictions. The Parks Department will work with the Communications Department to produce additional messaging specific to proper trail use. This messaging would be sent out via the City's Facebook/Twitter/Instagram and YouTube channels.

Education and Enforcement

Presently, the Windsor Police Auxiliary and By-Law Enforcement Officers have been working daily to patrol parks and educate the public on the proper uses of City Parks and Trails. Unfortunately, with over 200 parks and 135 kms of trails, these officers cannot be present in each park every day. Council could direct the Department to hire additional Auxiliary Police however that would come with additional costs outside of the current Parks budget.

There is the option to step up enforcement in terms of actual ticketing with the hopes of further deterring improper use. This might result in a very negative public opinion however, especially now that the weather is nicer and more people are heading outdoors.

Risk Analysis:

The risks associated with continuing to follow the current practice are low. It should be noted that with recreation centres, gyms, and workout facilities closed, along with the cancellation or paused sports seasons for many, there is a great need to allow people to stay healthy and fit. While we want people to use the trails properly and adhere to guidelines, there is a slight risk that implementing some of these recommendations could actually deter people from using the trails.

Financial Matters:

If Council chooses to direct the Parks Department to develop and implement an enhanced program for Council consideration, then there would be an associated budget request. There are currently no funds for additional measures identified within the Parks operating or capital budgets.

The cost of the installation of additional signage can vary depending on the size and material of the sign and the existing infrastructure in place at the various locations throughout our trail system. Comparable signage erected at our closed park amenities ranged in cost from \$50 to \$150 per sign.

The cost of increasing the number of constables on patrol through the Windsor Police Auxiliary would also vary depending on the requested level of additional enforcement. The additional costs per day could be in the range of \$590 for a five hour shift to \$1180 for a ten hour shift.

Consultations:

Jason Moore - Senior Manager of Communications
Willis Tetler - Manger of By-law Enforcement
James Scott - Manager of Parks Operations
Ontario Parks Association
MBNCanada Parks Expert Panel
Parks and Recreation Ontario

Conclusion:

The Parks Department will continue to take the steps identified above under current measures. The current practice has shown to be an effective means of helping to promote the safe use of our Parks trail system.

Administration recommends that should additional measures be required, the Parks Department would enhance Communications and if necessary implement additional strategies that may utilize an increase of Education and Enforcement patrols.

Planning Act Matters:

N/A

Approvals:

Name	Title
James Chacko	Senior Manager – Parks
Jan Wilson	Corporate Leader – Parks, Recreation & Culture and Facilities
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:



Council Report: C 52/2020

Subject: Stormwater Financing Study Project Update, City Wide

Reference:

Date to Council: May 25, 2020
Author: Colleen Middaugh
Project Administrator
519-255-6100 ext 6603
cmiddaugh@citywindsor.ca
Projects & Right-of-Way
Report Date: March 19, 2020
Clerk's File #: AL2020

To: Mayor and Members of City Council

Recommendation:

THAT the project update report regarding the Stormwater Financing Study, **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At its meeting of June 18, 2018, City Council approved the Stormwater Financing Study Project by CR 356/2018.

An Executive Committee has been established to oversee the implementation of the work plan and provide direction throughout the Project. The Chief Administrative Officer serves as Project Sponsor. The Corporate Projects division of the City's Engineering Department is administering the project alongside the City's Finance Department.

A Project Working Team has also been established which consists of various representatives from Finance, Engineering, Public Works, Pollution Control and Asset Management/Planning.

The purpose of the Stormwater Financing Study is to gain a better understanding of the City's current stormwater system, conduct a preliminary needs assessment and develop a recommended future stormwater system financing strategy.

The City's current stormwater program uses the sewer surcharge, grants and development charges to fund the operational, maintenance and capital improvement costs associated with the storm sewer system. This current funding methodology does not meet the growing capital funding needs and does not provide incentives to property owners to limit the amount of stormwater run-off they create, and therefore is not sustainable in the future.

A well designed stormwater fee can give developers and property owners an economic incentive to reduce the runoff from their property. Stormwater fees provide a dedicated, stable, fair and equitable funding source.

Phase 1 of the Stormwater Financing project, the Study Stage, is currently underway. Phase 2, the Implementation Stage, will proceed upon completion of the Study and at the direction of City Council. Information on the project phasing is provided below.

Phase 1 – Study Stage (*Current Stage*)

Consultant, Wood Environment & Infrastructure Solutions along with sub-consultant, Watson & Associates Economist Ltd., were retained in December 2018 (Request for Proposal No. 144-18) to undertake the Stormwater Financing Study which includes the following scope of work:

- Develop an understanding of the City's existing and future stormwater infrastructure programs and needs, including the desired level of service.
- Determine the cost of services for delivering both the existing program and future program.
- Investigate a variety of financing strategies and mechanisms, which will result in funding strategy recommendations developed specifically for the City of Windsor.
- Develop a Final Report to summarize findings and recommendations.

At the completion of the Study, project findings and recommendations will be presented to City Council for direction on next steps and potential implementation of a funding strategy.

Phase 2 – Implementation Stage (*Future Stage*)

A subsequent phase of the Project may be initiated (Phase 2) to develop a strategy to implement the Council approved recommendations. The scope of this phase is dependent on the results of the Study and the specific direction received from Council.

Discussion:

A summary of the work completed to date as part of Phase 1 (Study) includes:

- Compiled and quantified costs for the City's existing stormwater management services (quantifying assets, replacement values, operating & maintenance budgets, capital budgets, etc.).
- Conducted individual Councillor interviews with the aim of sharing Study information and asking questions to gain valuable insight about the community.
- Undertook engagement and communication activities with the focus on building relationships, sharing knowledge and seeking feedback:
 - Developed a Project Communication Engagement Plan
 - Launched project website (in conjunction with the Sewer Master Plan website): <https://weatheringthestorm.ca/stormwater-financing-study>
 - Developed a Frequently Asked Questions document (attached as Appendix A) which is also available on the project website.
 - Developed a handout for distribution at the City's Earth Day celebrations (April 2019).
 - Developed a Stormwater Advisory Group (SAG) to better inform the Study. To date, the SAG has met on four separate occasions. The fifth and final SAG meeting is to be scheduled, followed by a Public Meeting. A summary of the SAG meeting dates and corresponding discussion items is at Appendix B.
- Solicited information/feedback from City Administration to help define the existing program and identify gaps. Topics included, but were not limited to: drainage problems; planning, design & engineering; operations & maintenance; regulation & enforcement; capital improvements & expenditures; stormwater management; etc.
- Identified the Level of Service needs for the stormwater program.
- Developed a program of services built on the identified Level of Service needs. Increased investment is needed for the required Level of Service needs and to ensure the stormwater infrastructure remains in a state of good repair.
- Conducted analysis of various stormwater cost recovery options.
- Commenced with evaluating the impacts of the funding alternatives (funding framework and rate structure, funding model, potential credits and incentive programs, etc.).

The next steps to complete Phase 1 (Study) includes:

- Conduct Stormwater Advisory Group meeting No. 5.
- Consult with the general community via a Public meeting. The focus will be to communicate Study information and to seek feedback about priorities and interests.

- Finalize recommendations on a preferred funding framework and rate structure which offers a fair and equitable method for allocating the costs of the stormwater program.
- Report recommendations to Council for consideration (*tentative Summer/Fall 2020*).

Due to COVID-19 and the public health measures being taken, the upcoming SAG meeting and the subsequent Public meeting have been put on hold. Administration is looking at alternative options for effective community engagement during this time.

Risk Analysis:

There are no critical or significant risks associated with the recommendations in this report.

Financial Matters:

Sufficient funds are available within the project budget (Project ID: 7181013) to complete the Phase 1 scope of work. Phase 2 funding requirements are dependent on the outcome of Phase 1 (Study) and the specific direction received from Council.

Consultations:

Stormwater Financing Study Executive Committee
Natasha Couvillon – Financial Planning
Fahd Mikhael - Engineering
Victor Ferranti – Asset Planning

Conclusion:

Phase 1 (Study) of the Stormwater Financing Project will identify, review and evaluate alternative funding mechanisms to support the City's growing need for a new stormwater funding program. At the completion of Phase 1 (Study), recommendations will be presented to City Council relative to a new proposed funding approach.

Administration recommends this informational report be noted and filed.

Approvals:

Name	Title
France Isabelle-Tunks	Senior Manager of Engineering / Deputy Engineer
Mark Winterton	City Engineer & Corporate Leader Environmental Protection and Transportation
Joe Mancina	Chief Financial Officer/City Treasurer & Corporate Leader Finance & Technology
Onorio Colucci	Chief Administrative Officer

Notifications:

Brian Bishop, M. Eng., P.Eng. – Wood Environment & Infrastructure Solutions
Peter Simcisko, BA (Hons.), MBE – Watson & Associates Economist Ltd.

Appendices:

- 1 Appendix A – Frequently Asked Questions (5 pages)
- 2 Appendix B – Stormwater Advisory Group Meeting Dates & Topics (2 pages).

Frequently Asked Questions (FAQs)

1. What is stormwater?

Stormwater is the water that flows into our sewers, creeks and lakes after it rains or from melting snow. In natural areas, stormwater can soak into the ground where it lands or be absorbed by vegetation. In urban areas, stormwater runs off hard surfaces (such as rooftops, parking areas, backyard patios, and roads), carrying pollution (such as debris, chemicals) into streams and rivers. Stormwater runoff from urban areas is greater in amount (since water cannot get into the natural ground that is covered with houses, roads, parking lots etc.), and flows off the land much more rapidly, increasing the potential to cause flooding and erosion along the way. Pollutants carried in stormwater enters the natural environment and has negative effects on water quality and the natural environment. Stormwater must be managed to reduce the risk of flooding and erosion, and to minimize harm to the environment.

2. What does it mean to me?

Individuals often do not think much about stormwater until they are directly affected either through disruptions caused by a severe storm event or due to property damage from flooding. But stormwater runoff can impact the community in several ways:

- Flooding from storm events can damage public as well as personal property, impact business operations and even hinder our day-to-day activities.
- Runoff can pick up and transport harmful pollutants such as oil, grease, trash and fertilizers to our water ways.
- Rapid drainage from developed land can cause severe erosion of stream banks and scouring of creeks, further degrading water quality and impacting valuable habitats.

The City’s Engineering, Public Works and Pollution Control departments look after the stormwater management system that collects, transports, controls and in some cases treats stormwater runoff.

3. What is the City’s role in managing stormwater?

The City of Windsor is responsible for managing stormwater within the municipality. This includes planning, designing, constructing, operating and maintaining stormwater assets within municipal roadways, public easements and other City lands. The stormwater management program is crucial in protecting public safety and health and works to reduce flood risk, control erosion and maintain water quality in local natural waterways.

Stormwater, both quality and quantity, are managed by the City’s stormwater program. This includes operating and maintaining storm sewers, ditches, inlets, stormwater management facilities (ponds), bridges, culverts, infiltration facilities, oil grit separators, engineered and natural channels, and storm sewer outfalls to streams and watercourses.



The City's stormwater assets include:

- More than 1025 km of pipes
- Approximately 15,300 manholes
- More than 22,615 catch basins
- 29 stormwater ponds (wet and dry)
- 39 pump stations
- Approximately 124 km of municipal drains
- Approximately 254 km of roadside ditches

The estimated replacement cost value of the existing stormwater system is approximately \$1.8 Billion.

The City has a responsibility to effectively manage this infrastructure and protect the environment. To meet this responsibility, the City:

- Undertakes flood protection projects
- Maintains, repairs and restores existing infrastructure
- Provides emergency response to flooding, spills and clean-up
- Carries out street sweeping
- Enforces by-laws to protect the environment and prevent interference with the operation of the stormwater management system

The City has been adapting its policies and practices in order to meet provincial and federal regulatory requirements. The relevant stormwater rules and regulations include Provincially the *Ontario Water Resources Act, Drainage Act, Environmental Protection Act, Emergency Management Act, Water Opportunities Act, Sustainable Water and Sewage Systems Act*, Provincial Water Quality Objectives, and Federally the *Canadian Environmental Protection Act and Fisheries Act*.

4. What are the current costs to local property owners? How does the City fund its stormwater program, including studies?

Generally, the annual stormwater operating budget and capital improvement budget are funded through sewer surcharge. The sewer surcharge is a user rate that reflects the costs of water entering the sewer system from a property, based on the user's water consumption. The City's 2020 sewer surcharge budget, which funds operating and capital costs for both sanitary and stormwater systems, is approximately \$76.8 million. The City is currently working on separating the stormwater related costs from the sanitary related cost. To date, the City has not tracked these costs independently.



5. What are the benefits to local property owners?

The benefits of an effective stormwater management program include a reduction in flood risk, improved water quality and environment, and reduced stream and creek erosion.

6. What can I do to help?

The biggest influencing factor in the amount of stormwater runoff in the community is the presence of surfaces that do not absorb water, including roofs, driveways, concrete patios, roads and parking lots. By minimizing the paving of land areas and properly maintaining the runoff from these surfaces, you can help manage stormwater.

Maintenance at home can include keeping storm sewer inlets clear as well as the cleaning and maintenance of downspouts, weeping tiles, sump pumps, back water valves and sewer lines from your residence to the municipal lines. You can also use rain barrels and plant vegetation to minimize flows draining from your property. Disconnecting your downspout (eavestrough) is another way to minimize flows draining from your property. Since rainwater falling onto your roof is generally cleaner, it is also ideal for use in gardens, car washing and for lawn care. Due to recent flooding, the City is considering implementing a mandatory downspout disconnection policy.

For more information about what you can do check out:

<https://www.citywindsor.ca/residents/maintenanceandfieldservices/sewers-/pages/downspout-disconnection.aspx>

OR

<https://www.citywindsor.ca/residents/environment/climate-change-adaptation/climate-resilient-home/Pages/default.aspx>

OR

<https://weatheringthestorm.ca/takeaction>

The majority of the City's storm drains do not connect to treatment facilities, but rather drain untreated stormwater into local waterways. Therefore, it is important to not put anything into the drains or roadside ditches that can pollute local streams or creeks.

- Maintain your property – pick up wastes, such as pet and yard wastes, and dispose of them properly.
- Consider using a local car wash that collect and treat the dirty water before it is released to the environment.
- Understand the fertilizer and other chemicals you are using – read and follow the instructions.
- Always dispose of hazardous materials such as paint and motor oil at your local hazardous waste collection centre.



7. What is the Stormwater Financing Study?

The goal of the City's Stormwater Financing Study (the Study) is to develop a balanced approach to funding stormwater management infrastructure through a review of the level of service and funding options.

Study objectives include:

- Understand existing stormwater program (including level of service) and compare it to similar municipalities (such as Mississauga and Vaughan)
- Understand future stormwater management infrastructure program needs and service levels
- Investigate and recommend a preferred alternative for funding the future stormwater management infrastructure program
- Develop a strategy to implement the preferred alternative

8. Why is the City undertaking the Study?

The City of Windsor is undertaking the Study to assess the current stormwater program and how it is funded, and explore alternative ways to pay for the City's future stormwater management needs. The Study began in December 2018 and is expected to be completed by Summer 2020.

Stormwater needs continue to grow as the existing infrastructure ages, as new infrastructure is needed to handle development growth and changing storm events, and as water quality impacts continue. This Study will consider the existing and projected stormwater needs and costs and evaluate alternatives for paying for on-going investment in this critical program.

9. What are potential stormwater challenges facing Windsor?

Typical municipal stormwater problems include:

- Climate change is affecting the intensity and frequency of storm events that stormwater management programs must respond to.
- Urban growth and development alter the amount of runoff and pollution.
- Infrastructure such as pipes, culverts and outfalls have limited life expectancy.
- Stormwater facilities must be actively maintained throughout their expected life, including watercourses, storm sewers, catch basins, stormwater ponds, pump stations, culverts and outfalls.
- Appropriate resources, assets and improvement projects must be proactively planned to address needs and problems.
- Design standards have changed, and designs developed under old standards may be inadequate to meet regulatory requirements.
- Development plans must be thoroughly reviewed, and sites adequately inspected during construction to ensure the adequacy of design and construction.



10. Are there any issues currently within the City?

The majority of the stormwater-related issues the City faces are localized flooding during heavy rain events, ageing pipes and other stormwater infrastructure, and a significant number of stormwater ponds that require maintenance due to more heavy rainfall events.

11. What are the community's priorities for managing stormwater needs?

Current priorities include:

- Reducing the risk of flooding
- Improving drainage
- Protecting community health and safety
- Reducing environmental pollution

12. What will happen at the end of the Study?

At the end of the Study, a summary of the findings and a recommended future stormwater management program, including a proposed funding model, will be identified. The findings and recommendation will be presented to Windsor citizens and businesses. Based on feedback received, the recommended program may be modified to address input received prior to the presentation to City Council for approval.

13. When will the recommendations/findings be implemented?

It is anticipated that the findings and recommendations will be presented at an open house in the spring of 2020, and that the final recommendation will go before Council in Spring / Summer of 2020. If passed by Council, administration will work towards the implementation of the new stormwater program, and the selected funding model is projected to go into effect as part of the 2022 budget implementation.

14. What are other Municipalities doing?

Across Southern Ontario, Municipalities are undertaking similar stormwater financing studies in order to reevaluate their stormwater management systems, define their future needs, and determine how they will be financed. Some examples of Municipalities who have implemented designated stormwater rates include London, Middlesex Centre, Kitchener, Hamilton and Mississauga. The Study will compare potential stormwater rates for the City of Windsor against other Municipalities in order to determine the preferred financing alternative.



Stormwater Advisory Group (SAG) Meeting Dates & Topics

The SAG brings together a diverse group of community stakeholders (approximately 10-14 community members) with the objective of sharing information about current challenges the City is facing in stormwater management and about our future needs. Through the SAG, members have met to learn about the City's stormwater management services and challenges. Members have shared their input and feedback to inform the understanding and develop a more effective solution.

The SAG is made up of representatives from the residential community, local businesses, government agencies, community organizations, environmental groups, development industry, and the institutional sector.

The Study has planned for a total of five SAG meetings. The meeting topics are summarized below:

SAG Meeting No. 1 - May 7, 2019

Topic: Problems, Needs and Issues

- a. Review ground rules, schedule and other administrative items.
- b. Project background and scope
- c. Overview of community engagement activities
- d. Stormwater management 101
- e. Current stormwater program
- f. Preliminary program needs

SAG Meeting No. 2 – June 25, 2019

Topic: Current Program and Priorities

- a. Define the current stormwater program, expenditures and data.
- b. Identify preliminary program needs and priorities
- c. Review Levels of Service (LOS) options to address program priorities
- d. Basic, medium, high LOS and preliminary cost estimates
- e. Introduction of rate structure assessment

SAG Meeting No. 3 – November 19, 2019

Topic: Program Priorities and Overview of Funding Alternatives

- a. Developing the future Stormwater Program: LOS matrix
- b. Breakout session and individual ranking (basic, medium, high) of LOS priority needs
- c. Overview of funding alternatives
- d. Municipal comparison – typical stormwater charges

SAG Meeting No. 4 – January 21, 2020

Topic: Funding Framework

- a. Proposed Level of Service (LOS) / Estimated program Costs
- b. Funding Framework
 - o Current funding
 - o Rate structure considerations
 - o Options for stormwater cost recovery
 - Property taxes
 - Flat rate
 - Utility rate
 - Modified Flat Rate based on Run-off Coefficient or Sampling of Impervious Area
 - Modified Land Area Rate (implemented based on property size)
 - Actual Impervious Area of Each Property
 - o Breakout session and individual ranking of cost recovery methods in order of preference.

SAG Meeting No. 5 – *to be scheduled*

Topic: Overview and Evaluation of Funding Alternatives

- a. Preferred funding framework and rate structure
- b. Review of funding model inputs and outputs
- c. Review of potential credits and incentive programs



Council Report: C 89/2020

Subject: 2019 Annual Investment Compliance Report - City Wide

Reference:

Date to Council: May 25, 2020
Author: Janice Guthrie
Deputy Treasurer, Taxation & Financial Projects
(519) 255-6100 Ext 6271
jguthrie@citywindsor.ca
Taxation & Financial Projects
Report Date: May 5, 2020
Clerk's File #: AF/11247

To: Mayor and Members of City Council

Recommendation:

THAT the 2019 Annual Investment Compliance Report for the year ending December 31, 2019 **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

Portfolio Philosophy

As permitted by legislation, the City uses a number of operating, capital, reserve, trust and sinking accounts and/or funds for the funding of various programs and services as may be required. Due to the timing of when funds are received as compared to when funds are required to be expended, there are cash balances which can be defined at times as "excess cashflow" available. These available cash balances can be invested in accordance with the Section 418 of the Ontario Municipal Act, 2001 (the Act) and Ontario Regulation 438/97, as amended, to generate additional revenue through investment income.

Further to the guidance as provided by the Act, an approved and more robust Investment Policy has been developed which outlines the City's investment objectives and goals. This Investment Policy provides further guidance to Administration with regards to the selection and placement and management of funds.

The four primary objectives of the investment policy, in priority order, are summarized as follows:

Legality of Investments

All investment activities are governed by the *Ontario Municipal Act, 2001* as amended. Any investments made by the City must be those deemed eligible under Ontario Regulation 438/97 or as authorized by subsequent provincial regulations unless limited further by the City's investment policy.

Preservation of Capital

All investment activities will minimize the risk of incurring a capital loss and of preserving the value of the invested principal. This is accomplished by investing in properly rated financial instruments as per the legislation, by limiting the types of investments to a maximum recommended percentage of the total portfolio, and by limiting the amount invested within individual institutions to a maximum percentage of the total portfolio as per the City's investment policy.

Maintenance of Liquidity

The term liquidity implies a high degree of marketability and a high level of price stability. The portfolio as a whole is structured to maintain a proportionate ratio of short, medium and longer-term maturities to meet the funding requirements of the Corporation. To date, the general investment portfolio has remained sufficiently liquid to meet all operating or cash flow requirements so as not to require temporary borrowings. This has been done, where possible, by structuring the portfolio such that securities mature concurrent with anticipated cash demands.

Competitive Rates of Return

Investment yields can only be sought within the boundaries set by the foregoing objectives. Higher yields are best obtained by taking advantage of the interest rate curve of the capital market, which normally yields higher rates of return for longer-term investments. Yields will also fluctuate by institution as per individual credit ratings (greater risk confirmed by a lower credit rating) and by the type of capital instrument invested in. For example an instrument of a small trust company would normally have a slightly higher yield than a major bank, and capital instruments that are non-callable will have a lower yield than instruments which are callable.

Scope of Portfolio

The investment portfolio could be comprised of:

- I. Excess Operating and Capital cash flow balances
- II. Reserve Accounts and Reserve Funds
- III. Trust Funds
- IV. Sinking Funds

The scope of the investment policy applies to all investments made by the City on its own behalf and on behalf of and its agencies, boards, commissions, and wholly owned

subsidiaries including any new funds created by the City **unless specifically directed otherwise by City Council.**

Ontario Regulation 438/97, as amended, requires a municipality to adopt a statement of investment policies and goals and requires the Treasurer to submit to Council, at least annually, an investment report. This report outlines investment results for the City for the year ended December 31, 2019 as required by legislation.

Discussion:

2019 Fund Performance

For purposes of the forgoing analysis, investment balances are presented as at December 31, 2019 and represent the book value of the investment plus accrued interest and/or market value gains. Investment yields are indicative of the income earned for the year or part year thereof as described. Investment yield percentages are calculated based upon the average balance of the investment portfolio during the year. Details of portfolio holdings are provided as at December 31, 2019 and are stated at the original principal investment

City of Windsor General Investment Portfolio Performance

As of December 31, 2019, the City had \$261.2 million (rounded), inclusive of accrued interest, in general funds invested in various guaranteed investment and short-term deposit instruments that conformed to current legislation and the City's Investment Policy. A cash balance of \$49.3 million (rounded) was held at December 31, 2019 at Scotiabank in a general interest bearing account. This amount excludes an additional \$10 million which is held to address the traditional cash low point which falls between the mid November (last tax instalment in 2019) and mid February (first tax instalment for 2020) of the following year. During this time, sufficient cash flow is maintained to fund expenditures prior to the inflow of revenue from tax installments thereby avoiding the need to resort to short-term borrowing. This \$10 million is not included in the general investment portfolio.

Details of the general investment portfolio are as follows:

Sector	Total, December 31, 2019	% of Portfolio, December 31, 2019	2019 Return	2019 Average Yield
Deposit Investments				
Schedule I and II Banks	\$205,302,265	66.08%	\$4,718,443	2.45%
Credit Unions	55,994,629	18.02%	1,493,964	3.15%
	\$261,296,894	84.10%	\$6,212,407	2.59%
Cash				
Schedule I Bank	\$49,390,614	15.90%	\$2,040,455	2.20%
Total	\$310,687,508	100.00%	\$8,252,862	2.48%

Exclusive of accrued interest, deposit investments as at December 31, 2019 was comprised of the following:

Description	Original Principal Amount	%
High Interest Savings Accounts, variable	\$83,344,299	32.20%
GIC – 6 months, 2.32%, matures May 19, 2020	\$20,300,000	7.80%
GIC – 2 years, 2.3%, matures March 22, 2020	\$10,000,000	3.90%
GIC – 2 years, 2.3%, matures March 22, 2020	\$10,000,000	3.90%
GIC – 5 years, 2.52%, matures November 1, 2024	\$29,700,000	11.50%
GIC – 1 year, 2.85%, matures August 12, 2020	\$19,527,017	7.60%
GIC – 1 year, 2.85% matures August 12, 2020	\$1,039,846	0.40%

Term deposit – 1 year, 3.3%, matures March 1, 2020	\$5,145,000	2.0%
GIC – 1 year, 3.3%, matures March 21, 2020	\$7,000,000	2.70%
GIC – 6 months, 2.60%, matures April 29, 2020	\$2,587,500	1.0%
GIC – 6 months, 2.60%, matures May 17, 2020	\$5,300,000	2.00%
GIC – 5 years, 2.71% matures November 1, 2024	\$20,300,000	7.80%
GIC – 2 years, 2.89% matures January 4, 2021	\$30,000,000	11.60%
Term deposit – 2 years, 3.2%, matures March 26, 2020	\$14,448,000	5.60%
Total Deposit Investments	\$258,691,662	100.00%

For the year ending December 31, 2019, the City's general portfolio held in deposit investments generated returns of \$6,212,407, an average yield of 2.59%. An additional \$2,040,455 (yield 2.20%) was earned on the monies held in the general bank account for an overall investment yield of 2.48%. This is greater than our average yield in 2018 of 2.02%.

For comparison purposes, as reported in the 2018 Municipal Benchmarking Network Canada data, our peer municipalities realized average yields of 2.23% which was slightly higher than the City's 2018 overall yield of 2.02%. At time of writing, the results for the 2019 year were not available but are expected to be similar. The main reason for the lower yield is that, by necessity, a substantial portion of the City's investment portfolio is held in short-term (90 day - 180 day) instruments and high interest savings accounts at various financial institutions. Where longer-term instruments are recommended, a cashable component is included as a risk mitigation measure. This effectively lowers the annual yield that would otherwise be achieved.

The reason for this conservative investment approach is twofold:

- Despite recent efforts to enhance the level of Corporate reserves, traditionally the City has lower reserve balances, as a percentage of taxation and as a percentage of its' own source revenues, than peer municipalities.
- The City operates on a pay as you go basis and does not issue debt to finance capital projects; therefore, internal cash balances are used (largely reserves) for interim financing of projects.

This approach saves significant interest charges on external debt that would otherwise be incurred; however, it negatively impacts the ability to invest in long term instruments which are the only viable way to increase investment returns. Overall, there are significant net savings associated with this approach as borrowing rates are generally

much higher than investment yields. Where possible and as projected cash flows permit, Administration will continue to seek opportunities to yield higher investment returns within the general investment portfolio while adhering to the priorities as established by Council.

City of Windsor Trust Investment Portfolio Performance

As of December 31, 2019, the City held \$11.7 million (rounded) In Trust. The investments held In Trust returned a total of \$324,521 in investment income in 2019, an average yield of 2.64%. This is slightly higher than the yields received on the general investment portfolio noted above. The benefits of being able to invest for longer term are evidenced by the higher returns achieved within the Bond portion of the trust fund portfolio as compared to the funds which remain in cash. These investments were made over longer time periods and were negotiated when prevailing interest rates, in general, were more attractive than those offered in the current economic environment. There is however a substantial portion of the portfolio which remains in short-term cashable investments. This is due to the terms of the trust agreements and projected need for funding which requires the fund to remain liquid.

Sector	Total, December 31, 2019	% of Portfolio, December 31, 2019	2019 Return	2019 Average Yield
Bonds				
Federal	\$4,538,154	38.78%	\$158,333	3.62%
Cash				
Schedule I Bank	7,165,396	61.22%	166,188	2.11%
Total	\$11,703,550	100.00%	\$324,521	2.64%

Arts Endowment Fund Performance

On December 4, 2017, City Council authorized (CR760/2017) the establishment of an Arts Endowment Trust to provide an ongoing funding source, available in perpetuity to support, in full or in part, public art related aspects of City capital projects. Reflective of the long-term nature of this Trust, the funds were invested within the ONE Investment program based upon an asset mix of 80% Universe Bond Fund and 20% Equity Fund on April 3, 2018.

The year-end fund balances are being reported on a market to market basis. That is, the balances reported include any unrealized changes in the market value of the fund as on December 31, 2019. This change in market value would only be realized should all or a portion of the fund be withdrawn. For financial statement purposes, this fund is recorded at the book value of the investment which includes realized income from fund distributions and investment income withdrawals which was \$2,859,090.

Sector	Total, December 31, 2019	% of Portfolio, December 31, 2019	2019 Return	2019 Average Yield
ONE Investment Program				
Universe Bond Fund	\$2,352,440	80.02%	\$99,589	4.37%
Equity Fund	587,246	19.98%	115,409	20.00%
Total	\$2,939,686	100.00%	\$214,998	7.53%

On December 19, 2019, consistent with Council's direction, \$41,527 representing the minimum distribution of 1.5% of the investment income was withdrawn from the Trust and placed within a capital project designated as a funding source for City art related capital projects. As of the end of 2019, the balance of the capital project was \$82,778. These funds have been dedicated towards an arts related project CR99/2020.

Unlike other types of investments such as GIC's where a guaranteed yield is paid at time of maturity, any gains or losses due to market value increases are not realized until such time as units are redeemed. At any measurement point market values may be higher or lower than the previous mark. The intent of the Arts Endowment Trust was to ensure that in perpetuity funds generated from investment yields would be available to support capital projects that have an arts related component. As such, preservation of the principle investment of \$2,750,000 is of utmost importance. However of equal importance is the realization of any yields as a result of substantial market value gains through the redemption of units at a time when market values are high. This mitigates against the risk that those yields are not available should the funds be required. The timing of when to realize gains can never be known with any certainty. Market values can continue to rise and/or market values can decline overnight.

Administration will continue to monitor the fund balances and report to Council should there be the need for alternative courses of actions so as to preserve any fund gains or losses.

Windsor-Essex Hospital Plan Portfolio Performance

On April 25, 2016, per CR 282/2016, the City committed to fund its' share of the Windsor-Essex Hospital Systems Plan beginning with a one-time dedicated property tax levy increase of \$3,875,000 starting in 2016 and projected to continue through 2029 or earlier based on interest earned. Additional sources of funding will be added to the annual levy beginning in 2020 which will then assist to meet the City's obligatory share of the Windsor-Essex Hospital plan estimated at a total of \$200 million (jointly shared between the City and County). City Council also approved the establishment of a new reserve fund (Fund 203) for purposes of placing and recording annual funding contributions.

The financial projections provided to City Council in 2016 contained various estimates as it related to minimum investment yields over the term of the special levy based upon current economic forecasts. Given the projected accumulated value of the hospital reserve fund and the average value of the general investment portfolio Administration was granted approval to treat the hospital reserve fund as a separate portfolio in term of complying with maximum portfolio limitations (both sector and institutional). The portfolio is defined as the total projected future fund balance (estimated City share at \$108 million) as opposed to actual funds cumulatively available each year. This allows greater flexibility in each year to place funds in larger amounts with institutions offering higher yields and thereby increasing investment returns.

As of December 31, 2019, the City held \$16.4 million in the Windsor Essex Hospital plan portfolio. For 2019 the fund realized an overall return of \$461,882 resulting in an average yield of 3.33%.

Sector	Total, December 31, 2019	% of Portfolio, December 31, 2019	2019 Return	2019 Average Yield
Deposit Investments				
Schedule I Banks	\$5,070,435	30.85%	\$81,171	2.87%
Credit Unions	11,365,717	69.15%	380,711	3.45%
Total	\$16,436,152	100.00%	\$461,882	3.33%

Exclusive of accrued interest, deposit investments as at December 31, 2019 was comprised of the following:

Description	Amount	%
10 years, 3.25%, matures August 1, 2027	\$8,318,817	51.41%
9 years, 4.0%, matures August 3, 2027	2,886,000	17.84%
9 years, 3.42%, matures August 3, 2027	1,100,000	6.80%
8 years, 2.60%, matures August 26, 2027	3,875,000	23.95%
Total Deposit Investments	\$16,179.817	100.00%

When compared to the original projections made in 2016, the overall fund is tracking nominally below the projected balance of \$16,480,632. This is primarily due to the fact, that the first year's instalment (2016) was placed in short-term investments and spread amongst various institutions. Those investments were disposed of after one year with the balance then combined with the second instalment and placed on a long-term basis at a more attractive rate. The shortfall, which has been declining each year, of \$44,480 is expected to be fully recovered through the course of the 10-year investment term as actual yields to maturity are targeted to exceed the projected yields.

As with any investment decision there is a need to balance risk and return. Higher risk (considered institutional or investment vehicle) investments will typically generate higher rates of return. Longer-term investments will also generate a higher return however the ability to access the funds if needed will be limited thereby creating an element of risk. In regards to this particular portfolio, the requirement to be able to access the funds extends beyond 10 years and therefore longer-term investments are considered more appropriate.

City Treasurer's Statement of Compliance

All investments comprised within the City's investment portfolio were made in accordance with the investment policies and goals adopted by the municipality. All investments made during the year were in compliance with the minimum credit rating standards as outlined by the Investment Policy.

Per section 3.2.7 of the Investment Policy, the CFO/City Treasurer is authorized to invest above the recommended maximum thresholds for individual institutions and portfolio sector limitations. Occurrences' must be reported as part of the annual investment report.

During 2019, funds within the City of Windsor General Investment Portfolio were placed with various institutions which utilized the additional institutional room as authorized by section 3.2.7 of the Investment Policy in order to generate higher investment yields.

Investments were placed for terms of 6 months or less in guaranteed investment certificates and deposits.

2020 Investment Strategy

Prior to March 2020, the Scotia economics team forecasted economic growth rebounding to 2.0% in 2020. Notwithstanding the projected growth in the economy, the general consensus within the investment community would call for a possible reduction in the overnight rate of 0.25% middle of 2020. For purposes of budget development, Administration took a conservative approach using assumptions that upcoming maturities would be reinvested at rates of 2.48%. Given very healthy projected cash positions over the next 12 to 18 months, Administration was further looking at alternative investment options that would maximize market yield through longer-term deposits.

Following the outbreak of COVID-19 which closed many City facilities and stopped many City services which generated revenue, Administration immediately ceased any attempts to proactively invest available funds in higher yielding deposits. This action was necessary to protect and maintain existing cash reserves so as to ensure that the City had sufficient funds to support ongoing operations without the need to obtain financing by way of the existing Line of Credit. The City is currently in a very strong financial position with strong liquidity and as such, it is not expected at this time that we will need to access the line of credit in the near term. Finance staff are continuing to monitor corporate cash flows on a more frequent basis to ensure our liquidity remains strong.

In addition to the actions taken by Administration and as the effects of COVID-19 unfolded, the Bank of Canada responded by cuts to interest rates. The impacts on the City's investment income is twofold:

- a) Lower interest rate offerings on deposit investments
- b) Very nominal interest rate on cash held in the bank

As previously reported to City Council, the reduction of interest rates as well as reduced cashflows could result in an additional revenue shortfall for our investment income of an estimated \$1.3M for the year.

Administration will be monitoring the investments and mitigating this risk to the extent possible. Where opportunities exist, which will not impact the City's forecasted cash requirements, Administration will continue to place funds in various financial instruments as allowed by the Investment Policy.

Risk Analysis:

Failure to have an appropriate Investment Policy and reporting mechanism in place could expose the City to financial risks. This risk is mitigated to a large extent as the

City's Investment Policy has been written to achieve the four stated objectives; ensuring that investments are made in accordance with prescribed legislative requirements, preservation of capital (credit/interest risk), maintenance of liquidity and to maximize investment yields and is considered to be more conservative than the Act.

Financial Matters:

Further to the financial performance discussed in the body of the report, a projection for investment income is included in the annual operating budget. These investment returns assist in keeping the overall tax levy down. A conservative approach to the establishment of annual investment yields is taken as actual results are market based and difficult to project with any certainty.

Consultations:

N/A

Conclusion:

This report serves to meet the legislative reporting requirements of the Municipal Act.

Planning Act Matters:

Approvals:

Name	Title
Joe Mancina	CFO & City Treasurer
Onorio Colucci	CAO

Notifications:

Name	Address	Email

Appendices:



Council Report: CM 16/2020

Subject: Snow Angels Volunteer Acknowledgements 2019-2020 Season-City Wide

Reference:

Date to Council: May 25, 2020

Author: Vincenza Mihalo, Executive Director Human Resources

519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Rena Juna, (Acting) Snow Angels Coordinator

519-255-6515, ext. 6206; rjuna@citywindsor.ca

Human Resources

Report Date: April 30, 2020

Clerk's File #: SW/12756

To: Mayor and Members of City Council

Recommendation:

- I) THAT the Report entitled Snow Angels Volunteer Acknowledgements **BE RECEIVED** for information.

- II) THAT City Council **RECOGNIZE** the Volunteers and winners of prizes for the Snow Angels Program.

Executive Summary:

N/A

Background:

In an effort to support Windsor's Community Strategic Plan – Our Society: Diverse and Caring, the Snow Angel Program continues to be supported and appreciated. This program has been in force since 1999 with a view to aid in sustaining Windsor's image as a diverse, inclusive and accessible community. The Snow Angel Program continues to promote responsive municipal services while developing and creating new partnerships in order to assist with emerging community needs.

The purpose of the program is to assist seniors and persons with physical disabilities. Further, the program aids in fulfilling the requirements under Municipal Code 617, By-Law #8544 that notes owners and/or tenants must remove snow or ice in front of, alongside and at the rear of their property within twelve (12) hours following the snowfall or formation of ice.

The Corporation of the City of Windsor (hereinafter referred to as "The Corporation") receives inquiries from citizens with physical disabilities and from seniors who are

unable to comply with the City By-law. In order to assist seniors and persons with physical disabilities who historically have felt isolated in their own homes, the Corporation coordinated a volunteer snow removal program as an innovative community partnership to promote a safe, caring and diverse community.

Given the personal requirements (such as health & safety reviews and police clearances) to staff these volunteer positions, the responsibility to administer, promote, review and implement the program moved from Public Works Operations Department to the Human Resources Department in the 2013/2014 Winter Season. This move has proven successful to abide by our Corporate Policies and Procedures and is expected to continue moving forward.

The Snow Angel Program received an annual budget allotment of \$25,722 in 2016 per CR82/2014 establishing ongoing funding and Council's commitment to the Snow Angel Program. The budget for the 2019/2020 season remained at \$25,722.

This year the National Volunteer Week in Canada fell between April 19 – 25, 2020. In light of the ongoing COVID-19 pandemic and in keeping with the goal of social distancing to reduce the risk of infection, although a regular Council Meeting was not scheduled during Volunteer Week, we are taking this opportunity to recognize all of our volunteers for their commitment to the Snow Angel Program.

Discussion:

The total accumulation of snowfall in Windsor Essex for the months of November 2019 to March 2020 was 55.8 cm. In comparison, the total accumulation of snowfall for the months of November 2018 to March 2019 was 68.6 cm. While the accumulation of snow was much less this season, the need from residents continued, especially given the cold climates and winds during the winter season.

The City of Windsor was able to successfully recruit 60 volunteers for the Snow Angel 2019/2020 season. In comparison, 77 volunteers were recruited for the 2018/2019 season. We would suggest that a winter with less snow fall and warmer weather may have contributed to the lower volunteer numbers this past season.

The demand for a Snow Angel during the 2019/2020 season was 351. We are pleased that we were able to match 154 residents to 60 volunteers, as volunteers agreed to assist more than one resident.

Program Constraints

The program requires all volunteers acquire a Police Clearance as this is an important requirement when working with potentially vulnerable populations. Obstacles acknowledged in this area included the operating hours of the Police station may not be compatible with Volunteer schedules to obtain the police clearance, paying the fee for the Police Clearance up front and waiting to be reimbursed by the City as well as the wait period to receive a Police Clearance. The issue with police station hours has been mitigated by the Windsor Police offering the completion of a Police Clearance online through their website for a small additional fee, which the Corporation does cover for our volunteers.

The reliability of some volunteers was indeterminate. Although a 12-hour timeframe is given as a guideline for volunteers to clear their assigned addresses, not all were able to fully comply. This issue will be mitigated by reinforcing protocol by the Program Coordinator with the volunteer upon incident.

The expectation of some residents was to have snow shovelled on their property beyond the scope of the City sidewalk. The Program Coordinator reinforced protocol upon inquiry.

Program Successes

Many community groups were involved with the recruitment and procurement of volunteers, all of which expressed their interest in assisting with recruitment efforts in coming seasons.

Recognitions were received by a couple of appreciative residents of their “Snow Angels” and their ongoing efforts to assist with their snow removal needs.

We advertised as an incentive to assist with volunteer recruitment the entry of each registered volunteer into a draw to potentially win the top prize of a TABLET or 1 of 2 \$50 Rec Express Cards. **The winner of the TABLET this year is Silas Smith and the winners of the \$50 Rec Express cards are Gurjeet Tatla and Gurwinder Singh.**

Program Facilitation

The Corporation’s 311 service gather and process all initial requests for both resident and volunteer registration into the Snow Angel Program and forward this information to the Program Coordinator.

A temporary full-time Program Coordinator (Coordinator) was employed and charged with overseeing the operation and administration of the Snow Angel Program.

This Coordinator was able to:

- maintain the Snow Angel Database including the processing and orientation of new volunteers into the program and the administration of inbound requests of need from the city residents.
- liaise with Corporate Communications to create media releases, advertising signage, and other methods of information dissemination.
- update all program materials prior to distribution to volunteers.
- use mapping technology to match resident with volunteer based on demographic proximity
- attend various facilities throughout the community to provide information on the Snow Angel Program

The Coordinator was able to secure the involvement of many community groups and organizations to help with recruitment efforts such as:

- Windsor Regional Hospital and Hotel Dieu
- University of Windsor

- St. Clair College
- Windsor Spitfires
- Greater Essex County District School Board
- Windsor Essex Catholic District School Board
- United Way-WeVolunteer
- Multicultural Centre and Community Churches
- Devonshire Mall
- Downtown Residents Association
- Downtown Collaborative
- Windsor Islamic Association and Rose City Islamic
- Windsor Youth Centre
- Transit Windsor

Risk Analysis:

There are 3 major risk areas to take into consideration with this program;

Risk to Residents

Although each volunteer is required to obtain a valid Vulnerable Sector Police Clearance, these clearances are only current up to the day they are completed. They also only account for the known history of the volunteer.

This risk is mitigated by the program discouraging contact between homeowners and volunteers, however this cannot be guaranteed as the volunteers complete the service when they are available following a snowfall. The lack of a set time makes it more likely for chance encounters between the residents and volunteer.

The Corporation has taken steps to mitigate the risk to residents enrolled in the program. However, the possible outcomes, should an incident occur between the volunteer and the resident, make this a **moderate risk** factor going forward.

Although By-Law #8544 places the onus of the responsibility on the resident in these matters, if a resident were to be registered and matched with a volunteer and the volunteer fails to provide services in a timely fashion, the Corporation may face scrutiny if the resident is charged with a violation of the by-law.

This risk could be mitigated through ensuring that residents are aware that; although they do have a volunteer, they are ultimately responsible for by-law compliance. Due to this potential scrutiny, while taking into account the absence of these type of reports thus far, this may be seen a **low risk** factor moving forward.

Risk to Volunteers

While volunteers are required to obtain police clearances, the residents registering for the program are not. This risk is partially mitigated through the 'no contact' clause in the 'Volunteer Agreement' signed and dated by the volunteer. However, there is no way to guarantee that this clause is being followed as the volunteers complete the service as they are able following a snowfall and may run the risk of encountering the homeowner. The possible outcomes, should an incident occur between the volunteer and the resident, make this **moderate risk** factor moving forward.

The volunteers are performing sometimes strenuous physical activity in the course of their involvement in the program and are also working on snow covered, possibly icy sidewalks. This gives rise to a potential risk of injury. This risk to the volunteer is mitigated by providing a comprehensive health and safety training package specifically designed for this program. Volunteers are required to sign their acknowledgement of receipt and understanding of the health and safety training program as well as their guarantee that they will abide by the information given.

Once again, there is no way to guarantee that volunteers are truly abiding by this information, and ultimately, choosing to volunteer is a risk willingly assumed by the volunteers.

Risk to the Corporation

Many of the corporate risks assumed have been outlined in the previous sections. The risk of harm to a resident can also translate into a liability risk to the Corporation. The City's insurance will defend and indemnify the City and its volunteers in cases of liability where the volunteer was acting under the direction of, was answerable to and performing duties on behalf of the Corporation. As is the case with any allegations that fall within the City's general liability policy, this is subject to the City's \$250,000 deductible.

The risk that a volunteer is injured and seeks compensation from the Corporation is mitigated by the signing of a Waiver Form releasing the Corporation of liability if injury were to occur. Although the waiver form is in place, this still constitutes a **moderate risk** going forward.

There are also risks associated with not continuing the program from a corporate standpoint. The Corporation, in attempting to market itself as a retirement friendly community, uses programs such as this to attract potential residents as well as allow residents to stay in their homes longer.

A number of residents have expressed their belief as to the importance of Snow Angels and the public may not be amenable to ending the program. Due to the contentious nature of this issue, it should be seen as a **moderate risk** going forward, with the need to look into potential consequences and remedies if necessary.

Some of the above risks are the reasons that Volunteer organizations we have discussed the program with do not want to lead or take over running this program.

Financial Matters:

The Snow Angels Program has an annual budget allotment of \$25,722 with total expenses of \$25,990 for the 2019/2020 season. It should be noted that this Program has operated with this \$25,722 budget allotment since 2014. Program costs include wages for a temporary Program Coordinator, printing of advertisement material, reimbursement for volunteer police clearances and the items for the draw.

Consultations:

Jill Braido, Corporate Marketing and Communications Officer

Alexandra Taylor, Financial Planning Administrator

Conclusion:

Administration will attempt to generate additional interest, building upon the existing volunteer base and thus allowing for more residents to be helped.

We wish to thank and acknowledge the volunteers who participate in the Snow Angel Program and assist those in need.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Valerie Critchley	City Clerk & Licence Commissioner - Corporate Leader of Public Engagement & Human Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:



Council Report: CM 18/2020

Subject: Status of the Corporation's Unpaid and Paid Student and Work Agency Programs in 2019 - City Wide

Reference:

Date to Council: May 25, 2020

Author: Vincenza Mihalo, Executive Director Human Resources

519-255-6515, ext. 6259; vmihalo@citywindsor.ca

Amy MacNeill, Human Resources Business Partner (HRBP)

519-255-6515, ext. 6803; amacneill@citywindsor.ca

Human Resources

Report Date: May 6, 2020

Clerk's File #: AS2020

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE FOR INFORMATION** the report of the Human Resources Department dated April 23, 2020 entitled "Status of the Corporation's participation in Unpaid and Paid Student and Work Placement Agency Programs in 2019"; and,

THAT City Council **DIRECT** the Human Resources Department to report annually to City Council the Corporation's participation in Unpaid and Paid Student and Work Placement Agency Programs.

Executive Summary:

Administration strives to uphold our Corporate responsibility to all members of the local community by supporting our students, youth, the unemployed and under employed and in particular the members of these groups who face added obstacles, in gaining the skills, work experience and abilities they need to live productive lives, make successful transition to the work place and to thrive in the local community.

The intent of this report is to provide City Council with information as it relates to the Corporation's participation in Student and Work Placement Agency Programs for 2019. As City Council will note, with three hundred seventy three (373) student placements in 2019, we remain on par with prior years in our assisting the community in obtaining valuable work experience within the City of Windsor's extensive municipal government work environment.

Background:

Authority for the Corporation's participation in Student & Work Placement Agency Programs is delegated to the Chief Administrative Officer through CR 467/2008,

Appendix “A” By-law 206-2008, Section 1.37 Student & Youth Employment Opportunities Programs and by CR530/2006 and By-law 206-2008, Section 1.27 Work Placement Program Initiatives with accredited educational institutions and approved agencies that service disadvantaged underemployed or disabled populations.

The Chief Administrative Officer through the Human Resources Department is committed to providing City Council with annual reports summarizing the Corporation’s participation in Student/Youth & Work Placement Agency Programs.

The table below demonstrates the total number of Student and Work Placement Agency participants hosted by the Corporation over the last five years.

Year	Number of Unpaid Placements Corporate Wide	Number of Paid Placements Corporate Wide
2014	214	170
2015	155	178
2016	215	190
2017	157	186
2018	168	197
2019	194	179

Discussion:

1. UNPAID PROGRAMS

In partnership with School Boards, Universities and Community Colleges accredited by the Ontario Ministry of Education and approved training organizations (Community – based) the Human Resources Department has effectively coordinated the placement of unpaid students and other work placement agency participants throughout the Corporation’s diverse work environments since at least 1993. The total number of unpaid student and work placement agency participants placed throughout the Corporation in 2019 totaled one hundred ninety four (194). A breakdown of the number of unpaid placements by institution/agency for 2019 is attached hereto as Appendix “A”.

Unpaid placements vary in length depending on the agency the participant is affiliated with. However, student placements do not last more than one (1) school term and other

training organization participants are normally not placed for periods longer than six (6) months.

The Corporation's participation in Unpaid Student & Work Placement Agency Programs in general is governed by CAO2919. Depending on the type of program, additional Delegation of Authority approvals may be required for participation. Unpaid placements are not included in the Collective Agreements between the Corporation and its union groups. Therefore, union concurrence is required for participation in these programs within the unionized work environment through Memorandum of Agreements (MOA). Further, individual Memorandums of Understanding/Agreement exist between the Corporation and various accredited Educational Institutions and approved training organizations to illustrate the terms of the Corporation's participation in these programs.

For the purposes of the Corporation's participation in 2019, Unpaid Student/Work Placement Agency Programs are largely broken down into three (3) groupings:

- a) *Student Programs*
- b) *Training Organization Programs*
- c) *Job Shadowing Programs*

a) *Student Programs*

Student Programs are unpaid post-secondary school internship and secondary school co-operative education placements. These programs are a combined effort between post-secondary institutions, school boards and the community to provide participating students with learning experience outside of the classroom in the world of work. Participating students are placed in work situations to assist with day-to-day operations and special projects, which compliment specific in-school learning experiences. Students participate in these programs as a requirement of their field of study and receive course credits towards diplomas/degrees for their participation and successful completion of these placements.

b) *Training Organization Programs*

Unpaid Training Organization placements occur via approved agencies and are typically Community – based. These programs assist our local underemployed and unemployed populations in gaining work experience in their chosen field. Further, these unpaid placements provide valuable training and improve employability for disadvantaged persons who may be members of visible minority groups or persons with disabilities.

c) *Job Shadowing Programs*

For close to twenty (20) years, the Corporation has annually participated in the Learning Partnership "Take Our Kids to Work Day" event. This event gives our employees an opportunity to host eligible grade nine (9) students for a one (1) day Job Shadow experience. The intent of this program is to provide participating students an initial understanding and appreciation for the skills required to succeed in the world of work.

In 2019, the Corporation hosted eighty (80) students through this program across all corporate departments. (Approved by CAO4220)

2. PAID PROGRAMS

Paid placements vary in length depending on the placement/program the participant is affiliated with. Paid placements are either included in the Collective Agreements between the Corporation and its union groups or a Delegation of Authority approval exists with required union concurrence through Memorandum of Agreements (MOA) for participation. Typically, Students & Work Placement Agency participants employed by the Corporation are paid in accordance with the CUPE Local 543 & 82 Student Salary Schedules which for 2019 was \$16.78 per hour. In the interest of equality, paid participants in the Non-Union and WPPFA also typically receive this hourly rate. However, in rare instances, the wage rate is dictated by individual program rules and differs from the corporate student rate depending on the program the participant is affiliated with.

In each of the paid placements, authority through the CAO's DOA is obtained to participate in the programs and to proceed with the appropriate MOA's, funding for all placements is the responsibility of the individual departments to ensure they have the budget to cover these costs, usually through wage gapping.

The Corporation's 2019 participation in paid programming wherein participants are temporarily employed by the Corporation and compensated for their labour is broken down as follows:

- a. Post-Secondary - Co-operative Education*
- b. City of Windsor - Summer Student Lottery Program*
- c. Service Canada – Department of Canadian Heritage - Young Canada Works In Heritage Organizations (delivered by Canadian Museum's Association)*
- d. Service Canada's - Government of Canada - Canada Summer Jobs*
- e. Law Society of Upper Canada – Articling Student*
- f. St. Clair College of Applied Arts & Technology - Horticulture Technician – Landscape Program*
- g. City of Windsor - Sculpture Park Maintenance Project*
- h. City of Windsor - St. Clair College of Applied Arts & Technology - Award of Academic Excellence*
- i. Community Living – Employment Services for people with intellectual disabilities funded in part by Service Canada's – Opportunities Fund (delivered by the Ontario March of Dimes)*

j. *Canadian Parks and Recreation Association – Summer Work Experience Green Jobs Initiative*

k. *YMCA Opportunities Fund*

Total Paid Program Participants

In 2019, the total number of paid program participants employed by the Corporation totaled one hundred seventy nine (179) with a total of **\$82,070.94** in grants/subsidies. A breakdown of the number of paid placements by student/youth program per union in 2019 is attached hereto as Appendix “A”.

The number of paid placements that the City is able to provide is dependent on whether or not a particular department has available budget dollars, either through gapping or temporary staffing to accommodate such a placement.

The Corporation’s success with participation in Student and Work Placement Agency Programs continues. In keeping with the Corporation’s Community Strategic Plan to develop appropriate partnerships with the public, private, and not for profit sector to encourage development of a skilled and adaptable workforce by encouraging increased partnership between industry, educational institutions, and Community – based training organizations; the Corporation should embrace such partnerships to sustain a cooperative, healthy & vibrant community.

Participation in Student and Work Placement Agency programs not only transfers knowledge from our aging workforce to the youth (current/future workforce) in our local community but helps to build supervisory skills/abilities in our current employees including, providing an opportunity to develop the required qualities to assume key leadership positions within the organization. Further these placements expose students to the numerous departments and opportunities that exist within the Corporation.

Risk Analysis:

Cross-Corporate Impact Risks/Resource Risks:

The low possibility exists that a student or other training participant or a disabled participant could undergo a workplace injury while on placement with the Corporation.

It is mutually understood that the Corporation of the City of Windsor is liable for any Workplace Safety & Insurance Board (WSIB) costs (if incurred) for any person employed/paid under Student and Work Placement Agency Programs.

Conversely, the Corporation of the City of Windsor is typically not liable for WSIB costs for any “student” on an unpaid placement with the Corporation. WSIB and coverage against personal injury or death arising from activities at the Corporation is provided by the Ontario Government for students compelled to participate as a requirement of their field of study/educational requirements and WSIB costs (if incurred) for persons participating in Community–based training programs are typically provided by the Work Placement Agency the participant is affiliated with.

The Corporation is also not liable for WSIB costs for participation on a voluntary basis (such as University of Windsor – Volunteer Internship Program). The Government of Ontario, through MAESD, pays the Workplace Safety and Insurance Board (WSIB) for the cost of benefits provided to Student Trainees enrolled in an approved program at University of Windsor and participating in unpaid work placements with employers who are either compulsorily covered or have voluntarily applied to have WSIB coverage.

In all cases an investigation is completed by the Human Resources Department to understand exactly what responsibility the Corporation has surrounding WSIB coverage before any commitment to the placement is made. As always, necessary agreements are executed with agencies and participants to address all WSIB and Liability issues prior to the commencement of placements. Any such agreements are reviewed and approved by Legal, Risk Management and Financial Services prior to circulation with outside agencies.

The low risk remains that participants could delete significant information or damage costly corporate equipment (vehicles). As noted below, a mitigating strategy to minimize this risk is through Corporate Training provided to participants.

Community Impact Risks:

The benefits to participants who are students and/or vulnerable members of the local community are immeasurable as outlined in various sections of this report. Should the Corporation choose not to participate in this worthwhile initiative, local placements would be limited and hundreds of annual work placement opportunities would be lost.

Timing Risks:

No Risks assessed in relation to Timing.

Other Risks:

No other Risks Assessed.

Mitigating measures:

The majority of Student and Work Placement Agency participants will be accompanied by a trained professional and/or corporate employee in the initial stages, if not the duration of their work placement period.

Further, any student or other work placement agency participant accepted for placements (paid or unpaid) by the Corporation is required to complete a mandatory Corporate Employee Safety Orientation tailored to the duties they will be performing prior to commencing placements in their respective work locations.

Should it be determined that a fully licensed participant will need to operate a vehicle at any time during the course of their placement with the Corporation, a mandatory Commercial Defensive Driving workshop is added to their Corporate Health & Safety Training Program at the onset.

Appropriate precautions have been put into practice, including participants holding a valid and lawful Ontario Class “G” or “G2” driver’s license who may be required to operate a city vehicle as part of their duties being required to provide an up-to-date Driver’s Record/Abstract prior to commencing placement with the Corporation.

Financial Matters:

Typically, students employed by the Corporation are paid in accordance with Student Salary Schedules as outlined in the applicable Union Collective Agreements. The 2019 student hourly rate of pay as per the CUPE Local 543 and 82 Collective Agreements was \$16.78 per hour. In the interest of equality, paid students in the Non-Union and WPPFA typically receive the Corporate Student hourly rate depending on the rules governing individual programs. In general, persons participating in work experience placement via Community-based Training organizations also receive the corporate student hourly rate.

The various paid Student/Youth and Work Placement Agency programs range from partial to full funding through Government subsidies to cover the cost of wages. Departments employing participants are responsible for any costs associated with participation through respective departmental budgets including any training, equipment or special preparation that is required to perform the activity. Mandatory Employer Related Costs (MERC’s) associated with the hiring of participants is also a departmental budget responsibility of participating departments. MERC’s which approximates 16% of the employee’s gross wages, includes: Employment Insurance premiums, Canada Pension Plan contributions, Vacation pay, Employer Health Tax and Employment Insurance Benefits.

Paid placements being offered by the Corporation have decreased over time due to limited resources/budget restraints of corporate managers/supervisors who might otherwise choose to participate, however, it is noted that this number is beginning to rebound. Recent steps taken with the approval of CAO 3135 now also provide opportunities for paid employment programming to disabled/disadvantaged members of the local community who are not students.

Consultations:

The Human Resources Department continues to circulate information to all corporate departments regarding interest in participating in approved programs and the type of placements our departments would be interested in.

For the success of Student & Work Placement Agency programs, extensive consultation, communication and record keeping will continue between the Human Resources Department, Unions/Associations and various Community Partners including accredited educational institutions and approved agencies that service disadvantaged underemployed and/or disabled populations.

Conclusion:

The 2019 placements are described in this report. The 2020 placements will be reported in 2021.

For the benefit of Windsor, administration will continue to participate in Unpaid and Paid Student & Work Placement Programs Initiatives that service youth, disadvantaged, underemployed and disabled populations and will seek Chief Administrative Officer approval and union concurrence for participation where required. The Human Resources Department will keep Windsor City Council apprised of the status of our participation in these important programs.

Planning Act Matters:

N/A

Approvals:

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Alexandra Taylor	Financial Planning Administrator
Joe Mancina	Chief Financial Officer & City Treasurer - Corporate Leader of Finance & Technology
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" - 2019 Unpaid/Paid Student & Work Placement Agency Participants
- 2 Appendix "B" - 2019 Paid Student/Work Placement Agency Program Groupings

**The Corporation of the City of Windsor - 2019 Paid / Unpaid Student & Work Placement Agency Participants
APPENDIX "A"**

UNPAID PROGRAMS	Total
Greater Essex County District School - Secondary School Co-operative Education	6
Windsor Essex Catholic District School Board - Secondary School Co-operative Education	4
Take Our Kids to Work Day (1 Day Event)	80
University of Windsor - Various Programs	43
St. Clair College of Applied Arts & Technology - Various Programs	58
Northern College – Various Programs	1
Women’s Enterprise Skills Training Inc.	2
Totals:	194

PAID PROGRAMS	NU	L543	L82	WPFFA	Total
Post-Secondary - Co-operative Education	0	18	0	7	25
Summer Student Lottery Program	0	15	98	0	113
Service Canada's - Young Canada Works in Heritage Organization Program	0	2	0	0	2
Service Canada's - Canada Summer Jobs Program	0	0	10	0	10
Canadian Parks and Recreation Association – Summer Work Experience Green Jobs Initiative	0	0	7	0	7
Community Living – Service Canada’s Opportunities Fund	0	0	8	0	8
YMCA – Service Canada’s Opportunities Fund	0	1	0	0	1
Law Society of Upper Canada – Articling Student	1	0	0	0	1
St. Clair College – Landscape – Horticulture Technician	0	0	7	0	7
Windsor Sculpture Park Maintenance Project	0	0	4	0	4
St. Clair College – Award of Excellence	0	1	0	0	1
Totals:	1	37	134	7	179

TOTAL PAID AND UNPAID PLACEMENTS	1	37	134	7	373
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AGENCIES	SUBSIDY AVAILABLE	TOTAL
Canadian Parks and Recreation Association (CPRA) Youth Green Jobs	50 % of the Adult Minimum wage for approved claim period	\$36,364.26
Service Canada's - Canada Summer Jobs Program	50 % of the Adult Minimum wage for approved claim period	\$30,156.00
Department of Canadian Heritage - Young Canada Works in Heritage Organization Program	Up to maximum of 75% of total cost of wage	\$11,945.68
YMCA Opportunities Fund	Up to \$14 per hour approved training period	\$3,605.00
TOTAL:		\$82,070.94

2019 Paid Student/Work Placement Agency Programs Groupings

a)	<u>Post Secondary - Co-operative Education/Internship</u>	
	<i>Co-op (Governed by the Collective Agreements or Approved by CAO)</i>	<ul style="list-style-type: none"> • Co-op provides students with a well-rounded education that is found both in academic theory and real world application. • Students hired through co-op programs assist with special projects during peak periods and are studying in specialized fields, such as: Urban Planning, Engineering (Civil), and Environmental Studies. • In 2019, a total of twenty (25) students were placed in the Planning, Engineering and Environmental Services – Pollution Control Departments and were paid \$16.78 per hour. • Typically, there is no subsidy available for participation with co-op placements.
	<i>Law Society of Upper Canada - Articling Student</i>	<ul style="list-style-type: none"> • Articling students provide valuable legal services at a very competitive rate. • Hiring an Articling student is beneficial to the City Legal Services Department as it assists municipal legal counsel with research and drafting required by-laws thus freeing up time to concentrate on higher priority work. The Legal Services Department employed one (1) articling student in 2019. • In accordance with the provisions of the Pay Equity Act, the Corporation’s established Articling Student rate is NU03 Step 2 for 2019 with a bi-weekly rate of \$1,619.66. There is no subsidy available for hiring under this program.
<u>Note:</u> <i>The wage rate and rules governing paid Internship programs vary and are unique.</i>		
b)	<u>Summer Student Lottery Program (Governed by the Union Collective Agreements) Except in the case of Windsor Fire and Rescue where a Memorandum of Agreement governs participation).</u>	
	<ul style="list-style-type: none"> • Post-secondary students hired through the Summer Student Lottery Program satisfy corporate departments who require additional assistance with general labourer type positions during the summer months. 	

	<ul style="list-style-type: none"> • Students employed under this program assist in the maintenance of safe areas for taxpayers including sidewalk and roadway repair, sign installation and road markings. The majority of students hired through the Student Lottery assist in fulfilling contractual obligations and plays a major role in environmental improvement by performing maintenance in all municipal parks and facilities during the summer months. • In 2019, the Corporation hired one hundred thirteen (113) students through this program. As per applicable provisions of the Collective Agreements, these students were paid the student rate of \$16.78 per hour.
c)	<i>Government of Canada – Department of Canadian Heritage - <u>Young Canada Works In Heritage Organizations</u> delivered by Canadian Museum Association (YCW-HO) (Approved by CAO3841)</i>
	<ul style="list-style-type: none"> • YCW-HO is a federal program that provides funds to Heritage Organizations to hire students for summer projects. The YCW-HO Program is a job creation program under the Government of Canada's, Youth Employment Strategy that aims to provide summer work experience students can build on. • The Corporation successfully participated in the 2019 YCW-HO, employing two (2) summer students in the Cultural Affairs Department who were paid the student rate of \$16.78 per hour. • The Corporation received a total of \$11,945.68 in subsidy for participation in 2019 YCW-HO.
d)	<i>Service Canada's - <u>Canada Summer Jobs (CSJ)</u> (Approved by CAO3881)</i>
	<ul style="list-style-type: none"> • CSJ is a Government of Canada initiative that provides funding to help employers create summer job opportunities for students. The program provides secondary and post-secondary students the opportunity to acquire skills, gain valuable work experience and help finance their return to school. • For 2019, the Corporation received \$30,156.00 in wage subsidy for the transfer of ten (10) eligible students from various programs such as St. Clair College – Landscape Technician, Summer Student Lottery Program and Co-operative Education Programs to CSJ. • Students employed through CSJ were paid the student rate of \$16.78 per hour. The Corporation received reimbursement at a rate of \$7.00 per hour (50% of the Adult minimum wage rate) for an approved funding period.
e)	<i>Community Living – <u>Employment Services</u> (Approved by CAO3135) (Funded in part by Service Canada's - <u>Opportunities Fund</u>) (Approved by CAO3140)</i>
	<ul style="list-style-type: none"> • The Corporation was referred to the Opportunities Fund (delivered by the Ontario March of Dimes) by the Community Living Windsor – Employment Service Programming. • In an effort to find sustainable employment for persons with disabilities, Service Canada's - Opportunities Fund offers financial assistance through

	<p>the provision of wage subsidy to qualified organizations for employing eligible participants who they may not have otherwise employed.</p> <ul style="list-style-type: none"> • The criteria set out by Service Canada to assess applications for funding is based on regional and local priorities, community needs, program terms & conditions, and available funding. • As per the rules governing the program, employers accepting Community Living – Employment Services participants for paid work experience must pay participants at least the provincial adult minimum wage. • As per Corporate practice, any participant employed by the Corporation under this and other similar programs receive the corporate student rate \$16.78 (2019 rate). • In partnership with Community Living – Windsor and Community Living Essex with the agreement of C.U.P.E Local 82 and W.P.F.F.A., the Windsor Fire & Rescue Services, Parks and Recreation Departments employs a total eight (8) referred clients of Community Living – Windsor on a temporary basis.
f)	<p><u>St. Clair College - Horticulture Technician – Landscape Program (Approved by CAO3341)</u></p>
	<ul style="list-style-type: none"> • The goal of the St. Clair College of Applied Arts & Technology - Horticulture Technician - Landscape Program is to provide the education and experience required for its graduates to excel in the areas of landscape design, construction and grounds maintenance. • There are significant benefits in employing students under this program as it provides a high caliber of formally trained students who will bring a fresh perspective with expertise in the areas of landscape/horticulture. • Like many areas, the Corporation is expecting a large turnover rate in this area of expertise within the next few years. The hiring of Horticultural students provides these students with hands on experience of the work performed by the Corporation in the hopes that they will apply to work for the Corporation when a position is vacated. Illustrating to the community and to the students the type of work performed by the Corporation will assist with our Succession Planning efforts. Seven (7) individuals were employed through this program during the 2019 summer student employment period.
g)	<p><u>City of Windsor - Sculpture Park Maintenance Project (Approved by CAO3411)</u></p>
	<ul style="list-style-type: none"> • Students employed under the Windsor Sculpture Park – Conservation and Maintenance Project assisted in the undertaking of stripping, washing and waxing of the sculpture pieces. • It is essential that the integrity of the Sculpture Park collection be maintained. To this end, the students selected to work on this project were enrolled in Ontario college/university conservation programs in an effort to ensure they had an understanding of the most up to date materials, techniques and expertise/detail required to execute this maintenance project successfully.

	<ul style="list-style-type: none"> • Four (4) students were employed through this program in 2019 who received the Corporate student rate of \$16.78 per hour. • There is no subsidy available for the employment of students under this program.
h)	<u>City of Windsor - St. Clair College of Applied Arts & Technology - Award of Academic Excellence (Approved by CAO3403)</u>
	<ul style="list-style-type: none"> • From 2000 to 2009 this program employed up to (2) two students annually selected by the College based on high level of academic achievement in the Civil Engineering Technology Program. • Through proper approvals, this Award was resurrected in 2016, and employed 2 students in the Field Services Division during the 2017 summer work term and 2018, and 1 student in 2019. • Participants employed under this program receive the Corporate student rate (\$16.78 per hour – 2019 rate) while assisting municipal staff members in the Operations Department with the undertaking of surveys, layouts of proposed road projects, camera inspections of sewers and site inspections of ongoing sewer /road projects. • There is no subsidy available for the employment of students under this program.
j)	<u>City of Windsor – Canadian Parks and Recreation Association – Green Jobs Initiative (Approved by CAO4849)</u>
	<ul style="list-style-type: none"> • Youth Green Jobs is an initiative under the Government of Canada’s - Youth Employment Strategy - Summer Work Experience Program. • Youth Green Jobs provides funding to municipalities and other sector partners (non-profit parks organizations, conservation authorities) to create summer job opportunities for full-time students aged 15 to 30 years of age who are returning to school at the end date of the work term. • Through proper approvals, this program was initiated in 2018 • For 2019, the Corporation received \$36,364.26 in wage subsidy for the transfer of seven (7) eligible students from various the Summer Student Lottery Program • Students employed through Green Jobs were paid the student rate of \$16.78 per hour. The Corporation received reimbursement at a rate of \$7.00 per hour (50% of the Adult minimum wage rate) for an approved funding period.
k)	<u>City of Windsor – YMCA – Opportunities Fund (Approved by CAO17/2019)</u>
	<ul style="list-style-type: none"> • The Windsor Essex County YMCA Y Opportunities/Y Works employment services program is specifically designed for individuals within Windsor Essex County who have self identified disabilities or other barriers to employment. • Persons employed through the YMCA Opportunity Fund were paid the student rate of \$16.78 per hour. Y Opportunities/Y Works funding covers

	<p>100 percent of minimum wage for two months for employers (for up to 24 hours per week)</p> <ul style="list-style-type: none">• For 2019, the Corporation received \$3,605.00 in wage subsidy for the hire of one (1) eligible person
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Council Report: C 88/2020

Subject: Application for Property Tax Relief Under Section 357 of the Ontario Municipal Act, 2001 - Ward 3

Reference:

Date to Council: May 25, 2020
Author: Janice Guthrie
Deputy Treasurer, Taxation & Financial Projects
519-255-6100 Ext 6271
jguthrie@citywindsor.ca
Taxation & Financial Projects
Report Date: May 5, 2020
Clerk's File #: AF2020

To: Mayor and Members of City Council

Recommendation:

THAT City Council **APPROVE** the request for full property tax relief for the property located at 33 Riverside Dr E, owned by 2087676 Ontario Inc. for the period of time beginning April 1, 2020 and ending the earlier of either the termination of Ontario Regulation 141/20 or December 31, 2020; and further,

THAT the CFO/City Treasurer (or designate) **BE AUTHORIZED** to write-off an amount equivalent to the total municipal and education taxes on a monthly basis estimated to be \$363,642 in total for the remainder of the 2020 taxation year following the receipt of payment of taxes due from the property owner for the period January 1, 2020 to March 31, 2020; and further,

THAT should property tax relief be required beyond December 31, 2020, upon receipt of an application for property tax relief for the 2021 taxation year the City Treasurer **BE AUTHORIZED** to process such application consistent with the direction provided for this 2020 application which will be reported to City Council at a later date.

Executive Summary:

N/A

Background:

An application under Section 357(1) of the Ontario Municipal Act, 2001 (the Act) to City Council may be made by any person and may be made at any time during the year in respect of which the application is made and until the last day of February in the following year for the cancellation, reduction or refund of taxes. Reasons for making application include but are not limited to:

- a change event wherein the property is eligible to be reclassified in a different class which has a lower tax ratio and no supplementary assessment is made in respect to the changed event
- property that has become exempt from taxation during the year or during the preceding year after the return of the assessment roll;
- building(s) that during the year or during the preceding year after the return of the assessment roll,
 1. was razed by fire, demolition or otherwise, or
 2. was damaged by fire, demolition or otherwise so as to render it substantially unusable for the purposes for which it was used immediately prior to the damage;
- the applicant is unable to pay taxes as a result of sickness or extreme poverty; or
- an overcharge by reason of any gross or MPAC error that is a clerical error, the transposition of figures, a typographical error or similar type of error, but not an error in making the assessment upon which the taxes have been levied; or
- for reason of repairs or renovations the property could not be used for its normal use for a period of at least three months during the year.

The Act indicates that City Council is required to render a decision in respect of all applications by September 30 of the year following the year in respect of which the application is made. If no decision is made or the applicant disagrees with the decision rendered, the applicant has the right to appeal to the Assessment Review Board.

On April 22, 2020, an application under Section 357 (1) for the 2020 taxation year was received by Administration for the property located at 33 Riverside Dr. E, regularly

operating as Holiday Inn Express. The property is owned by 2087676 Ontario Inc., the principal owner being Mr. Smuel Farhi. The application seeks full property tax relief for the portion of the 2020 taxation year on the basis that the property is being used for hospital purposes and therefore should be considered exempt from property taxation.

Discussion:

On March 24, 2020 notice was provided by the property owner to the franchisor, Holiday Inn Express that the facility would be ceasing operations as a hotel due to the COVID-19 outbreak effective March 27, 2020. In response to local measures needed to assist front line and essential services workers, the property owner entered into a lease with Windsor Regional Hospital (WRH) which provided full use of the facility for purposes of hospital support operations. The effective date of the lease was April 1, 2020 for a period of one year expiring on March 31, 2021. The lease contains a month to month renewal option.

Given the unique nature of this request Finance staff, in conjunction with the Legal Services department, undertook a review of the current legislation and determined that the request for tax relief would qualify under Section 357(1)(c), the property has become exempt from taxation during the year or after the returned assessment roll for the preceding year, due to the use and occupancy by WRH. The legislative framework for this is outlined below.

As noted in Section 3(1)(6.) of the *Assessment Act*, land used and occupied by a public hospital that receives provincial aid under the *Public Hospitals Act* (the "PHA") is exempt from tax during such time of use. The use and occupancy is not restricted or limited to specific types of interests in the land so may also include leases.

An emergency was declared on March 17, 2020, pursuant to Section 7.0.2 of the *Emergency Management and Civil Protection Act* ("EMCPA"). The Lieutenant Governor in Council was provided with the power to make orders that are necessary and essential in the circumstances, in order to prevent, reduce or mitigate serious harm to persons or substantial damage to property provided certain beliefs were met. The Order applicable in this case is outlined in Regulation 141/20 (the "O Reg.") of the EMCPA and was issued under Subsection 7.0.2(4) and pertains to temporary health and residential facilities.

Under the O Reg. a temporary health or residential facility means a building or structure that is used or intended to be used to provide, on a temporary basis for the purpose of responding to the declared emergency, health care or sleeping accommodation, by or on behalf of, any health service provider as defined in paragraphs 1 to 5 of the definition of "health service provider" in subsection 1(2) of the *Connecting Care Act* (the "CCA"). Pursuant to subsection 1(2)(1.) the CCA, a health service provider means a person or entity that operates a hospital within the meaning of the PHA.

Given the lease permits WRH to use the premises as a hospital worker support operation, including using the space for meeting rooms and providing rooms for sleep and accommodation, WRH would be considered to be operating a public hospital at the premises and therefore the property would be exempt from taxes during the time of such operation and use.

Administration's interpretation and analysis is based on the above legislation and more specifically the O Reg. which at the present time does not contain an end date. As such, the cancellation or reduction in taxes would be for the period of time during which this O Reg. is in place and the lease is active or WRH is using and occupying such land/premises. Reduced or cancelled taxes would end when either the O Reg. terminates or WRH ceases to use and occupy the land/premises as indicated above, whichever comes first.

Risk Analysis:

In the event that this lease continues outside of the timelines for the declared state of emergency a further analysis would be required to determine eligibility of any reduced or cancelled taxes. Further consideration would be required as to the permitted use of the premises and whether the tenant would be considered operating a public hospital and whether there were any applicable exemptions to property taxes.

Financial Matters:

The property at 33 Riverside Dr. E, is currently classified within the commercial tax class and is assessed at a value in excess of \$10.7 million. Total property taxes paid in 2019 was \$455,259. This property is located within the Downtown Business Improvement Area and as such an additional \$24,038 was billed and paid as part of the 2019 final taxes.

To date for 2020, an interim property tax bill in the amount of \$227,629 has been issued and payments in accordance with the City's pre-authorized payment plan were made for the months of February and March. The property owner advised the City to suspend the remaining payments based upon this tax relief request.

Based upon proposed property tax rates for 2020, as outlined in Report C 44/2020, total property taxes for 2020 are estimated to be \$484,413. Using the effective date of the lease with WRH being April 1, 2020, the property owner would owe taxes for the period January 1, 2020 to March 31, 2020 (91 days) where the property was being used for purposes of a hotel in the amount of \$120,771. Total payments of \$91,052 have been received by way of pre-authorized payment leaving an outstanding balance of \$29,719. Upon receipt of the balance due in full, Administration would process a credit for an amount equivalent to the taxes for each month thereafter that the property continues to qualify for the tax exemption. As indicated above, this would be the earlier of either the end of the O Reg. or the lease with WRH.

The estimated municipal share of the tax relief, estimated \$263,171 will be charged to the current year's provision for tax write-offs. There are sufficient funds available for this purpose. The education share estimated at \$100,471 will be recovered by way of a charge back to the Province.

The property would also be eligible for a refund of property taxes as it relates to the BIA levy. Based upon the estimated levy for 2020, a total of \$24,654 would be billed as part of the Final 2020 Tax bill. The property owner would be responsible for the first 91 days of the year, being January 1 to March 31, or \$6,146. The remainder, as estimated \$18,508 would be recovered as a charge back to the DWBIA. This amount could be offset by additional revenue that the DWBIA may receive in the year due to assessment growth from new development in the downtown area.

Given that the lease termination date is March 31, 2021 and in the event that the declared emergency extends into 2021, Administration is further recommending that the CFO & City Treasurer be provided with authority to proceed on the same basis as noted for the 2020 taxation year upon receipt of an application for 2021 property tax relief as submitted by the property owner. A report to City Council would be required to meet the legislative authority however this matter would be reported as part of the regular reporting of tax applications brought forward later in the year.

Consultations:

Peter Frise, Municipal Tax Equity (MTE) Consultants

Wira Vendrasco, Deputy City Solicitor

Josh Meloche, Legal Counsel

Conclusion:

Administration recommends approval of this application for the reasons stated in this report.

Planning Act Matters:

Approvals:

Name	Title
Shelby Askin-Hager	City Solicitor

Name	Title
Joe Mancina	CFO & City Treasurer
Onorio Colucci	CAO

Notifications:

Name	Address	Email
208776 Ontario Ltd	c/o 34 Hess St. South, Hamilton, Ontario, L8P 3N1	spocnic@pracommercial.com vrowe@pracommercial.com
Ironwood Management Corp	5U-2049 Pine St. Burlington, Ontario L7R 1E9	tyler@ironwood2.com

Appendices:



Subject: Natural Resources Canada ZEVIP Grant Program Fleet Stream - Electric Vehicle Charging Stations for Light Duty Vehicle Fleet Project - City Wide

Reference:

Date to Council: May 25, 2020
Author: Angela Marazita
Fleet Manager
519-255-6560 x4244
amarazita@citywindsor.ca
Public Works - Operations
Report Date: March 3, 2020
Clerk's File #: SR/12080

To: Mayor and Members of City Council

Recommendation:

THAT City Council **APPROVE** the Chief Administrative Officer to submit an application for the City to participate in the Natural Resources Canada - Zero-Emission Vehicle Infrastructure Program (ZEVIP) for the installation of ten (10) Level-2 electric vehicle charging stations at the locations identified in this report; and,

THAT City Council **DELEGATE AUTHORITY** to the City Engineer to approve any recommended site location changes which may be necessary once a more detailed review of the recommended sites is completed; and,

THAT in the event the City receives written confirmation of the ZEVIP funding being awarded to the City; the Project's costs are within their respective budgets as outlined in the Financial Matters section herein; and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:

- That City Council **APPROVE** funding for the City's share for the capital costs related to this project totalling up to \$135,985 be funded from the Fleet Replacement Reserve Fund (F136); and,
- That City Council **AUTHORIZE** Administration to seek potential sponsorships to reduce the annual operational costs estimated for this 5-year pilot project; and,
- THAT City Council **APPROVE** a Request for Proposals (RFP) be issued in accordance with Purchasing By-law 93-2012 and amendments thereto for the purchase of ten (10) dual-port electric vehicle charging stations, including the

necessary annual agreements for the maintenance, operation, and connectivity of these units for a 5-year period; and,

- The Chief Administrative Officer to **BE AUTHORIZED TO DELEGATE** signing of all claims and applicable schedules, and other such documents required as part of the request for payment or the submission of a reporting package to the City Engineer or appropriate official, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
- THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendations noted above and sign any required documentation or enter into agreements for participation in the Zero-Emission Vehicle Infrastructure Program including the successful RFP proponent, satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the Chief Financial Officer / City Treasurer; and,
- The Purchasing Manager **BE AUTHORIZED** to issue the appropriate purchasing documents, including a sole source for the electrical services in compliance under the current Purchasing By-law 93-2012 AMENDED per by-law 145-2014 Sole Source criteria, as may be required to affect the recommendation noted above, subject to all specification being satisfactory in technical content to the City Engineer and in financial content to the Chief Financial Officer and City Treasurer.

Executive Summary:

N/A

Background:

Around the world and across Ontario, there is a growing understanding that electric vehicles will play a significant role in reducing fuel consumption and greenhouse gas emissions (GHG) in the transportation sector, while benefiting air quality. All major global automotive companies are rapidly growing electric vehicle development efforts and expanding their ranges of commercially available vehicles.

The Government of Canada has set ambitious federal targets for zero-emission vehicles reaching 10% of light-duty vehicle sales per year by 2025, 30% by 2030, and 100% by 2040.

In 2017, the City implemented an electric vehicle pilot program. The provincial government offered significant incentives for the purchase of electric vehicles as well as the purchase and installation of eligible Level 2 chargers. The fully electric Chevrolet Bolt was assigned to the Building Department. Its use has been extremely successful and has resulted in the plan to transition their fleet to electric vehicles as funds are available to do so. Unfortunately, the provincial incentives were eliminated in 2018 which deferred this expansion. While not as significant the previous incentives offered

by the provincial government, the federal government has since introduced an incentive for the purchase of electric vehicles.

The 2019 Federal Budget announced \$130 million over five years (2019-2024) to deploy a network of zero-emission vehicle refuelling stations (level 2 and higher) in localized areas where Canadians live, work, and play. While the first phase of the Zero-Emission Vehicle Infrastructure Program targeted public places and on-street/curbside charging locations, the second phase supports multi-unit residential buildings, workplaces, and light-duty fleets.

Obtaining the ZEVIP grant will assist the City in fulfilling strategies outlined in the 2017 Corporate Climate Action Plan (CCAP) and Community Energy Plan (CEP). For example, the CCAP estimated GHG emissions reduction of 4,000 tonnes/year through greening of the Corporate Fleet. The electrification of the Corporate Fleet, as much as possible, is necessary to reach the emission reductions goals. The CEP which speaks to the influence municipalities have in facilitating the conversion to EV vehicles, included a target of electrification of Community vehicles of 10 percent by 2041, resulting in an approximate reduction of 40,000 tonnes CO₂/year.

Most recently City Council extended their support for Climate Change Mitigation strategies by adopting the Acceleration of Climate Change Actions Report. This report was in response to the City of Windsor's Climate Change Emergency Declaration in November 2019, recommending enhancing the electrification target to 30%, which would represent another 80,000 tonnes CO₂/year savings.

Discussion:

The Natural Resources Canada - Zero-Emission Vehicle Infrastructure Program (ZEVIP) is currently open and requires application submissions by June 11, 2020.

The program offers 50% funding for eligible project costs to install a minimum of ten (10) dual-port stations (equivalent to 20 charging spaces) on available city owned parking spots. The parking spots must be dedicated for charging vehicles only and accessible by users of the corporate fleet. The City of Windsor would need to designate 2 spots per charging unit for EV charging use.

Currently there are seven (7) fully electric vehicle charging stations located at city facilities. The NRCAN ZEVIP will create an opportunity for the City to install 10 additional dual-port stations (equivalent to 20 charging spaces) on available city owned parking locations across the City. The installations must all be new units and not replacement of existing ones. An electrical contractor will be engaged in discussions regarding this grant. The work required to ready any site location with the necessary utilities will be done by an electrical contractor. EWIN will be engaged throughout the process to assess the electricity requirements and availability.

The primary objectives of the project are:

- a) to support the 2017 Community Energy Plan and Corporate Climate Action Plan's goal of transportation vehicle greenhouse gas emissions reduction;

- b) to support and expand the use of electric vehicles in the corporate fleet to reduce emissions and total operating costs;
- c) to fulfill the objectives from the Greening the City Fleet Manual

The ZEVIP requires a minimum of 10 dual-port charging stations. Sites were strategically selected based on greatest level of access and probability of use, availability of electricity supply, compliance with grant requirements, allocation across the City, and potential for enhancement to economic development.

The recommended sites are as follows:

Site Name	Number of Stations	Address
Environmental Services Yard	3	3540 North Service Road East
Public Works Operations Yard	4	1531 Crawford Avenue
Municipal Lot South of 400 City Hall Sq	3	444 City Hall Square South

While most of these sites were previously identified and vetted, some were not. Preliminary work to confirm the locations was completed at the time of this report however, a more detailed review is required. This may result in alternate locations needing to be determined for some units. There will not be sufficient time to obtain approval by City Council should changes be necessary as the grant is due June 11. A recommendation requesting authority be given to the City Engineer for any changes to the proposed site locations has been included to mitigate this risk.

The project schedule is prescribed as follows:

Submission deadline	June 11, 2020 (23:59 Eastern Daylight Time)
Assessment of proposals	June – July 2020
Funding decisions, letters of conditional approval (LOCA) and letters of regret.	August 2020
Initiate negotiation and signature of contribution agreements (CA)	August – September 2020
Project completion date for electric vehicle chargers	Assuming funding decisions (Letters of Conditional Approval) will be released in August 2020, the project timeline must

	show completion within 18 months. Applicants of successful projects will have six (6) months after the date of the LOCA to sign their CA.
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The City of Windsor will own the stations, while monitoring, maintenance, repairs and data collection are performed by the successful RFP proponent under a five (5) year service agreement.

Risk Analysis:

All primary risks regarding site placement and electricity grid capacity are mitigated by City ownership of the properties and the local distribution company (ENWIN Utilities Ltd.).

Consultation with internal stakeholders has determined no issues in dedicating parking spaces to the project.

The construction window of 18 months required by the ZEVIIP is ample based on the nature of the chosen locations, relatively small quantity of stations (10), and aforementioned efficiencies of execution.

There is a risk that future capital funding within the 8-year Capital Budget may be reduced and/or deferred as a mitigation measure in order to address the negative financial impacts related to the COVID-19 pandemic. Committing these funds from the Fleet Replacement Reserve will reduce the opportunity, should it be necessary, to leverage funds from this reserve in order to help offset potential pandemic costs. This risk may be mitigated through potential future Federal and Provincial funding which may be provided to assist municipalities with addressing the negative financial impact resulting from the pandemic.

Financial Matters:

The ZEVIIP will pay up to 50% of Total Eligible Project Costs, to a maximum of \$5,000 per charging connector on a Tier 2 unit. Any costs incurred prior to NRCAN approval of the project, will be considered ineligible.

Administration has selected Level-2 charging stations primarily based on lower unit costs and consistency with charging stations already in use by the corporate fleet. The sites selected also tend to already be utilized by departments for parking city vehicles.

The project cost breakdown is outlined in the chart below:

Capital Expense	
(10) x Dual-port Connected Electric Vehicle Charging Station [20 charging connectors]	\$32,630

(10) x Average Installation Cost - Parking lot trenching, temporary barriers, conduit and electrical, concrete pedestal, bollards, site reclamation	\$150,000
(10) x Parking space painting, permanent thermal plastic - Electric Vehicles Only	\$2,500
(10) x Signage - 2ft x 3ft Informative signs, sign posts, and required bracing	\$7,500
Marketing events and materials	\$2,530
Internal Salaries and Benefits	\$10,045
Overhead (max 15% of eligible costs)	\$30,780
Subtotal - Capital Expense	\$235,985
NRCan ZEVIP Contribution(50% of Total Eligible Project Costs to a maximum of \$5,000 per connector)	(\$100,000)
Estimated Net City of Windsor Cost	\$135,985

The total estimated net cost to the City of Windsor, should the grant be approved, is expected to be approximately \$135,985. Funding for this amount is recommended to come from the Fleet Replacement Reserve Fund (F136), which has sufficient funds to support this project without compromising the corporate fleet replacement strategy currently in place.

In addition to the capital costs of the project, operating expenses related to the operation and maintenance of the charging stations, along with electricity consumption costs will be incurred. These costs are not eligible for grant funding and are currently estimated at approximately \$4,000 per year. It is expected that these operational costs can be managed within the existing Fleet Operations budget and will largely be offset by anticipated savings in fuel and maintenance costs for the related electric vehicles. In addition, based on infrastructure currently installed by the City, the dual-port charging connectors carry a 5-year warranty. The warranty will help to mitigate against any unforeseen costs related to the operation of the electric charging station equipment.

Consultations:

Anne-Marie Albidone – Manager of Environmental Services

Dan Lunardi – Manager of Inspections/Deputy Chief Building Official

Rob Vani – Manager of Inspection/Deputy Chief Building Official

Shawna Boakes - Senior Manager of Traffic Operations and Parking

Luigi Congi – Asset Coordinator

Cole Nadalin – Supervisor, Energy Contracts

Karina Richters – Supervisor, Environmental Sustainability and Climate Change

Josh Meloche – Legal Counsel

Enwin Utilities

Conclusion:

It is recommended that City Council approve the submission of an application to the Zero-Emission Vehicle Infrastructure Program for the project outlined in this report and approve a commitment to the required City funding, the details for which will be presented in a future report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Natasha Couvillon	Manager, Performance Measurement & Financial Administration
Dwayne Dawson	Executive Director of Operations
Mark Winterton	City Engineer
Melissa Osborne	Senior Manager Asset Planning
Joe Mancina	Chief Financial Officer/City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:



Council Report: C 81/2020

Subject: Amendment to Agreement with Dillon Consulting Ltd, - Proposal No. 66-15 LRWRP Diesel and MCC Upgrades - Ward 2

Reference:

Date to Council: May 25, 2020
Author: Ed Valdez
Manager Process Engineering & Maintenance
519-253-7111 x3366
evaldez@citywindsor.ca
Pollution Control
Report Date: April 20, 2020
Clerk's File #: SW/12280

To: Mayor and Members of City Council

Recommendation:

THAT an additional \$55,800.00 plus applicable HST **BE APPROVED** for the Consulting Firm of Dillon Consulting Ltd. to provide additional professional engineering services required for the upgrade of the Diesels Generator and Motor Control Centre (MCC) for the Lou Romano Water Reclamation Plant (LRWRP); and,

THAT the additional \$60,000 in funds required to complete the project **BE TRANSFERRED** from the Pollution Control Reserve (FUND 208); and,

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute an addendum to the contract with Dillon Consulting Ltd., satisfactory in technical content to the City Engineer, in financial content to the City Treasurer and in form to the City Solicitor with charges allocated to 007-2915-9998-02942-7162006.

Executive Summary:

N/A

Background:

In August 2015 CR146/2015 approved the hiring of Dillon Consulting Ltd for the preparation of contract drawings and specifications and contract administration for the Diesel and Motor Control Centre upgrades at the Little River pollution Control Plant (LRPCP) and the Lou Romano Water Reclamation Plant (LRWRP). The total fees for both projects was \$697,500.00.

The scope of the project at the LRWRP is to replace the No. 2 generator and power distribution system in the Main Pump House (MPH) which was over 40 years old. Also in the LRWRP scope

we elected to participate in the Government of Ontario's Demand Response program which would require us to run our new generator during peak demand periods in order to remove us from the Province's electrical grid thereby making more energy available for other consumers. To operate our generators outside of emergency demand (i.e. storms, power loss) required us to install addition emissions control equipment.

Under Council Report CR25-2019, Dillon Consultant's fees were revised by \$118, 480.00 with an Amendment to their Agreement, File No. CON7896 dated June 22, 2017. This was to cover costs for added scope and delay in construction schedule. The specifics were identified in the Council Report CR25-2019.

Discussion:

During the course of construction we have encountered changes to the defined work scope and opportunities to address maintenance projects at a cost savings if implemented during the construction of this project. These changes required the Consultant to undertake additional design work and project administration.

The Ministry of Environment, Conservation and Parks (MECP) requires the City address the operating changes to the facility, due to the implementation of the Demand Response Program, in our registered Environmental Compliance Approval certificate (ECA). This requires implementing a source testing program of the emissions from the new diesel generator system under fully loaded conditions and producing a report to the MECP.

During construction we discovered the severe corrosion and aging of our three (3) high voltage transformers. These transformers were determined to be at end of life so we took the opportunity to consolidate our electrical bus duct feeds to the plant to two and only requiring two new transformers to reduce the net extra cost and enhance the emergency power distribution to the entire site. This required the change in design and product review after tender.

There is a project in the adjacent course bar screening building which if undertaken at the same time as this current MPH Diesel Generator project will realise a net cost savings. This new project was deemed essential due to a bin delivery truck damaging the building wall because of the alignment of the conveyor. We require the relocation of this wall to allow for the realignment of the conveyor thereby distancing the bin from the wall. We required Dillon to produce design drawings for contractor pricing.

As a result of the delays in contract award and equipment deliveries the projected timelines for completion have been extended and the consultant, Dillon Consulting Ltd., has requested a fee adjustment for Project Administration due to the extended length of the project.

Refer to below for schedule of scope and associated fees:

Item	Scope	Fee
1	MECP Source testing requirement	\$28,000.00
2	Transformer Replacement	\$13,300.00
3	Relocation of Wall	\$13,400.00
4	Extension in schedule	\$1,100.00
TOTAL		\$55,800.00

Risk Analysis:

There is a moderate risk to the integrity and reputation of the City for working in good faith with its community partners.

Financial Matters:

City Council already approved \$4,310,000 for this project (7162006 - LRWRP Diesel#2Dist Switch Gear) in various iterations of the Capital Budget. Several factors have impacted the total project costs from the original budget estimates and include the following: the participation in the Global Adjustment program, poor soil conditions, changes in the US-Canadian dollar exchange rate, and additional scope requirements for related equipment replacement. Funding for the LRWRP Diesel & MCC Upgrade project was approved by City Council as part of the 2011, 2013, 2016 and 2019 Capital Budgets as follows.

YEAR	BUDGET APPROVED
2011	\$1,500,000
2013	\$500,000
2016	\$500,000
2019	\$1,810,000
Total	\$4,310,000

A detailed breakdown of the project's current financial position and tender costs is provided below:

<u>DESCRIPTION</u>	<u>AMOUNT</u>
Consultant (Dillon) - Original	\$297,500
Consultant (Dillon) – Addendum #1	53,800
Consultant (Dillon) – Addendum #2	62,187
Consultant (Dillon) – Addendum #3	55,800
Construction (Rorison)	3,821,640
Non-Recoverable HST (1.7602%)	75,529

Total Expenses	\$4,366,456
Funds Approved	\$4,310,000
Total Funding	\$4,310,000
Less: Total Expenses	<u>(4,366,456)</u>
Projected Surplus / (Deficit)	(\$56,456)
Projected Surplus / (Deficit) – Rounded	(\$60,000)

As indicated in the above table, an additional \$60,000 is needed to fund the projected deficit. The deficit is due to the addendum #3 for Dillion Consulting Ltd. Administration recommends that these funds be transferred from the Pollution Control Reserve, Fund 208, which has sufficient funds remaining to absorb the transfer.

Consultations:

Carrie McCrindle (FPA) - Finance Department

Jennifer Musson - Purchasing

Conclusion:

Administration recommends that Council approve the addendum to the agreement with Dillon Consulting Ltd. in the amount of \$55,800.00 (plus HST). Funding for this shall be accommodated through a transfer of \$60,000 from Pollution Control Reserve, Fund 208.

Approvals:

Name	Title
C. McCrindle	Financial Planning Administrator
J. Renaud	Sr. Manager Pollution Control
M. Winterton	CLT – City Engineer
J. Mancina	CLT – CFO/City Treasurer
S. Askin-Hager	CLT – City Solicitor

Name	Title
O. Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
F. Forest Dillon Consulting Limited	3200 Deziel Dr, Windsor, ON. N8W 5K8	fforest@dillon.ca

Appendices:



Council Report: C 82/2020

Subject: Consulting Services for Lou Romano Water Reclamation Plant (LRWRP) Centrifuge #1 Control System Upgrade RFP 170-19 Award - Ward 2

Reference:

Date to Council: May 25, 2020
Author: Pompiliu Ignat
Pollution Control Project Engineer
519 253-7111 ext. 3367
pignat@citywindsor.ca
Pollution Control
Report Date: April 27, 2020
Clerk's File #: SW/12518

To: Mayor and Members of City Council

Recommendation:

THAT Council **APPROVE** awarding Andritz Separation Inc. for the provision of Consulting Services for Lou Romano Water Reclamation Centrifuge #1 Control System Upgrade (RFP No. 170-19) at a cost not to exceed \$74,894.00 US Dollars exclusive of HST; and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an Agreement with the proponent, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer & City Treasurer and in technical content to the City Engineer.

Executive Summary:

N/A

Background:

The Lou Romano Water Reclamation Plant (LRWRP) treats the wastewater received from the sewers west of Pilette Rd. including South Windsor as well as LaSalle. The wastewater sludge, which is removed from the primary and secondary treatment process, is pumped to the dewatering process where it is further dried. Centrifugal dewatering is a high speed process that uses the force from rapid rotation of a cylindrical bowl to separate wastewater solids from liquid. Dewatering offers, among other advantages, biosolids volume reduction, saving money on storage and transportation and low fuel consumption requirements if the residuals are to be heat dried in further processing.

The existing control system for the Lou Romano WRP Sharples DS906 centrifuge #1, which was installed in 1999, has completed its useful service life and requires various upgrades. The motors Variable Frequency Drives (VFDs) and the proprietary back-drive Controller are now obsolete and very difficult to obtain replacements. The centrifuge is mechanically sound and could provide many additional years of service by upgrading the controls. For this reason Pollution Control has decided to replace the existing VFDs, eliminate the automatic back-drive controller and upgrade the associated electrical components.

Pollution Control is seeking to hire Andritz Separation Inc. to prepare the drawings and specification for centrifuge #1 control system upgrade, which will be issued as a tender at a later date for a general contractor to supply and install the control system upgrade. The contract with Andritz Separation Inc. also includes the supply of PLC programming, start-up, commissioning and training for the control system upgrade.

Discussion:

Request for Proposal #170-19 “Consulting Services for Lou Romano Water Reclamation Plant (LRWRP) Centrifuge #1 Control System Upgrade” was issued on January 8, 2020. There was one (1) proposal received for the project. The bid was submitted by Andritz Separation Inc. and was addressed in accordance with the single bid process under the Purchasing Bylaw.

The bid was reviewed and verified for arithmetic correctness and full conformance to RFP process requirements by the Pollution Control Department.

The final price for the consulting work, in accordance with the conditions for the RFP #170-19 Tender and after contract terms and conditions negotiations in compliance with the Purchasing By-Law, is **\$74,894.00** US Dollars (excluding HST).

Pollution Control is satisfied Andritz Separation Inc. understands the scope of the work and the schedule and are capable of performing the work in a timely and professional manner.

Risk Analysis:

In the event of a failure of the existing centrifuge control system, Pollution Control will be compelled to rent an emergency centrifuge. There will be a moderate risk due to the significant additional cost involved in renting a high capacity centrifuge. Additionally, a delay required to install a temporary centrifuge would reduce the sludge dewatering capacity at Lou Romano WRP, affecting both plant dewatering process and Windsor Biosolids Processing Facility schedule.

Financial Matters:

City Council has approved a total \$360,000 for this project, 7172006 – LRWRP Centrifuge Main and Backup, as follows: \$240,000 was approved by Council in the 2018 (B72/2018) and 2019 (B8/2019) Capital Budgets. An additional \$120,000 was transferred into the project from project 7169002 – General Repairs in 2017 (B54/2017).

Consultations:

N/A

Conclusion:

Administration is recommending that City Council accept the proposal submitted by Andritz Separation Inc. and authorize the CAO and City Clerk to sign a contract with Andritz Separation Inc. in the amount of \$74,894.00 US Dollars. This will allow the Pollution Control Department to modernize and enhance the performance of the Centrifuge #1 at the Lou Romano WRP.

Planning Act Matters:

N/A

Approvals:

Name	Title
Pompiliu Ignat	Pollution Control Project Engineer
Jake Renaud	Senior Manager of Pollution Control & Deputy City Engineer
Mark Winterton	City Engineer
Alex Vucinic	Purchasing Manager
Shelby Askin Hager	City Solicitor
Joseph Mancina	Chief Financial Officer & City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Jeff Congleton, Andritz Separation Inc.		jeff.congleton@andritz.com

Appendices:



Committee Matters: SCM 127/2020

Subject: William T. Wesgate House, 225 Giles Boulevard West – Heritage Alteration Permit and Community Heritage Fund Request (Ward 3)

Moved by: Councillor Holt
Seconded by: Member Fratangeli

Decision Number: **DHSC 152**

- I. THAT the request by Kathleen Pistor, the owner of William T. Wesgate House, for a grant of an upset amount of \$30,000 from the Community Heritage Fund (Reserve Fund 157), for the clay tile roof and dormer repairs at 225 Giles Boulevard West, **BE APPROVED**, subject to:
 - i. Determination by the Chief Building Official and the City Planner that the work is completed to applicable codes and heritage conservation standards;
 - ii. Owner's submission of paid receipts for work completed;
 - iii. That the Community Heritage Fund (Reserve Fund 157) grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date;
 - iv. Any further minor changes to the scope of work **BE DELEGATED** to the City Planner; and,
- II. THAT the removal/further alteration of the chimney at the detached garage structure **BE GRANTED**; and further,
- III. THAT the existing integral eavestrough system **BE MAINTAINED** and the new RainPRO eavestrough system **BE PERMITTED** at the back of the house only, if desired by the homeowner.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Holt and Sleiman, and Members Foot, Fratangeli, and Miller.

Nay votes: Councillors Bortolin and Morrison, and Members Baker and Bulmer.

Absent: None.

Abstain: None.

Report Number: S 54/2020
Clerk's File: MBA/6111

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

**Subject: William T. Wesgate House, 225 Giles Boulevard West –
Heritage Alteration Permit and Community Heritage Fund Request (Ward
3)**

Reference:

Date to Council: April 14, 2020
Author: Kristina Tang
Heritage Planner
ktang@citywindsor.ca
519-255-6543 X 6179
Planning & Building Services
Report Date: March 30, 2020
Clerk's File #: MBA/6111

To: Mayor and Members of City Council

Recommendation:

- I. A. THAT the request by Kathleen Pistor, the owner of William T. Wesgate House, for a grant of an upset amount of \$25,000 from the Community Heritage Fund (Reserve Fund 157), for the clay tile roof and dormer repairs at 225 Giles Boulevard West, **BE APPROVED**, subject to:
 - i. Determination by the Chief Building Official and the City Planner that the work is completed to applicable codes and heritage conservation standards;
 - ii. Owner's submission of paid receipts for work completed;
 - iii. That the Community Heritage Fund (Reserve Fund 157) grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date;
 - iv. Any further minor changes to the scope of work **BE DELEGATED** to the City Planner; OR
- I. B. THAT a Heritage Alteration Permit for replacement of the clay tile roofing with steel roof resembling the original tiles, and for removal or further alteration of the chimney at the detached garage structure, **BE GRANTED** with design approval delegated to the Heritage Planner.
- II. THAT the removal/ further alteration of the chimney at the detached garage structure **BE GRANTED**; and

- III. A. THAT alteration of the existing integral eavestrough system to the new RainPRO eavestrough system **BE GRANTED**; OR
- III. B. THAT alteration of the existing integral eavestrough system to the new RainPRO eavestrough system **BE REFUSED** and that the existing integral eavestrough system be repaired.

Executive Summary: N/A

Background:

The current owner, Kathleen Pistor, has owned 225 Giles Boulevard West since 1983. The property was designated under her request by City Council, through By-law No. 142-2002 on May 27, 2002. (The Reasons for Designation from the Designation by-law is included as Appendix 'A'.)



Google Streetview, September 2017

For several years, there has been deterioration ongoing to the roof and discussion between the owner and the heritage planner about sourcing for the tiles and trades to conduct the specialized clay tile roof repairs. Unfortunately roofing issues have resulted in damage to interior walls and ceiling that the Owner would also have to repair.



Slipping tiles and tilting chimney at rear of garage roof



Interior damage to ceiling due to roof leaks

The clay tile on the principal and accessory garage building in similar design, are prominent design features of the property, and included as heritage attributes in the reasons for designation. Following much challenge in sourcing for replacement tiles and obtaining quotes for repair work, the owner submitted the Community Heritage Fund (CHF) request (Appendix B) to the City. If approved, the Owner also intends to apply for the Heritage Property Tax Reduction program for the same scope of work, which would be administratively processed through delegated approval authority. Should the request for heritage funding not be approved, as an alternative, the owner has also requested for the change in roofing material to a steel roof with design replicating tile. Information for that proposal is provided in the Heritage Alteration Permit application (Appendix C).

Legal Provisions:

The *Ontario Heritage Act (OHA)* requires the owner of a heritage designated property to apply to Council to alter the property. The designation by-law includes reasons for designation (see Appendix 'A'). In accordance with the *OHA*, changes to designated property that affect reasons for designation must be considered by City Council after consulting with the municipal Heritage Committee. Council has the option of granting consent with or without terms and conditions, or refusing the application within 90 days of the application.

Part IV, 39 (1) of the *OHA* provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe." The City's Community Heritage Fund (Reserve Fund 157) exists to encourage the conservation of the built heritage through the provision of financial assistance to owners wishing to acquire and/or conserve designated heritage properties.

Discussion:

Property Description:

The property is located at the southwest corner of Giles Boulevard West and Victoria Avenue. The property is prominently visible at the street corner, and is an excellent example of the Colonial Revival style. The main side gable roof features three arched dormers at the front and a larger shed dormer at the back. Two enclosed porch wings

with flat roofs and balcony are located to the west and east of the principle building. To the west of the property is a detached garage with hipped tile roof in matching design.

Proposal:

It has been a large task in the past few years for the owner to source for the replacement tiles and for a contractor to do the work in Windsor. Hiring somebody locally with the skills was very difficult. Even out of town trades was hard to find and adds to the cost. Further, there would be the issue of having reliable follow-up work should future repairs or warranty need to come into play. After much challenge and research, Owner is looking to present two Options for consideration.

Option One- Retain Clay Tile Roof with Heritage Financial Support

The owner's preference is for local contractor Dayus Roofing. Dayus roofing has experience with roofing for heritage properties and is keen to take on this project. The clay tile are separate orders (discussed later in the report). The Dayus quote includes repair of the roof of principal dwelling and garage, the repair in-kind of rotten wood siding in areas around the dormers. Work would reuse existing tiles but replace as necessary broken tiles, and replace with the new matching tile. The three front dormers are quoted for with custom bent round copper on the top, which would provide longevity, while the larger rear dormer, and side porches would be replaced with a new TPO flat roofing system, aluminum fascia and eavestrough. The garage is in need of more repairs as the rear portion of tiles are slipping. The quote includes structural repair as needed, with new underlayment strapping, removal and sealing of the tipping chimney, and reinstallation of tiles, and for repair of damaged tiles along hip/ridge line of garage. Other works includes additional inspections and repairs at the upper north east slope and installation of the new eavestrough system on the principal dwelling. A separate option is provided if the existing integral eavestrough system is retained and repaired. Local contractor would be able to fix and repair if needed in the future and warrants the workmanship for 2 years.



View of front arched dormers and rear shed dormer

The Owner also received another repair quote from Andrew Johnstone, who is an out-of-town contractor, at \$28, 250. This quote only includes the repair of the main roof and the 3 front and 1 rear dormer, but does not include any of the other necessary repairs. The owner states the disadvantages of this quote because it does not guarantee any of the clay tile roof repair, and offers lower quality material for the dormer repairs. A separate quote was also given for the entire re-roofing, including installation of new roof underlayment membrane and strapping, and replacement/installation of all tiles and

repair of all dormers with pre-painted metal (not copper). This quote which does not include the garage repairs nor clay tile materials was \$84,750.

Clay Tile Material

From the Owner's description and measurements, the typical tile on the roof is English Style measuring 8 and $\frac{3}{4}$ " across including lip, 10 and shy of $\frac{3}{4}$ " long, and a bit more than 1" on bottom edge. The ridge, hip, and gable rake tiles have different measurements and forms.



Plan view of typical clay tile and close up of clay tile on roof



Plan view of Ridge Tile Cap (end), and close up of roof hip tiles (without lip)



Notice unmatched gable rake tiles located at gable end.

The clay tile roofing supply had to be sourced separately as none of the roofing contractors would supply the tile. Owner expanded effort to locate the same type of tiles hard-fired for Northern Climates with same/similar dimensions.

The reclaimed closed shingle tiles sourced from Northern Roof Tiles Canada Ltd. cost \$14 each for the regular field tile, \$5.25 for each ridge/hip tile (special rate), and \$45 per

detached gable rake tile, totalling \$9,378.55 after shipping and taxes. Dayus is suggesting 150 typical clay tiles and 20 ridge/hip tiles, however the Owner expects to need more based on experience from previous repairs and for future repairs. The Owner provided an aerial view to show square footing of roof to calculate the tiles necessary and would like to order from this supplier.

Other companies reached such as Ludowici (current tiles are this brand) are claims to be the strongest in the industry with lowest water retention (Willstead Manor uses this brand). However, the quote in US Dollars to remake exact regular 400-500 tiles alone is \$26,000 plus shipping. An alternative option for Ludowici tiles of slightly different dimensions was quoted at \$10,000-\$12,000 plus shipping. Tile Roof.com was another quote obtained. Though quoted at USD\$5-\$7 for the regular tile plus freight, the option did not appear feasible as the Owner would have to make arrangements necessary to pay import duties and arrange for pick-up and transportation of tiles from a transport terminal and across the border.

Option Two- Heritage Alteration to Steel Roof

Should heritage financial incentives not be approved for the Clay Tile roof repair, the Owner's next preference would be to request for a more affordable roof replacement using steel roof with resemblance of tile appearance. (Refer to Appendix B) The Owner would like to proceed with either the Bravo- Terra Cotta Steel tiles from London's Eco-Metal Roofing, or Ideal's Monteciano steel roofing tile to be installed by Double AA Roofing.

Bravo- Terra Cotta Steel tiles are dimensioned as panel with a 48" span in length. The style of tile is "S" form or Spanish style tile. The length of "tile" is 13 ¾" and width of 9 and 1/16" with a step of 0.75". Specification identify the galvanized steel with a .019 nom gauge, Z275 (G90). The standard product warranty is 55 years and workmanship warranty from London Eco-Metal Manufacturing Inc. is 50 years. Ideal's line of Monteciano roofing quoted through Double AA Metal Roofing is a Mediterranean style steel roofing in barrel-vault shape, manufactured in pre-formed panels of 63.4" by 12.5". It is marketed as a replacement product for traditional clay tiles with typical warm and rich red earth tones. The product also has a limited 50 years warranty. Dayus roofing also provided a quote using EDCO Arrowline lifetime metal roofing system but the cost quoted is not something that the Owner would consider. The alteration to steel roofing would not be eligible for any of the heritage financial incentive programs offered by the City.

Heritage Alteration for removal of Detached Garage Chimney

The tilting chimney at the rear slope of the detached garage is in poor condition and in need of repair (Refer to Background section for photo). Although it would be most ideal to retain all of the original features, the chimney is on the accessory structure, and is also not prominently visible due to its location at the rear of the detached garage. Its removal should be permitted. The alternative would be additional cost to conduct masonry repairs for this chimney.



Views of detached garage from the Street where the chimney is not/hardly visible.

Heritage Conservation Considerations:

The roof had been leaking for some time, penetrating and damaging some of the plaster within the building. The property owner was directed to seek quotes to fix the problem in accordance with the *Standards & Guidelines for Conservation of Historic Places (S&G)*, which recommends for repairs over complete replacements. Section 4.3.3 Roofs in the S&G provides direction for the best heritage practices when dealing with roofs.

	Recommended	Not Recommended
3	Documenting the form, materials and condition of roof assemblies before undertaking an intervention, including the roof's pitch, shape, decorative and functional elements, and materials, and its size, colour and patterning.	Undertaking an intervention that affects character-defining roofs and roof elements, without first documenting their existing character and condition.
9	Repairing parts of roofs by patching, piecing-in, consolidating, or otherwise reinforcing, using recognized conservation methods. Repair may also include the limited replacement in kind, or with a compatible substitute material, of extensively deteriorated or missing parts of the roof. Repairs should match the existing work as closely as possible, both physically and visually.	
12	Testing proposed interventions to establish appropriate replacement materials, quality of workmanship and methodology. This can include reviewing samples, testing products, methods or assemblies, or creating a mock-up. Testing should be carried out under the same conditions as the proposed intervention.	
14	Repairing a roof assembly, including its functional and decorative elements, by using a minimal intervention approach. Such repairs might include the limited replacement in kind, or replacement with an appropriate substitute material, of irreparable or missing elements, based on documentary or physical evidence.	Replacing an entire roof element, such as a cupola, dormer or lightning rod, when the repair of materials and limited replacement of deteriorated or missing elements is feasible. Failing to reuse intact roofing materials when only the roofing structure or sheathing needs replacement.

15	Improving the detailing of roof elements, following recognized conservation methods, to correct faulty details. For example, adjusting the slope of a cornice to prevent ponding, or introducing a new drip edge at the eave to better direct water runoff away from a masonry wall. Such improvements should be physically and visually compatible.	
16	Replacing in kind an entire element of the roof that is too deteriorated to repair—if the overall form and detailing are still evident—using the physical evidence as a model to reproduce the element. This can include a large section of roofing, a dormer, or a chimney. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.	<p>Removing a roof element that is irreparable, such as a chimney or dormer, and not replacing it, or replacing it with a new element that does not convey the same appearance or serve the same function.</p> <p>Replacing deteriorated roof elements and materials that are no longer available with physically or visually incompatible substitutes.</p>

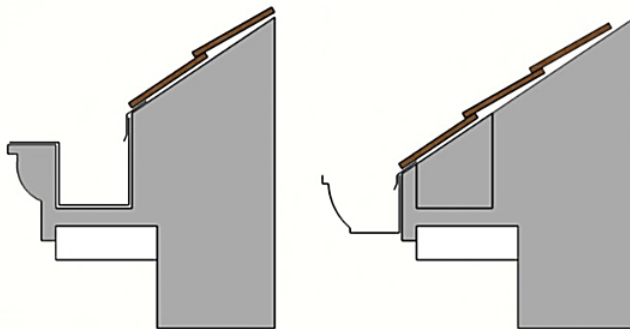
Dayus Roofing assessed that repair of the clay roof tile is possible (wholesale replacement not needed) and thus takes into consideration of the S&G. Approval will be subject to review of the additional technical information on the materials and techniques employed to confirm that the ultimate appearance and techniques would be a repair in kind to the existing roofing.

S&G Guideline 16 states that a compatible substitute material for roofing could be considered if the same kind of material is not economically feasible. Should the clay tile roof repair not be supported with heritage incentives from the City, the Owner has requested for the steel roofing alteration. Although the options proposed imitates tile roofing, there would still be obvious visible difference in the appearance of the roof (Tile roof type, profile, dimensions etc. would all be different). Therefore staff still recommends that the City provide support to the Owner necessary to retain the original red tile roof.

The eavestrough is another area of concern as the existing integral eavestrough system is a heritage feature of the property that is not common to modern construction. “Dentiled cornices” are mentioned in the designation bylaw and probably reference the decorative nature of the eaves, considered as a character defining element unique to the building. Alteration of this element by removing the decorative moulding and attaching new troughs is not generally recommended from a Heritage Conservation Perspective. The proposed replacement eavestrough system to the RainPRO system through the Dayus Roofing quote will deviate in appearance from the original. An example of how it may appear can be taken from image of the eavestrough of the detached garage, (which was changed to a new system in the 1990s), and a cross-section drawing below comparing the eavestrough systems.



Compare appearance of original existing integral eavestrough on main building (on left) versus new types of eavestrough system on garage building (right)



Cross section of existing eavestroughs on left and proposed on the right, shows how the new system removes the decorative moulding (replaces it with plywood), infills the existing gutters and extends the drip edge to new eavestroughs of different design and profile. (Source: A. Coates).

However, Dayus roofing contractor has indicated that retaining the existing built-in eavestrough would require re-lining the existing system (quoted for \$7,497.90) and additionally noted that the wood underneath is in very poor condition. Dayus has told the Owner that the repair option may further damage existing wood, and may open “a can of worms” and result in much more cost to the repairs. Dayus strongly recommends the Owner to install the new system instead of repairing the existing. Unfortunately, due to the ongoing Coronavirus pandemic, there has been little ability to verify the condition and there has also only been one quote received from Dayus Roofing for the eavestrough work. The Owner is very confident of and agrees with the recommendation of Dayus Roofing. Besides the concern with uncertain costs of retaining the existing eavestrough system, the Owner also prefers the new system as it offers a leaf-guard protection which would lessen the burden of maintaining the eavestroughs and prevent water back-up along the wood fascia. It is her opinion that the primary focus of the decorative element is the consistent pattern of the dentils below the eaves, which would be retained.

Official Plan Policy:

The Windsor Official Plan states (9.3.4.1). “Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ...”. Also,

(9.3.6.1.), "Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means".

Risk Analysis:

The risk of taking no action for this property is the potential loss of the heritage attributes due to age and water intrusion.

Clay tile roof is rare in Windsor, with only a handful of properties with such roofing material. Willistead Manor has a clay tile roof. Recently, there was an alteration request by designated property at 908 Dawson Road- Robinson-Beaudet House that removed the concrete roof to asphalt shingles, approved by Council (Quote CR- 227/2017 on April 10, 2017). There is real risk of lost of these unique heritage features in the City due to lack of trades/supply and costs.

For the Community Heritage Fund, no City funds will be expended until the project is determined by the Planning and Building Services Department to be complete according to good heritage practices. The applicant will be required as part of the condition of approval to include detailed specifications such as the technical information about the material and techniques employed, to ensure that the repair project is heritage appropriate, prior to disbursement of the funds.

Financial Matters:

Community Heritage Fund guidelines include "As a general principle, awards will be limited to a maximum of \$50,000 unless the DHSC (Development & Heritage Standing Committee) so recommends and Council approves." The award from the Community Heritage Fund will generally be given according to the following formula: Grant: 15 percent of the award in the form of a grant & Low Cost Loan: 85 percent of the award". "A minimum of two cost estimates, based on specifications approved by the DHSC and the Commissioner of Building & Development Services, shall be obtained by the owner for all restoration work to be done." The estimates will be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding."

The owner has owned the property since 1983, volunteered for the designation in 2002 and has not since requested for any financial assistance from the City. The Owner has listed in detail the types of repair works that she has conducted on the property over the years in order to maintain the heritage property, as well as her rationale for request for higher grant assistance (Appendix B). She claims that a regular shingle roof may cost approximately \$20,000 and a long-lasting steel roof for between \$30,000 to \$35,000, with much more available roofers to do the work. Ludowici brand tiles, which was used for some of the Owner's previous repairs, are very expensive, and was estimated by some of the contractors to cost \$300,000-\$500,000 for entire replacement with new clay roof at this property.

The repair cost of the clay tile roof is significant for an individual property owner. The quote by Dayus Roofing is local, and is the most value for money covering more work scope and higher quality material for the front dormers. The heritage financial incentive would provide support to the continued retention of a rare heritage material in the City. Administration recommends that the amounts above the general 15% at the requested

upset amount of \$25,000 be approved to support continual maintenance of this heritage building. The higher grant amounts likely reflects the additional labour and rarity of local skilled labour necessary to conduct work for such specialized roofing types. The clay tile roofing material is also comparatively expensive than typical roofing materials. The Owner intends to apply for the Heritage Property Tax Reduction Program as well. The resulting expense for the clay tile roof repair borne by the Owner, minus the total City Heritage Incentives provided if approved, would be similar to the cost for replacement to steel roofing.

Therefore, the total recommended grant from the Community Heritage Fund is \$25,000. As of March 30, 2020, the available balance of the fund above obligations (including minimum required balance of \$50,000) is \$66,020. The fund will receive an annual \$36,800 contribution top up in May per 2020 budget approvals.

Consultations:

The owner and heritage planner have communicated often since the beginning of the year, and years prior when the Owner was sourcing for a contractor and the tiles. Adam Coates, Planner III- Senior Urban Designer also provided input.

Conclusion:

The request by Kathleen Pistor, the owner of William T. Wesgate House, for \$25,000 from the Community Heritage Fund for repair of the clay tile roof, should be approved, subject to conditions. The alteration to replace the roof with the steel roofing replicating tiles is less preferred. While the detached garage chimney is recommended for removal, the preference is for retention of the existing built-in eavestrough over attachment of the new eavestrough system; however the practicalities of maintenance of the gutters may be taken into consideration.

Planning Act Matters: N/A

Approvals:

Name	Title
Michael Cooke	Deputy City Planner/ Manager, Planning Policy
Thom Hunt	City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor / CLT
Joe Mancina	Chief Financial Officer/ City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Kathleen Pistor		kpistor86@gmail.com

Appendices:

- 1 Appendix A- Designation Bylaw (Reasons for Designation)
- 2 Appendix B- Community Heritage Fund Application
- 3 Appendix C- Heritage Alteration Permit Application

Appendix A- Designation Bylaw (Reasons for Designation)

From By-Law No. 142-2002
Passed by City Council May 27, 2002
Filed in Land Registry June 2, 2002

REASONS FOR DESIGNATION:

HISTORICAL

- Built in 1919 – 1920 for William Thomas Wesgate (1870-1933) who is best known as the manufacturer of fine ice cream, owning the Wesgate Ice Cream Manufacturing Plant, originally located on the southwest corner of Strabane and Sandwich Streets (Riverside Dr.) in Ford City.
- Active in municipal politics, Mr. Wesgate was a councillor in Ford City (1917-1918) and in Windsor (1927-1929), as well as serving on the Windsor Public School Board for four years, serving as chairman in 1924.
- Mr. Wesgate lived in the home until his death in 1933, while his widow (Jessie) remained until 1966.

ARCHITECTURAL

- Excellent and well-preserved example of the Colonial Revival style home-symmetrical, 2 ½ storey, red brick home with a gable roof.
- Architectural elements of note include: prominent front doorway with arched entrance porch with Doric columns/pilasters, dentiled cornices and gable ends, arch-roofed dormers, single storey wings with balustraded decks, grouped windows with original pane patterns (generally 6/1 or 4/1), Palladian windows on the gable ends, shallow wooden ell on west façade, original red tile roof, matching hip-roofed garage with wooden doors.
- Turreted balcony on west facing porch
- Diamond shaped window panels in windows including bay on north façade
- Half-timbering on gable ends
- Original roofing material - cedar shakes.

CITY OF WINDSOR
COMMUNITY HERITAGE FUND

APPLICATION FOR LOAN AND/OR GRANT

(To be completed in full)

APPLICANT/AGENT/OWNER INFORMATION

1. APPLICANT(S): KATHLEEN Pistor
Address, City: 225 Giles Blvd W. Postal Code: N9A 6H4
Email: Kpistor86@gmail.com Telephone: 519-253-9573(H)
226-260-2856(C)
2. AGENT/ARCHITECT/ENGINEER/SOLICITOR: _____
Address, City: _____ Postal Code: _____
Email: _____ Telephone: _____
3. REGISTERED OWNER(S): KATHLEEN Pistor
Address, City: 225 Giles Blvd W Postal Code: N9A 6H4
Email: Kpistor86@gmail.com Telephone: 519 253-9573(H)
226-260-2856(C)

PROPERTY FOR WHICH HERITAGE FUND ASSISTANCE IS REQUESTED

4. HERITAGE NAME OF PROPERTY Westgate House
5. MUNICIPAL ADDRESS 225 Giles Blvd W
6. LEGAL DESCRIPTION (Lot and Plan) PLAN 581 Lot 234; N PT LOT 235
7. ASSESSMENT ROLL NUMBER(S) Corner 54.00FR 120.00D
040-480-03600-0000
8. EXISTING USE Family Home
9. THIS PROPERTY IS DESIGNATED UNDER THE ONTARIO HERITAGE ACT
YES By-law No. _____ Date _____

REQUESTED HERITAGE FUND ASSISTANCE

10. AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REQUESTED:

Loan \$ _____

Grant \$ _____ TOTAL \$ _____

NOTE: Details for loan/grant are set out in the attached pamphlet "Windsor's Community Heritage Fund".

11. If a loan is requested, please indicate the term of the loan in years: _____ years.

REQUESTED HERITAGE FUND ASSISTANCE

10. AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REQUESTED:

Loan \$ N/A

Grant \$ 25,000

TOTAL \$ 25,000.

NOTE: Details for loan/grant are set out in the attached pamphlet "Windsor's Community Heritage Fund".

11. If a loan is requested, please indicate your term of repayment: N/A years.

Westgate House
225 Giles Blvd W

Katherine M. Pistoro
(owner)

Source of funds: _____

Source of funds: _____

REASONS FOR REQUESTING HERITAGE FUND ASSISTANCE

A. Rehabilitation of Owner's designated property:

15. Describe fully here (or on attached sheets) the proposed work to be undertaken:

- Repair to Red clay tile roof on house & garage
- Proper flashing & metal Replaced on all
required surfaces - 3 smaller dormers - 1 large

16. The applicant is responsible for providing at least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work. The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing. (Some specifications are available from the Heritage Planner – see contact information at the bottom of this page.) - Kristina

17. Describe any new uses of the property, if different from the existing use. estimates for tile work

N/A

18. The application shall include recent, dated photographs of the property, to clearly illustrate the areas of the property that are the subject of the proposed work. Any available architectural drawings should be included as well.

19. Early photographs or drawings showing the property's original appearance should be submitted, if available, to assist in the review of the application.

B. Purchase of designated property:

20. Indicate the full price of the property you wish to purchase: \$ _____ and include a copy of the "offer to purchase."

21. Indicate your other sources of funding, the amount you will receive, and any subsequent liens/mortgages.

C. Architectural/engineering study of Owner's designated property:

22. Indicate the full price of the architectural/engineering study by a restoration specialist: \$ _____ and include a copy of the estimate or invoice from the study.

SIGNATURES

APPLICANT OR AGENT Kathleen M. Proctor Date _____

REGISTERED OWNER(S) Kathleen M. Proctor Date _____

CHECKED/RECEIVED BY HERITAGE PLANNER _____ Date _____

This application should be completed and filed with the:

Council Agenda - May 25, 2020
Suite 320 - Page One Centre
Windsor ON, N9A 6S1

Justification for Assistance for a Tile Roof

Westgate House

225 Giles Blvd. West, Windsor, ON

A) Repair or Redo

- 1) I have been on the Registry since the year 2000.
- 2) I have never requested any assistance.
- 3) I have repaired the roof numerous times with Empire Roofing and John Kitts' Alternative Roofing.
 - during those times of repair I;
 - purchased tiles from Tamar Supplies (\$2400.00 + shipping in U.S. funds)
 - paid John Kitts \$5000.00 on one occasion for the garage to be all redone + \$8000.00 on another occasion for the garage to be redone again
 - plus he flashed all the chimney with copper – that was \$1500.00
 - I also had the flat roofs and big dormer done
 - Empire did a number of small repairs – usually \$500.00 or more each time
 - neither is available to do clay tile in Windsor at this time
- 4) I have had work done on the wood work – paid a man to make 50 blocks to replicate “dental” style moulding
 - repaired wood work around outside – paid \$5000.00 to Matt Vachon and an assistant
 - wood work on back porch area was replaced last summer, 2019, at a cost of \$1500.00 for labour and supplies
 - had the house repointed
 - trees were trimmed to protect the clay roofs
 - had house caulked and painted 2 times
 - columns were replaced
 - had the back subterranean stairway repaired (\$1500.00 - \$2000.00)

Costs not included ;

- landscaping
- interlocking brick
- replacement of back deck area

Of course this does not include all upgrades to the interior of the house.

B) I can get a traditional shingle roof for \$20,000.00

- guaranteed for 20+ years
- roofers are easy to come by

- company close in proximity
- C) I can get a new steel roof for \$32,000.00
- Just got an offer from Double A roofing – “spring sale”
 - guarantee for 50 years
 - transferrable
 - roofers are here in town
- D) I am retired, my income is limited



Dayus Roofing
 5120 Halford - Windsor - ON - N9A 6J3
 Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
02/25/20	FSF4Q10366
Rep:	Frank Dayus 4

Sold To: Pistor Residence
 Kathleen Pistor
 225 Giles Blvd W
 Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

Ship To: Pistor Residence
 Kathleen Pistor
 225 Giles Blvd W
 Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

LUDOWICI TILE ROOF REPAIRS

CUSTOM BENT ROUND COPPER DORMER ROOFING - 3 DORMERS & ENTRANCE

- Re-move existing metal from dormers and roofing materials as required to prepare for install
- Install Certainteed Metalayment leak barrier to deck of dormer roofs
- Install custom bent 16 oz copper to 3 dormers at front of home with custom bent drip edge detail
- Install custom bent 16 oz copper to small entrance roof
- Re-install Ludowici Tiles at tile roof transition

SubTotal \$15,440.00

DORMER SIDING REPAIR

- Re-move rotten wood and Ludowici tiles as required to inspect sidewall transitions
- Install new decorate wood trim as required to match existing as best as possible (no painting included)
- Install custom bent aluminum step and counter flashings at sidewall transitions
- Re-install Ludowici tiles and tie into existing roofing system
- Install Lead flashings at soffit/siding to roof to seal irregular roofing profile as required

SubTotal \$3,465.28

GARAGE REAR SLOPE REPAIR

- Re-move Ludowici tiles, underlayment and strapping to prepare for wood deck repairs
- Replace any rotten decking and provide structural repairs as required - TO BE COMPLETED ON A TIME AND MATERIALS BASIS - BUDGET \$1000 - \$2000
- Install Certainteed Metalayment to complete roof deck
- Install strapping as required for Ludowici Tile installation
- Re-install Ludowici tiles and hip/ridge tiles and seal tiles with mortar
- Tear down chimney below roofline and close in as required





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We are pleased to submit a proposal as outlined herein

Homeowner to provide Ludowici tiles required for repair work

SubTotal \$5,347.00

TPO FLAT ROOFING SYSTEM - REAR LARGE DORMER

Total protection of homeowners' and neighbours' property.

Complete tear-off existing roof to sound deck & disposal of all related roofing rubbish.

Deteriorated plywood decking will be replaced for \$2.50 per sqft

Mechanically fasten 1" ISO roof insulation to sound deck

Apply Carlisle TPO roof membrane mechanically fastened as per manufactures specifications

Furnish all labour and material to install prefinished aluminum drip edge.

Furnish all labour and material to tie the TPO roof to the shingle roof with watercut-off and ice and watershed.

Supply and install TPO vent Flange

Thorough clean up and removal of all related debris.

SubTotal \$3,508.09

TIME AND MATERIAL REPAIRS

Upper North East slope leak inspection and repair. Ludowici tiles need to be re-moved for further inspection to determine the cause of the leak. Budget \$2500

Replace damaged tiles along hip/ridge line of garage - Budget \$2500

SubTotal \$5,000.00

WEST SIDE TPO FLAT ROOFING SYSTEM, ALUMINUM FASCIA & TROUGH

Total protection of homeowners' and neighbours' property.

Complete tear-off existing roof to sound deck & disposal of all related roofing rubbish.

Railing will need to be cut in order to be removed temporarily for roof replacement. Dayus Roofing will re-install railing on blocks as required for roof installation. Re-welding the railing is not included in quotation.





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E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

Deteriorated plywood decking will be replaced for \$2.50 per sqft

Cover over existing built in trough with plywood

Mechanically fasten 1" ISO roof insulation to sound deck

Apply Carlisle TPO roof membrane mechanically fastened as per manufactures specifications

Furnish all labour and material to install prefinished aluminum drip edge.

Furnish all labour and material to install plywood and TPO membrane to walls and parapets

Furnish all labour and material to install prefinished aluminum wall flashing.

NOTE: Flat roof termination to existing door cannot be warranted. Door should be replaced and raised approx. 6" off of roof level for proper wall transition.

New door installation labour not included - Budget \$600 + HST to be completed on T/M basis.

Thorough clean up and removal of all related debris.

Install new aluminum fascia to complete eave edge to match existing colour as close as possible

Install new 56X series eavestrough and 2 downspouts

Install MicroGuard leaf protection to complete eavestrough

SubTotal

\$5,734.34

EAST SIDE TPO FLAT ROOFING SYSTEM, ALUMINUM FASCIA & TROUGH

Total protection of homeowners' and neighbours ' property.

Complete tear-off existing roof to sound deck & disposal of all related roofing rubbish.

Railing will need to be cut in order to be removed temporarily for roof replacement. Dayus Roofing will re-install railing on blocks as required for roof installation. Re-welding the railing is not included in quotation.

Deteriorated plywood decking will be replaced for \$2.50 per sqft

Cover over existing built in trough with plywood

Mechanically fasten 1" ISO roof insulation to sound deck

Apply Carlisle TPO roof membrane mechanically fastened as per manufactures specifications

Furnish all labour and material to install prefinished aluminum drip edge.





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Phone: 226-260-2856

E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

Furnish all labour and material to install plywood and TPO membrane to walls and parapets

Furnish all labour and material to install prefinished aluminum wall flashing.

Thorough clean up and removal of all related debris.

Install new aluminum fascia to complete eave edge to match existing colour as close as possible

Install new 56X series eavestrough and 2 downspouts

Install MicroGuard leaf protection to complete eavestrough

SubTotal \$6,327.66

MAIN HOUSE 56X EAVESTROUGH SYSTEM

Re-move existing decorative moulding along eave edge of home

Please note, rotten fascia boards should be replaced and are extra to contract on time and materials basis

Cover over existing built in trough with plywood

Install new RainPRO Eavestrough with heavy-duty internal hangers positioned 2' on center

Eavestrough custom fit at your home using heavier gauge .032 aluminum with exclusive ScratchGuard paint finish

Install new 4" x 3" downspouts and larger 3-3/8" outlets for maximum water flow

Downspouts to be installed as per existing unless otherwise specified

Install new custom drip flashing into eavestrough to prevent water backup along wood fascia

MicroGuard Leaf Protection System

SubTotal \$4,330.00

Supply misc roof repairs as outlined above \$49,152.37 + HST

NOTE: Field and hip/ridge tiles to be provided by owner for all repairs. We estimate that up to 150 field tiles and 20 hip/ridge tiles will be required to complete repair work.

Dayus Roofing cannot guarantee how many tiles will be broken or damaged during repairs but will take every necessary precaution to protect the Ludowici tile roof. Pricing subject to change based on hours and materials outlined in Time and Materials section.





Dayus Roofing
5120 Halford - Windsor - ON - N9A 6J3
Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
02/25/20	FSF4Q10366
Rep:	Frank Dayus 4

Sold To: Pistor Residence
Kathleen Pistor
225 Giles Blvd W
Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

Ship To: Pistor Residence
Kathleen Pistor
225 Giles Blvd W
Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

WARRANTY: Dayus Roofing will provide a 2 year workmanship warranty on all repairs provided as outlined in attached conditions and guarantee form. Any further repair work required outside of the detailed specification is subject to additional charges.

Dayus Roofing is an experienced Ludowici installer and will be available to address any further repairs required should they arise.

Specification Approved: _____

Date: _____





Dayus Roofing
 5120 Halford - Windsor - ON - N9A 6J3
 Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
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Ship To: Pistor Residence
 Kathleen Pistor
 225 Giles Blvd W
 Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

\$49,152.37 + HST

Optional Items

Built in Copper Eavestrough, re-use existing downspouts - no leaf protection or fascia work. All rotten wood replacement is extra T/M.

\$7,497.90



Payment plans available for as low as **\$0.00** /month.

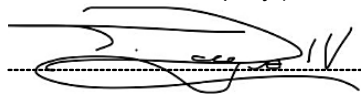
Sub-Total:	\$49,152.37
HST:	\$6,388.96
TOTAL :	\$55,541.33

¹ 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$2.90/sqft.

Colour Specification					
Shingle		Drip Edge		Trough	
Flat Roof		Chimney Flashing		Fascia	
Vents		Wall Flashing		Soffit	

Submitted by Dayus Roofing
 (herein after called the "Company")

Authorization to proceed with work
 (herein after called the "Customer")

By: 
 Date: _____

By: _____
 Date: _____



ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
2. All coupons must be presented to a Dayus Roofing representative at the date/time of quotation in order to be honoured.
3. Dayus Roofing reserves the right to place a sign on the property as a form of advertising during the installation and extending a time period of 7 days after completion.
4. Dayus Roofing will require access to your driveway, walkway and other yard accesses while re-roofing your home. Please keep driveway clear of vehicles and unlock gates prior to arrival to allow Dayus Roofing access to the perimeter of your home. Any resulting setbacks are chargeable on time and materials basis.
5. Please remove all sensitive items from around the house including but not limited to pool/patio furniture, potted plants, garden equipment, to allow full access/avoid damage. Dayus Roofing cannot assume responsibility for damage to these items.
6. Dayus Roofing may have to trim back branches if they limit the workers ability to work effectively at the customer's expense.
7. Dayus Roofing recommends you check all hanging items and/or delicate items in your home to ensure they are secure. Dayus Roofing cannot assume responsibility for damage to these items.
8. Please inform Dayus Roofing if you have cathedral ceilings. Dayus Roofing will attempt to keep the vibrations to a minimum but cannot assume responsibility to cracking of the ceiling.
9. Dayus Roofing cannot be held responsible for cracking or sinking concrete, impressions in grass/soil, oil/grease stains, scratches to decks, burning to lawns, or any other unforeseen damages of that nature.
10. Some debris may fall through the sheathing boards and dust will be created during installation. Dayus Roofing recommends covering or removal of any items which require protection in your attic space. The cleaning of this minimal debris in the attic space is the responsibility of the customer.
11. Dayus Roofing will remove and re-install antennas and satellite dishes unless otherwise specified. Dayus Roofing cannot be held responsible for loss of reception during installation, physical damage or poor reception of the re-installed unit. Re-alignment may be required at the customer's expense.
12. The customer assumes responsibility for the removal and replacement of solar panels to accommodate the installation of the new roof.
13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
14. Please be aware that roof installations are noisy and prepare accordingly.
15. Customer agrees to allow Dayus Roofing the use of electrical power outlets as necessary to operate power tools.
16. Due to potential uneven surfaces of the roof that may be present due to rotting wood or age of home, Dayus Roofing cannot guarantee that the roofing materials will look perfectly straight or flat upon completion of the job. Dayus Roofing shall make every effort to make the materials as level and as straight as possible during installation.
17. Dayus Roofing will bring to your attention, if possible at the time of discovery, any hidden defects to the wood deck or framing. The company must carry out repairs required that would impair the re-roofing job. These repairs will be completed on a time and material basis.
18. Dayus Roofing will attempt to correct any ventilation deficiencies but cannot be held responsible for damages due to inadequate insulation or ventilation including but not limited to condensation, deck rot and mold formation.
19. Dayus Roofing will try to prevent ice damming issues but cannot be held responsible for damages as a result of ice damming.
20. Proper interior connection of kitchen, bathroom and other exhaust ventilation is the responsibility of the homeowner. Vibrations from the roof installation can cause connections to loosen or detach. It is advised that you check your exhaust ventilation after roof installation is complete.
21. Dayus roofing uses trough guards to protect your eavestrough system wherever possible. However, Dayus Roofing cannot be held responsible for surface scratching or minor indentations which can result from roofing.
22. Dayus Roofing cannot be held responsible for damages to trough protection systems.
23. Extra charges may apply if additional layers of roofing material are discovered during tear-off unless otherwise specified on a time and materials basis.
24. When several layers of roofing are removed, a gap may be created between the siding transitions. Also, caulking marks may not be able to be removed from siding.
25. Dayus Roofing accepts responsibility of cleaning the exterior of the property of related roofing rubbish as best as possible. Small pieces of shingle, shingle granules, roofing nails and small pieces of other debris may be missed and are the responsibility of the homeowner. Dayus Roofing cannot be held responsible for damages caused by left over debris including nails.
26. Excess materials remains the sole property of Dayus Roofing, no credits will be given.
27. Customer agrees to allow images of property (roof) to be captured during work hours for marketing and promotional purposes. Customer understands that there will be no financial gain or exchange involved.

The customer acknowledges and agrees to all addendums listed above as part of the contract.

CONDITIONS

This Agreement including any specifications, Terms and conditions, as set forth herein and any change orders issued by the customer, shall constitute the entire contract and shall be binding upon both parties regardless of any warranties, agreements or representations, written or verbal, expressed or implied.

This Agreement shall become binding upon written acceptance by the company commencing performance of the said work.

During the course of the work, should any unforeseeable site conditions, hidden defects, obstructions or unsound materials be discovered that would impair, hinder or delay the performance of the work, proper performance of the products or redesign of the system installation, the client here-by agrees to pay for the repair, alteration or removals as may be required on a time and materials spent basis. Should the Customer not be available for consultation, it is agreed that the Company carry out all required work to correct the condition or defect at the Customer's expense.

The Company's obligations under this contract are subject to unforeseeable delay, breakdown, strikes, labor disputes, accidents, casualty or any other cause or causes beyond the company's reasonable control, and the Company shall not be liable for any loss or damages of any kind suffered by any person as a result of such causes or any resulting delay.

Unless otherwise set-out in the agreement, it shall be the Customer's responsibility to obtain all necessary building permits, inspections and approvals as may be required.

The Company shall not be liable for costs associated with any revision as may be required by the Building Departments or other authorities having jurisdiction.

The customer is responsible for the costs incurred to investigate any leak and or defects not covered under the guarantee; for example, but not limited to: leaks caused by walls, siding, drains, chimneys and physical damage or alterations to the roof.

The Company and Customer hereby agree to indemnify, defend and hold harmless one another and their officers, directors and employees from and against all claims, demands, losses, liabilities, actions, lawsuits and other proceedings, judgments and awards and costs and expenses (including reasonable legal fees) arising directly or indirectly in whole or in part out of any action taken by one another within the scope of its duties or authority hereunder, excluding only such of the foregoing as result from the negligence or willful act of such person or any of its officers, directors, agents or employees

GUARANTEE

The Company hereby guarantees to repair or correct, at no charge to the Customer, any defects resulting from faulty workmanship for a period of two years on roofing and one year on all other installations commencing 30 days after substantial completion. This Guarantee is a given and accepted subject to the following limitations:

- a) The Company's obligations under this guarantee represent the full extent of liability for or arising out of the work.
- b) The Company shall not be held liable in any way for the damage to the said building or to any contents thereof or for any interruption of business.
- c) The Company shall not be held liable for or to affect any repairs or replacements of the installations made necessary by any cause except through faulty workmanship on our part.
- d) For any claims under warranties, the client shall notify the company immediately in writing and should repairs be required under this guarantee, the client shall provide reasonable time to affect such repairs. Repairs shall be made during regular working hours by the Company's own forces.
- e) Repairs are not guaranteed. All other conditions remain as stated.
- f) The Company's officers, directors, agents, employees and servants shall not be liable to the buyer nor to any other party for any liability howsoever arising.
- g) This guarantee does not cover any changes to the services and products made by the customer.

The Company hereby assigns the benefit of all extended product guarantees or warranties offered by the manufacturers of the product delivered by the Company to the customer. The Company's guarantee does not cover any costs associated with manufacturer's warranty claims.

TERMS

The Customer agrees to make payments upon substantial completion unless otherwise set-out in the agreement.

Interest shall be charged on all outstanding accounts at the rate of twenty-four (24%) percent per annum, compounded annually and shall be charged on any unpaid amounts of the contract from the date upon which such payments were due.

In the event of default by the Customer under the terms of this agreement, the customer hereby agrees that the Customer shall be responsible for all costs incurred by the Company and as a result of this default.

The Customer shall be responsible for all costs incurred by the Company as a result of cancellation of this agreement including all restocking charges, handling costs and all costs associated with purchasing and coordinating such work.

The customer confirms receipt of a duplicate original copy of this agreement, terms and conditions, and agrees to the same.

QUOTE

Andrew Johnstone
 579 Tomahawk Cres
 Ancaster On L9G 3T4
 Cell: 905 5364412
 Email: andy-johnstone@hotmail.com

Please make all cheques payable to Andrew Johnstone
 HST# 85184 5651 RT0001

BILL TO

Kathleen Pistor
 225 Giles BLVD
 W Windsor On
 N9A 6H4
 Cell: 226 2602856
 Email: kpistor86@gmail.com

CONS

Andrew Johnston
 Re: Red clay tile roof
 Repair not
 guaranteed.

is in Toronto
 if needed for help

doesn't include
 tiles - extra \$5000+

QU

QU

doesn't incl. ext
 garage repair

wood replacement

DESCRIPTION	AMOUNT
Re-new 3 existing Dorma's on front elevation and 1 existing Dorma at rear elevation of roof, using pre-painted metal to match tile.	25,000.00
- he is in Toronto	
- not guaranteed	
- doesn't include tile \$5000+	
- not not include extension garage repair	
- does not include wood Replacement around dormers	
- not using copper - told me copper would be another \$15-20,000	
Subtotal	25,000.00
hst 13.0%	3,250.00
TOTAL	\$ 28,250.00

TERMS & CONDITIONS

QUOTE

Andrew Johnstone

579 Tomahawk Cres
Ancaster On L9G 3T4
Cell: 905 5364412
Email: andy-johnstone@hotmail.com

Please make all cheques payable to Andrew Johnstone
HST# 85184 5651 RT0001

- don't include tiles \$5000.00
- don't use copper
- don't include garage repair = \$10,000.00

BILL TO

Kathleen Pistor

225 Giles BLVD
W Windsor On
N9A 6H4

Cell: 226 2602856

Email: kpistor86@gmail.com

QUOTE #

103

QUOTE DATE

09/02/2020

DESCRIPTION	AMOUNT
Re-Roof	75,000.00
Remove all existing materials from roof. Install new Grace-underlayment, followed by 1x 3 and 1x 2 Strapping. Replace all existing concrete Tiles. Renew all Dorma Flashings, in pre-painted custom made metal to match existing Tiles.	
Subtotal	75,000.00
hst 13.0%	9,750.00
TOTAL	\$ 84,750.00

TERMS & CONDITIONS

TO: **Kathleen Pistor**
225 Giles Blvd West
Windsor Ontario
N9A6H4
PH: 519-253-9573

SALES REP: **Simon**
 DATE: **3/30/20**
 EXPIRATION DATE: **4/30/20**
 QUOTATION #: **20220**

PROJECT: **Roof Repair**
 TO SUPPLY: **Reclaimed Closed Shingle Tile**

MATERIALS	QTY	FT	UNIT PRICE	MES	TOTAL
PRODUCT: Reclaimed Closed Shingle					
COLOR: Natural Clay					
SIZE: 10-3/4" x 8-5/8"					
MATERIALS					
Field Tile (Reclaimed)	300		\$ 14.00	Pc.	\$ 4,200.00
Ridge Tile (Reclaimed)	85		\$ 5.25	Pc.	\$ 446.25
Hip Tile (Reclaimed)	55		\$ 5.25	Pc.	\$ 288.75
Detached Gable Rake (Reclaimed)	50		\$ 45.00	Pc.	\$ 2,250.00
LOGISTICS					
Customs & Paperwork.	1		\$ 225.00	Load	\$ 225.00
LTL Delivery with residential liftgate offload.*	1		\$ 1,355.00	Load	\$ 1,355.00
SUBTOTAL:					\$ 8,765.00
TAX:					\$ 613.55
TOTAL					\$ 9,378.55

PRODUCT LEAD TIME: **2-3 weeks delivery (Delays possible due to Covid-19)**

Terms: Order time does not start until payment has been received
 All sales are final, product is reclaimed and has no warranty.

- * Material pricing will be adjusted based on the changes in the currency, price quoted is calculated at previous days close.
- * Freight Pricing is for BUDGET use only.
- * SELLER RECOMMENDS THAT THE INSTALLER PROVIDES QUANTITIES FOR ORDERING
- * SELLER WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS, OMISSIONS, SHORTAGES OR OVERAGES.
- * ALL PRICING IS FOB THE YARD, Wilmington, DE



Reclaimed Closed Shingle Field Tile.

Council Agenda - March 30, 2020

Item # 728



Reclaimed Ridge Tile.

Page 150 of 28

Reclaimed Hip Tile



Appendix C- Heritage Alteration Permit Application



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 225 Giles Blvd W, Windsor
(Westgate House)

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) KATHLEEN PISTOR

Company or Organization _____

Mailing Address 225 Giles Blvd. W.
Windsor On.

Postal Code N9A 6H4

Email kpistor86@gmail.com Phone(s) 519-253-9573 (H)
226-260-2854.

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

HERITAGE ALTERATION PERMIT APPLICATION – page 2 of 4

Address of Work 225 Giles Blvd W (Westgate House)

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.

- already submitted

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.

New Steel Roof - details & quotes

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) Kathleen M. Pistorz Date Mar. 27/2020
Date _____

HERITAGE ALTERATION PERMIT APPLICATION – page 3 of 4
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, Kathleen Pistor, 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, Kathleen Pistor, 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.

Kathleen M. Pistor
 Signature of Registered Owner

 Date

 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.

Kathleen M. Pistor
 Signature of Applicant

 Date

 Date

Justification for a Steel Roof

(if needed)

I want my roof done this spring and be done with it.

If things don't work out with Frank Dayus, I am going to a steel roof.

Having to deal with trying to get copious quotes from people that are in Toronto area and also in Calgary, etc., is very frustrating.

I want someone local, that if something goes wrong I can count on them.

So if it doesn't go well with Frank Dayus, I want you to do one of 2 things.

Frank is going to put in his quote and if it is exorbitant to repair the tiles or redo them, then it is going to have to be a steel roof.

I am going to lose my chance to get a good price and a good roofer and get it done. I'm tired of waiting for quotes that never come.

You only meet periodically. I want you to ask them for permission to put on a steel roof.

I realize I will get no help. I will go it alone.

I have been working on getting someone for 5 years. Two of my ceilings are getting damaged along with one of my walls.

I don't want to wait through March, then April, then another cycle again.

I want it fixed and move on.

I may at some point in the future sell the house. I do not want to leave anyone with a problem. I realize there will be return on my investment with a new roof.

I will lose money on a huge investment if it does not work especially the fact that there is nobody around that can fix it.

I would love to have the tile too. It's easy to say, but hard to do.

So again, I want this possibility presented at your next meeting – permission to put on a good metal roof that resembles a tile look. I am not going to pick something that is cheap looking or inappropriate. I do have an Honors Fine Art degree in Art and Art History.

By April/May I want a roof one way or another;

- Tile replaced
- Tile repair (with a good guarantee)

- New Steel Roof

One of the roofers told me this roof new would be \$300,000.00 and up. A contractor that is knowledgeable of Ludwicci brand tiles said it would be closer to \$500,000.00.

So I have to be "practical" at this point.



Please accept our proposal to supply and install a London Eco-Metal Manufacturing Inc. metal roof.

to. MRS KATHLEEN PISOR, 225 GILES BLVD W, WINDSOR

Pertinent Data:

- In an environment that deteriorates asphalt shingles in 7 - 12 years, a London Eco-Metal Manufacturing Inc. metal roof is a permanent roofing system with a 55 year no nonsense transferable warranty.
- A tile look enhances the aesthetics of your home.

Materials:

- All strapping materials.
- All custom mouldings and flashings.
- All necessary venting.
- All necessary snow guards.
- London Eco-Metal Manufacturing Inc. metal tile, (manufactured at our plant in Dorchester/or Ottawa.)
- All hardware, including nails and screws.

FINANCING OPTION

3 months - no interest
- no payment
- no down payment

Scope of Work:

- Removal of old asphalt shingles. *see options*
- Apply membrane (underlayment)
- Strap over existing roof using spruce 1x2's vertically spaced on 2 ft. centers and horizontally using 1x3's spaced 14" oc.
- Apply all custom mouldings and flashings using the same 25 gauge coated steel or 24 gauge painted aluminum.
- Replace the existing vents with London Eco-Metal Manufacturing Inc.'s own specially designed ridge venting.
- Install London Eco-Metal Manufacturing Inc. steel tile
- aluminum tile
- Install snow guards over driveways and walkways.

Warranty:

- London Eco-Metal Manufacturing Inc. standard 55-year warranty.
- London Eco-Metal Manufacturing Inc. standard 50-year workmanship warranty.

Exclusions:

- All labour and materials unless specified.
- Any and all flat roofs.

Note: Buyers right to cancel: See terms and conditions on reverse side of this page.

Total Investment:

Option

* $\$26,378 + 3,429.14 (HST) = \$29,807.14$ STEEL, STANDARD COLOUR - HOUSE + GARAGE PROWO - NO HST - Financing Options

2. To remove & dispose clay tile - \$4,475 + tax = \$5,056.75

Scotfolding \$5,500.

3. To remove by hand - \$6,000 + 780 (HST) = \$6,780 (change price)

to remove steel if present - 2,160 + 280 (HST) = \$2,440 Monthly Payment

This quote is valid for days from:

ANDREW JEZIEBSKI 519-322-6229
London Eco-Metal Manufacturing Inc. Consultant.

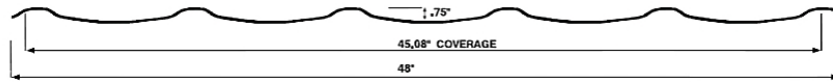
LONDON Showroom
1682 Dundas St. E.
London, ON, N5W 3C7
info@londoncometal.com
Tel: 519-659-3224
Fax: 519-659-3221
www.londoncometal.com

DORCHESTER Manufacturing Plant #1
531 Shaw Road
Dorchester, ON, N0L 1G4
sales@londoncometal.com
Tel: 519-451-7663
Fax: 519-451-7669
www.londoncometal.com

TORONTO Showroom
1759 #6 Britannia Rd. E.
Mississauga, ON, L4W 4E1
sales@londoncometal.com
Tel: 905-564-7663
Fax: 905-564-7664
www.londoncometal.com

OTTAWA Manufacturing Plant #2
960 Ch. Burton Rd.
Vars, ON, K0A 3H0
sales@londoncometal.com
Tel: 613-443-9393
Fax: 613-443-9399
www.londoncometal.com

SPECIFICATION DATA SHEET



PRODUCT NAME:

Bravo 350

MANUFACTURER:

London Eco-Metal Manufacturing Inc.
 531 Shaw Road
 Dorchester, ON N0L 1G4
 1-855-838-9393

PRODUCT DESCRIPTION:

Basic Uses: Bravo 350 is a metal tile facsimile panel to be used for roofing on both residential and commercial buildings. Bravo 350 may be used for new construction or re-roofing. Minimum pitch recommended is 3:12. Bravo 350 may be applied directly over the old roofing material, without the need for tear-off and disposal.

Composition & Materials: Standards Offerings: Panels are roll-formed from .019 nom gauge, Z275 (G90) - galvanized steel, Grade FS-B or PFQ DS.

Sizes and Profiles: Bravo 350 panels are in the form of an "S" or Spanish style tile. Panels are 48" wide nominal, including a 2.5" side lap. The length of the "tile" is 13 3/4 and the width of the "scallop" is a 9 1/16 "repeat. The "step" on the tile is 25/32" (20 mm). Panels lengths are cut to customer specification and can range from 20" minimum to any transportable length.

Colors & Finishes: A choice of 14 colors is available in a "BeckryTech" (Granite Deep Mat) finish. Bravo 350 specified with matte finish.

Weight: 0.96 lb./sq. ft.

TECHNICAL DATA:

BeckryTech or Granite Deep Mat based finishes tests by paint
Supplier for:
 Dry Film Thickness: **ASTM D 5796**, Standard Test Method for Measurement of Dry-Film Thickness of Organic Coatings **D1005 - 95(2007)**
 Standard Practices for Measurement of Dry Film Thickness of Protective Coating Systems by Destructive **D4138 - 07a**
 Standard Practice for Visual Appraisal **ASTM D1729-96**
 Specular Glass: **ASTM D 523**
 Pencil Hardness: **ASTM D 3363**
 Solvent Resistance: **ASTM D5402-06**
 Cross-Hatch Adhesion: **ASTM D3359**
 Impact Resistance: **ASTM D 2794**
 T-Bend Flexibility: **ASTM D 4145**
 Humidity Resistance: **ASTM D 2247**
 Standard Practice for Testing Water Resistance of Coatings **ASTM D 4585-07**
 Salt Spray: **ASTM B 117**
 Color Retention: **ASTM D 2244**
 Chalking Resistance: **ASTM D 4214**
 Abrasion Resistance: **ASTM D 968**
 Flame Spread Rating; **ASTM E 84**
 Fire Resistance: **UL 790/ASTM E 108** external fire performance - Class A Fire Rating
 Impact Resistance: **UL2218 Grade 4** (2" x 20')
 Steel: **ASTM A 792**
 Coil Coating: **ASTM A755 / A755M - 11**

INSTALLATION

Bravo 350 panels are installed vertically up the slope of the roof. The panel is installed with metal fasteners long enough to penetrate the solid substrate. Installation manuals or hands-on training via seminars are available through London Eco-Metal Manufacturing Inc. Seminars as per calendar available on www.londonecometal.com

AVAILABILITY & COST

Availability: Bravo 350 panels are available through London Eco-Metal Manufacturing Inc. A complete line of related components and trim accessories is available to complete the roof system. Flat sheet and/or coil stock in matching color is also available for fabrication of related accessories by the installing contractor.

Cost: Contact London Eco-Metal Manufacturing Inc. for current pricing.

WARRANTY

Bravo 350 carry a fifty (50) year limited warranty Canada and Continental U.S.

MAINTENANCE

Bravo 350 panels are virtually maintenance free. Surface residue may be easily removed by conventional cleaning methods. Minor scratches may be touched up with a matching paint, available from the manufacturer.

TECHNICAL SERVICES

Technical information and literature are available at www.londonecometal.com London Eco-Metal Manufacturing Inc. will assist with design ideas and shop drawings.

Additional product information is available from the manufacturer upon request

TF 1-855-838-9393



2177 County Rd 42
Belle River, Ontario
NOR1A0

How to Reach us:
Phone: (519) 728-4545
Web: www.finalroof.com
Email: info@finalroof.com

Double-AA Metal Roofing Inc. is an incorporated business. HST# 823085873 RT0001

QUOTE

3/17/2020

Customer Mailing Address

Installation Address

Kathleen Pistor
225 Giles Blvd W
Windsor, On.
519 253 9573/226 260 2856

HOUSE AND GARAGE

Customer Email Address kpistor86@gmail.com

Sales Associate Name

RANDY SCHILLER

Contract Scope: Retrofit Application

1.0	<i>Roof shall be installed by CERTIFIED INSTALLERS and in accordance with manufacturer installation requirements</i>	
1.1	Manufacturer:	IDEAL
1.2	Style:	MONTECIANO
1.3	Colour:	
1.4	Customer Initials	
1.5	<u>Scope:</u> Roof shall be installed on structures on the attached sketch/aerial view	
1.6	<u>Vent Plan</u> to be assessed and decided by the roofing technician	
1.7	<u>Flashings:</u> Includes installation of all necessary flashings around roof structures (i.e.chimney, dormers etc) as well as suitable pipe flashings.	
1.8	<u>Kitchen/Bath Vents:</u> Job includes installation of rooftop bathroom and kitchen exhaust vents	
1.9	<u>Underlays:</u> Includes installation of a synthetic underlay type suitable for the metal roofing application	
2.0	Any changes to this contract scope shall be documented and signed off by both parties prior to proceeding. Refer to attached <u>Change-Order</u> form if required	
2.1	<i>Please note-There is potential for the roofing project to be postponed due to any inclement weather during the installation process.</i>	
2.2	Additional notes: See special instruction page	
2.3	Tear off clay tiles customer to keep (save)	
3.0	Payment Terms: 35% at signing and balance upon completion of project scope	
	Pretax Selling Price	\$27,247.68
	HST	\$3,542.20
	Total Price	\$30,789.88

Deposit Rec'd =

Balance Payable =

Customer Signature

Date _____

Double-AA Rep. Signature

Date _____

Monteciano™

Mediterranean-Style
Steel Roofing Tiles



EPA - USA

For Canada, www.energystar.nrcan.gc.ca



Council Agenda - May 25, 2020
Page 160 of 728



Give your home the charm and appearance of a Mediterranean villa!



PVDF PRE-PAINTED GALVALUME (AZ 165) STEEL SYSTEM WITH KYNAR 500® RESIN ASTM-A792 SS GRADE "33" GAUGE: 29 (.017" THICK)

LIGHTWEIGHT AND RECYCLABLE

Ideal Roofing's new **Monteciano™** steel roofing tiles are stamped in their traditional barrel-vault shape in a single operation giving them additional strength, yet are 60 percent lighter than asphalt shingles and 95% lighter than authentic clay, slate or cement tiles. They are strong enough to walk on, while being more resistant than asphalt, cedar shakes and aluminum roofing.

Manufactured from new and recycled steel, they are less dependent on fossil fuels than common asphalt roofing shingles and less vulnerable to fluctuating world oil prices. Unlike discarded asphalt shingles clogging our landfill sites, they are entirely recyclable. These steel tiles come in pre-formed panels 63.5 in. in width by 12.5 in. in length. They are protected by our legendary advanced PVDF paint with Kynar 500® resin coating for exceptional durability and incorporate the advanced Cool Roof® solar reflection technology protecting from solar radiation and reducing the cost of air-conditioning.

Ideal Roofing's new Mediterranean-style **Monteciano™** steel roofing tile is designed to replicate the traditional *clay* or *terra cotta* roofing tiles with their typical warm and rich red earth tones, combining their unique character, distinguished look and elegance with the durability of high-strength steel roofing.

Like Ideal Roofing's other steel roofing panels, our new long-life Mediterranean-style **Monteciano™** steel roofing tiles **may very well be the last roof you install on your house.**

Ideal Roofing's new **Monteciano™** steel roofing tiles are available in many warm and attractive colours and come with a limited **50-year warranty.**

THE LOOK AND FEEL OF THE OLD WORLD WITH THE SUPERIORITY OF STEEL

As all other Ideal Roofing steel roofing products, our Mediterranean-style **Monteciano™** steel roofing tiles have the unquestionable advantage of being long-lasting. They will not deteriorate, warp, crack, break, chip, peel or perforate under normal use and weather conditions. When properly installed and fastened, our panels will resist rain, sleet, snow, wind, sun and even burning embers from forest fires.

Remember to ask your dealer about our new **Monteciano™** long-life steel roofing tiles and our **50-year limited warranty.** From now on, you have yet another reason to simply enjoy life.

Simply enjoy life!



Environment-friendly.
This product is entirely recyclable.

Head Office
1418 Michael Street
Ottawa, Ontario K1B 3R2
www.idealroofing.com

Tel.: 613 746-3206
Toll Free: 1 800-267-0860
Fax: 613 746-0445
info@idealroofing.ca

Council Agenda - May 25, 2020
Page 161 of 728



Printed in Canada
January 2012



Dayus Roofing
 5120 Halford - Windsor - ON - N9A 6J3
 Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
02/27/20	FSF4Q10369
Rep:	Frank Dayus 4

Sold To: Pistor Residence
 Kathleen Pistor
 225 Giles Blvd W
 Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

Ship To: Pistor Residence
 Kathleen Pistor
 225 Giles Blvd W
 Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

EDCO ARROWLINE LIFETIME METAL ROOFING SYSTEM - MAIN HOUSE & GARAGE

Total protection of homeowners' and neighbours' property.

Complete tear-off existing roof to sound deck and disposal of all related roofing rubbish.
 NOTE: Complete tear off is recommended best practice for metal roof installations.

Delivery of all materials supplied by Dayus Roofing.

Thorough deck inspection. Deteriorated plywood decking will be replaced for \$2.50 / sq ft (3/8")
 Install Certainteed Metalayment leak barrier to eave edges, valley areas and all roof penetrations.

Install Certainteed Metalayment leak barrier to arched dormers at front of home and at flat roof transition

Install Certainteed Diamond Deck Underlayment to remaining roof deck for complete underlayment coverage.

Install EDCO Arrowline Eave Starter to eave and gable edges as per manufacturers instructions

Install EDCO Arrowline Sidewall flashings as per manufacturers instructions

Install EDCO Arrowline open metal valley detail to valley areas of home

Install EDCO Arrowline Shake Metal roofing panels as per manufacturers instructions

Install EDCO Arrowline Hip/Ridge with vented trim line along ridges of home

Install EDCO Arrowline Hip & Ridge cap detail as per manufacturers instructions

Install 2 new Ultimate pipe flashings

Install new custom bent metal to round dormers on main house (3)

Install Sno Gems 1/2 Carat kynar coated snow protection to front of garage and upper main house slopes

Re-move existing metal and roofng materials as required to prepare for install

Install Certainteed Metalayment leak barrier to deck of dormer roofs

Install custom bent 16 oz. roofing copper to entrance roof

SubTotal

\$40,774.89





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E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

DORMER SIDING REPAIR

- Re-move rotten wood and Ludowici tiles as required to inspect sidewall transitions
- Install new decorate wood trim as required to match existing as best as possible (no painting included)
- Install custom bent aluminum step and counter flashings at sidewall transitions

SubTotal \$2,185.28

TPO FLAT ROOFING SYSTEM - REAR LARGE DORMER

- Total protection of homeowners' and neighbours ' property.
- Complete tear-off existing roof to sound deck & disposal of all related roofing rubbish.
- Deteriorated plywood decking will be replaced for \$2.50 per sqft
- Mechanically fasten 1" ISO roof insulation to sound deck
- Apply Carlisle TPO roof membrane mechanically fastened as per manufactures specifications
- Furnish all labour and material to install prefinished aluminum drip edge.
- Furnish all labour and material to tie the TPO roof to the shingle roof with watercut-off and ice and watershield.
- Supply and install TPO vent Flange
- Thorough clean up and removal of all related debris.

SubTotal \$3,508.09

WEST SIDE TPO FLAT ROOFING SYSTEM, ALUMINUM FASCIA & TROUGH

- Total protection of homeowners' and neighbours ' property.
- Complete tear-off existing roof to sound deck & disposal of all related roofing rubbish.
- Railing will need to be cut in order to be removed temporarily for roof replacement. Dayus Roofing will re-install railing on blocks as required for roof installation. Re-welding the railing is not included in quotation.
- Deteriorated plywood decking will be replaced for \$2.50 per sqft





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E-mail: kpistor86@gmail.com

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 225 Giles Blvd W
 Windsor, ON N9A 6H4
Phone: 226-260-2856

E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

- Cover over existing built in trough with plywood
- Mechanically fasten 1" ISO roof insulation to sound deck
- Apply Carlisle TPO roof membrane mechanically fastened as per manufactures specifications
- Furnish all labour and material to install prefinished aluminum drip edge.
- Furnish all labour and material to install plywood and TPO membrane to walls and parapets
- Furnish all labour and material to install prefinished aluminum wall flashing.
- NOTE: Flat roof termination to existing door cannot be warranted. Door should be replaced and raised approx. 6" off of roof level for proper wall transition.
- New door installation labour not included - Budget \$600 + HST to be completed on T/M basis.
- Thorough clean up and removal of all related debris.
- Install new aluminum fascia to complete eave edge to match existing colour as close as possible
- Install new 56X series eavestrough and 2 downspouts
- Install MicroGuard leaf protection to complete eavestrough

SubTotal \$5,734.34

EAST SIDE TPO FLAT ROOFING SYSTEM, ALUMINUM FASCIA & TROUGH

- Total protection of homeowners' and neighbours ' property.
- Complete tear-off existing roof to sound deck & disposal of all related roofing rubbish.
- Railing will need to be cut in order to be removed temporarily for roof replacement. Dayus Roofing will re-install railing on blocks as required for roof installation. Re-welding the railing is not included in quotation.
- Deteriorated plywood decking will be replaced for \$2.50 per sqft
- Cover over existing built in trough with plywood
- Mechanically fasten 1" ISO roof insulation to sound deck
- Apply Carlisle TPO roof membrane mechanically fastened as per manufactures specifications
- Furnish all labour and material to install prefinished aluminum drip edge.
- Furnish all labour and material to install plywood and TPO membrane to walls and parapets





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Phone: 226-260-2856

E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

Furnish all labour and material to install prefinished aluminum wall flashing.

Thorough clean up and removal of all related debris.

Install new aluminum fascia to complete eave edge to match existing colour as close as possible

Install new 56X series eavestrough and 2 downspouts

Install MicroGuard leaf protection to complete eavestrough

SubTotal \$6,327.66

MAIN HOUSE 56X EAVESTROUGH SYSTEM

Re-move existing decorative moulding along eave edge of home

Please note, rotten fascia boards should be replaced and are extra to contract on time and materials basis

Cover over existing built in trough with plywood

Install new RainPRO Eavestrough with heavy-duty internal hangers positioned 2' on center

Eavestrough custom fit at your home using heavier gauge .032 aluminum with exclusive ScratchGuard paint finish

Install new 4" x 3" downspouts and larger 3-3/8" outlets for maximum water flow

Downspouts to be installed as per existing unless otherwise specified

Install new custom drip flashing into eavestrough to prevent water backup along wood fascia

MicroGuard Leaf Protection System

SubTotal \$4,330.00

Supply and install roofing system as outlined above \$62,860.26 + HST

Specification Approved: _____

Date: _____





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E-mail: kpistor86@gmail.com

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

\$62,860.26 + HST

Metal Shingle Options

Shake - ArrowLine Blend	\$1,956.19	<input type="checkbox"/>
Slate - ArrowLine Solid	\$1,274.88	<input type="checkbox"/>
Slate - ArrowLine Blend	\$3,143.23	<input type="checkbox"/>
Shake - Infiniti Textured	\$3,143.23	<input type="checkbox"/>
Shake - Infiniti Textured Enhanced	\$3,709.25	<input type="checkbox"/>
Shake - Generations Shake HD	\$3,143.23	<input type="checkbox"/>



Payment plans available for as low as **\$0.00** /month.

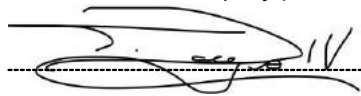
Sub-Total:	\$62,860.26
HST:	\$8,170.98
TOTAL :	\$71,031.24

¹ 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$2.90/sqft.

Colour Specification					
Shingle		Drip Edge		Trough	
Flat Roof		Chimney Flashing		Fascia	
Vents		Wall Flashing		Soffit	

Submitted by Dayus Roofing
 (herein after called the "Company")

Authorization to proceed with work
 (herein after called the "Customer")

By: 
 Date: _____

By: _____
 Date: _____



ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
2. All coupons must be presented to a Dayus Roofing representative at the date/time of quotation in order to be honoured.
3. Dayus Roofing reserves the right to place a sign on the property as a form of advertising during the installation and extending a time period of 7 days after completion.
4. Dayus Roofing will require access to your driveway, walkway and other yard accesses while re-roofing your home. Please keep driveway clear of vehicles and unlock gates prior to arrival to allow Dayus Roofing access to the perimeter of your home. Any resulting setbacks are chargeable on time and materials basis.
5. Please remove all sensitive items from around the house including but not limited to pool/patio furniture, potted plants, garden equipment, to allow full access/avoid damage. Dayus Roofing cannot assume responsibility for damage to these items.
6. Dayus Roofing may have to trim back branches if they limit the workers ability to work effectively at the customer's expense.
7. Dayus Roofing recommends you check all hanging items and/or delicate items in your home to ensure they are secure. Dayus Roofing cannot assume responsibility for damage to these items.
8. Please inform Dayus Roofing if you have cathedral ceilings. Dayus Roofing will attempt to keep the vibrations to a minimum but cannot assume responsibility to cracking of the ceiling.
9. Dayus Roofing cannot be held responsible for cracking or sinking concrete, impressions in grass/soil, oil/grease stains, scratches to decks, burning to lawns, or any other unforeseen damages of that nature.
10. Some debris may fall through the sheathing boards and dust will be created during installation. Dayus Roofing recommends covering or removal of any items which require protection in your attic space. The cleaning of this minimal debris in the attic space is the responsibility of the customer.
11. Dayus Roofing will remove and re-install antennas and satellite dishes unless otherwise specified. Dayus Roofing cannot be held responsible for loss of reception during installation, physical damage or poor reception of the re-installed unit. Re-alignment may be required at the customer's expense.
12. The customer assumes responsibility for the removal and replacement of solar panels to accommodate the installation of the new roof.
13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
14. Please be aware that roof installations are noisy and prepare accordingly.
15. Customer agrees to allow Dayus Roofing the use of electrical power outlets as necessary to operate power tools.
16. Due to potential uneven surfaces of the roof that may be present due to rotting wood or age of home, Dayus Roofing cannot guarantee that the roofing materials will look perfectly straight or flat upon completion of the job. Dayus Roofing shall make every effort to make the materials as level and as straight as possible during installation.
17. Dayus Roofing will bring to your attention, if possible at the time of discovery, any hidden defects to the wood deck or framing. The company must carry out repairs required that would impair the re-roofing job. These repairs will be completed on a time and material basis.
18. Dayus Roofing will attempt to correct any ventilation deficiencies but cannot be held responsible for damages due to inadequate insulation or ventilation including but not limited to condensation, deck rot and mold formation.
19. Dayus Roofing will try to prevent ice damming issues but cannot be held responsible for damages as a result of ice damming.
20. Proper interior connection of kitchen, bathroom and other exhaust ventilation is the responsibility of the homeowner. Vibrations from the roof installation can cause connections to loosen or detach. It is advised that you check your exhaust ventilation after roof installation is complete.
21. Dayus roofing uses trough guards to protect your eavestrough system wherever possible. However, Dayus Roofing cannot be held responsible for surface scratching or minor indentations which can result from roofing.
22. Dayus Roofing cannot be held responsible for damages to trough protection systems.
23. Extra charges may apply if additional layers of roofing material are discovered during tear-off unless otherwise specified on a time and materials basis.
24. When several layers of roofing are removed, a gap may be created between the siding transitions. Also, caulking marks may not be able to be removed from siding.
25. Dayus Roofing accepts responsibility of cleaning the exterior of the property of related roofing rubbish as best as possible. Small pieces of shingle, shingle granules, roofing nails and small pieces of other debris may be missed and are the responsibility of the homeowner. Dayus Roofing cannot be held responsible for damages caused by left over debris including nails.
26. Excess materials remains the sole property of Dayus Roofing, no credits will be given.
27. Customer agrees to allow images of property (roof) to be captured during work hours for marketing and promotional purposes. Customer understands that there will be no financial gain or exchange involved.

The customer acknowledges and agrees to all addendums listed above as part of the contract.

CONDITIONS

This Agreement including any specifications, Terms and conditions, as set forth herein and any change orders issued by the customer, shall constitute the entire contract and shall be binding upon both parties regardless of any warranties, agreements or representations, written or verbal, expressed or implied.

This Agreement shall become binding upon written acceptance by the company commencing performance of the said work.

During the course of the work, should any unforeseeable site conditions, hidden defects, obstructions or unsound materials be discovered that would impair, hinder or delay the performance of the work, proper performance of the products or redesign of the system installation, the client here-by agrees to pay for the repair, alteration or removals as may be required on a time and materials spent basis. Should the Customer not be available for consultation, it is agreed that the Company carry out all required work to correct the condition or defect at the Customer's expense.

The Company's obligations under this contract are subject to unforeseeable delay, breakdown, strikes, labor disputes, accidents, casualty or any other cause or causes beyond the company's reasonable control, and the Company shall not be liable for any loss or damages of any kind suffered by any person as a result of such causes or any resulting delay.

Unless otherwise set-out in the agreement, it shall be the Customer's responsibility to obtain all necessary building permits, inspections and approvals as may be required.

The Company shall not be liable for costs associated with any revision as may be required by the Building Departments or other authorities having jurisdiction.

The customer is responsible for the costs incurred to investigate any leak and or defects not covered under the guarantee; for example, but not limited to: leaks caused by walls, siding, drains, chimneys and physical damage or alterations to the roof.

The Company and Customer hereby agree to indemnify, defend and hold harmless one another and their officers, directors and employees from and against all claims, demands, losses, liabilities, actions, lawsuits and other proceedings, judgments and awards and costs and expenses (including reasonable legal fees) arising directly or indirectly in whole or in part out of any action taken by one another within the scope of its duties or authority hereunder, excluding only such of the foregoing as result from the negligence or willful act of such person or any of its officers, directors, agents or employees

GUARANTEE

The Company hereby guarantees to repair or correct, at no charge to the Customer, any defects resulting from faulty workmanship for a period of two years on roofing and one year on all other installations commencing 30 days after substantial completion. This Guarantee is a given and accepted subject to the following limitations:

- a) The Company's obligations under this guarantee represent the full extent of liability for or arising out of the work.
- b) The Company shall not be held liable in any way for the damage to the said building or to any contents thereof or for any interruption of business.
- c) The Company shall not be held liable for or to affect any repairs or replacements of the installations made necessary by any cause except through faulty workmanship on our part.
- d) For any claims under warranties, the client shall notify the company immediately in writing and should repairs be required under this guarantee, the client shall provide reasonable time to affect such repairs. Repairs shall be made during regular working hours by the Company's own forces.
- e) Repairs are not guaranteed. All other conditions remain as stated.
- f) The Company's officers, directors, agents, employees and servants shall not be liable to the buyer nor to any other party for any liability howsoever arising.
- g) This guarantee does not cover any changes to the services and products made by the customer.

The Company hereby assigns the benefit of all extended product guarantees or warranties offered by the manufacturers of the product delivered by the Company to the customer. The Company's guarantee does not cover any costs associated with manufacturer's warranty claims.

TERMS

The Customer agrees to make payments upon substantial completion unless otherwise set-out in the agreement.

Interest shall be charged on all outstanding accounts at the rate of twenty-four (24%) percent per annum, compounded annually and shall be charged on any unpaid amounts of the contract from the date upon which such payments were due.

In the event of default by the Customer under the terms of this agreement, the customer hereby agrees that the Customer shall be responsible for all costs incurred by the Company and as a result of this default.

The Customer shall be responsible for all costs incurred by the Company as a result of cancellation of this agreement including all restocking charges, handling costs and all costs associated with purchasing and coordinating such work.

The customer confirms receipt of a duplicate original copy of this agreement, terms and conditions, and a copy of the same to be held by the Company.

Heritage Committee Response

Meeting Date: April 14, 2020

Submission prepared by:

Kathleen Pistor

225 Giles Blvd West

Windsor, ON, N9A 6H4

kpistor85@gmail.com

To whom it may concern regarding the Westgate House Roof Repair Project

I (Kathleen Pistor) am the sole owner of the Westgate Heritage Property and have owned the property since 1983. I applied to have the property added to the Heritage Registry in the year 2000.

Since that time, I have never asked for any assistance from the city regarding the property maintenance.

I have had a very difficult time in the last 4-5 years finding anyone to repair my clay tile roof, let alone finding two bidders to compare for work to be done.

The tiles have also been an issue. I spent dozens of hours, pictures, measurements, emails to Ohio, Indiana, Illinois, Toronto, searching and researching for a place to purchase tiles. I was thinking seriously of just going with a steel roof out of frustration and exhaustion. I had 5 different roofers provide quotes on traditional shingle and steel roofs.

Throughout the last 4-5 years I have contacted probably 30 roofers from here to Toronto and found one roofer (Andrew Johnston) who does clay tile by accident while attempting to track down the appropriate reclaimed tiles needed for repair.

During my research and trying to get quotes, I also recently found Dayus Roofing. I asked Frank Dayus to give me a quote on a steel roof and also see what could be done about repairing/reroofing in clay tiles. He said he was willing to repair the clay tile roof, without the need to strip the roof and start from scratch. Kristina Tang has a copy of his quote.

Frank Dayus came on time and knew the house, and he knew about Ludowici roofs. He is young, knowledgeable, enthusiastic and thorough. You can tell this by his very detailed quote. He is invested in his business and provided numerous ideas and solutions to problem areas on the roof (both garage and house), chimneys, dormers, and eaves troughs. He is 4th generation in the roofing business, and Dayus Roofing has been a local Windsor business for 100 years and has a good reputation.

For the amount of work he is going to cover, the detail required, and the use of copper which will last forever, his price is more than fair. Therefore, my choice to restore the clay tile roof is Frank Dayus. In addition to his detailed and thorough quote, he will be locally available to help with any future issues and offers a guarantee on his work.

My first preference overall is to maintain the Clay Tile roof—it is exceptional. Frank's lead man said the tiles are in good shape. One of the other bidders went into the attic to inspect the dead space and examined the roof boards. He stated they look brand new with tightly fitted planks (and I agree based on the photographs I was shown). I am sure however, there will be water damage in some areas which will need to be re-sheathed. Frank and his lead man state they can fix the roof to last many more years. The rest of the house is sound and in good repair.

Frank has suggested modern innovations that should be used to protect the house for longevity. For example, he recommends a troughing system with leaf guards. I have researched it, and agree with his expert opinion. With his vast experience he states the leaf guard and new troughing system is the best solution to get and keep water away from the house, thereby protecting the woodwork and integrity of the exterior house.

The Heritage Planner would prefer that the old troughs be relined with copper on the main house and porches (garage excluded). That is an additional \$7000 and can cause serious damage to the woodwork supporting the troughs all around the house where the old trough systems must be removed. It is not possible to estimate the cost of repairing the woodwork until the damage is already done according to Frank Dayus. Frank has suggested 2 alternatives:

1. A new troughing system can be installed everywhere with leaf guards on the main house, and new crown molding where space is provided to maintain a similar profile to the original house. New troughing on the porch projections, but no crown molding there due to space limitations.
2. New troughing system and new crown molding on the main house. Keep the old troughing system on side porch projections and reline those troughs with copper, and retain cornices and dental molding.

My first preference is option 1. I would prefer all new gutters with leaf guards to best protect the house and reduce expenses overall. I also think choice 2 is an acceptable compromise. I feel the main house is protected and it reduces further damage and expense.

I do not feel comfortable with the extra expense of relining all troughs with copper without leaf guards. It is not practical for me to hire people to go onto the roof to clean the gutters and risk damage to a clay tile roof when it has been shown very difficult and costly to repair (it has taken me 5 years of work just to find someone willing to do it!). Any ladder, body weight, or movement can crack the tiles. Also, the roof is 3 full stories high and it would require scaffolding to be built every year just to clean the gutters, which is very expensive, inconvenient, and an eye sore. New innovation and practicality must be considered and incorporated in order to preserve and maintain the beauty and integrity of heritage homes so that they can last into the future. Frank Dayus stated option 1 is the best option to achieve this goal and I agree with him.

Frank is an expert in the roofing business, he seems excited about working on my house and has offered many feasible solutions to problems. I trust him, and I appreciate the high quality materials he offers, his detailed plan and quote and guarantee on his work.

Andrew Johnston is not as detailed in his plans or his quote, and the costs of his work are not as clear or fair, and materials will be of lower quality. He stated he will only guarantee the work if he does the entire roof from scratch (rather than a more affordable repair job) at a cost starting at \$85,000 in labour

plus the cost of the tiles- an additional \$9,000-\$10,000 minimum. He stated he was going to use painted metal instead of copper which does not last as long. The cost quoted does not include the flat roof portions over the side porches or the garage repair and chimney removal (from garage because it is leaning severely). He did not address any eaves troughs in his quote. Additionally, Andrew Johnston works out of Toronto, and told me he does not prefer to work in Windsor because of distance. If a problem arose, I do not feel confident that he would be able to resolve it in a timely fashion due to the distance and the fact that he does not guarantee repair work.

The most important things to me are that the clay tile roof is restored, and this is completed with the best available materials, the best technological advancements to maintain the beauty and integrity of the house, by a highly competent roofer who is local and available for repairs and guarantees his work. I am retired and on a fixed income, and also want someone who will stay within my budget.

I need and appreciate the help of the Heritage Committee and the city. I also do not want to exceed any monetary thresholds that put further incumbrances on the house title for me or future owners to have to deal with.

If this plan is not acceptable and costs get out of control, I would have to go to my second choice which is a steel roof and that would be a disappointment. Unfortunately, the house needs repairs to the roof as soon as soon as possible to prevent further water damage to the plaster ceilings which are also costly to repair.

I appreciate your careful consideration in this matter and hope like me you will agree that choosing Dayus Roofing is the best option, and that you will also allow me to update the troughing system to protect my home. I look forward to discussing this with you at the meeting or by phone April 14. Please email regarding what time I should be available.

Sincerely,

Kathleen M. Pistor

519-253-9573

Kpistor86@gmail.com



Kathleen Pistor <kpistor86@gmail.com>

troughs Westgate House

3 messages

Kathleen Pistor <kpistor86@gmail.com>

Tue, Apr 7, 2020 at 12:20 PM

To: Frank Dayus IV <frank4@dayusroofing.com>

Hi Frank, Firstly the 7000\$+ for the repair of the old system is on top of the price of the new system ? Or cancels out the cost of new system

If we went with the repair of the existing system is there a ball park figure for the wood repair that might occur?

Kritina through her research does not feel leaf guards do much and that I would be better to hire someone once a year to clean them

She also inquired is there a system that could be rigged to cover the repaired existing troughs.?

From a Heitage stand point she does not want to have the integral look of the exterior be altered in a noticeable way -dental and cornices.

Can you give me a quote for your OPTION 1 and OPTION2 (from your last email)

Just create 3 short quote sheets showing all the items we have agree with with the 3 scenarios. She is presenting it, so it has to be clear to the Committee. She will add it to your previous detailed descriptions.

What is your best judgement? and why? I will send that to her, to assist in making an informed decision. They have been discussing this at different levels. So it is getting closer to a decision. I want to know because, I have to order the tiles in a timely fashion.

Thanks for your help. Kathy

Frank Dayus IV <frank4@dayusroofing.com>

Tue, Apr 7, 2020 at 2:55 PM

To: Kathleen Pistor <kpistor86@gmail.com>

Hi Kathleen,

\$7000 is on top of the new system.

No idea how to guess... emergency budget \$2000? Depends on if there is re-structuring work or just fascia boards that would need to be replaced. It could be very minor or very major... we have seen it both ways.

I disagree with her research on leaf guards. There are good and bad ones. Our system is good.

I don't know what she means by rigged... we could try and make something but it would be very costly and no guarantee for success. If you go back to built in troughs it is best to leave them open in my opinion.

Quotes to follow.

My opinion is that you should 100% be switching over to new eavestroughs and covering over the built in at the upper roof level and around the flat roof perimeter. My second choice would be to go built in around the flats but still go to outside troughs on the upper. I believe the crown moulding will still provide some charm, we aren't losing the dentil trim and the long term set up would be much better. There is nothing wrong with the built in trough system except for the cost and long term maintenance when this situation eventually arises again. The other risk with the built in system is you do not know the extent of the extra wood work involved in setting it back up. If you have unlimited funds the choice is yours however, I still think the exterior trough (especially on the upper part) will look just as nice and perform better long term. With the trough on the outside I would highly recommend the leaf protection on at least the upper eavestroughs... because it will be very costly for you to have someone climb up there on a regular basis and it is difficult to do so without damaging the Ludowici tiles.

Back to you shortly with quotes.

Thank you.

[Quoted text hidden]

--

Stay Safe.

Best Regards,

President

6

Frank Dayus IV

Last piece of information I think they may want is that:

- Microguard leaf protection on main house is \$690 + HST and is built into the main quote. You can tak
- Microgaurd leaf protection on the flat roofs is \$475 + HST and is built into the main quote. You can ta

Also note that if we go back to built in troughs we have quoted to re-use your existing downspouts.

- New downspouts on the main house would be \$1400 + HST - on top of the built in copper trough upg
- New downspouts on the flat roofs would be \$450 + HST - on top of the built in copper trough upgrad

--

Stay Safe.

Best Regards.



President

Phone: 519-737-1920

Mobile: 519-551-2721

E-mail: frank@dayusroofing.com

Web: www.dayusroofing.com



Kathleen Pieter kpistor86@gmail.com

TO: Kathleen Pistor
 225 Giles Blvd West
 Windsor Ontario
 N9A6H4
 PH: 519-253-9573

SALES REP: Simon
 DATE: 3/30/20
 EXPIRATION DATE: 4/30/20
 QUOTATION #: 20220

PROJECT: Roof Repair
 TO SUPPLY: Reclaimed Closed Shingle Tile

MATERIALS	QTY	FT	UNIT PRICE	MES	TOTAL
PRODUCT: Reclaimed Closed Shingle					
COLOR: Natural Clay					
SIZE: 10-3/4" x 8-5/8"					
MATERIALS					
Field Tile (Reclaimed)	300		\$ 14.00	Pc.	\$ 4,200.00
Ridge Tile (Reclaimed)	85		\$ 5.25	Pc.	\$ 446.25
Hip Tile (Reclaimed)	55		\$ 5.25	Pc.	\$ 288.75
Detached Gable Rake (Reclaimed)	50		\$ 45.00	Pc.	\$ 2,250.00
LOGISTICS					
Customs & Paperwork.	1		\$ 225.00	Load	\$ 225.00
LTL Delivery with residential liftgate offload.*	1		\$ 1,355.00	Load	\$ 1,355.00
			SUBTOTAL:		\$ 8,765.00
			TAX:		\$ 613.55
			TOTAL		\$ 9,378.55
PRODUCT LEAD TIME: 2-3 weeks delivery (Delays possible due to Covid-19)					

Terms: Order time does not start until payment has been received
 All sales are final, product is reclaimed and has no warranty.

- * Material pricing will be adjusted based on the changes in the currency, price quoted is calculated at previous days close.
- * Freight Pricing is for BUDGET use only.
- * SELLER RECOMMENDS THAT THE INSTALLER PROVIDES QUANTITIES FOR ORDERING
- * SELLER WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS, OMISSIONS, SHORTAGES OR OVERAGES.
- * ALL PRICING IS FOB THE YARD, Wilmington, DE

Kathleen Pistor <kpistor86@gmail.com>

Your quote is ready on QuoteValet.com

2 messages

Frank Dayus IV <frank4@dayusroofing.com>
Reply-To: Frank Dayus 4 <frank4@dayusroofing.com>
To: Kathleen Pistor <kpistor86@gmail.com>

Tue, Apr 7, 2020 at 3:18 PM

Hello Kathleen,

I've updated the quote for you.

You can view it, accept it, or make changes to it through our website by clicking [here](#).

- 1) So with the crown up top ONLY your total project cost would be \$50,426.29 + HST + any rotten wood found.
- 2) Crown up top only and built in troughs on the flat roofs only \$52,985.29 + HST + any rotten wood found.
- 3) Crown up top only and built in troughs on flat AND main house \$57,924.19 + HST + any rotten wood found.

Please let me know if you require any other information.

Best Regards,

Frank Dayus 4
President
Dayus Roofing
1100 Hutton Rd
Windsor, ON N9A 6G3

Phone 519-737-1920
Fax (519) 790-0074
E-Mail frank4@dayusroofing.com

Kathleen Pistor <kpistor86@gmail.com>
To: "Tang Kristina" <ktang@citywindsor.ca>

Tue, Apr 7, 2020 at 3:42 PM

[Quoted text hidden]

Totals

\$68,360.21 1) \$50,426.29 + (HST) \$6555.42 + (TILES) \$9,378.55 + any Rotten wood. \$2000.00

\$71,251.93 2) \$52,985.29 + (HST) \$6,888.09 + (TILES) \$9,378.55 + any Rotten wood. \$2000

\$78,834.88 3) \$57,924.19 + (HST) \$7,530.1447 + (TILES) \$9,378.55 + any Rotten wood. \$2000

PLUS ANOTHER ADDED EXPENSE FOR DOWNSPOUTS

* IF OPTION 3 is chosen, I would ask that my request for a \$25,000. grant be increased to \$30,000., still leaving my share close to \$50,000, which is over my budget, as it is.

REQUESTED HERITAGE FUND ASSISTANCE

10. AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REQUESTED:

Loan \$ _____

Grant \$ \$ 30,000.

TOTAL \$ \$ 30,000.

NOTE: Details for loan/grant are set out in the attached pamphlet "Windsor's Community Heritage Fund".

11. If a loan is requested, please indicate your term of repayment: N/A years

Kathleen M. Pintore

Source of funds: _____

** Requesting an increase to \$ 30,000.
if Option 3 is chosen.*



Committee Matters: SCM 128/2020

Subject: Interim Control By-law Exemption 2020-9 - SBDRE (Windsor) Holdings Company Ltd. - 1790 Provincial Road - Ward 9

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 150**

- 1) That the request of SBDRE (Windsor) Holdings Company Ltd. for an exemption from the provisions of Interim Control By-law By-law 78-2019 for the property at 1790 Provincial Road Street **BE APPROVED**.
- 2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:
"i) 1790 Provincial Road - East side of Provincial Road, northwest of Legacy Park Drive, Part of Lots 14 and 15, Concession 6, described as Parts 1, 4, 5 & 13, Plan 12R-21875. PIN 01560-2590; Roll No. 070-160-02000"
- 3) That the proposed Transport Terminal **SHALL BE** setback a minimum of 100.0m from the westerly lot line, save and except the use of the existing western driveway along Provincial Road for the purpose of access.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman, and Members Gyemi, Moore, and Rondot.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 52/2020

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 2020-9 - SBDRE (Windsor)
Holdings Company Ltd. - 1790 Provincial Road - Ward 9**

Reference:

Date to Council: April 14, 2020
Author: Adam Szymczak, MCIP, RPP
Senior Planner
519-255-6543 x6250
aszymczak@citywindsor.ca
Planning & Building Services
Report Date: 3/9/2020
Clerk's File #: Z/13528

To: Mayor and Members of City Council

Recommendation:

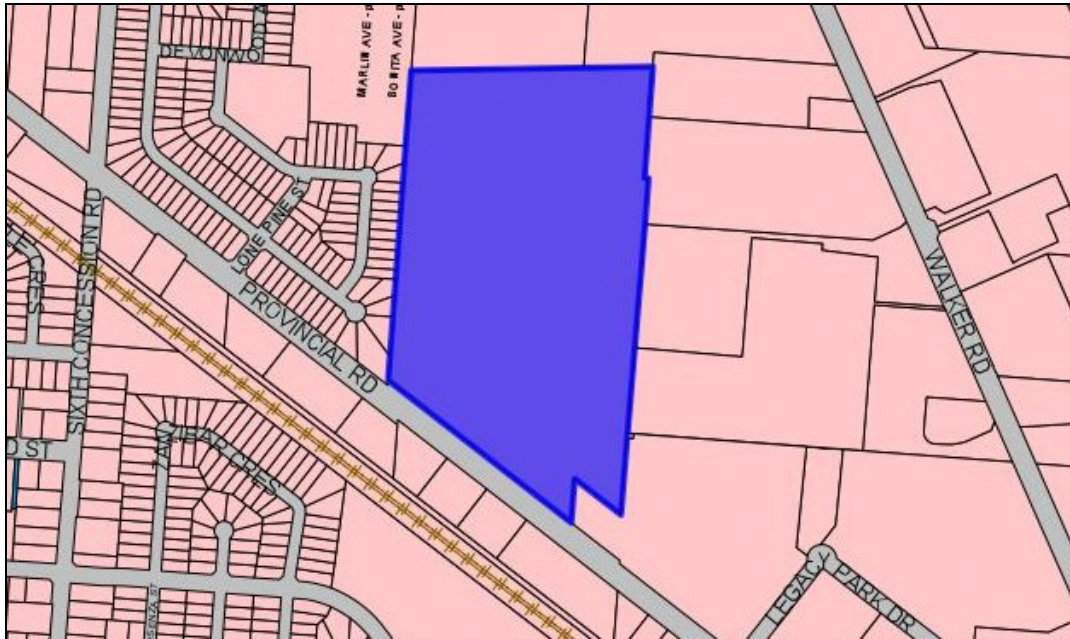
To Council **FOR DECISION.**

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 June 13 | Council approves Interim Control By-law 78-2019 (ICBL) |
| 2020 February 24 | Zelinka Priamo Ltd, acting on behalf of the property owner and the lessee, submits a request for an exemption from the ICBL |
| 2020 March 6 | Administration receives letter from Daniel Goyette, President, C.A.T. Inc., who is leasing the subject parcel |

Enforcement

The Building Division conducted a city-wide enforcement blitz on March 27, 2019 that identified 26 parcels with Transport Terminals that violated the Zoning By-law or lacked site plan approval pursuant to Site Plan Control By-law 1-2004. The subject parcel was not identified as one of the 26 parcels. As of the date of this report, there has been no enforcement against the parcel in regard to the operation of a Transport Terminal.

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 in effect “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. Administration is currently studying 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,*

Request for Exemption from ICBL

Zelinka Priamo Ltd (Jared Dykstra, Senior Planner), on behalf of SBDRE (Windsor) Holdings Company Ltd. and C.A.T. Inc., submitted a request to exempt the property at 1790 Provincial Road from Interim Control By-law 78-2019 to allow a previously submitted site plan control application for a potential Transport Terminal development on the property to be processed (Letters attached as Appendix B & C).

The letter from Zelinka Priamo includes an application for a Long Combination Vehicle (LCV) Origin/Destination Location - Road Authority Consent from the Ministry of Transportation (MTO). C.A.T. seeks to drives Long Combination Vehicles - a tractor pulling two full-length semi trailers - to the subject parcel, unload goods onto regular tractor trailers or smaller trucks for distribution. The City of Windsor has signed off on the Road Authority Consent. There are strict restrictions on the operation of an LCV.

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 in order 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.

Relevant excerpts from Zoning By-law 8600 are attached as Appendix D. The parcel is zoned Manufacturing District 1.3 (MD1.3) in Zoning By-law 8600, a zoning category that permits a limited range of industrial uses and some commercial uses, including a transport terminal as a main use. A rezoning is not required. A Transport Terminal development on the parcel is subject to site plan control.

The proposed Transport Terminal is consistent with the Official Plan and Zoning By-law 8600.

The parcel has direct access to Provincial Road, a Class I Arterial Road. Provincial Road is a designated Truck Route and provides access to Highway 401 about 1.7 km to the southeast. In the past, the parcel has been used as a Loading Compound for storing and transporting motor vehicles.

The proposed Transport Terminal will have minimal impact on surrounding infrastructure.

The parcel is adjacent to a residential subdivision (Devonwood Meadows) to the west and a mobile home park (Countryside Village of Windsor) to the northwest. To the north and east are mostly commercial uses, a select few industrial uses and a Canada Post sorting facility. To the south, are more commercial uses, a rail corridor, a park and residential uses (over 130 metres to the south and southwest). The residential uses in the surrounding area are a sensitive land use.

The proposed Transport Terminal is proximate to a sensitive land use.

The proximity of sensitive land uses, especially the residential uses to the west and north west, is a concern. However, the previous Loading Compound use on the subject parcel existed before the residential subdivision. There is a tall wood fence along the westerly lot line of subject parcel, which appears to prevent the intrusion of lights from trucks operating on the parcel.

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 permit a Transport Terminal on the property. This is an issue that the study will examine.

There is a likelihood that additional mitigation measures will be necessary in order to permit a Transport Terminal.

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:

Approving the exemption is premature in that it may allow a use - a Transport Terminal - that is not compatible with sensitive land uses, especially to the west.

However, the subject parcel is a very large parcel (14.7 ha / 36 ac) which provides an opportunity to separate the proposed transport terminal in the interim.

Possible options are provided below.

Option A - If Council chooses to DENY the exemption, the motion shall read as:

“That the request of SBDRE (Windsor) Holdings Company Ltd. for an exemption from the provisions of Interim Control By-law By-law 78-2019 for the property at 1790 Provincial Road **BE DENIED.**”

Option B - If Council chooses to APPROVE the exemption, the motion shall read as:

1) That the request of SBDRE (Windsor) Holdings Company Ltd. for an exemption from the provisions of Interim Control By-law By-law 78-2019 for the property at 1790 Provincial Road Street **BE APPROVED.**

2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:

“i) 1790 Provincial Road - East side of Provincial Road, northwest of Legacy Park Drive

Part of Lots 14 and 15, Concession 6, described as Parts 1, 4, 5 & 13, Plan 12R-21875. PIN 01560-2590; Roll No. 070-160-02000”

3) That the proposed Transport Terminal **SHALL BE** setback a minimum of 100.0 m from the westerly lot line.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional 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
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
Jared Dykstra Zelinka Priamo	318 Wellington Road London ON N6C 4P4	jared.d@zpplan.com
Daniel Goyette C.A.T. Inc.	4, rue du Transport Coteau-du-Lac QC J0P 1B0	
Adam Tarkan SBDRE (Windsor) Holdings Company Ltd. c/o Black Diamond Commercial Finance L.L.C.	5330 Yacht Haven Grande, Suite 100 St Thomas VI 00802-5302 US Virgin Islands	
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 Zelinka Priamo, dated February 24, 2020
- 3 Appendix C - Letter from C.A.T, received March 6, 2020
- 4 Appendix D - Extract From Zoning By-law 8600

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.

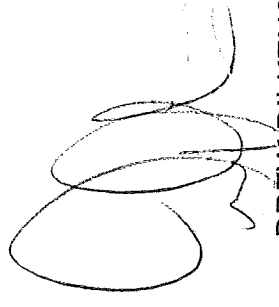
TRANSPORT TRUCK means a motor vehicle used to pull a transport trailer and includes the tractor unit of a tractor-trailer combination or a semi-trailer truck or semi-tractor unit of semi-trailer combination. A truck tractor is a transport truck.

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.

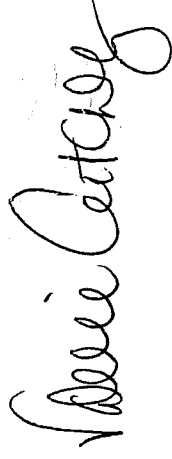
USE

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



ZELINKA PRIAMO LTD

A Professional Planning Practice

February 24, 2020

Sent via email

Thom Hunt
Executive Director & City Planner
City of Windsor
PO Box 1607
Windsor ON N9A 6S1

**Re: Interim Control By-law 78-2019 Exemption Request
1790 Provincial Road, Windsor ON
SBDRE (Windsor) Holdings Company Ltd.**

Our File: SBD/WIN/19-01

Dear Mr. Hunt,

We are writing on behalf of SBDRE (Windsor) Holdings Company Ltd., the owner of 1790 Provincial Road (the "subject lands"). The subject lands are a single parcel of land located on the north side of Provincial Road, west of Walker Road in the City of Windsor. The subject lands are approximately 14.76 ha in size, are irregularly shaped and have a frontage of 289.3 m along Provincial Road (Figure 1).

The lands have a single operational driveway from Provincial Road and contain a parking lot together with a one storey, 1,880 m² standalone industrial building. The lands abut low density residential to the west and large format retail to the north and east, including a Home Depot, Ikea, Lowes and Real Canadian Superstore. A Canada Post distribution centre and an industrial building are located east of the subject lands, north of the Real Canadian Superstore.

The lands are currently vacant, however have previously operated as a *Loading Compound* for many years.

INTERIM CONTROL BY-LAW 78-2019

Municipal planning staff identified issues regarding *Transport Terminals* in the MD1 and MD2 zoning districts and M1 zones. These issues are summarized as:

- The inconsistent application of *Transport Terminal* as a permitted and accessory use across zones;
- The location of *Transport Terminals* in proximity to residential, institutional and commercial uses; and,
- Regulatory changes at the Provincial level requiring that drivers take appropriate breaks from driving, thus requiring drivers to store their truck or tractor-trailers in a safe and secure location putting an increase demand for such uses.

As a result, on June 3, 2019 Council for the City of Windsor passed Interim Control By-law 78-2019 (ICBL 78-2019), prohibiting *Transport Terminals* within the MD1 and MD2 zoning districts and M1 zones for a period of one year. The ICBL has allowed the City time to study the extent of the issues raised by staff, propose possible solutions and provide revised policies and provisions impacting these zones for Council's consideration. We note that any *Transport Terminal* lawfully operating at the time of the passing of ICBL 78-2019 would be considered a legal non-conforming use and would be permitted to continue to operate. *Transport Terminal* is defined in By-law 8600 as:

TRANSPORT TERMINAL is an industrial activity and 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.



Figure 1 – Subject Lands

EXEMPTION REQUEST

1790 Provincial Road is designated *Industrial* on Schedule D – Land Use in the City of Windsor Official Plan (OP) and zoned *Manufacturing Districts 1 (Light Industrial / Business Park) Transportation Shipping (MD1.3)* in Zoning By-law 8600, which includes *Transport Terminal* as a permitted use. ICBL 78-2019 prohibits *Transport Terminals* for a period of one year from the date of the passing of the By-law. At the time of the passing of By-law 78-2019, the subject lands were vacant and as such, future *Transport Terminals* uses are prohibited on the subject lands until the expiration of By-law 78-2019 on July 2, 2020.

The subject lands are in the process of being sold and the purchaser is seeking an exemption from ICBL 78-2019 to allow for *Transport Terminal* uses prior to the expiration of the By-law. The purchaser has received consent from the City of Windsor for a Long-Combination Vehicle (LCV) inbound route to the subject lands as destination terminal. With this consent, a formal LCV permit from the Ministry of Transportation (MTO) is expected shortly. LCV outbound consent is subject to the improvements to a former driveway entrance to the west.

The purchaser requires use of the subject lands as a *Transport Terminal* use as soon as possible to ensure there is no disruption to business operations. As such, we are requesting an exemption of the subject lands from By-law 78-2019 for the following land use considerations:

- *Transport Terminal* use conforms to the *Industrial* designation in the OP and *Manufacturing Districts 1 (Light Industrial / Business Park) Transportation Shipping (MD1.3)* zone in By-law 8600. In fact, the MD1.3 zone is specifically intended to apply to transportation and shipping related uses.
- The subject lands are 14.76 ha in size, which is more than sufficient to accommodate the permitted *Transport Terminal* use. Furthermore, the subject lands are paved, gated and provide a safe and secure location for the storage of vehicles.
- The subject lands are bounded on three sides by *Commercial Centre* and *Commercial Corridor* land uses, which are compatible with the *Transport Terminal* use. The subject lands are bounded by residential land uses to the west and are buffered by a large wooden screening fence and various vegetation. This condition has existed for many years, and to our understanding, without issue.
- The subject lands are approximately 1.3 km from Provincial Highway 401, an ideal location for a transportation and shipping related land uses. An LCV destination terminal must be within 2 km of a 400 series Provincial Highway.
- The land use considerations justifying the passing of the ICBL are not applicable to the subject lands. *Transport Terminal* is an outright permitted use; is in an appropriate location and of an appropriate size; and, and provides a safe and secure location to store vehicles. This is evident by the City of Windsor providing consent for an LCV inbound route to the subject lands as destination terminal.

Lastly, we note for information purposes the subject lands are subject to consent application B-010/20 being heard by the Committee of Adjustment on March 5, 2020. The proposed consent complies with the provisions of Zoning By-law 8600. There are no

planning implications between the proposed consent application and this request for exemption from ICBL 78-2019.

Given the above, we respectfully request this matter be heard by Planning Standing Committee and Council at the next available meetings.

Yours very truly,
ZELINKA PRIAMO LTD.



Jared Dykstra, MCIP, RPP
Senior Planner

cc. Adam Tarkan, SBDRE (Windsor) Holdings Company Ltd.
Daniel Goyette, CAT
Adam Szymczak, City of Windsor

Appendix A – LCV Inbound Consent



LCV Origin/Destination Location - Road Authority Consent

Long Combination Vehicle (LCV) Program

1. Road Authority Information ("Road authority" is taken to mean the party having control over a roadway, including municipalities, Hwy 407ETR, etc.)

Name of Road Authority: The Corporation of the City of Windsor
Mailing Address: Unit No., Street No., Street Name (1266 McDougall Street), PO Box, City/Town (Windsor), Province (Ontario), Postal Code (N8X 3M7)

2. LCV Origin/Destination Location

Name of Location: C.A.T Inc.
Address: Unit No., Street No. (1790), Street Name (Provincial Road), PO Box, City/Town (Windsor), Province (ON), Postal Code (N8W 5W3)
Primary Highway and Exit Name/No.: Highway 401
Proposed Route to O/D Location: Inbound - Exit WB Hwy 401 at Provincial Road. Proceed straight to 1790 Provincial Road and turn right.
Length of Route (km): 1.30

3. Consent for LCV Travel

We, the road authority, have reviewed the LCV engineering and traffic assessment for the above route performed by: Associated Engineering (Ont.) Ltd.
As the road authority controlling all or part of this route, we consent to MTO allowing LCV travel on the portion of the route under our control.
Signature of Authorized Road Authority Official: [Signature], Date (yyyy/mm/dd): 2020/02/21
Name (Last Name, First Name): Dawson, Dwayne, Title: Executive Director of Operations
Telephone No. (include area code): 519 255-6415, E-mail Address: ddawson@citywindsor.ca

Subject to Following Restrictions:

- [x] No Restrictions
[] Time of day (specify) Inbound route only

4. Consent Withdrawal

Road authority consent may be modified or withdrawn by notifying MTO in writing or by e-mail to: OO.Permit.Department@ontario.ca. MTO must also be provided advance notice of any road work or alterations to the route which may impair LCV travel.

5. MTO Review

MTO will review the engineering and traffic assessment and may accept or reject the proposed LCV route based on the engineering assessment and road authority consent. If accepted, the location and route will be listed as an attachment to the MTO-issued permits of authorized LCV carrier(s). Note that MTO has sole authority to issue permits for this type of vehicle combination.

6. Additional Comments/Information

Inbound route only.

Personal information in this form is collected under the authority of Section 205 of the Highway Traffic Act and is used to evaluate eligibility of conditions of Special Vehicle Configuration permit(s). Direct enquiries to: Weight & Load Engineer, MTO, Carrier Sanctions & Investigation Office, Oversize/Overweight Permit Section, 301 St. Paul Street, 3rd floor, St. Catharines ON L3R 7R4, 416 246-7166 / 1 800 387-7736.



SUBJECT: Request for Exception - Interim Control By-law 78-2019

Dear Mayor Dilkins,

Family owned and operated since 1978, C.A.T. Inc. serves the truckload requirements of businesses shipping between Canada and the USA. After 4 decades of service, we have grown to be in Canada's Top 25 for-hire carriers. This accomplishment was attained by building a dedicated team, running quality operations, and retaining the loyalty and support of our valued customers. In 2014, C.A.T. purchased its first 100 CNG fuel trucks to reduce greenhouse gas emissions from Eastern Canada & Western Canada to Windsor and to contribute to the welfare of all.

We are leasing 1790 Provincial Road for the purpose of a maintenance facility and LCV Terminal Destination. The City of Windsor has provided consent to the MTO for an LCV inbound route to our lands as a destination terminal.

The proposed use of the leased property falls under the Transport Terminal definition of Zoning By-law 8600. Transport Terminal is a permitted use on our lands, however, it is currently prohibited by Interim Control By-law 78-2019 which became a large problem for our business.

We understand Interim Control By-law 78-2019 is intended to be extended by another year.

REQUESTS

We have requested to exempt our lands from Interim Control By-law 78-2019. This matter should be heard by the Planning Committee in April and Council in May and we are looking for Council's support.

We have asked Planning Staff if we can park transport trucks and trailers on our site under the existing *Loading Compound, Towing Facility or Public Parking Area* permitted uses while our request is being considered by Council. We will comply with the exigences until an exemption is granted, however, we want to be able to park our vehicles at the mentioned area.

We have not heard back from Staff if we can park trucks in the interim which is critical for our business.



JUSTIFICATION FOR REQUEST

Transport Terminal conforms to the Industrial designation in the OP and Manufacturing Districts 1 (Light Industrial / Business Park) Transportation Shipping (MD1.3) zone in By-law 8600. The MD1.3 zone is specifically intended to apply to transportation and shipping related uses.

Our lands are 14.76 ha in size, which is more than enough to accommodate the permitted Transport Terminal.

Our lands are paved, gated and provide a safe and secure location for the storage of vehicles.

Our lands are bounded on three sides by Commercial Centre and Commercial Corridor land uses, which are compatible with the Transport Terminal use.

Our lands are approximately 1.3 km from Provincial Highway 401, an ideal location for a transportation and shipping related land uses. An LCV destination terminal must be within 2 km of a 400 series Provincial Highway.

The land use considerations justifying the passing of the ICBL do not apply to our lands. Transport Terminal is an outright permitted use; it is in an appropriate location and of an appropriate size. This is evident by the City of Windsor providing consent for an LCV inbound route to the subject lands as a destination terminal.

CONCLUSION

Considering that our request to exempt our lands from the application of the Interim Control By-law 78-2019 it reasonable and that all conditions to properly operate a Transport Terminal are met, we look forward to receiving a positive response at the earliest. I would like to discuss with you to give you more information on this subject.

Sincerely,

Daniel Goyette
President

APPENDIX D

EXCERPTS FROM ZONING BY-LAW 8600

SECTION 3 – DEFINITIONS

3.10 DEFINITIONS

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.

AUTOMOBILE means a *motor vehicle* having a maximum gross weight of 3,000.0 kg. It does not include a bus, combination truck or vehicle of the tractor trailer or semi-trailer type, construction equipment, or farm tractor, or any other motorized farm implement.

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*.

TOWING FACILITY means a *premises* used to provide services related to the towing, hauling or recovery of a motor vehicle, trailer, or goods contained within said motor vehicle or a trailer and an *outdoor storage yard* for the storage of a motor vehicle, trailer or goods contained within said motor vehicle or trailer towed or hauled to the premises. A *contractor's office, loading compound, material transfer centre, salvage operation, transport storage area, or transport terminal* is not a *towing facility*.

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*.

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*.

INDUSTRIAL USE means, unless specifically prohibited, one or any combination of the following:

1. One or more *main use* identified as an industrial activity in Section 3.10

2. One or more of the following *main uses*:

Automobile Collision Shop
Automobile Detailing Service
Automobile Repair Garage
Bakery
Confectionary
Contractor's Office

Medical Appliance Facility
Repair Shop – Heavy
Research and Development Facility
Warehouse
Welding Shop
Wholesale Store

3. One or more of the following activities as a *main use*:

Assembling
Constructing
Manufacturing
Packaging

Processing
Producing
Shipping

LOADING COMPOUND is an industrial activity and means a *lot* used for the marshalling, sorting, loading and unloading of automobiles, trucks, and other vehicles for shipment to other destinations, within a defined or enclosed area, and which may contain fixed ramps or other such devices for the purpose of loading or unloading automobiles, trucks and other vehicles. An *outdoor storage yard, parking area, or transport storage area* is not a *loading compound*.

TRANSPORT TERMINAL is an industrial activity and 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 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*.

MAIN USE means the principal *use* or *uses* of a *building, lot, premises* or *structure*.

WAREHOUSE means a *building* used for the storage of parts, materials, equipment or other goods and products and may include their loading, unloading, packaging, repacking, or unpacking. A *self-storage facility* or *transport terminal* is not a *warehouse*.

SECTION 18 - MANUFACTURING DISTRICTS 1. (MD1.)

18.3 MANUFACTURING DISTRICT 1.3 (MD1.3)

18.3.1 PERMITTED USES

Ambulance Service
Loading Compound
Micro-Brewery
Public Parking Area
Railway
Self-Storage Facility
Towing Facility
Transport Terminal
Warehouse
Water Transportation Facility

For any lot located in an area bound by Wyandotte Street West to the north, Janette Avenue to the east, Tecumseh Road West to the south and McKay Avenue to the west and zoned MD1.3, the following shall be additional permitted uses:

Building Materials Recycling Store
Bulk Storage Facility
Contractor's Office
Equipment Rental Shop
Food Catering Service
Food Processing Facility
Laundry Plant
Manufacturing Facility
Medical Appliance Facility
Repair Shop – Heavy
Repair Shop – Light
Retail Store – Equipment & Supplies
Welding Shop

Any use accessory to any of the above uses

18.3.5 PROVISIONS

.4 Building Height – maximum 14.0 m

SECTION 5 – GENERAL PROVISIONS

5.99 ADDITIONAL USE PROVISIONS

5.99.97 TRANSPORT TERMINAL

For a *transport terminal*, the following additional provisions shall apply:

- .1 A *transport storage area* shall be:
 - a) Setback from an *exterior 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 an *interior lot line* a minimum of 0.90 m, 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*; and
 - 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, or storing of a *motor vehicle, transport truck or transport trailer* within a *required yard* or a *landscaped open space yard* 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 to/from a *street* by way of an *access area*. Sections 25.5.30.2, 25.5.30.3, 25.5.30.5 and 25.5.30.6 shall apply to such *access area* and any reference to a *loading space* or *building* shall include a *transport storage area*.
- .15 A *parking area* may be located within a *transport storage area* and the provisions of Section 25.5 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 *Development Reserve District, Green District, Residential District* or *Institutional District*, 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.

[ZNG/5364]

(ADDED B/L 169-2018 Dec 19/2018)



April 9, 2020

Sent via email to clerks@citywindsor.ca

Chair Bortolin & Committee Members
Development and Heritage Standing Committee
City of Windsor
PO Box 1607
Windsor ON N9A 6S1

**Re: Agenda Item 7.2: Interim Control By-law 78-2019 Exemption Request
1790 Provincial Road, Windsor ON
SBDRE (Windsor) Holdings Company Ltd.**

Our File: SBD/WIN/19-01

Dear Chair Bortolin:

We are writing on behalf of SBDRE (Windsor) Holdings Company Ltd., the owner of 1790 Provincial Road (the "subject lands"). We are writing further to our correspondence dated February 24, 2020 with respect to our exemption request of the subject lands from Interim Control By-law 78-2019 (ICBL 78-2019) (Agenda Item 7.2).

Further to Staff Report S 52/2020, we respectfully encourage the Committee to select "Option B", which would permit a *Transport Terminal* on the subject lands on an interim basis setback 100 m from the residential lands to the west. However, we note the operator will be required to use the existing western driveway as an exit as per the Long Combination Vehicle (LCV) Origin/Destination Location - Road Authority Consent permit from the Ministry of Transportation (MTO). As such, we request that the wording of "Option B" be adjusted to:

*That the proposed Transport Terminal SHALL BE setback a minimum of 100.0 m from the westerly lot line, **save and except the use of the existing western driveway along Provincial Road for the purpose of an exit.***

The subject lands are 14.76 hectares in size, and the *Transport Terminal* use conforms to the *Industrial* designation in the OP and *Manufacturing Districts 1 (Light Industrial / Business Park) Transportation Shipping (MD1.3)* zone in By-law 8600. Restricting *Transport Terminals* on appropriate sites such as the subject lands has negative implications on the trucking industry and function of the larger economy. We respectfully encourage the Committee to provide reasonable exemptions from ICBL 78-2019 for sites such as the subject lands.

Furthermore, we would like to provide clarification of the proposed use from what was stated in Staff Report S 52/2020. There will be no loading or unloading of goods on the

subject lands. Long Combination Vehicles (LCV) will enter the site, unhitch one trailer and drive out of the lands as traditional tractor trailers. In fact, we expect there to be significantly less impact on the adjacent residential lands from the proposed LCV Terminal than the previous *Loading Compound* use.

Our support for "Option B" on an interim basis does not preclude or prejudice us from participating and providing expert land use planning opinion on behalf of the subject lands through the Staff initiated study on *Transport Terminal* uses throughout the City.

We look forward to having this matter brought before the Committee on April 14, 2020 and providing a digital deputation. If you have any questions, feel free to contact the undersigned.

Yours very truly,
ZELINKA PRIAMO LTD.



Jared Dykstra, MCIP, RPP
Senior Planner

cc. Adam Tarkan, SBDRE (Windsor) Holdings Company Ltd.
Daniel Goyette, CAT
Adam Szymczak, City of Windsor
Tom Hunt, City of Windsor



Committee Matters: SCM 129/2020

Subject: Interim Control By-law Exemption 2020-4 - 2513821 Ontario Inc. - 3490 Marentette Avenue - Ward 9

Moved by: Councillor Holt
Seconded by: Member Moore

Decision Number: **DHSC 151**

- 1) THAT the request by McTague Law Firm on behalf of 2513821 Ontario Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for property at 3490 Marentette Avenue **BE APPROVED**; and,
- 2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:
 - “d) 3490 Marentette Avenue – Northeast corner of Marentette Avenue and Kamloops Street, Part Lots 89 and 90, Concession 3, Sandwich East, described as Part 1, Plan 12R-19349; PIN 01561-4884; Roll No. 070-170-00900; and further,
- 3) THAT during the Site Plan Control (SPC) process, a five metre buffer on the easterly portion of the property **BE CONSIDERED**.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, and Morrison, and Members Gyemi, Moore, and Rondot.

Nay votes: Councillor Sleiman.

Absent: None.

Abstain: None.

Report Number: S 16/2020
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 2020-4 - 2513821 Ontario Inc.
- 3490 Marentette Avenue - Ward 9**

Reference:

Date to Council: April 14, 2020
Author: Adam Szymczak, MCIP, RPP
Senior Planner
519-255-6543 x6250
aszymczak@citywindsor.ca
Planning & Building Services
Report Date: 1/28/2020
Clerk's File #: Z/13528

To: Mayor and Members of City Council

Recommendation:

That the request by McTague Law Firm on behalf of 2513821 Ontario Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for property at 3490 Marentette Avenue **BE DENIED**.

Executive Summary:

N/A

Background:

Neighbourhood Map (Close Up)



Neighbourhood Map (Overall Area)



Principals of 2513821 Ontario Inc.

Ravinderpal Singh Dhillon, Barjinder Singh Baryah, Anoop Singh Sandhu.

Timeline

2018 April 7	Receipt of Site Plan Control application (SPC-022/18)
2018 November 19	Council approves Housekeeping Amendment 2017-3 which adds Transport Terminal definition and provisions to Zoning By-laws
2018 December 4	Building Division issues an Order to Comply (File 18-166719)
2019 March 27	Building Division conducts citywide Transport Terminal enforcement blitz
2019 April 9	Building Division files charges in Provincial Court (File 19-3034)
2019 June 13	Council approves Interim Control By-law 78-2019 (ICBL)
2019 November 13	Agent submits a request for an exemption from the ICBL

Enforcement

An Order to Comply was issued to the property owner on December 4, 2018 and court charges for failing to comply with that order were filed April 9, 2019. The charges are in abeyance pending Council's consideration of the request and site plan approval. The Building Division conducted an 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 Site Plan Control By-law 1-2004.

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 in effect "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 various zones in the City of Windsor. This will allow Administration to study the extent of the problem, 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. That study is currently underway.

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,*

Request for Exemption from ICBL

McTague Law Firm LLP (Brian L. Chillman), on behalf of 2513821 Ontario Inc., is requesting (see Appendix B) to exempt property at 3490 Marentette Avenue from Interim Control By-law 78-2019 to allow the submission of an application for site plan approval to permit a proposed Repair Shop - Heavy and Transport Terminal development on the property.

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; and,

Proximity to sensitive land uses - The distance to the closest sensitive use will be considered;

Likelihood of additional mitigation measures - This criteria considers compatibility with surrounding uses. The Transport Terminal Study may recommend that additional mitigation measures be undertaken in order 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.

Relevant excerpts from Zoning By-law 8600 are attached as Appendix C. The proposed “transport truck repair garage” is a Repair Shop - Heavy and the proposed “transport storage area” is a Transport Terminal per the definitions in Zoning By-law 8600.

The parcel is zoned Manufacturing District 1.1 (MD1.1) which permits a range of light industrial uses and a limited range of commercial uses. MD1.1 does not permit a Transport Terminal as a main use. It is only permitted as an accessory use to a permitted main use. This distinction between main use and accessory use is an issue that the study will examine. The 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.”

All development on the parcel is subject to site plan control.

The exemption is consistent with the direction of the Official Plan. However, Transport Terminal is not permitted as a main use in the MD1.1 zoning.

The parcel is located within a business and industrial park that has roads designed and constructed to handle heavy truck traffic. Paving of the site will mitigate the tracking of dirt, dust and mud onto municipal streets.

The proposed Transport Terminal will have minimal impact on surrounding infrastructure.

The parcel is located on the fringe of the existing industrial area. To the north, west and south are a range of industrial uses. The western limit of the industrial area is adjacent to Devonshire Mall and transitions from industrial uses to a mix of light industrial, Business Park and commercial uses. Vacant land abutting the subject parcel to the east is zoned MD1.1, the zoning category is the same as the subject parcel.

The nearest residential use is located about 91 metres east of the subject parcel and is a sensitive land use.

The proposed Transport Terminal IS proximate to a sensitive land use.

The proximity of sensitive land uses is a significant concern. There is a conflict between the Transport Terminal use and the sensitive land uses. This is a problem that the study will examine.

Additional mitigation measures may be required to permit a Transport Terminal on the property. This is another issue that the study will examine. There is a moderate to significant risk that a proposed Transport Terminal could be created that is not compatible with the nearby sensitive land uses.

There is a likelihood that additional mitigation measures will be necessary in order to permit a Transport Terminal.

The Planning Division is recommending that the request for exemption be denied due to a Transport Terminal not being permitted as a main use in the MD1.1 zoning district, due to the proximity of a sensitive land use, and due to the likelihood that additional mitigation measures may be necessary.

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:

Approving the exemption is premature in that it may allow a use - a Transport Terminal - that is not compatible with sensitive land uses to the east.

Administration is recommending that the request to exempt the property at 3490 Marentette Avenue from the provisions of Interim Control By-law 78-2019 be denied.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional 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
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
Brian L. Chillman McTague Law Firm LLP	455 Pellissier Street Windsor ON N9A 6Z9	bchillman@mctaguelaw.com
Property Owners within 120 m of subject parcel		
Councillor McKenzie		

Appendices:

- 1 Appendix A - Interim Control By-law 78-2019
 - 2 Appendix B - Letter from McTague Law Firm LLP, dated November 13, 2019
 - 3 Appendix C - Extracts from Zoning By-law 8600
- Additional Information Memo and Letter dated March 31, 2020

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.

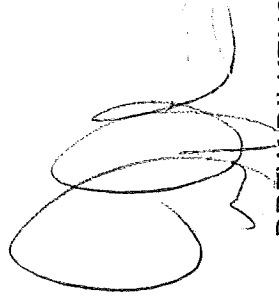
TRANSPORT TRUCK means a motor vehicle used to pull a transport trailer and includes the tractor unit of a tractor-trailer combination or a semi-trailer truck or semi-tractor unit of semi-trailer combination. A truck tractor is a transport truck.

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.

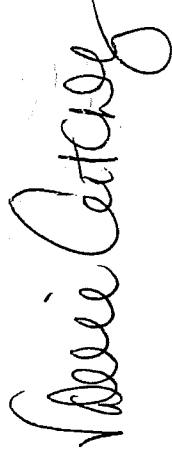
USE

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

MCTAGUE
LAW FIRM LLP
BARRISTERS & SOLICITORS

ROGER A. SKINNER
JOSEPHINE STARK
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COUNSEL: PAUL L. MULLINS

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November 13, 2019

VIA EMAIL & REGULAR MAIL

City of Windsor Planning & Building Department
350 City Hall Square West, Suite 210
Windsor, Ontario
N9A 6S1

RECEIVED

NOV 18 2019

PLANNING
CITY OF WINDSOR

Attention: Adam Szymczak

Dear Sir:

RE: PS 054-19
Request for exemption from Interim Control By-law 78-2019
3490 Marentette Avenue, Windsor, Ontario

OUR FILE: 75269

Further to your correspondence of November 8, 2019 regarding the above-noted pre-submission application, we hereby request on behalf of our client, 2513821 Ontario Inc., an exemption from Interim Control By-law 78-2019, which imposed interim control on transport terminals within the City of Windsor for one year from June 3, 2019 (the "ICBL").

As stated in your correspondence, Council Resolution 291-2019, which approved the ICBL, permits Council to consider an exemption from the ICBL where there is a determination that the creation of a new transport terminal would not conflict with the general purpose and intent of the ICBL. Our client, 2513821 Ontario Inc., purchased the subject lands on or about May 2, 2016 for the sole purpose of operating a transport truck repair garage and transport storage area. Since that time, it has developed the subject lands for that purpose and been working with the City and other regulatory bodies to obtain site plan approval, which necessitated environmental and archeological studies with respect to the subject lands.

After submitting an initial site plan application to the City, which was approved subject to certain conditions being satisfied, including completion of an Archeological Assessment and Environmental Evaluation Report, the City cancelled the application due to what the City determined was inactivity on the part of our client. This was not the case as our client was going through the necessary channels to comply with the conditions imposed by the City.

On or about December 4, 2018, the City issued an Order to Comply against our client for undertaking the construction of a truck transportation facility prior to obtaining site plan approval, contrary to By-Law 1-2004. Since the commencement of these proceedings, we have been working with the City to achieve compliance, including submitting a fresh site plan application and completing the outstanding conditions imposed by the site plan approval officer in the initial application. It was agreed by the City that during this process, our client would be allowed to continue operations at the subject property until a final determination is made regarding the proposed use of the subject property.

As this matter has been ongoing well before City Council passed the ICBL on June 3, 2019, we believe that the use of the subject lands as a transport terminal and truck storage facility is not inconsistent with the spirit and intent of the ICBL, and that the subject lands ought to be exempt from the operation of the ICBL. As aforementioned, our client has been working with the City to obtain proper site plan approval for some time, and therefore, practically speaking, the proposed transport terminal is not new and should not be halted pending the City's planning study which necessitated the imposition of the ICBL. In addition, we note that the proposed use of the subject property was previously permitted as an accessory use

Moreover, as stated in your Staff Report to Council dated May 16, 2019, one of the main purposes of the City's planning study is to ensure that a transport terminal is not detrimental to surrounding existing and potential land uses. The subject lands are located in a manufacturing district that is consistent with our client's proposed use of the subject lands, and therefore the risk that the proposed use is detrimental to surrounding areas is minimal. In any event, this is a determination that can properly be the subject of the site plan application that our client is in the process of completing.

For the aforementioned reasons, we therefore request that the City grant an exemption from the operation of the ICBL to the subject lands, as the ICBL will disrupt the application process and be of great prejudice to our client's business.

Should you wish to discuss this matter further, please do not hesitate to contact the undersigned.

Yours truly,

~~McTAGUE LAW FIRM LLP~~

Per:
BRIAN L. CHILLMAN

BLC

APPENDIX C

EXCERPTS FROM ZONING BY-LAW 8600

SECTION 3 – DEFINITIONS

3.10 DEFINITIONS

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.

AUTOMOBILE means a *motor vehicle* having a maximum gross weight of 3,000.0 kg. It does not include a bus, combination truck or vehicle of the tractor trailer or semi-trailer type, construction equipment, or farm tractor, or any other motorized farm implement.

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*.

REPAIR SHOP - HEAVY means a *building* used for any maintenance, repair, or servicing activity, including an *automobile collision shop*, *automobile detailing service*, or *automobile repair garage*, and, as an *accessory use*, the fabrication of parts necessary for the maintenance, repair, or servicing activity offered. All activities must be conducted entirely within an enclosed *building*. A heavy repair shop is a *repair shop - heavy*.

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*.

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*.

INDUSTRIAL USE means, unless specifically prohibited, one or any combination of the following:

1. One or more *main use* identified as an industrial activity in Section 3.10
2. One or more of the following *main uses*:

<i>Automobile Collision Shop</i>	<i>Medical Appliance Facility</i>
<i>Automobile Detailing Service</i>	<i>Repair Shop – Heavy</i>
<i>Automobile Repair Garage</i>	<i>Research and Development Facility</i>
<i>Bakery</i>	<i>Warehouse</i>
<i>Confectionary</i>	<i>Welding Shop</i>
<i>Contractor’s Office</i>	<i>Wholesale Store</i>
3. One or more of the following activities as a *main use*:

Assembling	Processing
Constructing	Producing
Manufacturing	Shipping
Packaging	

TRANSPORT TERMINAL is an industrial activity and 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 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*.

MAIN USE means the principal *use* or *uses* of a *building*, *lot*, *premises* or *structure*.

SECTION 18 - MANUFACTURING DISTRICTS 1. (MD1.)

18.1 MANUFACTURING DISTRICT 1.1 (MD1.1)

18.1.1 PERMITTED USES

<i>Ambulance Service</i>	<i>Micro-Brewery</i>
<i>Building Materials Recycling Store</i>	<i>Public Parking Area</i>
<i>Bulk Storage Facility</i>	<i>Repair Shop - Heavy</i>
<i>Contractor's Office</i>	<i>Repair Shop - Light</i>
<i>Equipment Rental Shop</i>	<i>Self-Storage Facility</i>
<i>Food Catering Service</i>	<i>Towing Service</i>
<i>Food Processing Facility</i>	<i>Warehouse</i>
<i>Laundry Plant</i>	<i>Water Transportation Facility</i>
<i>Manufacturing Facility</i>	<i>Welding Shop</i>
<i>Medical Appliance Facility</i>	

Any of the following *Ancillary Uses*:

<i>Automobile Sales Lot</i>	<i>Gas Bar</i>
<i>Car Wash Automatic</i>	<i>Retail Store – Equipment & Supplies</i>
<i>Car Wash Coin Operated</i>	<i>Veterinary Office</i>
<i>Club (Existing)</i>	<i>Wholesale Store</i>
<i>Food Outlet - Take-Out</i>	

Any use accessory to any of the above uses, including a *Caretaker's Residence* or *Transport Terminal*.

18.1.3 PROHIBITED USES

Outdoor storage of *aggregate*
Transport Terminal as a *main use*

18.1.5 PROVISIONS

.4	Building Height – maximum	14.0 m
.5	Front Yard Depth – minimum	6.0 m
.7	Side Yard Width – minimum	
	a) From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located	6.0 m
	b) From an <i>exterior lot line</i>	3.0 m
.8	Landscaped Open Space Yard – minimum	15% of <i>lot area</i>

SECTION 5 – GENERAL PROVISIONS

5.99 ADDITIONAL USE PROVISIONS

5.99.97 TRANSPORT TERMINAL

For a *transport terminal*, the following additional provisions shall apply:

- .1 A *transport storage area* shall be:
 - a) Setback from an *exterior 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 an *interior lot line* a minimum of 0.90 m, 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*; and
 - 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, or storing of a *motor vehicle, transport truck or transport trailer* within a *required yard* or a *landscaped open space yard* 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 to/from a *street* by way of an *access area*. Sections 25.5.30.2, 25.5.30.3, 25.5.30.5 and 25.5.30.6 shall apply to such *access area* and any reference to a *loading space* or *building* shall include a *transport storage area*.
- .15 A *parking area* may be located within a *transport storage area* and the provisions of Section 25.5 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 *Development Reserve District, Green District, Residential District* or *Institutional District*, 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.

[ZNG/5364]

(ADDED B/L 169-2018 Dec 19/2018)

From: J Murray Troup <jmt@wintru.com>
Sent: Monday, March 09, 2020 2:26 PM
To: clerks <clerks@citywindsor.ca>
Subject: FILE NUMBER: ICB EXEMPTION 2020-4

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Members of Development and Heritage Standing Committee

Application FILE NUMBER: ICB EXEMPTION 2020-4

Tru Land Developments Inc. Owner of Lands to the East of the Subject Property is **opposed to “ANY” driveway access** along the entire frontage of Kamloops Street to this property.

Best Regards,

J. Murray Troup
President
Tru Land Developments Inc.
100-7833 Tecumseh Road East
Windsor, Ontario, N8T 1G3
Phone 519-818-6339

This message is intended only for the use of the individual or entity to which it is addressed. The message may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by email.
Thank you.



Office of the City Solicitor

Thom Hunt, MCIP, RPP
City Planner

DATE: March 31, 2020
TO: Development and Heritage Standing Committee
FROM: Adam Szymczak, Senior Planning - Zoning
RE: Revised Recommendation, Additional Information & Possible Options
Our File No.: ICBL Exemption 2020-4 – 3490 Marentette Avenue

Recommendation:

1. **THAT** Report S 16/2020 **BE AMENDED** by deleting the recommendation in the report and replacing it with the following recommendation:

“1. **TO** Council **FOR DECISION**”

Background:

McTague Law Firm LLP (Brian L. Chillman, agent), on behalf of 2513821 Ontario Inc., requested that the property at 3490 Marentette Avenue be exempt from Interim Control By-law 78-2019 to allow the submission of an application for site plan approval to permit a proposed Repair Shop - Heavy and Transport Terminal development on the property.

Report S 16/2020 recommended that the request be denied on the basis that the proposed Transport Terminal is not permitted as a main use in the MD1.1 zoning, is in close proximity to a sensitive land use, and there is a likelihood that additional mitigation measures will be necessary to permit a Transport Terminal.

The agent requested deferral of the matter at the March 9, 2020 meeting of the Development & Heritage Standing Committee (DHSC) to allow the agent to discuss the matter with their client (the applicant) and to allow the agent to discuss potential options with the Planning Department.

Discussion:

The purpose of this memo is to report back on the discussion between the agent and the Planning Department and provide options to the DHSC and Council.

On March 30, 2019, Adam Szymczak, Senior Planner, and the agent, Mr. Chillman, discussed the matter by phone.

The agent took the position that the subject parcel was previously used for the storage of trucks, though as an accessory use (related to Tilbury Concrete), and notwithstanding the residential uses to the east, that there is a vacant parcel of land to the east, between the subject parcel and those residential uses that is designated Industrial in the Official Plan and zoned Manufacturing District 1.1 (MD1.1) by Zoning By-law 8600.

The agent further stated that vacant parcel would act as a buffer between the subject parcel the residential uses to the east. Mr. Chillman noted he will provide a formal email to confirm his position and provide the rationale in favour of granting the exemption.

The agent raises a valid point in terms of separation from nearby residential uses, in that there is an intervening vacant parcel of land that is designated and zoned for industrial uses and will be developed for an industrial type use.

However, the zoning on the subject parcel – MD1.1 – does not permit a Transport Terminal as a main use. The applicant is proposing that the Transport Terminal will be an accessory use to a Heavy Repair – Garage. Staff do not concur with the position that the Transport Terminal is an accessory use. It is not a use that is “customarily incidental, subordinate and exclusively devoted to the main use”.

The distinction between main use and accessory use is an issue that the study will examine. The 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.”

The Planning Division original positions remains the same. The request for exemption should be denied due to a Transport Terminal not being permitted as a main use in the MD1.1 zoning district, due to the proximity of a sensitive land use, and due to the likelihood that additional mitigation measures may be necessary.

Council may deny or approve the application. To assist DHSC and Council, possible motions are provided below:

DENY - Option A - If Council chooses to **DENY** the exemption, the motion shall read as:

“That the request by McTague Law Firm on behalf of 2513821 Ontario Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for property at 3490 Marentette Avenue **BE DENIED.**”

APPROVE - Option B - If Council chooses to **APPROVE** the exemption, the motion shall read as:

- 1) “That the request by McTague Law Firm on behalf of 2513821 Ontario Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for property at 3490 Marentette Avenue **BE APPROVED.**”
- 2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:
 - “d) 3490 Marentette Avenue – Northeast corner of Marentette Avenue and Kamloops Street

Part Lots 89 and 90, Concession 3, Sandwich East, described as Part 1, Plan 12R-19349; PIN 01561-4884; Roll No. 070-170-00900”

Conclusion:

This memo revises the staff recommendation in Report S 16/2020, provides additional information regarding discussions with the agent, and provides options to DHSC and Council.

Adam Szymczak, RPP, MCIP
Senior Planner

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
Brian L. Chillman McTague Law Firm LLP	455 Pellissier Street Windsor ON N9A 6Z9	bchillman@mctaguelaw.com
Councillor McKenzie		

100TH ANNIVERSARY
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LAW FIRM LLP
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COUNSEL: PAUL L. MULLINS

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Direct Dial: 519-255-4358
Email: bchillman@mctaguelaw.com

April 1, 2020

VIA EMAIL

City of Windsor Planning & Building Department
350 City Hall Square West, Suite 210
Windsor, Ontario
N9A 6S1

Attention: Adam Szymczak

Dear Sir:

RE: PS 054-19
Reconsideration for exemption from Interim Control By-law 78-2019
3490 Marentette Avenue, Windsor, Ontario (the "Subject Property")
OUR FILE: 75269

Further to the Development & Heritage Standing Committee meeting held on March 9, 2020 (the "DHSC Meeting"), and our subsequent discussions regarding the above-noted matter, you have asked that I provide our rationale for exempting the Subject Property, owned and operated by my client, 2513821 Ontario Inc., from the operation of Interim Control By-law 78-2019, which imposed interim control on transport terminals within the City of Windsor (the "City") for one year commencing on June 3, 2019 (the "ICBL").

As stated in our previous correspondence to you dated November 13, 2019, our client purchased the Subject Property on or about May 2, 2016 for the sole purpose of operating a transport truck repair garage and transport storage area. This use is substantially similar to the previous use of the Subject Property, which contained a trucking operation that was ancillary to its primary use. Moreover, the neighbouring properties to the north and south of the Subject Property currently house industrial operations with regular truck traffic entering and exiting those properties. As stated in your Staff Report to Council dated May 16, 2019, one of the main purposes of the City's planning study is to ensure that a transport terminal is not detrimental to surrounding existing and potential land uses. The Subject Property is located in a manufacturing district that is consistent with our client's proposed use of the Subject Property, and therefore the risk that the

proposed use is detrimental to surrounding areas is minimal. In any event, this is a determination that can properly be the subject of the site plan application that our client is in the process of completing.

It is our position that our client's use of the Subject Property is consistent with neighbouring uses in that area, and therefore, at the very least, justifies an exemption from the operation of the ICBL.

At the DHSC Meeting, you expressed a concern that the current use of the Subject Property would interfere with the residential development to the east of the Subject Property. As I mentioned, it is our position that the vacant land to the east of the Subject Property is designated and zoned industrial and will act as a buffer or provide separation from those residential uses. Moreover, it is my understanding that no truck traffic enters the residential subdivision to the east, but enters and exits the Subject Property solely from Marentette Avenue. As such, there is no interference with the residential uses to the east of the Subject Property.

As this matter has been ongoing well before City Council passed the ICBL on June 3, 2019, we believe that the use of the Subject Property as a transport terminal and truck storage facility is not inconsistent with the spirit and intent of the ICBL, and that the Subject Property ought to be exempt from the operation of the ICBL. As mentioned in our previous correspondence to you dated November 13, 2019, our client has been working with the City to obtain proper site plan approval for some time, and therefore, practically speaking, the proposed transport terminal is not new and should not be halted pending the City's planning study which necessitated the imposition of the ICBL.

For the aforementioned reasons, we therefore request that the City grant an exemption from the operation of the ICBL to the Subject Property. Should you wish to discuss this matter further, please do not hesitate to contact the undersigned.

Yours truly,

McTAGUE LAW FIRM LLP



BRIAN L. CHILLMAN

BLC



Committee Matters: SCM 130/2020

Subject: Close and Convey the North/South Alley Between 722 Brant Street and 736 Brant Street - SAA/5838 - Applicant: Victoria Yen-Shin Lin – 722 Brant Street – Ward 4

Moved by: Councillor Holt
Seconded by: Councillor Morrison

Decision Number: **DHSC 153**

- I. That the portion of the 6.1 metre wide north/south alley located between 722 Brant Street and 736 Brant Street, and shown as “Part 1” on Drawing No. CC-1757 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure.
- II. That the portion of the 6.1 metre wide north/south alley located between 722 Brant Street and 736 Brant Street, and shown as “Part 1” on Drawing No. CC-1757 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the abutting property owners, and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD2.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1757, *attached* as Appendix “A”.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 22/2020
Clerk’s File: SAA2020

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

Subject: Close and Convey the North/South Alley Between 722 Brant Street and 736 Brant Street - SAA/5838

Applicant: Victoria Yen-Shin Lin, Ward 4

Reference:

Date to Council: April 14, 2020

Author: Christopher Aspila MCIP, RPP

Senior Planner - Policy and Special Studies

Phone: 519-255-6543 x6446

Email: caspila@citywindsor.ca

Planning & Building Services

Report Date: March 25, 2020

Clerk's File #: SAA2020

To: Mayor and Members of City Council

Recommendation:

- I. That the portion of the 6.1 metre wide north/south alley located between 722 Brant Street and 736 Brant Street, and shown as "Part 1" on Drawing No. CC-1757 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the portion of the 6.1 metre wide north/south alley located between 722 Brant Street and 736 Brant Street, and shown as "Part 1" on Drawing No. CC-1757 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners, and adjusted as necessary, in a manner deemed appropriate by the City Planner;
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD2.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1757, *attached* as Appendix "A".
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

Background:

Victoria Yen-Shin Lin, owner of the properties known as 722 Brant Street and 736 Brant Street, applied to close the entire portion of the 6.1 metre wide north/south alley located on between 722 Brant Street and 736 Brant Street, as shown as “Part 1” and “Part 2” on Drawing No. CC-1757, *attached* as Appendix “A”.

The north/south alley connects at a 90-degree angle to an east/west alley that runs easterly from Louis Avenue to the area shown as “Part 2” on Drawing No. CC-1757. The north/south and the east/west alley appear to be traveled and are comprised of gravel with vegetation growth.

The applicant wants the alley closed to reduce vehicle traffic, pedestrian traffic, illegal dumping and for vermin/pest control.

Discussion:

Planning Department’s analysis of the requested alley closures:

The first test is to determine whether the subject alley is dispensable. To make such determination the guideline attached herein as Appendix “E” would be relevant as shown below:

a. *Does the subject alley serve commercial properties?*

The answer is **NO**.

b. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*

The answer is **NO**.

c. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*

The answer is **NO**.

d. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*

The answer is **NO**. The east/west segment of the alley also serves as access to parking at the rear of 702 Brant and 712 Brant Street and 727 Assumption Street.

e. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*

The answer is **NO**.

Based on the above, the Planning Division deems a portion of the subject north/south alley “dispensable” and supports the requested closure of the area shown as “Part 1” on Drawing No. CC-1757. The Planning Division does not support the closure of “Part 2” on the basis that it is used for access to parking at the rear of 727 Assumption Street.

The recommendation is to close and convey the “Part 1” of the alley to the abutting property owners.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to The Corporation of the City of Windsor.

Financial Matters:

For alleys abutting lands zoned Residential RD2.2: \$1.00, plus deed preparation, plus proportionate survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* Appendix “C”.

There were no objections from the municipal departments and utility companies for the requested alley closure.

Bell Canada has requested an easement over the northern portion of the alley located in “Part 2” on Drawing CC-1757. In the event that Council decides to close “Part 2” of the subject Alley (not recommended) an easement will be required and Recommendation II will need to be amended to add the easement in favour of Bell Canada.

Notices of the meetings of the Development & Heritage Standing Committee and Council are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Division recommends closure of the portion of the north/south alley shown as “Part 1” on attached Appendix “A”.

The closed portion is to be conveyed to the abutting property owners as in Recommendation II of this report.

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 and Corporate Leader Economic Development and Public Safety
Onorio Colucci	Chief Administrative Officer

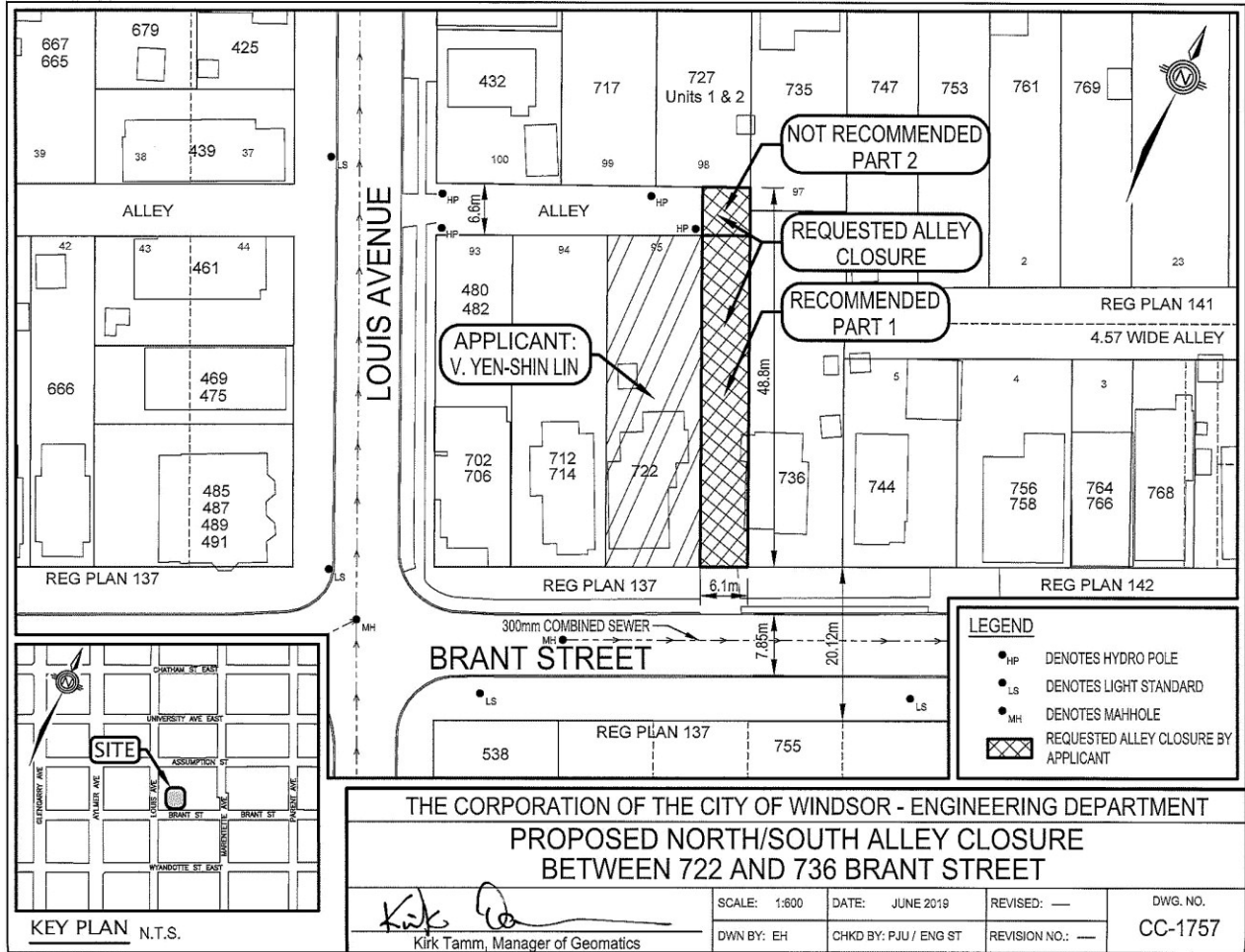
Notifications:

Name	Address	Email
Councillor Holt	City Hall Square W., Suite 220, Windsor Ontario N9A 6S1	cholt@citywindsor.ca
Victoria Yen-Shin Lin (applicant)	30 Gloucester St, Unit 1710, Toronto Ontario M4Y 1L5	
Amira Yacoug and Youhanna Wardag	727 Assumption St, Windsor Ontario N9A 3B7	
Malak Taha	735 Assumption St, Windsor Ontario N9A 3B7	

Appendices:

- 1 Appendix "A" - Drawing No. CC-1757
- 2 Appendix "B" - Aerial Photo
- 3 Appendix "C" - Consultations Table
- 4 Appendix "D" - Site Visit Photos
- 5 Appendix "E" - Classification of Alleys and Suitability for Closure

Appendix 'A' – Drawing CC-1757




Appendix 'B' – Aerial Photo



STREET & ALLEY CLOSING (SAA/5838)

APPLICANT : V. YEN-SHIN LIN

 SUBJECT LAND

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: FEBRUARY, 2020

1:1,000



Appendix 'C' – Consultations Table SAA/5838

Agency	Comments
Fire and Rescue Services	
Windsor Police Services	<p>The Windsor Police Service supports the closure of this alley. A site inspection carried out on June 27th, 2019 revealed a poorly maintained space with a noticeable encroachment of vegetation. This creates safety challenges for the alley in the form of reduced sight lines and added concealment capability which promote loitering, trespassing into abutting properties for criminal opportunities, and an overall discreet space to support unlawful behaviour/activity. In its current size and configuration, this alley would not be useful to retain as a neighbourhood pedestrian connection and closure is therefore the best outcome for this space.</p>
Planning – Landscape Architect	No Objections
Parks & Facilities	No Objections
Public Works – Engineering	<p>The subject north/south alley closure is approximately 6.1m (20ft) wide. There are no municipal sewers or manholes located in the alley. There are no hydro poles or guy wires located in the alley. It appears to be travelled, but not paved. It is made of gravel. There is a driveway approach on the south entrance of the subject alley. It is in good condition and made of concrete. There is no garage access but it appears to have backyard access to the 727 Assumption property (see photos of alley). There are no encroachments within the alley. It was requested by the Operations Department that the east/west portion be closed within this application; however, this portion is currently used for parking access to 702 & 712, and it is not recommended at this time. We request that the north limits of this alley closure be adjusted to align with the north property limits of 722 Brant St. There are no objections to the closure of this alley.</p>
Public Works – Environmental	No concerns
Public Works – Transportation	<p>Alley is gravel and seems to be used by vehicles. Gates in the side yards of 722 & 736 Brant are used for pedestrians only, not vehicles. There are parking areas at the rear of 702 & 712 Brant. There is also a garage door at the rear of 727 Assumption. Recommend closing the north/south alley up to the read lot line of 722 Brant. This will still provide access to</p>

	the parking areas and garage via the east/west alley from Louis, and allow vehicles exiting the garage at 727 Assumption to reverse and exit the alley driving forward.
Transit Windsor	
Bell Canada	Bell Canada requests easement protection for the north west end of the alley.
Cogeco Cable Systems Inc.	Cogeco does not have any plant in this laneway.
Canada Post	Canada Post has no comments for the attached application.
Rogers Communications	
Telus Communications	No Objections
MNSi	
EnWin Utilities – Hydro	No Objection to closing the north/south alley system between 722 and 736 Brant St.
Windsor Utilities – Water	No objections
Union Gas	No objections
Legal Department	For land abutting properties zoned RD2.2, \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor
OTHER:	

Appendix 'D' – Site Visit Photos



1 Looking north towards the alley from in front of 722 and 736 Brant Street.

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- (1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- (2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- (3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- (4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

From: Ali Alrikabi
Sent: Friday, April 24, 2020 1:55 PM
To: clerks <clerks@citywindsor.ca>
Subject: Ally convey close

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am MALAK TAHA. owner the property 735 assumption i received letter from city of windsor notified me closing the ally between 722 and 736 brant st. and louis st. By applicant from victoria shin lin .I actully see no reason to closed this ally since it been serve us as extre excess to our property and others. this ally its been missused by both properties 722 and 736 brant who keep throu stuff like furniture house belongings and renovations garbage

I suggest on owner 722 _ 736 brant st.

1 _ build new fence round the propert (snice the fence full parts been while like that)

2_ clean the back yard both properties specially 736 cut trees renovation garbages put dain system .

3_ ask the tenants not throu the extra stuff they don.t need when they moved out (since these properties for rent always abd peoplmove out and in)

We recommend and ask to keep this ally open and we don.t like to be close for any reason

Thank u

Let me know when u received my letter



Committee Matters: SCM 131/2020

Subject: Close and Convey the North/South Alley Between Hickory Road and Albert Road, North of Milloy Street and South of Alice Street - Applicant R. Pouget - SAA/5858 - Ward 5

Moved by: Councillor Sleiman
Seconded by: Councillor Holt

Decision Number: **DHSC 154**

- I. THAT the portion of the 3.66 metre wide north/south alley located between Hickory Road and Albert Road north of Milloy Street and south of Alice Street, labelled as "Part 1" and shown on Drawing No. CC-1758 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure; and,
- II. THAT the portion of the 3.66 metre wide north/south alley located between Hickory Road and Albert Road north of Milloy Street and south of Alice Street, labelled as "Part 1" and shown on Drawing No. CC-1758 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners, and adjusted as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Bell Canada, MNSi, and Enwin Utilities; and,
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alleys abutting lands zoned Residential RD1.3: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1758 , *attached* as Appendix "A"; and,
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003; and further,
- VIII. THAT Windsor Police Services **BE REQUESTED** to provide additional comments related to the partial alley closure, and that this information **BE PROVIDED** when this committee report moves forward to a future meeting of Council.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 35/2020

Clerk's File: SAA2020

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

Subject: Close and Convey the North/South Alley Between Hickory Road and Albert Road, North of Miloy Street and South of Alice Street - Applicant R. Pouget - SAA/5858 - Ward 5

Reference:

Date to Council: April 14, 2020
Author: Christopher Aspila MCIP, RPP
Senior Planner - Policy and Special Studies
Email: caspila@citywindsor.ca
Phone: 519-255-6543 x6446
Planning & Building Services
Report Date: March 25, 2020
Clerk's File #: SAA2020

To: Mayor and Members of City Council

Recommendation:

- I. THAT the portion of the 3.66 metre wide north/south alley located between Hickory Road and Albert Road north of Milloy Street and south of Alice Street, labelled as "Part 1" and shown on Drawing No. CC-1758 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. THAT the portion of the 3.66 metre wide north/south alley located between Hickory Road and Albert Road north of Milloy Street and south of Alice Street, labelled as "Part 1" and shown on Drawing No. CC-1758 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners, and adjusted as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Bell Canada, MNSi, and Enwin Utilities;
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alleys abutting lands zoned Residential RD1.3: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1758, *attached* as Appendix "A";

- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- VI. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor;
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

Background:

Roger Pouget, owner of the property known as 1783 Hickory Road, applied to close the entire portion of the 3.66 metre wide north/south alley located between Hickory Road and Albert Road, north of Milloy Street and South of Alice Street, as shown on Drawing No. CC-1758, *attached* as Appendix "A".

The north/south alley appears to be traveled and is comprised mostly of grass.

The applicant wants the alley closed in the 1700 blocks of Hickory Road and Albert Road because of debris, vandalism, backyard thefts and ruts due to car traffic. The applicant submitted a petition with signatures of support from 10 of 18 property owners on Hickory Road abutting the alley and signatures of support from 12 of 18 property owners on Albert Road/Alice Street abutting the alley. The applicant indicates that in response to identifying there are multiple garages that require access to the north/south alley, the signatories are requesting partial closing of the alley from 1770 through 1796 Albert Road and 1769 Hickory Road through 1797 Hickory Road. The closure request based on the petitions is similar to the area identified by Administration shown as "Part 1" on Drawing No. CC-1758.

Discussion:

Planning Department's analysis of the requested alley closures:

The first test is to determine whether the subject alley is dispensable. To make such determination the guideline attached herein as Appendix "E" would be relevant as shown below:

a. *Does the subject alley serve commercial properties?*

The answer is **NO**.

b. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*

The answer is **NO**.

c. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*

The answer is **NO**.

d. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*

The answer is **YES**. Garage and rear parking area access is required for 1722, 1742, 1746 and 1766 Albert Road. The north/south alley could be partially closed provided it remain open on one of Alice Street or Milloy Street for vehicle access to the above properties. In consideration of the location of the garages and rear parking areas in the alley the Planning Division deems that the northerly access to the alley from Alice Street remain open.

e. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*

The answer is **NO**.

Based on the above, the Planning Division deems the portion of the north/south alley south of 1766 Albert Road shown as "Part 1" on Drawing CC-1758 as "Dispensable".

The recommendation is to close and convey the "Part 1" on Drawing CC-1758 of the alley to the abutting property owners.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to The Corporation of the City of Windsor.

Financial Matters:

For alleys abutting lands zoned Residential RD1.3, \$1.00, plus deed preparation, plus proportionate survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* Appendix "C".

There were no objections from the municipal departments and utility companies for the requested alley closure.

Bell Canada, MNSi, and Enwin Utilities have requested easements in the subject area of closure.

Notices of the meetings of the Development & Heritage Standing Committee and Council are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Division recommends closure of the portion of the north/south alley shown as “Part 1” on attached Appendix “A”, subject to easements as in Recommendation II of this report, in favour of Bell Canada, MNSi and Erwin Utilities.

The closed portion is to be conveyed to the abutting property owners as in Recommendation II of this report.

Planning Act Matters:

N/A

Approvals:

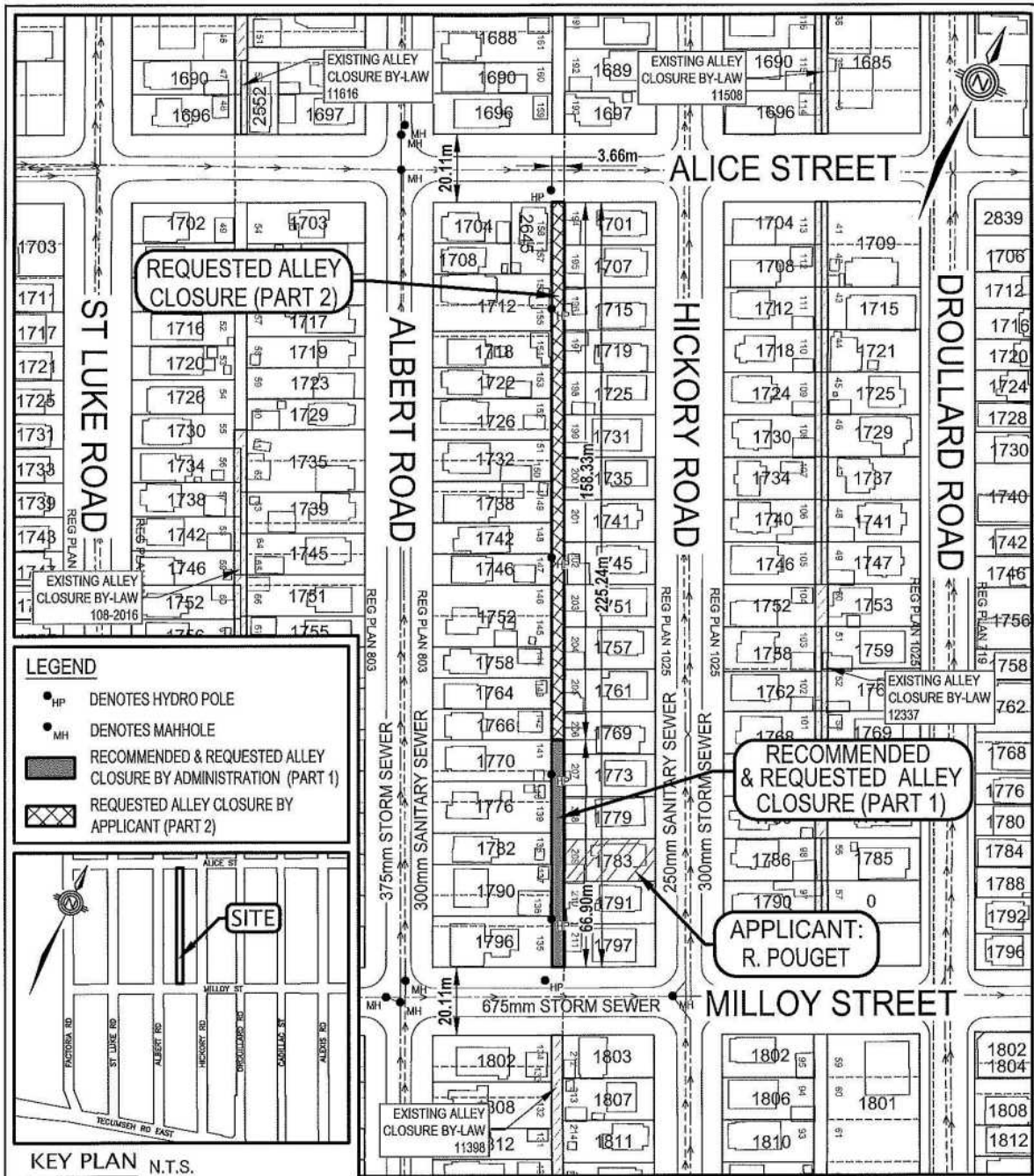
Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor and Corporate Leader Economic Development and Public Safety
Onorio Colucci	Chief Administrative Officer

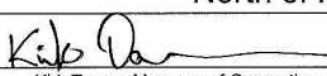
Notifications:

Name	Address	Email
Councillor Ed Sleiman	City Hall Square W., Suite 220, Windsor Ontario N9A 6S1	esleiman@citywindsor.ca
Mailing list		

Appendices:

- 1 Appendix ‘A’ - Drawing No. CC-1758
- 2 Appendix ‘B’ - Aerial Photo
- 3 Appendix ‘C’ - Consultations Table
- 4 Appendix ‘D’ - Site Visit Photos
- 5 Appendix ‘E’ - Classification of Alleys and Suitability for Closure



<p>THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT</p> <p>Proposed North/South Alley Closure Between Hickory Road and Albert Road North of Milloy Street and South of Alice Street</p>			
 Kirk Tamm, Manager of Geomatics	SCALE: 1:1500	DATE: JULY 2019	REVISED: ----
	DWN BY: EH, AN	CHKD BY: PJU / ENG ST	REVISION NO.: ----
			DWG. NO. CC-1758


Appendix 'B' – Aerial Photo



STREET & ALLEY CLOSING (SAA/5858)

1:1,500

APPLICANT : ROGER POUGET

 SUBJECT LAND

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: FEBRUARY, 2020



Appendix 'C' – Consultations Table SAA/5858

Agency	Comments
Fire and Rescue Services	
Windsor Police Services	<p>The Windsor Police Service supports the closure of this alley. A site inspection carried out on June 27th, 2019 revealed a thickly shrouded, unpaved alley space with a noticeable encroachment of vegetation. Because the alley runs the entire block between Milloy and Alice, the current state of the alley creates safety challenges in the form of broken sight lines and added concealment capability which promote loitering, trespassing into abutting properties for criminal opportunities, and an overall discreet space to support unlawful behaviour/activity. The Windsor Police Service does not require the alley for patrolling and incident response purposes and closure is therefore the best outcome for this space.</p>
Planning – Landscape Architect	<p>No objections from a landscape architectural or Parks perspective.</p>
Parks & Facilities	<p>No objections from a landscape architectural or Parks perspective.</p>
Public Works – Engineering	<p>The subject alley closure is approximately 3.14m (10.3ft) wide, and appears to partially travelled but is composed mainly of grass. There are no municipal sewers or manholes located in the alley. There are hydro poles, guy wires for communications (Bell, Cogeco) located throughout the alley. An easement would be required for maintenance purposes. There appears to be 3 garage accesses within this alley (1722, 1746 & 1766 Albert Rd). There are concrete driveway approaches located at the north and south end of the alley; it may be the responsibility of the City to remove the curb cut in the future when funds exist, if the alley is not purchased. Should the abutting owners use this access they will be required to obtain a driveway permit to complete and maintain the approach to City Standard AS-222. This alley appears to serve some useful purpose by CR146/2005; therefore, we have no objections to the closure of this alley.</p>
Public Works – Environmental	<p>No concerns from Environmental Services</p>
Public Works – Transportation	<p>Alley is grass. Appears to be in use by vehicles. There is one area behind 1764 Albert / 1761 Hickory that is not maintained but still traversable. There are 4 garages with access to the alley and 1 parking area. It is not possible to determine which, if any, are actively in use. The alley should remain open in case any/all are used. If any of the properties should apply for an accessible parking spot in the future, access to their garage would be a preferred alternative.</p>
Transit Windsor	
Bell Canada	<p>Bell Canada requests an easement over the entire alley, or a</p>

	3m wide strip measuring 1.5m on either side of the aerial installation (for the length of the alley), as reasonably permitted.
Cogeco Cable Systems Inc.	Cogeco will require this easement.
Canada Post	Canada Post has no comments for the attached application.
Rogers Communications	
Telus Communications	TELUS has no infrastructure in the area of your proposed work. Permit expires six(6) months from approval date.
MNSi	MNSi would like an aerial easement through the entire length of the alley closing in question
EnWin Utilities – Hydro	Hydro Engineering: No objection, however, an easement named to ENWIN Utilities Ltd. is required for the entire north/south alley upon closing to accommodate existing overhead 16kV and 120/240 volt hydro distribution, poles and down guy wires.
Windsor Utilities – Water	Has No Objections
Union Gas/Eldridge Gas	I can confirm that Union Gas Limited, now known as Enbridge Gas Inc. does not have any facility located within the proposed closure.
Legal Department	It appears that the owner of 1722 Albert is using the alley to access the garage at the rear of the property. The reason for the closure stated on this form includes to prevent “ruts due to car traffic”. This would support the conclusion that the alley is being used. Should the alley or a portion of it be closed: For land abutting properties zoned RD1.3, \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
OTHER:	

Appendix 'D' – Site photos



1. Looking north towards the alley from Milloy Street.

Appendix 'D' – Site photos



2. Looking south towards the alley from Alice Street.

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- (1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- (2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- (3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- (4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Written submission by Candis Cooke, resident and owner of 1766
Albert Road.

April 14, 2020

By-law #98-2011

Re: Close and convey the North/South alley between Hickory Road and
Albert Road, North of Milloy Street and South of Alice Street.

To whom it may concern,

As a resident and owner of my house at 1766 Albert Road, I am severely opposed to the closure of any part of the alley. It appears from the paperwork that I have received from the city, that there would be a partial closure of only five or so houses at the end of the alley, and this deeply concerns me.

My house is located directly beside where the proposed closure would occur. This means that the alley would stop at my property line, leaving my car garage access only available in one direction, which would have myself having to reverse drive the entire length of the alley to get out from my garage. I have paid off my house fully years ago, and the alley access is pivotal to my property value. I do not have a driveway in the front of my residence, and parking is very hard to come by. I use my one and a half car garage regularly, as well as the access I have through a large swinging fence I had installed, to the side of my garage for extra parking in a gravel area I have laid out at the back of my yard. My big swinging fence entry would also be unable to be used unless reverse driving down the entire alley to get out.

The fact that all the electric poles in the alley are located on the 1700 block of the alley on the Albert road side, it would be near impossible for anyone on my side of the road to buy the alley space, unless they are prepared to have these huge poles in their backyard

and subject to utility companies needing to gain access through their yards.

This partial closure would have it so the end of the alley begins where my property line ends, allowing people and vagrants to congregate at my garage opening. Although there are very few instances of vandalism or thefts, I strongly feel that giving a closure so far into the alley would give way for people traveling through the alley to become frustrated and be more likely to jump fences to cut through the rest of the alley.

The alley is well traveled, and even the applicant remarked to this fact when he cited that there are ruts in the alley from cars travelling through. A lot of people utilize this alley and it is very convenient for utility workers such as Bell, to come in and fix any issues. In regards to the applicant's statement about debris, there are very few, if any, instances where any dumping or tossing of debris has been an issue.

I would like to conclude my written submission with the fact that the closure of the alley at five houses at the end of the alley seems absurd and a huge waste of time and effort by the applicant. To close such a small part of an alley that everyone uses, for one resident, is extremely self-serving and not very neighbourly.

I hope I have spoken with urgency and alarm, and have provided a sufficient argument to the attempted closure of our alley. I had called numerous times to the city regarding this issue when it first came to light with the petition. I am thankful for my chance to speak, albeit in email form, and thank the city for taking the time to listen. I really do appreciate it.

Sincerely,

Candis Cooke

From: Tom Colombe

Sent: Wednesday, April 08, 2020 3:14 PM

To: clerks <clerks@citywindsor.ca>

Subject: RE: Close and Convey the North/South Alley Between Hickory Rd and Albert Rd, North of Miloy Street and South of Alice Street SAA/5858-Ward 5

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom it May Concern,

In regards to the back alley closing, my concerns are:

1. If it is not going to close off my section of the alley, I don't want it closed at all. If there is only a section of it closed, there is a possibility of people trespassing through my yard to get across.
2. Attached is a photo of behind 1766 Albert Rd who is one of the homeowners that want to keep the alley open. To my regards it seems that they don't use the garage and dump waste in the alley which then becomes an issue for the City of Windsor.

Overall, if my property is not closed, then I don't want any of the alley closed off.

Thank you,
Giovanna Colombe



From: Luigi Nicoletti
Sent: Monday, April 13, 2020 7:57 AM
To: clerks <clerks@citywindsor.ca>
Subject: Close and Convey the North/South Alley Between Hickory and Albert

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Luigi Nicoletti
Owner of 1742 Albert, I'm ok with closing the alley and don't need access to the back of my property.

thanks

From: Michael Hutchinson
Sent: Tuesday, April 07, 2020 5:00 PM
To: clerks <clerks@citywindsor.ca>
Subject: Alley closure - support of applicant Robert Pouget -SAA/5858 -Ward 5

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

This email is written in support of the amendment to to the original draft.

From my understanding, the amendment is to close the alley in the 1700 block of Albert/Hickey south of my address, 1770 Albert, to Milloy.

I am still in support of this as none of the garage accesses would be affected that is visibly clear in this section of closure.

I also support this as I know the alley is often in a state of disarray, does have dangerous ruts (I've personally tripped myself) and has been used by several robbery suspects as egress from Haf Price Variety. I have on at least 2 occasions spoken with Windsor Police searching the alley asking me if I had seen anyone.

In conclusion, my signature and support still stand in regards to the amended closure. I am also interested in purchase the property and installing a fence at my own cost to close off the north portion of the alley.

If you have any further questions or concerns regarding this matter, please feel free to contact me at 519-982-7035 or my personal email at michael_james_hutchinson@hotmail.com.

Thank you,
Michael Hutchinson

From: Paul Ippersiel
Sent: Tuesday, April 14, 2020 10:52 AM
To: clerks <clerks@citywindsor.ca>
Subject: Closure of alley between Hickory and Albert, North of Miloy and South of Alice

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Paul Ippersiel and I live at 1732 Albert road. My property has a rear parking space accessible only from the back alley.

I'm writing you today to forward my submission in opposition to closing this alley way.

My neighbours and I have spoken extensively about this closure and we have garages and parking spots that can only be accessed through this alleyway, and OPPOSE the closure of access to our properties.

In addition, I believe closing this alleyway at one end, will only provide a place for undesirables to gather, hidden at night in the cover of darkness. I believe having a clear line of sight from one end to the other, which police can glance straight through, discourages crime and gatherings of said individuals.

Please consider this email as my official submission in opposition to this matter.

Thank you for your time,
Paul Ippersiel

-----Original Message-----

From: Prvoslav Petric

Sent: Monday, April 13, 2020 11:04 PM

To: clerks <clerks@citywindsor.ca>

Subject: Close and convey the north/south alley between hickory and albert road north of miloy street and south of alice street

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Email address:

Prvoslav petric, owner of property known as 1773 hickory rd. I want the alley closed.

NOTICE OF PUBLIC MEETING MEETING

TUESDAY APRIL 14 2020 AT 4:30 PM.

ACCORDANCE TO BY-LAW 98-2011

SUBJECT CLOSING ALLEY BETWEEN
HICKORY RD ROAD AND ALBERT RD.
BETWEEN MILLOY AND HICKORY RDS.
AS FOR DRAWING CC-1758.

I REQUIRE ACCESS FROM 1722 ALBERT
INTHE ALLEY TO ALICE STREET

ROBERT R GROULX

Chris:

Further to the request from the Development & Heritage Standing Committee (DHSC) and my subsequent conversation with you on this matter, I would offer the following *additional* comments to those I have already submitted for this application (which still fully apply):

In reviewing the recommendation by Administration to consider a partial closing of the subject alley, the Windsor Police Service remains in support. While it would certainly be optimal from exclusively a public safety perspective to have the entire length of the alley closed, there are other contributing factors which do not permit this; most notably the need to retain the alley in an open state by four abutting property owners to facilitate access to their properties. The partial closure option allows for property access to be retained by those homeowners who require it, while at the same time offering closure, and therefore a safer configuration that will help prevent opportunities for criminal behaviour, to occur for those homeowners located within the partial closure zone. Looking at all the homes on both Albert and Hickory Roads that abut this alley, there appears to be 37 residential properties in total. If the partial closure is approved, ten (10) of these (27%) would lie inside the closed section, while 27 would remain contiguous to the open alley. Even though the ultimate public safety goal here would be to have 100% of the homes captured by the closed alley, 27% still represents a public safety improvement over none and that is why we remain supportive of the closure in its revised form.

Respectfully,

Barry Horrobin, B.A., M.A., CLEP, CMM-III
Director of Planning & Physical Resources
WINDSOR POLICE SERVICE



Advanced Certified Law Enforcement Planner



Committee Matters: SCM 132/2020

Subject: Close and Convey Part of the North/South Alley between Windsor Avenue and McDougall Street, South of Wyandotte Street East, Abutting 241 Wyandotte Street East - Applicant: Abraham Bazzi - SAA/5910 - Ward 4

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 155**

- I. That the portion of the 4.27 metre wide north/south alley located between Windsor Avenue and McDougall Street, south of Wyandotte Street East and abutting 241 Wyandotte Street East and shown on Drawing No. CC-1762 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the portion of the 4.27 metre wide north/south alley located between Windsor Avenue and McDougall Street, south of Wyandotte Street East and abutting 241 Wyandotte Street East and shown on Drawing No. CC-1762 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Bell Canada, Cogeco Cable Systems Inc., MNSi, and Enwin Utilities.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Commercial CD3.6: \$12.00 per square foot without easements and \$6.00 per square foot with easements.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1762, *attached* as Appendix "A".
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 37/2020
Clerk's File: SAA2020

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

Subject: Close and Convey Part of the North/South Alley Between Windsor Avenue and McDougall Street, South of Wyandotte Street East, Abutting 241 Wyandotte Street East - Applicant: Abraham Bazzi - SAA/5910 - Ward 4

Reference:

Date to Council: April 14, 2020
Author: Christopher Aspila MCIP, RPP
Senior Planner - Policy and Special Studies
Phone: 519-255-6543 x6446
Email: caspila@citywindsor.ca
Planning & Building Services
Report Date: March 25, 2020
Clerk's File #: SAA2020

To: Mayor and Members of City Council

Recommendation:

- I. That the portion of the 4.27 metre wide north/south alley located between Windsor Avenue and McDougall Street, south of Wyandotte Street East and abutting 241 Wyandotte Street East and shown on Drawing No. CC-1762 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;

- II. That the portion of the 4.27 metre wide north/south alley located between Windsor Avenue and McDougall Street, south of Wyandotte Street East and abutting 241 Wyandotte Street East and shown on Drawing No. CC-1762 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Bell Canada, Cogeco Cable Systems Inc., MNSi, and Enwin Utilities.

- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Commercial CD3.6: \$12.00 per square foot without easements and \$6.00 per square foot with easements.

- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1762, *attached* as Appendix “A”.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

Background:

Abraham Bazzi, owner of the property known as 241 Wyandotte Street East, applied to close the entire portion of the 4.27 metre wide north/south alley located between Windsor Avenue and McDougall Street, south of Wyandotte Street East, abutting 241 Wyandotte Street East, as shown on Drawing No. CC-1762, *attached* as Appendix “A”.

The north/south alley is comprised of a gravel and appears to serve as a driveway to the rear of 241 Wyandotte Street East.

The applicant wants the alley closed for “security and theft prevention”.

Discussion:

Planning Department’s analysis of the requested alley closures:

The first test is to determine whether the subject alley is dispensable. To make such determination the guideline attached herein as Appendix “E” would be relevant as shown below:

a. *Does the subject alley serve commercial properties?*

The answer is **YES**. The alley serves the applicant’s property.

b. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*

The answer is **YES**. The alley serves the applicant’s property that is located on Wyandotte Street East, a Class II Arterial Road.

c. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*

The answer is **NO**.

d. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*

The answer is **NO**.

e. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*

The answer is **NO**.

Based on the above, the Planning Division deems the portion of the north/south alley between Windsor Avenue and McDougall Street, south of Wyandotte Street East, abutting 241 Wyandotte Street East as shown on Drawing CC-1762 as “Dispensable”.

Typically, alleys are conveyed in equal halves to abutting property owners. In the case of this application, it is noted that the abutting commercial property at 257 Wyandotte St E is served by driveway access on McDougall St. Therefore, the recommendation is to close and convey the alley on Drawing CC-1762 of the alley to the applicant.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to The Corporation of the City of Windsor.

Financial Matters:

For alleys abutting lands zoned Commercial CD3.6, \$12.00 per square foot without easements and \$6.00 per square foot with easements.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* Appendix “C”.

There were no objections from the municipal departments and utility companies for the requested alley closure.

Bell Canada, Cogeco Cable Systems Inc., MNSi, and Enwin Utilities have requested easements in the subject area of closure.

Notices of the meetings of the Development & Heritage Standing Committee and Council are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Division recommends closure of the portion of the north/south alley shown on attached Appendix "A", subject to easements as in Recommendation II of this report, in favour of Bell Canada, Cogeco Cable Systems Inc., MNSi and Enwin Utilities.

The closed portion is to be conveyed to the applicant as in Recommendation II of this report.

Planning Act Matters:

N/A

Approvals:

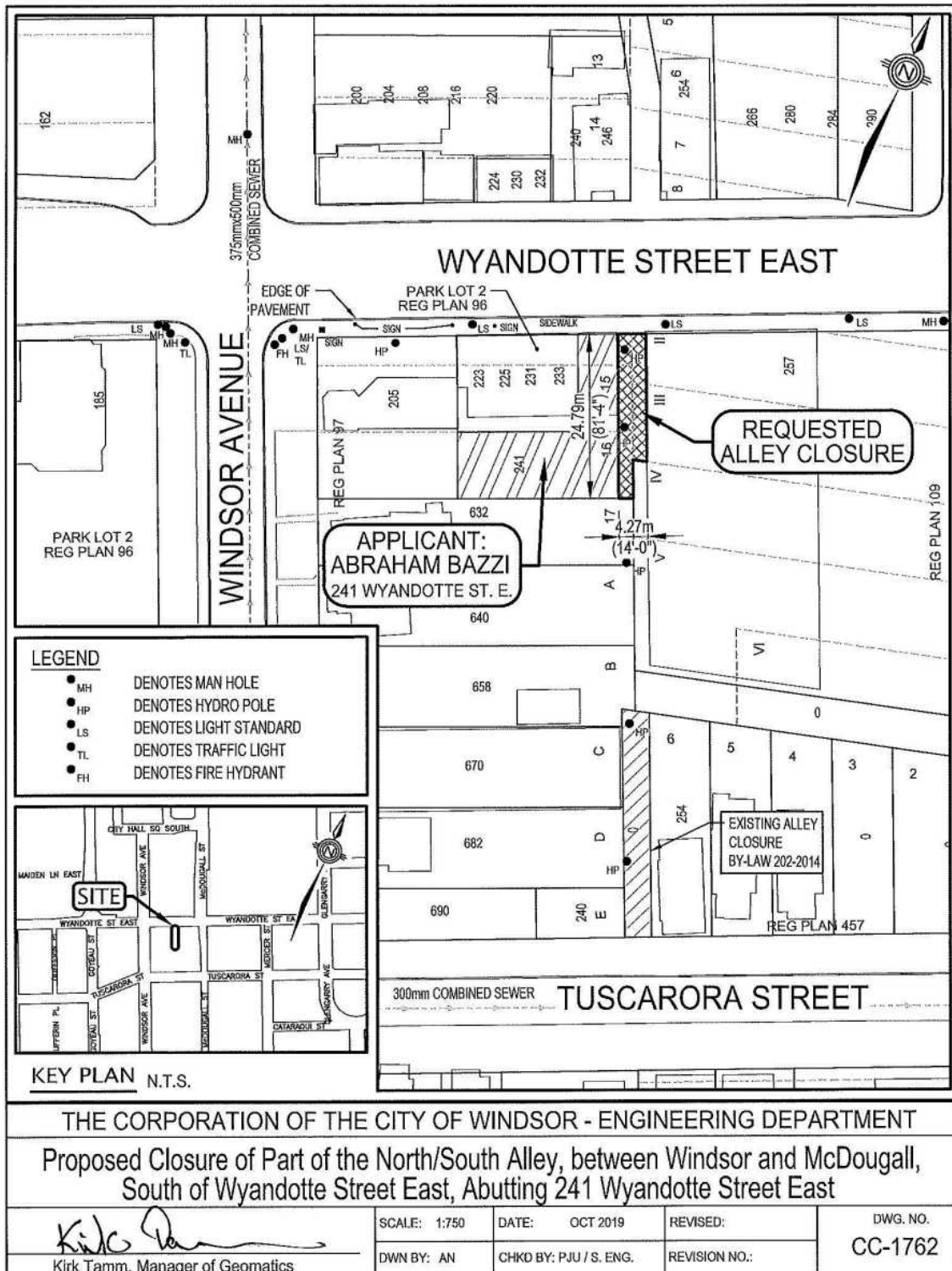
Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor and Corporate Leader Economic Development and Public Safety
Onorio Colucci	Chief Administrative Officer

Notifications:

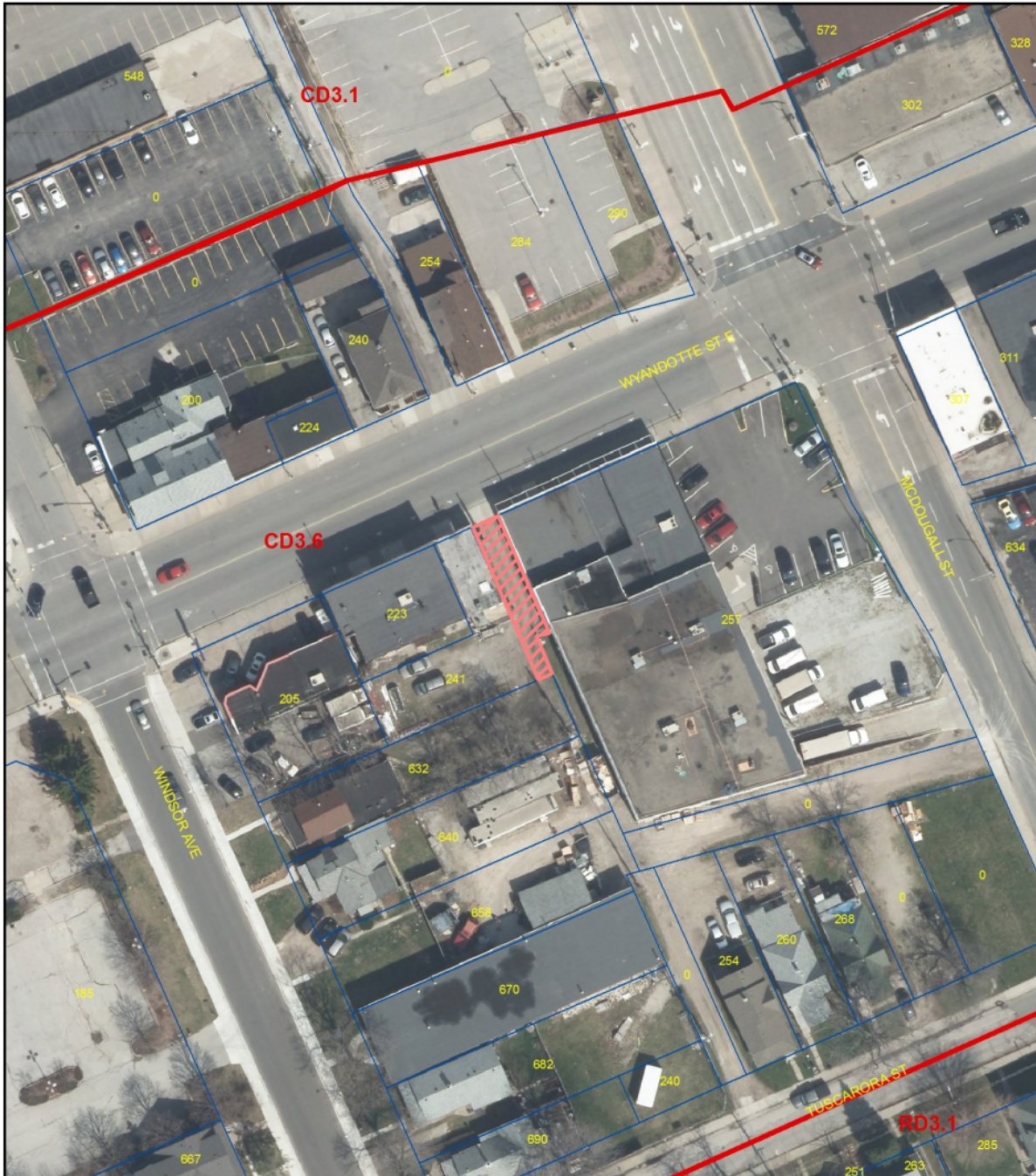
Name	Address	Email
Councillor Rino Bortolin	350 City Hall Square W., Suite 220, Windsor Ontario N9A 6S1	rbortolin@citywindsor.ca
Ibrahim Bazzi [Applicant]	241 Wyandotte Street E, Windsor Ontario N9A 3H5	
David Snider and Gail Snider	205 Wyandotte Street E, Windsor Ontario N9A 3H5	
2611332 Ontario Inc	2895 Brooklyn Avenue, LaSalle Ontario N9H 1C7	
Shan-Lou Enterprises Inc	708 Commisso Cres, LaSalle Ontario N9H 0C8	
King Chan, Fat Chat and Gar-Wai Chan	P.O. Box 41 Station A, Windsor Ontario N9A 6J5	

Appendices:

- 1 Appendix 'A' - Drawing CC-1762
- 2 Appendix 'B' - Aerial Photo
- 3 Appendix 'C' - Consultations Table
- 4 Appendix 'D' - Site Visit Photos
- 5 Appendix 'E' - Classification of Alleys and Suitability for Closure




Appendix 'B' – Aerial Photo



STREET & ALLEY CLOSING (SAA/5910)

1:750

APPLICANT : A. BAZZI

 SUBJECT LAND

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: FEBRUARY, 2020



Appendix 'C' – Consultations Table

Agency	Comments
Fire and Rescue Services	
Windsor Police Services	<p>The Windsor Police Service fully supports the requested closure of this alley. A site inspection carried out on October 3rd, 2019 revealed an alley space very discreet and unsafe looking in its general physical appearance. Sight lines into the space are compromised by the alleys' offset configuration and it had a number of overgrown weeds, adding to a condition of increased vulnerability. In its current condition, it is attractive for unlawful behaviour and closure would represent a sound course of action to make. The alley is not required for police patrol or incident response purposes either and the outcome from the closure will therefore not marginalize police service delivery in any way. We support the closure as a means of improving public safety of the space.</p>
Planning – Landscape Architect	<p>No Objection from a landscape architectural or Parks perspective.</p>
Parks & Facilities	<p>No Objections</p>
Public Works – Engineering	<p>The subject alley closure is approximately 4.25m (14ft) wide, and appears to be used as a gravel driveway for 241 Wyandotte St. East. There are hydro poles and overhead wires located on the west side of the alley, an easement is required for utilities. There are no sewers, manholes, or catch basins located in the alley closure. Subject to the alley closure, the property owner of 241 Wyandotte St East is required to obtain a driveway permit to maintain the driveway approach to City Standard AS-204. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure of this alley</p>
Public Works – Environmental	<p>No Objections</p>
Public Works – Transportation	<p>Alley is used to access parking at rear of applicant's property. Support closure of alley given the applicant is made aware that future access to rear parking may not be possible should owner of 257 Wyandotte purchase their half of the alley and</p>

	make alterations. Mike Spagnuolo – Traffic Operations
Transit Windsor	
Bell Canada	Bell Canada has aerial facilities in this location and requests an easement over the entire potential surplus alley.
Cogeco Cable Systems Inc.	Cogeco will require an easement.
Canada Post	Canada Post has no comments for the attached application.
Rogers Communications	
Telus Communications	TELUS has no infrastructure in the area of your proposed work. Permit expires six(6) months from approval date.
MNSi	MNSi would like to be included on an aerial easement for this area please.
EnWin Utilities – Hydro	Hydro Engineering: No Objection to alley closing, however, and easement named to Enwin Utilities Ltd will be required upon closing for the entire north / south alley to accommodate existing 16kV and 120/240V hydro distribution, poles and down guy wires.
Windsor Utilities – Water	No Objections
Enridge Gas	I confirm that Enbridge Gas Inc. (formerly Union Gas Limited) does not have any facility located within the subject property.
Legal Department	The area in question should be dealt with as an alley. For lands abutting properties zoned CD3.6, \$12.00 per square foot without easements and \$6.00 per square foot with Easements.
OTHER:	

Appendix 'D' – Site Visit Photos



1. Alley looking south from Wyandotte Street.

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- (1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- (2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- (3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- (4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

From: Alpha Signs <alpha4signs@hotmail.com>
Sent: Tuesday, April 14, 2020 12:53 PM
To: clerks <clerks@citywindsor.ca>
Subject: 241 Wyandotte St Alley Closure

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

My name is Abraham Bazzi, and I am the property owner at 241 Wyandotte St. E in Windsor, ON. I understand this was meant to be submitted by 12pm (noon) on Tuesday April 14, however I did not receive your letter via Canada Post until about 12:15pm on Tuesday April 14.

About a year ago, I had applied to close a part of the alley abutting my property. The primary reason behind this is to help deter crime surrounding my area, as many people use the alley to hide in the shadows. Just recently, Monday April 13, 2020, a group of vandals broke into my back lot and destroyed 6 of my 8 security cameras watching over the property. They then continued to dispose of garbage on my property, break into my neighbours business and trash the store, and break several pieces of signage lying about. WPS was notified and a report was filed. I feel this could have been prevented, had we owned the alleyway and blocked off the foot traffic access from Windsor Avenue, via the vacant lot (632 Windsor Ave).

Since the alleyway is not a complete through-way (Hi Neighbour owns approx. 75% (three-quarters) of the alley, and have fenced it off), I plan to fence off the remaining bit to disallow public access, further preventing vandalism and crime from occurring on my property. The problem is, people use this as a shortcut by trespassing on a vacant lot just off the intersection of Windsor and Wyandotte (632 Windsor Ave). I have found used needles, discarded clothing, tents set up, and various other items that I have been forced to clean up.

If approved, I will of course allow the proper channels that need an easement to have such access, including all utilities and communications personnel. I will also be following all by-laws when it comes to closing any sections of the alley, with the proper chain of authority kept in the loop.

I thank you for your consideration and am eagerly awaiting your decision in the matter. I trust you will make the right choice.

You can reach me by e-mail at: alpha4signs@hotmail.com or by telephone at 519-977-6139

Have a great day, and stay safe.



233 Wyandotte St E • Windsor, ON • N9A3H5
519-977-6139 • alpha4signs@hotmail.com



Committee Matters: SCM 133/2020

Subject: Economic Revitalization Community Improvement Plan (CIP) application submitted by 2520034 Ontario Limited for 1785 Walker Road (Ward 4)

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 156**

- I. THAT the request made by 2520034 Ontario Limited to participate in the Business Retention and Expansion Grant Program **BE APPROVED** for 100% of the municipal tax increment resulting from the proposed development located at 1785 Walker Road 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 Administration **BE DIRECTED** to prepare an agreement between the City and 2520034 Ontario Limited 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 as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and,
- IV. THAT the approval to participate in the Business Retention and Expansion 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.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 55/2020
Clerk's File: SPL/13775

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

**Subject: Economic Revitalization Community Improvement Plan (CIP)
application submitted by 2520034 Ontario Limited for 1785 Walker Road
(Ward 4)**

Reference:

Date to Council: April 14, 2020
Author: Greg Atkinson, Senior Planner
519-255-6543 ext. 6582
gatkinston@citywindsor.ca
Planning & Building Services
Report Date: 3/10/2020
Clerk's File #: SPL/13775

To: Mayor and Members of City Council

RECOMMENDATION:

- I. THAT the request made by 2520034 Ontario Limited to participate in the Business Retention and Expansion Grant Program **BE APPROVED** for 100% of the municipal tax increment resulting from the proposed development located at 1785 Walker Road 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, Administration **BE DIRECTED** to prepare an agreement between the City and 2520034 Ontario Limited 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 as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and,
- IV. THAT the approval to participate in the Business Retention and Expansion 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.

2520034 Ontario Limited has applied for financial incentives under the Business Retention and Expansion Grant Program to offset proposed investments in the existing building located at 1785 Walker Road (see Location Map). The company is owned by Scott Woodall. The property would be leased to Brave Control Solutions, which is a systems integration Company that designs and integrates technical solutions for automotive manufacturers. Brave Control Solutions is headquartered in Windsor with a second location in Detroit.

The subject property is 0.21 hectares (0.53 acre) in size and contains two abutting buildings totalling 1,725 square metres (18,573 square feet). The property is designated 'Industrial' in the City's Official Plan and zoned Manufacturing District 1.2 (MD 1.2), which permits a range of light industrial, service commercial, and office uses.

The property is listed on the Municipal Heritage Register. The building was constructed in 1949 and a two storey addition to the north was added in 1953 (see Figure 1). The

building and property has been used for office and light manufacturing uses (i.e. billboards and signs)—first by the J.C. Teron Co. and later by CBS Outdoor.



Figure 1: Teron Building (2004)

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 manufacturing businesses that retain or create a minimum of 50 jobs or 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.

Eligible Sector

Brave Control Solutions is eligible under a number of sectors, however mode applicable is the Professional Services sector, specifically as a business that offers the following services:

Systems Design Services

Companies that plan and design computer systems that integrates computer hardware, software, and communication technologies. These establishments often install the system and train and support users of the system.

Industrial Design Services

Companies that create and develop designs and specifications that optimize the function, value and appearance of products. These services can include the determination of the materials, construction, mechanisms, shape, colour, and surface finishes of the product, taking into consideration human needs, safety, market appeal and efficiency in production, distribution, use and maintenance.

Research and Development

Companies and/or institutions that are primary focused on conducting original investigation, undertaken on a systematic basis to gain new knowledge (research) and the application of research findings or other scientific knowledge for the creation of new or significantly improved products or processes (development), including use of laboratory facilities used exclusively for these purposes.

Testing Laboratories

Companies that perform physical, chemical, and other analytical testing services, such as acoustics or vibration testing, assaying, biological testing (except medical and veterinary), calibration testing, electrical and electronic testing, geotechnical testing, mechanical testing, non-destructive testing, or thermal testing. The testing may occur in a laboratory or on-site.

Employment

According to the CIP application, the proposed development would retain 30 jobs, which are currently located at 4520 Rhodes Drive. 30 new jobs would be added for a total of 60 jobs at the new location.

Proposed Construction

The applicant proposes to renovate the buildings in two phases starting with the two storey building. The planned improvements include brick restoration, window replacement, roof replacement, and new plumbing, electrical, and HVAC systems. The estimated cost of the proposed work is \$1.95M.

CIP Objectives

The proposed redevelopment of the building located at 1785 Walker Road for use as Brave Control Solution's expanded headquarters and recommended Business

Retention and Expansion and Expansion 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;
- Facilitate the development of the City's vacant employment lands and other areas that have the potential to be new employment areas;
- Encourage the redevelopment of the City's historic industrial sites resulting in the continued or renewed productivity of these sites;
- 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 Brave Controls Solutions may decide to invest outside of Windsor.

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 \$1.95M on the project. The current assessment value for the property is very low at \$246,000 due to the age, state, and condition of the existing building. Annual property taxes are \$10,985 with the municipal share being \$7,885.

It is difficult to determine if the proposed development is anticipated to increase the property value assessment due to the fact that a majority of the costs relate to interior renovations and exterior improvements which are not typically assessed by MPAC. However such improvements may increase the anticipated useful life of the building and also utilize all space within the buildings. Therefore it is possible that the current allowances which reduce the assessment value may be reduced or eliminated by MPAC, which would increase the value to \$1.4 million.

Total property taxes on the increased assessment of \$1.4 million using the 2019 approved tax rates would be \$64,100 an increase of \$53,115. The post-development annual municipal tax levy would be \$46,021—an increase of \$38,136. This would result in an annual grant of \$38,136 or \$381,360 over the lifespan of the 10-year grant program and represent approximately 20% of the eligible investment proposed by 2520034 Ontario Limited (see Figure 2).

Figure 2: Estimated Grant Calculation - 1785 Walker Road			
Year of Grant	Pre-Development Municipal Tax Levy	Estimated Post-Development Municipal Tax Levy	Estimated Value of Grant
1	\$7,885	\$46,021	\$38,136
2	\$7,885	\$46,021	\$38,136
3	\$7,885	\$46,021	\$38,136
4	\$7,885	\$46,021	\$38,136
5	\$7,885	\$46,021	\$38,136
6	\$7,885	\$46,021	\$38,136
7	\$7,885	\$46,021	\$38,136
8	\$7,885	\$46,021	\$38,136
9	\$7,885	\$46,021	\$38,136
10	\$7,885	\$46,021	\$38,136
Total	\$78,850	\$460,210	\$381,360

Details

Current Property Value Assessment	\$246,000
Current Municipal Tax Levy	\$7,885
Estimated Post-Development Property Value Assessment	\$1,400,000
Estimated Post-Development Municipal Tax Levy	\$46,021
Estimated Eligible Investment Costs	\$1,950,000
Percentage of Eligible Investment Offset by Grant	19.56%

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 2520034 Ontario Limited to participate in the Business Retention and Expansion Grant Program. Specifically, that 100% of the municipal portion of the tax increment resulting from the proposed development located at 1785 Walker Road 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. 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 renovation and construction conforms with the Economic Revitalization CIP, assists the City in the achievement of a number of the CIP objectives, and exemplifies the purpose of the Business Retention and Expansion Grant Program.

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
Scott Woodall		scott@lestergroup.ca
Jerry Kavanaugh		jkavanaugh@ada-architect.ca
Damian Kacprzak		dkacprzak@ada-architect.ca
Lee McGrath		LMcGrath@choosewindsoressex.com

APPENDICES:

- 1 Location Map
- 2 Business Plan Overview



LOCATION MAP: 1785 WALKER ROAD



SUBJECT PROPERTY



April 2020

Business Overview

Brave Control Solutions is a premier control systems integration company and trusted solutions partner to Fortune 500 companies, including Ford, General Motors, Fiat Chrysler, Goodyear and Z Modular, and General Mills to name just a few. With more than 80 years of collective industry experience, Brave combines their expertise from the Automotive, Assembly, Food & Beverage and Aerospace industries to solve manufacturing challenges uniquely and effectively.

Brent McPhail founded Brave in 2008 out of his desire to chart a different path – to take on the tough challenges and tight timelines that others would consider too risky. In response, he created a company where customers and employees are treated differently than anywhere else in the industry. Brave’s customer focused project management process emphasizes a collaborative approach to working with clients, ensuring all parties are aligned working together to pull costly changes forward with no details overlooked. The result of their commitment is a custom automation solution catered to their client’s EXACT specifications delivered on time, on budget, with minimal changes. This is what keeps their customers and employees satisfied and fulfilled.

EXPANSION OPTIONS

Over our 12 years in business, Brave’s commitment to growth has been a core driving principle. We have been fortunate to experience solid growth since moving into our current location on Rhodes Drive and have considered several expansion options:

Option #1: With more than 75% of our business in the U.S., strong relationships within Ford, GM, FCA and their entire regional ecosystems, from time-to-time we have assessed the viability of expanding in the Detroit area.

Option #2: Split the organization into two separate offices with sales and project management located in our current office and a new off-site lab housing our engineering teams.

Option #3: For obvious reasons none of these options have ever worked for Brave. Leaving Windsor/Essex or opting for a split location set up would be less than optimal. Our best path forward has always included finding a location that allows us to expand in Windsor, maintaining close proximity to the U.S. border while continuing to be part of Canada’s thriving automation and manufacturing technologies hotspot.

PROJECT: 1785 WALKER ROAD

Brave’s move to 1785 Walker Road represents our best option for the kind of continued growth we envision for our organization. We anticipate the company and the City of Windsor will benefit from an expanded footprint.

Light Manufacturing

Over 50% of Brave's annual revenues come from the sale of assembled automation hardware components, such as:

- configuring and testing motors & drives
- installing and testing HMI screens
- building and wiring electrical panels and power distribution systems
- assembling custom wiring/cable/hose harnesses
- assembling and testing a wide range of specialized robotic equipment

Given the nature of our current office space, we typically outsource most of this work to suppliers across U.S. and Canada. Outsourcing causes us to lose out on many in-hand opportunities to expand our offerings and our workforce.

The move to 1785 Walker Road will enable Brave to retain a significant portion of the business we currently send out. By sourcing this work internally and locally, we will be able to improve our competitiveness by offering a truly integrated set of services. A new facility on Walker Road means we can capitalize on lost revenue opportunities and create new, high skills jobs as we expand into light manufacturing.

Research & Development

The controls systems integration landscape has undergone significant changes in the past 5 years. The rise of Industrial Internet of Things ("IIOT"), the proliferation of smart machines, trends towards digitization and new demands for manufacturing data integration have radically reshaped our solution architectures. Today, robots and automated storage and retrieval systems (ASRS) form the physical backbone of many new & advanced automated systems. These machines often require larger physical spaces in order to explore innovative ideas and evaluate new technical approaches.

Brave's ability to remain on the leading edge of emerging technologies and continue offering competitive solutions is dependent on a robust research and development program.

Due to its 2nd floor location and relatively small space, our current office significantly limits our ability to conduct hands-on R&D activities, especially with robots, ASRS systems and other automation machines. To get by we often are required to utilize space provided by our partners in Windsor, Southeast Michigan or the GTA. The inconveniences (not to mention additional costs) are impactful.

The plans for the new office include a dedicated technologies lab which will allow us to:

- Have direct access to robots and other automation machines without added travel costs or lost time
- Conduct a wider range of R&D activities than is currently possible
- Support direct connectivity and virtualized integration between test machines/systems and in-house software and other digital platforms
- Better adhere to the strict cybersecurity requirements our customers require by limiting exposure of advanced software and solutions to outside actors



An automation lab space at 1785 Walker Road will allow us to expand our knowledge and improve the efficacy of our solutions – ultimately resulting in increased business, more jobs and future local investments.

Training

Like any other technology-based company, we are constantly challenged with the ever-increasing demands of North America’s leading manufacturers. To address their tough technical challenges and meet their tight timelines, our customers demand the best engineered solutions and the highest quality delivery.

The training and development of our employees is essential to Brave delivering on our core values of “Engineering Excellence” and “High Performance Delivery”. Our multi-modal training program for employees typically includes a combination of technical and non-technical learning. Due to the limited space in our current location, our in-house training curriculum is limited to online learning and lunch & learn presentations for smaller groups. Generally, our employees must travel out of town for any in-depth hands-on technical training.

With lab space and light manufacturing occurring on site, 1785 Walker Road provides our employees with more practical and convenient methods of gaining new the new knowledge and new skills Brave needs to remain competitive and continue growing

Talent Acquisition & Retention

Building and maintaining a team of highly skilled employees with the depth and breadth of expertise Brave requires is a non-stop task. We take great pride in our role as a community booster as we continually represent and promote the amazing work/life opportunities Windsor/Essex region has to offer.

More and more we are recruiting from outside the region while we work hard to retain employees – in a highly competitive industry.

Having the right physical space with amenities deemed suitable by today’s workforce is an important factor in attracting and keeping top talent. Plans for the new office space are based on an employee-centric approach with a mix of features comparable to other high-tech firms in Southwest Ontario, the GTA or beyond.

A modernized IT infrastructure, upgraded cafeteria and washrooms, high-end personal workspaces, top-notch meeting rooms an automation lab – the new facility at 1785 Walker Road promises to be a first-class office environment, one that will help us bolster our already strong local talent during the next phase of our growth.

The City of Windsor’s Economic Revitalization Community Improvement Plan grant application has been a major factor in our decision-making process. If approved, the grant’s relief would allow Brave to realize Option #3, continue expanding in Windsor while contributing to the City’s high-tech job growth.



Committee Matters: SCM 144/2020

**Subject: Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes
December 3, 2019**

Moved by: Councillor Francis
Seconded by: Councillor Kaschak

Decision Number: **ETPS 750**

THAT the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) of its Regular Board meeting held December 3, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 41/2020
Clerk's File: MB2019



Committee Matters: SCM 41/2020

**Subject: Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes
December 3, 2019**



Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes

Meeting Date: December 3, 2019

Time: In-Camera Session 4:00 PM
Regular Session Immediately Following In-Camera Session

Location: Essex County Civic & Education Centre – Room C
360 Fairview Avenue West, Essex Ontario

Attendance

Board Members:	Gary McNamara	County of Essex (Ex-Officio)	
	Marc Bondy	County of Essex	
	Aldo DiCarlo – Chair	County of Essex	
	Leo Meloche	County of Essex	
	Ed Sleiman	City of Windsor	
	Gary Kaschak – Vice Chair	City of Windsor	
	Jim Morrison	City of Windsor	
	Kieran McKenzie	City of Windsor	
	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:	Natasha Couvillion	Manager of Performance Measurement & Financial Administration	
	Anne Marie Albidone	Manager of Environmental Services	
	Dwayne Dawson	Executive Director of Operations	
	Cindy Becker	Financial Planning Administrator	
Absent:	Drew Dilkens	City of Windsor (Ex-Officio)	
	Hilda MacDonald	County of Essex	
	Mary Birch	Director of Council & Community Services/Clerk	
	Sandra Zwiers	Director of Financial Services/Treasurer	
	Tony Ardivini	Deputy Treasurer Financial Planning	

1. Closed Meeting

There was a Closed Meeting at 4:00 PM. The Regular Session immediately following In-Camera Session.

Moved by Marc Bondy

Seconded by Gary McNamara

That the Board move into a closed meeting pursuant to Section 239 (2) of the Municipal Act, 2011, as amended for the following reason(s):

(e) litigation or potential litigation, affecting the Board

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

74-2019
Carried Unanimously

2. Call to Order

The Chair called the meeting to order at 4:43PM.

3. EWSWA Board Composition 2020

The General Manager stated that there will be a change of Board members for 2020 as the County of Essex alternate, Board Member Meloche, will not be a voting member for 2020 while the City of Windsor will appoint a fifth Board Member for 2020. Mr. Meloche will return in 2021. For 2020, the Chair will be elected from among City of Windsor representatives and the Vice Chair will be elected from among County of Essex representatives.

The General Manager noted that Board member Meloche will continue to receive the agenda and is welcome to attend future meetings.

Mr. Morrison stated that the City of Windsor appointment is selected by a striking committee and the vote is conducted during a City of Windsor Council in-camera meeting.

The General Manager stated that he will contact the Clerk at the City of Windsor office for the appointment to be placed on Windsor's Striking Committee agenda in December 2019 or January 2020.

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. November 5, 2019 Regular Meeting Minutes

Moved by Gary McNamara

Seconded by Ed Sleiman

That the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated November 5, 2019, be approved and adopted.

75-2019
Carried Unanimously

6. Business Arising from the Minutes

There was no business raised for discussion.

7. Correspondence

There were no correspondence items for consideration.

8. Delegations

There were no delegations present.

9. Waste Disposal

A. 2020 Board Appointment to the Landfill Liaison Committee

The Manager of Waste Disposal provided background information regarding the Landfill Liaison Committee. The Environmental Compliance Approval (ECA) for the Regional Landfill stipulates the establishment and maintenance of a Landfill Liaison Committee (LLC). The purpose of the LLC is to review and make comment on any activities associated with the Regional Landfill Site, which shall include a review of Operations and Monitoring reports, review of complaints as well as the development and implementation plan for eventual end use and perpetual care. Meetings of the LLC are held quarterly. The membership of the LLC consists of 8 members appointed as follows:

- One (1) member from the EWSWA Board that is not a Municipal Council member from the host municipality, namely the Town of Essex – Term of 1 year.
- Two (2) members from the Municipal Council of the host municipality, namely the Town of Essex. Currently the members for the Town of Essex are Ms. Kim Verbeek and Mr. Richard Meloche.
- One (1) MOE representative appointed by the District Manager of the Ministry of the Environment. Cara Salustro, Provincial Officer, has been appointed as the representative.
- Four (4) resident representatives from the “Schedule A” area as defined in the Compensation Policy – Term of 3 years. The current representatives are Joel Gagnon (2018-2020), Susan Morand (2019-2021), Louise Masse (2019-2021) and Richard Colenutt (2020-2022).

The Authority is to appoint one of its Board members to the Landfill Liaison Committee at this meeting. As a matter of information, the Board’s appointment for 2019 was Board Member Marc Bondy.

Mr. McNamara nominated Mr. Bondy for the position again for 2020.

Mr. Bondy accepted the nomination.

Moved by Gary McNamara

Seconded by Gary Kaschak

That the Board appoint Marc Bondy, who is not a member of the Council of the Town of Essex, to the Landfill Liaison Committee for a term of one year for 2020.

76-2019

Carried Unanimously

10. Waste Diversion

A. Province and Environment Ministry Setting Up Working Groups re: Blue Box Transition to Producers 2023-2025

The General Manager referred to page 18 of the agenda package. He stated that on November 26, 2019 he attended a meeting of various stakeholders regarding the transition of the municipal Blue Box program to full producer responsibility. He noted that this is the first of several meetings that he will be attending. The meeting was held in Toronto at the invitation of the Environment Ministry.

The General Manager stated the purpose of this initial meeting was to kickoff the Blue Box Transition stakeholder engagement process. This meeting brought together all the working groups together to hear the Ministry's plan for developing producer responsibility regulations. The three working groups are (1) municipalities, (2) producers and (3) waste management and packaging manufacturers.

The General Manager stated that meetings will be held commencing on December 17, 2019 and continue in January, February and March of 2020.

The working groups will be tasked with discussing and providing advice and recommendations on the following topics:

- Definition and scope of the designated materials – what products and/or packaging materials must be managed.
- Collection and accessibility requirements – what sources must be collected from and what should be the minimum standard level of service.
- Management requirements – what would be appropriate targets for highly-recyclable materials and poor performing materials.
- Transition approach – what criteria should be used to select which communities will transition from the current Blue Box program to the new producer responsibility framework.

The General Manager noted that municipalities will initially meet on their own. He will provide the Board updates throughout 2020.

The General Manager stated that AMO is requesting information by second quarter from municipalities. Municipalities will be asked to provide their waste collection contract end dates. AMO also wants to know if municipalities had a choice of when they would want to transition the Blue Box program to producers what would that date be as well if the municipality would be interested in providing collection and/or processing services to producers. The General Manager stated that AMO has indicated that producers might want municipalities to still provide collection services as producers know that municipalities have the required experience. On the other hand, AMO has indicated that producers may want to take on the task of processing recyclables themselves, for example, potentially consolidating recycling facilities.

Mr. Sleiman asked if the Board would make the recommendations solely or would the Authority consult with Windsor as well. The General Manager stated that the response to AMO's survey request would be collaborative between the EWSWA and Windsor.

Moved by Kieran McKenzie
Seconded by Gary Kaschak

That the Board receive the Province and Environment Ministry Setting Up Working Groups re: Blue Box Transition to Producers Report as information.

77-2019

Carried Unanimously

11. Finance and Administration

A. 2020 Budget Approval Update

The Manager of Finance referred to page 23 of the agenda package. At the Authority's November 5, 2019 meeting the Authority Board approved the 2020 budget. Authority Administration attended the November 20, 2019 Essex County Council meeting to present the 2020 budget. She stated that Essex County Council approved the Authority's 2020 budget at that meeting.

Authority Administration is scheduled to attend the City of Windsor Council meeting on January 27, 2020 to seek approval of the 2020 EWSWA budget.

Moved by Marc Bondy
Seconded by Gary McNamara

THAT the Board receive the EWSWA 2020 Budget Approval Status Report as information

78-2019

Carried Unanimously

B. Summary of Legal Accounts

Moved by Gary McNamara
Seconded by Marc Bondy

THAT the Board authorize the payment of the legal account as summarized.

79-2019
Carried Unanimously

C. 2020 Meeting Schedule

For the Board's information.

D. 2019 Revenue Projection Update

The Manager of Finance and Administration referred to page 27 of the agenda package and provided the Board with 2019 revenue projection update. Since the presentation of the 2020 Budget on November 5, 2019, a large volume of contaminated soil had been delivered to the Regional Landfill for disposal. She stated that additionally, since the date of the report the Authority has received an additional 6,000 tonnes of contaminated soil at the Regional Landfill which results in total net revenue of \$450,000.

Mr. Meloche asked if the tipping fee is reflective of any expenses such as leachate treatment.

The Manager of Finance stated that it is hard to determine how much leachate is released from the contaminated soil. She stated the increase in the contaminated soil tipping fees will cover the additional expense.

The Manager of Waste Disposal stated that there could potentially be 50,000-60,000 tonnes of contaminated soil coming into the Regional Landfill. He stated that the contractors are supplying the equipment to place the material so it is a win-win situation. The soil coming into the landfill is dry and is being used to the Authority's advantage.

Mr. Bondy asked if there are degrees of contamination. The Manager of Waste Disposal stated that it fluctuates depending on where the soil is coming from. He stated that the soil coming from this project is not as contaminated compared to other material the Regional Landfill has received in the past.

Mr. Bondy asked if the contaminated soil goes to Sarnia if the Authority will not take it. The Manager of Waste Disposal replied yes.

Mr. Bondy asked if it is common practice for the customers to supply their own dozer instead of going farther to dispose of the soil. The Manager of Waste Disposal replied yes.

Mr. Sleiman asked if there is a mechanism to test the contaminated soil.

The Manager of Waste Disposal stated that customers are required to complete a Waste Characterization Form prior to bringing contaminated soil to the Regional Landfill. Copies of the test results are submitted to the Authority from

their consultants. The Authority then determines if the contaminated soil is allowed to be brought to the landfill.

The Manager of Waste Disposal stated that the Authority is receiving many requests since we are the only facility in the area to receive this type of waste.

Mr. Meloche asked if the Authority has the capacity to receive this contaminated soil. The Manager of Waste Disposal replied yes. He stated that the Authority is trying to use the contaminated soil as effective as possible.

Mr. Meloche asked what is done with the contaminated soil when large quantities are received.

The Waste Disposal Manager stated that the soil is stockpiled for future use.

Mr. Meloche asked if there is a cost benefit even though there will be leachate treatment costs associated with this. The Manager of Waste Disposal replied yes. The Manager of Waste Disposal stated that vines are a much worse offender in producing leachate. He stated that the contaminated soil aids in compaction.

Moved by Jim Morrison

Seconded by Leo Meloche

THAT the Board receive the 2019 Revenue Projection Update Report as information.

**80-2019
Carried Unanimously**

12. Other Items

Mr. Meloche stated he placed fluorescent lights with his recyclables for collection but they were not picked up. He asked if they are allowed in the program.

The Manager of Waste Diversion replied that they are not picked up with regular residential recycling collection but they can be dropped off at any of the Authority's facilities in the MHSW area.

Mr. Kaschak asked if there is a possibility for residents to tour the recycling facility in Windsor. The General Manager stated that a tour for residents has never been done. He stated that when the Container MRF was being constructed in 2008 there was a plan for a mezzanine but it was not constructed due to cost. The Manager of Waste Diversion stated there is a video on the Authority's website called "A Day in the Life of Water Bottle Wally" that explains the recycling process. She also stated that Authority staff are working on creating more educational videos.

Mr. Kaschak commended the City of Windsor on recycling most of the waste from the demolition of the old City Hall building.

Mr. Sleiman asked if the prices of recyclables is down.

The Manager of Finance stated that prices are down as of the November draft numbers and October actuals but they are in line with projections. There was a large shift in July with plastic materials. She further noted that there are some municipalities that are paying to have recyclable material removed from their site or are not receiving any revenue.

The Manager of Waste Diversion stated that the Authority is producing a more marketable material from the fibre plant with the new Fiber Optic Sorting System. She also noted that the Authority is generating more material like carboard and box board.

Mr. Meloche asked if the Authority is trying to lobby and develop a greater market for the product. For example, at the industry level, producers would have to use 25% of recyclable material in their products.

The General Manager stated that is not in the Authority's scope. The Waste Diversion programs that the Authority offers is for residential areas. The ICI sector is responsible to contract their own recycling collection.

13. By-Laws

A. 17-2019 Confirmatory By-law for December 3, 2019.

Being a By-Law to Confirm the Proceedings of the Meeting of the Board of the Essex-Windsor Solid Waste Authority.

Moved by Marc Bondy

Seconded by Gary Kaschak

THAT By-Law 17-2019, being a by-law to confirm the proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 3rd day of December, 2019.

81-2019
Carried Unanimously

14. Next Meeting

A. Meeting Schedule for 2020

January 2020 – No meeting

Tuesday, February 4, 2020

Tuesday, March 3, 2020

Tuesday, April 7, 2020

Tuesday, May 5, 2020

Tuesday, June 2, 2020

Tuesday, July 7, 2020

Wednesday, August 12, 2020

Tuesday, September 1, 2020

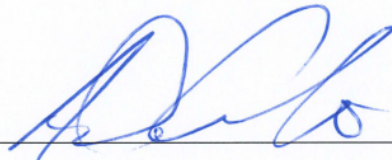
Tuesday, October 6, 2020
Tuesday, November 3, 2020
Tuesday, December 1, 2020

15. Adjournment

Moved by Kieran McKenzie
Seconded by Gary McNamara
THAT the Board stand adjourned at 5:32 pm.

**82-2019
Carried Unanimously**

All of which is respectfully submitted.



**Aldo DiCarlo
Chair**



**Ilija Maodus
General Manager**



Committee Matters: SCM 145/2020

Subject: Report No. 154 of the Windsor Licensing Commission - Regulation of Licensed City of Windsor Pet Shops

Moved by: Councillor Costante

Seconded by: Councillor Kaschak

Decision Number: **ETPS 751**

THAT Report No. 154 of the Windsor Licensing Commission indicating:

I. That no dogs or cats BE SOLD for profit in a City of Windsor pet shop; and

II. That all licensed pet shops in good standing with the City of Windsor BE ALLOWED to offer dogs and cats exclusively through an adoption program administered by organizations such as local shelters, rescue groups and humane societies; and further,

III. That Schedule P1 (Pet Shops) to Business Licensing By-law No. 395-2004 BE AMENDED accordingly **BE APPROVED**.

Carried.

Report Number: SCM 27/2020

Clerk's File: MB2020

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



Committee Matters: SCM 27/2020

**Subject: Report No. 154 of the Windsor Licensing Commission - Regulation of
Licensed City of Windsor Pet Shops**

REPORT NO. 154
of the
WINDSOR LICENSING COMMISSION
of its meeting held January 22, 2020

Present: Councillor Ed Sleiman, Chair
Councillor Fabio Costante
Councillor Gary Kaschak
Jayme Lesperance
Harpreet Virk

The Windsor Licensing Commission submits the following recommendations:

Moved by Councillor Kaschak, seconded by Councillor Costante,

- I. That no dogs or cats **BE SOLD** for profit in a City of Windsor pet shop; and
- II. That all licensed pet shops in good standing with the City of Windsor **BE ALLOWED** to offer dogs and cats exclusively through an adoption program administered by organizations such as local shelters, rescue groups and humane societies; and further,
- III. That Schedule P1 (Pet Shops) to Business Licensing By-law No. 395-2004 **BE AMENDED** accordingly.

Carried.

NOTE: The Report of the Supervisor of Licensing & Deputy Licence Commissioner and the Corporate Policy Coordinator dated December 19, 2019 entitled "Regulation of Licensed City of Windsor Pet Shops" is **attached**.

CHAIRPERSON

SECRETARY

Report No. 154 of the Windsor Licensing Commission

Notification :	
Windsor Licensing Commission	On file
Hilary Payne, Payne Municipal Consulting	Soldbyhilary@gmail.com
Melanie Coulter, Windsor Essex Humane Society	melanie@windsorhumane.org
Mike Drouillard Corbret's Tropical Fish & Pet Supplies	corbretspetshop@aol.com
Christine Martin Bevilacqua Pet Valu	Pv2330@petvalu.com
Chris Patrick PetSmart #923	M0923@petsmart.com
Kimberly Britz PetSmart #2017	M2017@petsmart.com
Nicole Viger PetSmart #3187	M3187@petsmart.com
Thu Pham Pet Valu	Pvf2279@petvalu.biz

THE CORPORATION OF THE CITY OF WINDSOR
Office of the City Clerk - Policy, Gaming, Licensing and By-law Enforcement



MISSION STATEMENT:

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

LiveLink REPORT #: 18201	Report Date: December 19, 2019
Author's Name: Craig Robertson, Supervisor of Licensing & Katherine Donaldson, Corporate Policy Coordinator	Date to Windsor Licensing Commission: January 22, 2020
Author's Phone: 519 255-6100 ext. 6869	Classification #: Committee Direction
Author's E-mail: crobertson@citywindsor.ca	

To: Windsor Licensing Commission

Subject: Regulation of Licensed City of Windsor Pet Shops

1. RECOMMENDATION: City Wide: Ward(s): _____

1. THAT the Windsor Licensing Commission **RECEIVE** the report *Regulation of Licensed City of Windsor Pet Shops* dated December 19, 2019 AND;
2. THAT the Windsor Licensing Commission provide **DIRECTION** to Administration regarding the options outlined in the report.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

On May 6, 2019, Councillor Kusmierczyk asked the following question of Administration:

CQ 8-2019 'That Administration report back on what other municipalities have done to update the Pet Shops section of the Animal Control By-law; including banning the sale of pets for profit, and provide recommendations going forward.'

The current Pet Shop Schedule of the City's Business Licensing by-law, *attached as appendix A*, includes a number of provisions to ensure the safety, wellbeing and security of all animals sold in Windsor. This includes provisions restricting the sale of certain types of animals in the City,

including any animals which are non-native to Windsor's climate. The Keeping of Animals by-law similarly prohibits ownership on any exotic species. In regards to dogs and cats specifically, the Pet Shop Schedule of the by-law currently requires each pet shop owner to keep a register of each animal purchased which must include; where the animal was purchased from, when they were purchased and a detailed description of the animal. Owners are also required to report any questionable sales tactics or animals which appear to be in despair to the police immediately. All licence inspections and complaint driven inspections of the shops are conducted by the Windsor Essex County Humane Society along with the City's By-law Enforcement Division. It has been a number of years since any major concerns regarding the well-being or care of animals has been identified in licensed pet shops.

3. DISCUSSION:

A review of pet shop bylaws from a number of municipalities show a trend towards the banning of dogs and cats for profit and a move towards adoption based models. The municipal survey shows that Windsor, Hamilton, Thunder Bay and Calgary have similar licensing regimes in that pet shops are licenced businesses and there are no restrictions on the sale of animals in the shops in general. In each of these municipalities, there is a prohibition on selling/keeping/harboursing certain animals (wild/exotic/non-indigenous to Canada etc.) both in private homes and retail locations.

In London, Toronto and Brampton, pet shops are licensed and dogs and cats sold in shops must be obtained from municipal animal shelters, registered humane societies, registered shelters or rescue groups. There is a prohibition on selling/keeping/harboursing certain animals similar to Windsor (wild/exotic/non-indigenous to Canada etc.).

Waterloo and Kitchener are similar in that they also license pet shops but any animals for sale in a shop must be obtained from municipal animal shelters, registered humane societies, registered shelters or rescue groups. There is, of course, also a prohibition on selling/keeping/harboursing certain animals similar to Windsor.

Mississauga licences pet shops and if a pet shop sells more than ten (10) cats or dogs annually, they must obtain the remaining cats and dogs to be sold from municipal animal shelters, registered humane societies, registered shelters or rescue groups. There is a prohibition on selling/keeping/harboursing certain animals similar to Windsor.

In Montreal, a permit to sell animals is issued by the Province of Quebec (Agriculture Ministry). Earlier this year, the City of Montreal amended their animal control by-law and as of July 1, 2019, pet shops are no longer able to sell dogs, cats or rabbits unless they are obtained by registered shelters such as the SPCA. Pet shop owners responded by filing a lawsuit against the City of Montreal. At a recent hearing, a judge ruled against the pet shop owners after requesting to suspend the new by-law until the lawsuit is completed. The matter still remains before Quebec Superior Court.

Sudbury, Winnipeg, Regina and Halifax do not licence pet shops. They do all share a prohibition on selling/keeping/harboursing certain animals similar to Windsor.

As discussed above, there are various limits on what types of animals can be sold in Windsor. Nearly all comparator municipalities have also banned non-indigenous animals for sale and

Windsor is no exception. In Windsor, they are also required to keep a detailed log of where all dogs and cats for sale came from. Each pet shop must also have a written agreement with a veterinarian and allow the Windsor Essex County Humane Society as well as the City's By-law Enforcement staff to inspect their premises at any time.

Unannounced onsite inspections were conducted at all of the City of Windsor's licensed pet shops. No concerns were identified by enforcement personnel with respect to the well being of the animals or contraventions of the by-law. City staff surveyed the operations of each shop and obtained the following information:

	<i>Types of Animals Sold</i>	<i>Animals Obtained From</i>	<i>Adoption Programs</i>	<i>Concerns/By-Law Violations</i>
Corbret's Tropical Fish & Pet Supplies Ltd.	dogs, cats (have not sold a dog or cat in over a year), rabbits, fish, guinea pigs, birds, mice, hamsters	Personal pets dropped off (owner no longer wishes to have), Fish & Bird Emporium in Toronto	Have participated in adoption practices	None
Pet Smart Legacy Park Drive	fish, birds, hamsters gerbils, guinea pigs, rats	Fish & Bird Emporium in Toronto	Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted	None
Pet Smart Dougall Avenue	fish, birds, hamsters gerbils, guinea pigs, rats	Fish & Bird Emporium in Toronto	Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted	None
Pet Smart Tecumseh Road East	fish, birds, hamsters gerbils, guinea pigs, rats	Fish & Bird Emporium in Toronto	Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted	None
Pet Valu Tecumseh Road East	Betta Fish	Fish & Bird Emporium in Toronto	Support Greyhound of America	None
Pet Valu Howard Avenue	None	TLC Animal Aid	Cats are adopted out in conjunction with TLC Animal Aid. No dogs sold or adopted	None

Staff from the Policy, Gaming, Licensing and By-law Enforcement division also met with concerned members of the public and the Windsor Essex County Humane Society in order to

gather general opinion regarding the sale of dogs and cats in pet shops. The consensus of the groups indicated a desire to move toward a by-law change, to both better the climate for animal welfare in Windsor and keep in line with trends set by other municipalities.

With this information in mind, Administration is bringing forward two plausible options to consider, in line with both other municipalities' precedent and Windsor's needs.

Option A – Dogs and Cats Offered by Adoption Only

The growing trend across municipalities is to allow pet shops to offer dogs and cats only as part of adoption programs and not allow any sales for profit. There are a number of registered rescue organizations in Windsor that already operate a number of fundraisers and adoption drives with existing stores. These organizations have been shown to be more than willing to provide animals for these types of partnerships. Amendments to *Schedule P1 to Business Licensing By-law No. 395-2004* would be required. The changes would be relatively easy to integrate and, due to the lack of dog and cat sales for profit in stores currently operating, would not impact any existing retailers.

Option B – Status Quo

The Pet Shop Schedule of the Business Licensing by-law is quite thorough in its requirements for the keeping and care of any animals for sale. Regulations include the need to house animals in humane containers which are kept clean and are large enough for them to move around in, to provide adequate food and water for care, to provide areas for exercise and have a veterinarian on call to provide care when necessary. As discussed above, pet shops are required to keep detailed registers of the purchase of cats and dogs, and overall, the current by-law provides strong protections to animals for sale in pet shops. In Windsor there is a single store that advertises dogs and cats for profit, though as shown in the store-specific survey results above, they have not sold cats or dogs at all in the past year.

It should be noted that no matter what option is chosen, these actions have no impact on the private breeder market. Private breeders operate in an unregulated marketplace and, as such, would continue their operations. Changing the bylaw may push buyers who are concerned with 'pure bred' status to this unregulated marketplace and increase those sales. However, as noted, no stores are currently selling dogs or cats for profit, therefore the amount that private sales may increase as a direct result would likely be negligible.

4. RISK ANALYSIS:

As this trend is becoming more prevalent in comparator municipalities, Windsor may run the risk of falling behind in the 'Animal Welfare' area of governance. Previously, Windsor has been a pioneer in this area so public perception could suffer.

The potential for a higher number of private, unregulated sales to occur is noted, but as described above, is not likely to increase a great deal as the potential change would not impact current retailers.

5. FINANCIAL MATTERS:

No financial impacts.

6. CONSULTATIONS:

Licensing
By-law Enforcement
Windsor Essex County Humane Society
Community Stakeholders

7. CONCLUSION:

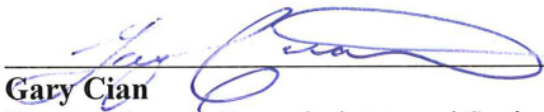
The City of Windsor has been a leader in a number initiatives concerning animal welfare. The current Pet Shop Schedule of the Business Licensing by-law provides for a number of protections in regards to the selling of animals for profit, so much so it has acted as a model for a number of other municipalities. Trends are now shifting to encourage adoption-based models for the provision of pets in pet shops instead of using traditional suppliers. There are no pet shops currently selling dogs or cats in Windsor and as such a change to the by-law would not impact any present retailers.



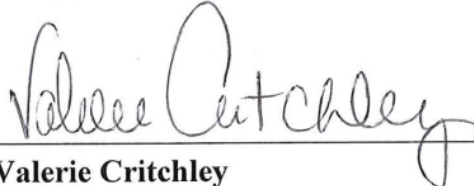
Craig Robertson
Supervisor of Licensing



Katherine Donaldson
Corporate Policy Coordinator



Gary Cian
Deputy Licence Commissioner and Senior
Manager of Policy, Gaming, Licensing &
By-law Enforcement



Valerie Critchley
City Clerk/Licence Commissioner and
Corporate Leader Public Engagement and
Human Services

APPENDICES:

Appendix A – Schedule P1 to Business Licensing By-law No. 395-2004

DEPARTMENTS/OTHERS CONSULTED:

Name:
Phone #: 519 ext.

NOTIFICATION :

Name	Address	Email Address	Telephone	FAX
Hilary Payne, Payne Municipal Consulting	2640 Tournament Ct. Windsor, ON N9G 2P8	soldbyhilary@gmail.com	519-969-2792	
Melanie Coulter, Windsor - Essex County Humane Society	1375 Provincial Rd. Windsor, ON N8W 5V8	melanie@windsorhumane.org	519-966-5751	
Mike Drouillard, Corbret's Tropical Fish And Pet Supplies	3165 Walker Rd. Windsor, ON N8W 3R6		519-972-4777	
Christine Martin Bevilacqua, Pet Valu	300 Tecumseh Rd. E. Windsor, ON N8X 5E8		519-254-8129	
Christine Martin Bevilacqua, Pet Valu	3155 Howard Ave. Windsor, ON N8X 4Y8		519-966-7834	
Chris Patrick, PetSmart #923	4001 Legacy Park Dr. Windsor, ON N8W 5S6		519-250-9229	
Kimberly Britz, PetSmart #2017	3164 Dougall Ave. Windsor, ON N9E 1S6		519-967-8600	
Nicole Viger, PetSmart #3187	7654 Tecumseh Rd. E. Windsor, ON N8T 1E9		226-221-9527	

SCHEDULE P1 TO BY-LAW NO. 395-2004**PET SHOPS**

1. Every application for a keeper's licence shall be submitted by Licence Commissioner to the Windsor/Essex County Humane Society for an inspection, and any report received by the Licence Commissioner in response thereto shall be considered in the determination of whether or not the licence should be issued or refused in accordance with this schedule.
2. The Licence Commissioner may require, at any time, an applicant or licensee to file a letter from the Inspector of the Windsor/Essex County Humane Society containing a report of an inspection carried out by him stating whether or not every Pet Shop used or intended to be used for the sale of animals or birds is adequate with respect to construction, size, number of animals that occupy or are intended to occupy the pet shop, drainage, sanitation and cleanliness and that the pet shop is sprayed with chemicals or equipped with other devices to repel and control fleas, flies and rodents and that the pet shop is deodorized by suitable deodorant.
3. Every keeper shall comply with and ensure compliance with the following requirements in the operation of the pet shop kept by him or her:
 - (1) Every licensee who operates a licensed pet shop shall keep his or her licence prominently displayed in the interior of such pet shop at all times during the currency of the licence.
 - (2) The pet shop shall be maintained at all times in a sanitary, well ventilated, clean condition, and free from offensive odours.
 - (3) Every animal and bird shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type or species of animal or bird housed therein.
 - (4) Where the quarters used for the housing of any animal or bird form part of or are physically attached to a building used for human habitation or to which the public have access, such quarters shall have a concrete or other impermeable floor with a drain opening constructed as a plumbing fixture, and such floor shall be thoroughly cleaned and washed with water at least once each day, or more often than once if necessary to keep the said floor clean.
 - (5) Every cage or other container used for the keeping or housing of any animal or bird shall:
 - (a) Be of adequate size to permit any such animal or bird to stand normally to its full height, to turn around, and to lie down in a fully extended position.
 - (b) In the case of a cage or other container used to keep or house only birds, have a removable metal or other impermeable bottom which shall be cleaned daily.
 - (c) In the case of all other cages or containers, have a floor of either solid or wire

mesh construction or any combination thereof, provided that:

- (i) All spaces in wire mesh shall be smaller than the pads of the foot of any animal confined therein;
 - (ii) Any such wire mesh shall be of a thickness and design adequate to prevent injury to any such animal; and
 - (iii) Such floor shall be of sufficient strength to support the weight of any such animal.
- (d) Be equipped with receptacles for food and for water, so mounted or situated that they cannot be easily overturned or contaminated and be constructed in such a way that it is not injurious to the animal.
- (6) Water shall be provided daily to every animal or bird in sufficient quantity to maintain at all times a potable supply available to such bird or animal.
 - (7) Animals and birds shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or bird kept in the said pet shop.
 - (8) Light in the premises shall be sufficient to permit observation of all birds and animals kept there.
 - (9) Each cage containing birds shall be of sufficient size and dimensions to enable all birds to have sufficient perch space to permit full extension of their wings in every direction.
 - (10) All cages, tanks, containers or other enclosures in which animals or birds are housed on the premises shall be located in such a way as to provide maximum comfort to satisfy the known and established needs for the particular species so housed and shall be provided with safeguards to prevent extreme environmental changes and to prevent undue direct physical contact with such birds or animals by the general public.
 - (11) No more than 20 budgerigars or canaries or 25 finches, nor any combination of more than 25 such birds, shall be contained in a single cage with dimensions smaller than 76.2 centimetres (30 inches) by 40.6 centimetres (16 inches) by 78.7 centimetres(30 inches).
 - (12) No more than 15 budgerigars or canaries or 20 finches nor any combination of more than 20 such birds shall be contained in a single cage with dimensions smaller than 61 centimetres (24 inches) by 35.6 centimetres (14 inches) by 61 centimetres (24 inches).
 - (13) Appropriate steps will be taken for the protection of the animals or birds in case of fire.
 - (14) A suitable exercise area for animals shall be provided and shall be kept in a safe and sanitary condition. **(Added by By-law # 51-2008, March 31, 2008)**

4. The keeper shall ensure that all persons responsible for the care, feeding or cleaning of birds or animals are adequately instructed and supervised in the handling and care of all such birds and animals.
5. No keeper shall:
 - (1) Keep his or her stock of animals or birds in crowded quarters or cages.
 - (2) Sell any diseased animal or bird. The following shall deem an animal unfit for sale or release:
 - (a) Obvious signs of infectious diseases such as distemper, hepatitis, leptospirosis, rabies, or other similar diseases.
 - (b) Obvious signs of nutritional deficiencies, including rickets or emaciation.
 - (c) Obvious signs of severe parasitism severe enough to be influencing the general health of the animal.
 - (d) Obvious fractures or congenital abnormalities affecting the general health of the animal.
 - (3) Display any animal or bird in a shop or display window except at the rear of such window out of draughts and rays of the sun.
 - (4) Sell or keep for sale any wild animal or bird or reptile.
6. Every keeper shall ensure that any animal or bird indicating signs of sickness or disease is examined and appropriately treated within 24 hours of the onset of illness by a veterinarian or other qualified person experienced in the care and treatment of the species concerned and that such animal or bird is kept in a quarantine area, separate from all other birds and animals until such illness has been cured.
7. No keeper shall sell, permit to be sold, offer for sale or give away any mammal before it has reached the normal weaning age, based on known requirements of that particular species.
8. Incompatible animals of different species shall not be confined or displayed in the same cage.
9. Whenever a keeper sells or otherwise disposes of a dog or cat, he or she shall give to the purchaser a receipt showing the name and address of the vendor and the purchaser, the date of the sale, the sale price, and the breed or cross-breed, sex, age and description, including colour and placing of markings, if any, of the dog or cat, and an up-to-date certificate of health from a veterinarian with respect to such dog or cat.
10. Register concerning dogs to be kept as follows:
 - (1) Every keeper shall keep a register in which shall be entered in the English language, written in ink, in a plain, legible hand, a record of each dog and cat purchased or

otherwise obtained. Each entry shall be made at the time each dog or cat comes into such keeper's possession, and shall include, in addition to the date of a purchase, a full description of the dog or cat, together with the name, address and description of the person from whom it was purchased or otherwise obtained. The keeper shall retain the register in respect of each such transaction for the period of 12 months thereafter. **(Amended by By-law #51-2008, March 31, 2008)**

- (2) Every keeper shall ensure that the aforesaid register is not mutilated or destroyed and shall keep it open to inspection by the Licence Commissioner, at all times during business hours and shall make it available to be removed at any time for inspection or for use in the courts, if necessary. The keeper shall not be responsible for neglecting to make the necessary entries in the said register while it is removed from his or her premises for this reason.
11. Every keeper shall make every reasonable effort to obtain the name, address and description of anyone offering him or her any dog or cat which he or she has cause or reason to suspect has been stolen or otherwise unlawfully obtained, and he or she shall report the facts promptly to the nearest police station. **(Amended by By-law #51-2008, March 31, 2008)**
12. The Medical Officer of Health or his or her designate, the Licence Commissioner and any other person authorized by the Commissioner or his or her designate may inspect any shop or place where animals or birds for use as pets are sold or kept for sale.
- (1) Prior to the issuance or renewal of any licence under this Schedule, the Licence Commissioner or his or her designate shall inspect the shop or place where animals or birds for use as pets are sold or kept for sale and shall complete an Inspection Form, in the form and manner specified by the Licence Commissioner, which shall part form of the licence application or licence renewal application. **(Added by By-law #51-2008, March 31, 2008)**
13. A keeper shall ensure that whenever he or she is absent from the pet shop or from the part of the premises used for the keeping or housing of animals or birds, during the business hours of such shop, there is an attendant in charge of and responsible for the care and safe keeping of his or her pet stock.
14. No keeper shall:
- (1) Sell or permit the sale of any dyed chick or other dyed live poultry;
- (2) Sell or permit the sale of any chick, duckling or other live poultry in quantities fewer than 12 per sale; or
- (3) Sell, give away or otherwise dispose of any chick, duckling or other live poultry as a bonus to a sale of, or as part of a sale of, any other goods, products or services.
15. Every Pet Shop in which exotic animals are kept shall provide a sign, clearly visible to the general public, stating that such exotic animals are for display purposes only and are not for sale. The said sign shall be affixed to the cage or enclosure in which the exotic animal is kept, or if such is not practical, the sign shall be within the immediate proximity of the said cage or enclosure.

16. No keeper shall sell a prohibited dog as defined in the Dog Control By-law.
17. Every licensee of a Pet Shop must enter into a written agreement with at least one Veterinarian to facilitate emergency veterinary treatment and humane euthanasia of any animals kept for sale or display by the Pet Shop, and any such agreement must be made available to the Licence Commissioner, or his or her designate, upon request. **(Added by By-law #51-2008, March 31, 2008)**
18. Where the Windsor Essex County Humane Society places an order on the premises of a Pet Shop or makes a finding of an animal in distress at a Pet Shop and provides such information to the Licence Commissioner, the Licence Commissioner shall provide a report of such information to the Licensing Commission and shall recommend the suspension or revocation of the Pet Shop Licence, in accordance with the procedures set out in Section 3 of By-law 395-2004. **(Added by By-law #51-2008, March 31, 2008)**

Subject: Regulation of Licensed City of Windsor Pet Shops

Report Reference: # 18201 dated Dec 19, 2019

The model of “don’t’ shop – adopt” is now the standard in many municipalities in Ontario. This model is being used across the country and internationally as well. We must address the growing population of unwanted rabbits, dogs and cats, and the need for accountable and reputable rescue and foster organizations.

Customers are becoming more educated on the unethical breeding practices that take place in our region and beyond, and are moving to the model of pet adoption rather than purchasing from a store. This helps bring down the demand for animals that are turned out of these breeding facilities/puppy mills.

The Michigan Humane Society states, “Bottom Line: When pets are sold for profit and financial gain becomes the primary motivation, the animals’ health becomes secondary.” This has been backed up by the Canadian Veterinary Medical Association’s position on small volume and commercial dog, cat and rabbit breeding operations – they show substandard health, care and treatment to these animals.

In an informal survey I took at the beginning of 2019, I contacted 14 local dog and cat rescue organizations that take in unwanted pets. 8 of these were willing to discuss the approximate amount of animals that they successfully adopted out the prior year. This number was over 700 dogs and cats however, there were still a number in foster homes. This number does not include Windsor Humane Society or St. Claire College adoptions. We also currently have only one small animals rescue, who at the time were turning down rabbit intake as they were overwhelmed with the small animals in their care.

Social media platforms such as Facebook and Kijiji have also taken a stance to help control the demand for animals sold for profit as they recognized the unethical practices. It has been policy for some time that no animal can be sold on Facebook. Kijiji asks for an adoption fee and screening to ensure these animals are not falling prey to the wrong hands.

By selecting Option A from this report– with an amendment to include rabbits- Offered by Adoption Only means that pets at pet shops can be sourced from local reputable animal rescues and shelters and will be in line with other Ontario municipalities. As CBC News reported in December 2018, “In a bid to crack down on puppy mills, Chatham-Kent council has set in motion a legal move that will outlaw the sales of animals in pet stores.” Our next door neighbor has taken this into effect as well!

We respectfully point out to the Standing Committee and the City of Windsor Council members the necessity for the inclusion of rabbits into this bylaw update. Rabbits are included in current by-law updates in other municipalities and still others are now updating retail bylaws to include not only rabbits but guinea pigs. This pet animal grouping is noted to have a high “unwanted” rate, substandard breeding and care practices, which puts undue burden on the municipal humane society. Please allow this bylaw update to be current and responsive to the reality Windsor faces.

We thank you for your considerations on this topic. Windsor is to be commended as proactive in various animal initiatives and the improvements and evolving municipal bylaw changes are in keeping with this responsible reputation.

In summary, we recommend from the report# 18201 dated Dec 19, 2019 Option A with amendment to include rabbits so that rabbits, dogs and cats are Offered by Adoption Only.

Thank you,



Jayme Lauzon
Windsor, Ontario

Subject: Regulation of Licensed City of Windsor Pet Shops
Report Reference: # 18201 dated Dec 19, 2019

The model of “don’t’ shop – adopt” is now the standard in many municipalities in Ontario. This model is being used across the country and internationally as well. We must address the growing population of unwanted dogs, cats and rabbits and the need for accountable and reputable rescue and foster organizations.

Customers are becoming more educated on the unethical breeding practices that take place in our region and beyond, and are moving to the model of pet adoption rather than purchasing from a store. This helps bring down the demand for animals that are turned out of these breeding facilities/puppy mills.

The Michigan Humane Society states, “Bottom Line: When pets are sold for profit and financial gain becomes the primary motivation, the animals’ health becomes secondary.” This has been backed up by the Canadian Veterinary Medical Association’s position on small volume and commercial dog, cat and rabbit breeding operations – they show substandard health, care and treatment to these animals.

In an informal survey I took at the beginning of 2019, I contacted 14 local dog and cat rescue organizations that take in unwanted pets. 8 of these were willing to discuss the approximate amount of animals that they successfully adopted out the prior year. This number was over 700 dogs and cats however, there were still a number in foster homes. This number does not include Windsor Humane Society or St. Claire College adoptions. We also currently have only one small animals rescue, who at the time were turning down intake as they were overwhelmed with the small animals in their care.

Social media platforms such as Facebook and Kijiji have also taken a stance to help control the demand for animals sold for profit as they recognized the unethical practices. It has been policy for some time that no animal can be sold on Facebook. Kijiji asks for an adoption fee and screening to ensure these animals are not falling prey to the wrong hands.

By selecting Option A from report #18201 – Dogs and Cats Offered by Adoption Only means that pets at pet shops can be sourced from local reputable animal rescues and shelters and will be in line with other Ontario municipalities. We also have concluded that rabbits be added as well as supported by the Windsor Humane Society, but we will come back at a later date.

As CBC News reported in December 2018, “In a bid to crack down on puppy mills, Chatham-Kent council has set in motion a legal move that will outlaw the sales of animals in pet stores.” Our next door neighbor has taken this into effect as well!

We thank you for your considerations on this topic. Windsor is to be commended as proactive in various animal initiatives and the improvements and evolving municipal bylaw changes are in keeping with this responsible reputation.

In summary, we recommend from the report# 18201 dated Dec 19, 2019 Option A - Dogs and Cats are Offered by Adoption Only.

Thank you,



Jayme Lauzon
Windsor, Ontario



Committee Matters: SCM 146/2020

**Subject: Minutes of the Windsor Licensing Commission of its meeting held
February 26, 2020**

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 752**

THAT the minutes of the Windsor Licensing Commission of its meeting held February 26, 2020 **BE RECEIVED**.

Carried.

Report Number: SCM 95/2020
Clerk's File: MB2020



Committee Matters: SCM 95/2020

**Subject: Minutes of the Windsor Licensing Commission of its meeting held
February 26, 2020**

Windsor Licensing Commission

Meeting held February 26, 2020

A meeting of the Windsor Licensing Commission is held this day commencing at 9:30 o'clock a.m. in Room 204, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Fabio Costante
Councillor Gary Kaschak
Harpreet Virk (arrives at 9:43 a.m.)

Regrets received from:

Jayne Lesperance

Also present are the following resource personnel:

Gary Cian, Deputy Licence Commissioner & Senior Manager of Policy, Gaming, Licensing & By-law Enforcement
Craig Robertson, Supervisor of Licensing
Bill Tetler, Manager of By-law Enforcement
Kevin Kuprowski, By-law Enforcement Officer
Janna Tetler, Senior Licensing Issuer
Sheri Miesmer, Municipal Gaming Analyst
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order 9:34 o'clock a.m. and the Windsor Licensing Commission considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Minutes

Moved by Councillor Costante, seconded by Councillor Kaschak,
That the minutes of the Windsor Licensing Commission of its meeting held January 22, 2020 **BE ADOPTED** as presented.
Carried.

3. Disclosure of Interest

None disclosed.

4. Request for Deferrals, Referrals of Withdrawals

None.

5. Communications

None.

6. Licence Transfers

(a) Transfer of Taxicab Plate #003

Kamel Kakish, Transferor and Ilir Baci, Transferee are present to speak to this matter.

Moved by Councillor Costante, seconded by Councillor Kaschak,
WLC2/2020 That the transfer of Taxicab Plate #003 from 1352063 Ontario Inc. to Mr. Ilir Baci **BE APPROVED** with the following conditions:

- I. Mr. Baci be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007 (amended by By-law 150-2018), including a valid safety standards certificate.
- II. Mr. Baci must submit a Plate Holder application and pay the applicable fee.
- III. Mr. Baci shall provide verification that full compensation has been made to 1352063 Ontario Inc. in consideration of the transfer of taxicab plate #003.
- IV. Mr. Baci shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007 (amended by By-law 150-2018).

Carried.

7. Applications/Hearings

(a) Dangerous Dog “Prince”

James Belcik,” and Eva Belcik guardians of “Prince” are present to speak to this matter.

C. Robertson advises the applicants are present to request an appeal of the dangerous dog designation. He notes that dog bites are governed under the *Dog Owners’ Liability Act* which establishes that an owner is liable for damages if his or her dog bites or attacks another person or domestic animal. As the dog bit the owner, this hearing is being reviewed by the Windsor Licensing Commission.

James Belcik, guardian provides the following comments relating to this matter:

- He disputes the fact that the weight of the dog is not 120 pounds as noted in the report but is 72 pounds.
- The bite to Eva Belcik was not severe and the dog has never bitten anyone. This incident was essentially an accident and occurred when E. Belcik moved the rawhide toy on the couch.
- The dog resides 6 months of the year in Leamington with another guardian.

G. Cian advises that the dog bite incident was brought to the attention of Administration and subsequently this matter is before the Windsor Licensing Commission for a decision in the event the dog bites again which could potentially cause liability to the City of Windsor.

C. Robertson states if the Licensing Commission agrees that the bite was not provoked, the dangerous dog designation could be modified to “potentially dangerous” and could provide their own recommendations. He further adds that the by-law requires that if a dog is deemed dangerous or potentially dangerous that the change of address and change of guardianship must be disclosed to that municipality.

Moved by Councillor Costante, seconded by Councillor Kaschak,
WLC3/2020 That the dangerous dog designation **BE CHANGED** to **POTENTIALLY DANGEROUS DOG** for the Siberian Husky known as “Prince” which currently resides with James Belcik and Eva Belcik at 1277 Parent Avenue, Windsor, Ontario, and further, that the following actions **BE REQUIRED** as a result of this designation:

1. To keep such dog, when in or on the property of another person with the person’s consent, on a leash and under the control of that person who is sixteen years of age or more.

2. Conspicuously display on his or her property a sign provided by the city warning that there is a potentially dangerous dog on the property.
3. And further, that if James Belcik or Eva Belcik transfers guardianship of the potentially dangerous dog to another person or changes the address at which the potentially dangerous dog is kept, the parties shall notify the City of Windsor's Licensing Division and furnish the particulars including the name and address of the new guardian in accordance with the City of Windsor's Dog Control By-law.

Carried.

(b) 5021118 Ontario Inc. o/a Elegance Limo – Livery Vehicle Class D-Van

Khalid Bulbul is present to speak to this matter.

Moved by Councillor Kaschak, seconded by H. Virk,

WLC4/2020 That the livery vehicle plate holder application, submitted by Mr. Khalid Bulbul on behalf of 5021118 Ontario Inc. o/a Elegance Limo Services, 4352 Pioneer Avenue, Windsor, Ontario N9G 2W9 to operate one (1) Class "D" – Livery Vehicle, namely a 2017 Chrysler Pacifica (V.I.N. 2C4RC1BG9HR551091), **BE APPROVED** with the following conditions:

- Mr. Bulbul be given sixty (60) days from the date of this decision to submit proof of a valid certificate of insurance, satisfactory to Sections 4.3 and 9.1 of Schedule 3 5o By-law 137-2007 (amended by By-law 138-2018),
- The vehicle must submit to and pass an inspection by the By-law Enforcement Unit.

Carried.

8. Reports & Administrative Matters

Expired Application(s) for Business Licence

Moved by Councillor Kaschak, seconded by H. Virk,
That the report of the Supervisor of Licensing dated February 3, 2020 entitled "Expired Application(s) for Business Licence" **BE RECEIVED.**

Carried.

9. In Camera

Verbal Motion is presented by Councillor Kaschak, seconded by Councillor Costante, to move In Camera at 10:20 o'clock a.m. for discussion of the following:

Item Nos.	Subject	Section – Pursuant to Municipal Act 2001, as amended
9(a), 9(b) 9(c)	Personal matter about an identifiable individual	s. 239(2)(b)

Motion Carried.

The applicants for 9(a), 9(b) and 9(c) are present and available to answer questions.

Discussion on the items of business.

Verbal Motion is presented by Councillor Kaschak, seconded by Councillor Costante, to move back into public session at 10:40 o'clock a.m.

Moved by Councillor Costante, seconded by Councillor Kaschak,
That the Clerk **BE DIRECTED** to transmit the recommendation(s)(contained in the report(s) discussed at the In Camera Windsor Licensing Commission meeting held February 26, 2020 directly to the Windsor Licensing Commission for consideration at the next Regular Meeting.

Moved by Councillor Kaschak, seconded by Councillor Costante,
WLC5/2020 That the In Camera report **9(a)** relating to a personal matter about an identifiable individual **BE RECEIVED** and further, that Administration **BE REQUESTED** to proceed in accordance with the verbal direction of the Windsor Licensing Commission.
Carried.

Moved by Councillor Kaschak, seconded by Councillor Costante,
WLC6/2020 That the In Camera report **9(b)** relating to a personal matter about an identifiable individual **BE RECEIVED** and further, that Administration **BE REQUESTED** to proceed in accordance with the verbal direction of the Windsor Licensing Commission.
Carried.

Moved by Councillor Kaschak, seconded by Councillor Costante,
WLC7/2020 That the In Camera report **9(c)** relating to a personal matter about an identifiable individual **BE RECEIVED** and further, that Administration **BE REQUESTED** to proceed in accordance with the verbal direction of the Windsor Licensing Commission.
Carried.

10. Date of Next Meeting

The next meeting will be held on March 25, 2020 at 9:30 a.m. in Room 204, 350 City Hall Square West.

11. Adjournment

There being no further business, the meeting is adjourned at 10:41 o'clock a.m.

CHAIR

SECRETARY



Committee Matters: SCM 147/2020

Subject: Minutes of the Windsor Bicycling Committee of its meeting held January 14, 2020

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 753**

THAT the minutes of the Windsor Bicycling Committee of its meeting held January 14, 2020 **BE RECEIVED.**

Carried.

Report Number: SCM 85/2020
Clerk's File: MB2020



Committee Matters: SCM 85/2020

Subject: Minutes of the Windsor Bicycling Committee of its meeting held January 14, 2020

Windsor Bicycling Committee

Meeting held January 14, 2020

A meeting of the Windsor Bicycling Committee is held this day commencing at 5:00 o'clock p.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Kieran McKenzie, Chair
Klaus Dohring
Robert Hicks
Teena Ireland
Jessica Macasaet-Bondy
John Popham
Erika Valvasori
Ellen van Wageningen

Regrets received from:

Brian Churchmack
Alexa Sylvestre

Guest in attendance:

Lori Newton, Bike Windsor Essex

Also present are the following resource personnel:

Mike Clement, Manager Parks Development
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 5:15 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

Addition to the Agenda

Moved by E. Wageningen, seconded by K. Dohring,
That Rule 3.3. (c) of the Procedure By-law 98-2011 be waived to add the following addition to the Agenda:

- 4.7** Lori Newton, Bike Windsor Essex – Recommendations relating to the City of Windsor 2020 Recommended Capital Budget

Carried.

2. Declaration of Conflict

None disclosed.

3. Adoption of the Minutes

Moved by E. Wageningen, seconded by J. Macasaet-Bondy,
That the minutes of the Windsor Bicycling Committee of its meeting held May 8, 2019 **BE ADOPTED** as presented.
Carried.

4. Business Items

4.1 Bike Parking for Community Events

The Chair advises bike parking for the Bike to the Fireworks event was provided by Bike Windsor Essex in 2019 and suggests that this service be once again offered to this organization. He adds this is an opportunity to bring cyclists together. The cost for bike parking/valet service by Bike Windsor Essex is \$500/day.

K. Dohring states the City should provide basic services for events and that core functions should be supported by policy and not by volunteers.

J. Macasaet-Bondy adds bike parking should be offered at city events.

Moved by J. Macasaet-Bondy, seconded by E. Wageningen,
That the Windsor Bicycling Committee **BE COMMITTED** to offer bike parking services to Bike Windsor Essex for the 2020 Bike to Fireworks event.
Carried.

The Chair suggests that a discussion regarding the Bike to Work event be held at the next meeting.

In terms of the Bike to Work event, L. Newton requests committee members volunteer to attend a meeting with Bike Windsor Essex to discuss the logistics.

K. Dohring indicates he will craft a draft motion regarding a policy for bike parking for community events and will also review best practices in other municipalities. L. Newton and K. Morse offer to assist.

4.2 Mountain Biking Investments and Strategy

Mike Clement, Manager Parks Development provides the following comments relating to mountain biking investments and strategy:

- In 2017, there were issues relating to a lack of facilities in the City of Windsor.
- Endeavoured with Council's approval to create some off-road cycling facilities to put into the park system.
- A series of open houses were held with feedback received from the community.
- In 2018, Justin Truelove from the International Biking Association was retained to assist in an off-road biking plan in the east and west ends of the city in consultation with the public.
- A decision was made for single track mountain biking and off road biking – pump tracks and dirt jumps.
- Two sites were determined for off-road biking – Malden Park (single track system) and Little River where they had dirt jumps and the ramps and to also do a single track as well as a pump track.
- Council approved \$500,000 for this initiative (\$300,000 for single track at Malden Park and \$200,000 for the pump track at the Little River Corridor).
- Justin Truelove laid out a number of runs for beginners, intermediate and advanced at Malden Park and at Little River decided to do mostly beginner trails and the pump track.
- Three priorities were identified:
 - All single track trails at Malden Park
 - All single track trails and a modular pump track at the Little River Corridor.
 - Beginner skills area and an engineered pump track at Malden Park.
- The facilities will take up the demand for mountain biking and having it located at Malden Park, it will provide a link to the whole west end bikeway and with Little River will provide an opportunity to link into the overall system.
- The International Biking Association provided training for city staff and volunteers.

In response to a question asked by E. Valvasori regarding if maps are available, M. Clement responds maps will be available in the spring which will identify the level of skill on the trails and will also show the layout of the trails on GPS.

Moved by J. Macasaet-Bondy, seconded by R. Hicks,
That the Presentation provided by Mike Clement, Manager Parks Development regarding an update relating to mountain biking investments and strategy **BE RECEIVED**.
Carried.

4.3 WBC Terms of Reference and Mandate

The Chair suggests adding climate change, sustainability or both to the WBC Mandate.

K. Dohring notes he would like to see a switch between recreation and transportation with transportation first. He wants to move bicycling away from having the main focus on recreation and becoming a normal mode of transportation.

E. Valvasori remarks the issue of just “cycling” is that it becomes too narrowly focused i.e. bike paths that also double as pedestrian walkways which should never be built. It’s dangerous when you have pedestrians walking where cyclists are.

J. Hagan states once the Active Transportation position is filled, he adds this person will be attending the WBC meetings.

The Chair proposes edits to the wording of the Mandate to include mitigating climate change.

Moved by K. Dohring, seconded by J. Macasaet-Bondy,
That the Revised 2020 Windsor Bicycling Committee Terms of Reference and Mandate with edits identified in italics and bold print, attached as Appendix “A” **BE APPROVED**.
Carried.

4.4 Status of the Hot Spot Accident Areas

The memo from the Transportation Planning Senior Engineer dated January 14, 2020 entitled “Status update – 2018 Road Safety Audit Items” is **attached** as Appendix “B”. J. Hagan provides an overview of the document that includes the following areas:

- Lauzon Parkway and Tecumseh Road East
- Windsor Avenue and Tecumseh Road East
- Drouillard Road and Wyandotte Street East
- Walker Road and Ypres Avenue

Moved by J. Macasaet-Bondy, seconded by K. Dohring,
That the Status update – 2018 Road Safety Audit Items provided by the
Transportation Planning Senior Engineer **BE RECEIVED.**
Carried.

In response to a question asked by K. Dohring regarding if Transportation Planning
will continue to provide this cycling data, J. Hagans responds affirmatively.

4.5 WBC Work Plan for the term ending in 2022

The following priorities for the WBC Work Plan ending in 2022 are as follows:

1. Bike to Fireworks
2. Develop a policy for parking at community events
3. Address gaps to correct cycling infrastructure
4. Promote commuter cycling
5. Connect Windsor to LaSalle
6. Increase cycling advocacy
7. Focus on socioeconomic areas – connectivity for low income populations
8. Ensure bike friendly infrastructure is implemented – The WBC should be included in discussion relating to safe infrastructure.

Moved by B. Hicks, seconded by J. Popham,
That the priorities for the WBC Work Plan identified by the Windsor Bicycling
Committee for the term ending in 2022 **BE RECEIVED.**
Carried.

4.6 County Wide Active Transportation System

This matter is deferred as Katherine Wilson, Active Transportation Coordinator,
County of Essex is unable to attend this meeting.

4.7 Lori Newton, Bike Windsor Essex – Recommendations relating to the City of Windsor 2020 Recommended Capital Budget

The document with the City of Windsor cover page entitled “2020 Recommended
Capital Budget – 8 –Year Capital Project Listing by Major Category” and the first page
entitled “Bike Windsor Essex Advocacy Committee – January 9, 2020” is distributed and
attached as Appendix “C”. Comments from the Bike Windsor Essex Advocacy
Committee relating to the following topics are provided:

- Active Transportation Master Plan
- Cycling facility construction
- Traffic Calming Initiatives - Concern that the budget for all cycling infrastructure, education, enforcement and facilities is \$600,000. \$100,000 of this budget is proposed to be added to traffic calming for 2020 and 2021. Since traffic calming issues impact drivers more than cyclists, why are we not adding some of the roads budget for traffic calming as well.
- Intersection Improvements Program – Recommendation that all intersection improvements made include cycling infrastructure as recommended in the Active Transportation Master Plan, i.e. if an intersection has been identified as part of a AAA route, the intersection must reflect that.
- ICIP – Bikeways Development
- University Avenue Environmental Assessment Placeholder
- Vision Zero

Moved by J. Macasaet-Bondy, seconded by K. Dohring,

That the investments for traffic calming across the city **BE SUPPORTED**, however, the Windsor Bicycling Committee objects to the proposal as noted in the 2020 Recommended Capital Budget for the City of Windsor that these initiatives be funded through the proposed allocation of \$600,000 and further recommends that the traffic calming measures **BE FUNDED** through the significantly larger allocation for road reconstruction.

Carried.

J. Hagan explains traffic calming and bikeways development are both within Transportation Planning and adds \$100,000 is proposed in 2020 for the \$100,000 switch to traffic calming and in 2027 bikeways will receive \$100,000 for traffic calming. So essentially, it nets out to zero however there are funds they are carrying forward in bikeways development in 2020 which will allow them to do a significant amount of new infrastructure. There is a potential for an ICEP Grant, so at this time there are a significant amount of things associated with cycling which will allow freeing up some of those funds to work on other projects, i.e. traffic calming and in the future, traffic calming will give the money back.

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 7:02 o'clock p.m.

CHAIR

COMMITTEE COORDINATOR

**Clerk's Note: Edits to the Windsor Bicycling Advisory Committee
Terms of Reference and Mandate:**

Bold and italicized text under **Mandate**
Bold and italicized text under **Composition**
Bold and italicized text under **Absenteeism**
Bold and italicized text under **Quorum**

Windsor Bicycling Committee – January 2020

Revised Mandate and Terms of Reference

Preamble

The current Windsor Bicycling Committee was originally established in 1987 as the Bikeways Ad Hoc Steering Committee whose main role was to advise City council on matters pertaining to the establishment of a network of recreational and commuter routes for cyclists in the City of Windsor. The group worked closely with all levels of the City's administration to develop an implementation plan. This resulted in the Bicycle Use Development Study, prepared by Victor Ford & Associates. This plan was adopted in principle by City Council in late 1990.

Since the bicycling study was approved by Council a number of the proposed routes have either been constructed or incorporated into plans for future developments. The Bikeways Ad Hoc Steering Committee changed its name to the Windsor Bicycling Committee during 1991 and has expanded its mandate accordingly.

1. Mandate

The purpose of the Committee is to enhance the safety and viability of bicycling in the City of Windsor. It acts as an advocate for the growth of ***predominantly bicycling and walking*** as a form of transportation and recreation that is affordable, ***equitable (as they increase access for all residents), enhance community vitality, attract and retain residents and investors, are environmentally sustainable, mitigate climate change, are quiet and promote health and well-being.*** The Committee acts as an advisor to Council and City departments on bicycling ***matters*** in the City of Windsor.

2. Composition

The Windsor Bicycling Committee shall consist of a maximum of **10** voting members and non-voting resource members.

3. Appointment and Term

Windsor City Council shall appoint the members of the Windsor Bicycling Committee.

The term of Committee membership shall be established by Windsor City Council and is currently approved to be the same as the term of Windsor City Council (4 years). A Committee member may be offered and accept consecutive terms subject to the approval of Windsor City Council.

A Chairperson and Vice Chairperson shall be chosen by a majority vote of the Committee members. The position of Chairperson and Vice Chairperson shall be held for the same term as the Committee member term. At the expiration of the term, the outgoing Chairperson and Vice Chairperson may, subject to the approval of Windsor City Council, remain as a Committee member and may be nominated for the position of Chairperson and Vice Chairperson for consecutive terms.

4. Education and Information

- Increase public awareness of cycling – www.cyclewindsor.ca website, events which include Bike the Bridge, Bike to the Fireworks, Ride your Bike to Work
- Promotion of cycling facilities and programs developed by the city, or by groups within the city
- Development and/or promotion of cyclist education courses, in liaison with Windsor Police Services, schools and other groups
- Education/public awareness campaigns for motorists
- Recruitment of those with skills in these areas to volunteer or to train others

5. Fundraising

The Committee may coordinate partnership funding by collecting funds from organizations (derived from various events) with any surplus funds that may be collected to be utilized towards cycling infrastructure, supplies and equipment (i.e. bicycle racks).

6. Vacancy

The Committee may, but is not required to, recommend persons to fill a vacancy if such recommendation is approved by a majority vote of the members present. A vacancy, and any recommended replacements shall be reported by the Chair of the Windsor Bicycling Committee to Windsor City Council. Windsor City Council shall appoint a replacement for the unexpired term of the vacant position.

7. Absenteeism

Any member who is absent from ***75% of the meetings held within a year without a valid reason or the express approval of Council will be deemed to have resigned from the Committee.***

8. Quorum

The quorum of the Windsor Bicycling Committee is 6 voting members.

9. Frequency of Meetings

The Committee shall hold 4 (four) meetings in each calendar year.

10. Conduct of the Meeting

Meetings shall generally be guided by the following:

- (i) The order of business shall ordinarily be as set out in the Agenda, except that the items may be taken up out of order or added to the agenda at the discretion of the Chair by a majority vote of the members present.
- (ii) All decisions of the Committee shall be made by resolution approved by a majority vote of all members present.
- (iii) The Chair shall generally conduct the meeting in accordance with standard Rules of Procedure.
- (iv) In the event of absence of the Chair, a person chosen by a majority vote of the members present shall chair the meeting provided a quorum is present.

11. Agenda and Minutes

An Agenda will be provided prior to each meeting. Committee members may suggest items for the agenda to the Chair who may direct that item to be scheduled.

Minutes shall be taken of all meetings of the Committee and shall be distributed as soon as possible to all Committee members.

All matters related to recording and distributing the Minutes shall comply with the City of Windsor policies governing the recording and distribution of the Minutes of a Committee of City Council.

12. Advocacy and Monitoring

- Monitor City, Provincial and Federal Governments and their committees, departments and agencies, in order to support pro-cycling measures.
- Maintain liaison with other groups such as the Ontario Cycling Association, Bike Windsor-Essex, Share the Road Cycling Coalition and Michigan Trails & Greenways Alliance.

TO: Windsor Bicycling Committee

FROM: Jeff Hagan, Transportation Planning Senior Engineer

DATE: January 14, 2020

SUBJECT: Status update – 2018 Bicycle Road Safety Audit Items

At a previous meeting of the Windsor Bicycling Committee, the Committee requested an update on the status of the recommendations from the bicycle road safety audits carried out in 2018 (report S 44/2018). The status of these recommendations is detailed below.

Lauzon Parkway and Tecumseh Road East

Timeframe	Item (Report S 44/2018)	Status
Immediate	Provide additional signage to encourage cyclists to dismount in the crosswalk and to call attention to the existing multi-use trail.	Unsure - did not hear back in time for meeting.
	Repair broken pedestrian pushbutton	Completed
Short Term	Provide cross-rides to connect the two sections of multi-use trail on Lauzon Parkway.	To be completed – significant undertaking
	Adjust the stop bar and crosswalk locations to provide better visibility and shorter, more direct crossings for pedestrians and cyclists.	
	Adjust signal timings to provide increased clearance times for pedestrians and cyclists.	Increased pedestrian walk times are being implemented City-wide in phases. This intersection is part of the phase that will be implemented in early 2020.
Long term (referred to ATMP)	Consider providing cycling facilities along Tecumseh Road East and on the west side of Lauzon Parkway south of Tecumseh Road East.	<ul style="list-style-type: none"> • ATMP recommended providing an alternate east-west route instead. • One portion (Rose – Rivard to Jefferson) added in 2019. • Remaining segments are identified as high or medium priority.

APPENDIX "B"

Windsor Avenue and Tecumseh Road East

Timeframe	Item (Report S 44/2018)	Status
Immediate	Prohibit eastbound left turns at the intersection.	Traffic By-law amendment in progress – “no left turns” should be installed soon
Short Term	Remove on-street parking on Tecumseh Road East to the west of the intersection to improve sight lines for the southbound left turn movement.	Report C 186/2018: Consultation with the affected property owners is required before implementation.
Long term (referred to ATMP)	Encourage cyclists riding on the Tecumseh Road East sidewalk to use the roadway or another route by providing nearby east-west alternate cycling routes and/or by making Tecumseh Road East more inviting to cyclists by replacing the existing catchbasins with a more cycling-friendly design.	ATMP identified alternate route (Shepherd)

Drouillard Road and Wyandotte Street East

Timeframe	Item (Report S 44/2018)	Status
Immediate	Repair loose catchbasin grates in the path of cyclists on Drouillard Road.	Completed
	Prohibit right turns on red at the intersection.	Traffic By-law Amendment in progress – “no right turn on red” signs should be installed soon.
Short Term	As an interim measure, provide a diversion route (Devonshire Road / Riverside Drive / Strabane Avenue) for cyclists.	Riverside/Strabane in place Devonshire: to be completed
Long term (referred to ATMP)	Ultimately provide cycling facilities on Wyandotte Street East through the intersection when the rail overpass is reconstructed.	This section of Wyandotte is identified for future cycling facilities. Waiting for overpass to be reconstructed.

Walker Road and Ypres Avenue

Timeframe	Item (Report S 44/2018)	Status
Immediate	Engage with Chrysler to further promote cycling among its staff.	To be completed
Short Term	Review and adjust signal timings.	Adaptive signal timings going live within a few weeks
	Consider adding cyclist detection.	Completed
	Consider replacing the crosswalks crossing Walker Road with crossrides (if cycling facilities are provided on Ypres Avenue)	Cycling facilities have not yet been provided on Ypres (identified for future cycling facilities in ATMP – low priority)
	Acquire a corner cutoff in the northwest quadrant to improve sight lines	Will be pursued as a gratuitous conveyance when the property is redeveloped
Long term (referred to ATMP)	Consider bicycle facilities and/or wider curb lanes along Walker Road	ATMP was not able to identify a facility – ROW only accommodates existing.
	Consider intersection improvements to reduce the incidence of aggressive driving for left turning traffic	Potentially part of future Ypres cycling facility implementation.

BWE - 1

THIS DOCUMENT CONTAINS ONLY THE PAGES FROM THE 2020 CITY OF WINDSOR CAPITAL BUDGET THAT PERTAIN TO CYCLING AND RELATED ISSUES

2020 Recommended Capital Budget



8 – Year Capital Project Listing by Major Category

1

APPENDIX "C"

Notes for consideration

Active Transportation Master Plan

The **ATMP** was received and the implementation plan for the Active Transportation Master Plan was referred to the 2020 budget for Council's consideration. The 2020 budget does not make any mention of the ATMP or funding except for the AT Coordinator position which was pre-approved. The budget is aiming for 10 year planning. If there is to be any funding for cycling infrastructure, it will need to be budgeted several years ahead.

Cycling facility construction

The capital budget states that "Implementation of cycling facilities will depend on schedule of road reconstruction and resurfacing projects." - How will that work? Most reconstruction and mill and pave projects only cover 2 or 3 blocks of a street. Will bike lanes be added to the 2 new blocks and end where the reconstruction ends?

Page 563 - Traffic Calming Initiatives.

Traffic calming is easily one of the top of the list of issues that councillors hear about from constituents. The budget for ALL cycling infrastructure, education, enforcement and facilities is \$600,000. \$100,000 or 1/6 of this budget is proposed to be added to traffic calming for 2020 and 2021. Since traffic calming issues impact drivers more than cyclists, why are we not adding some of the roads budget for traffic calming as well? The Roads budget is \$40M+/- . Even 0.01% would provide an extra \$400,000.

Page 327 - Intersection improvements Program - Various locations as identified in the Road Safety Report will be improved.

2020: Banwell / McNorton Intersection Improvements - \$115,000 (directed by Council to 2019 Capital Budget deliberations, per CR111/2018). Will the improvements include cycling infrastructure?

2021-2024: Ongoing funding to continue implementing improvements - \$500,000 /yr. A bicycle Road Safety Audit was undertaken, and Administration was directed to report back on short term recommendations, and that this **be considered** during the 2019 budget deliberations. We have not seen progress on this.

We recommend that ALL intersection improvements made include cycling infrastructure as recommended in the ATMP. For example, if an intersection has been identified as part of a AAA route, the intersection must reflect that.

Page 564 - ICIP - Bikeways Development, project PBG-002-20. This is a grant proposal for ICIP funds.

Q: What is the list of projects that will be undertaken if the grant funding is received?

Q: What is the list of projects that will be undertaken if the grant funding is NOT received?

Page 557 - University Avenue Environmental Assessment Placeholder. Where is the funding that was intended for the complete streets renovation of University Avenue? Initially \$5 million was added to that file, \$240,585.00 was spent to complete the EA. Understanding that University Avenue reconstruction could easily reach \$20 million

plus, it would seem prudent to be adding funding to this project over time rather than using it as a slush fund for other projects.

Reasons to move this project up the list include: the existing, high traffic and high density anchors of the University, College, City Hall/Casino, Art Gallery/Capital and major upcoming projects like the Gordie Howe Bridge bringing traffic downtown, the Grace site redevelopment, Caron Parking lot re development, transit terminal.

Specific Infrastructure projects questions:

Ypres Blvd. - Forest to Walker - Mill and Pave. The Mayor announced it as one of the major events of the 2019 budget. Won't see work done until 2021?

Rhodes Drive MUT - Identified as Schedule A+ project, Engineering drawings completed, Tender RFT 108-17 (Windsor Loop Cycling W3 Multi-Use Trail) awarded to South Shore Contracting on August 31, 2017, Tender 113-19 for Phase 1 (Walker trail to Pillette) closed 08/26/2019. When will we see this trail begin?

Walker business trail - Great cycling infrastructure built almost 2 years ago and then locked up and unusable. When will the path be continued to Deziel Drive?

Cabana Road- will the latest section include buffered bike lanes in the spring of 2020?

Dominion - work will be done on improving the intersections along **Dominion** - the ATMP calls for AAA cycling facilities on Northwood crossing Dominion and Dominion as a supporting network. Will the intersections be developed to ensure that cyclist of All Ages and Abilities can negotiate the intersections with ease?

Will the City be investing in bicycle counters so that we can measure our successes?

Vision zero - where does this stand? This is the last we have heard:

At April 15, 2019 council meeting -

Moved by: Councillor Holt Seconded by: Councillor Francis

Decision Number: CR174/2019 ETPS 670

That Administration BE DIRECTED to report back to the Environment Transportation & Public Safety Standing Committee with a Vision Zero Policy for consideration; and, That Administration BE REQUESTED to provide information related to comparisons with other Vision Zero municipalities in Ontario including data and gaps or enhancements that would be required across the Corporation to move forward with a complete policy.

Carried.

Report Number: SCM 118/2019 & S 54/2019 Clerk's File: ST2019

Follow up on the \$6.8M - all projects were identified in S 99/2016. An accounting would be good.

Note regarding ATMP maps: The following request was sent to 311 and cc'd to Trans Planning on Dec 8, 2019 with no reply received - "The final Active Transportation Plan document contains numerous maps, however, even when zoomed in, they are difficult to read and determine specific streets and other map data. The RFP for the Active Transportation Master Plan specified that the consultant was to create and set up an appropriate GIS database and mapping layers and provide them in geo-referenced format (per sections 7.3.1 and 7.8.1-6 of the RFP). This makes me assume that these maps have been provided in some format other than PDF.

The maps I am specifically interested in are;

FIGURE 26 - PROPOSED LONG-TERM BICYCLE NETWORK CLASSIFICATION on page 49

FIGURE 27 - PROPOSED LONG-TERM ALL AGES AND ABILITIES (AAA) BICYCLE NETWORK on page 50

Q. Will these maps be offered in the Open Data Catalog in a geo-referenced format?

If not, can you let me know who to contact in order to obtain a geo-referenced copy of the above maps?



Committee Matters: SCM 148/2020

**Subject: Report No. 71 of the Windsor Bicycling Committee - Revised 2020
Windsor Bicycling Committee Terms of Reference and Mandate**

Moved by: Councillor Francis
Seconded by: Councillor McKenzie

Decision Number: **ETPS 754**

THAT in light of a previous request by the Windsor Bicycling Committee for a name change, that the Legal Department **BE REQUESTED** to review the Revised 2020 Windsor Bicycling Committee Terms of Reference and Mandate and to provide a legal opinion on the revisions.

Carried.

Report Number: SCM 65/2020
Clerk's File: MB2020

Clerk's Note: The recommendation of the Standing Committee and the Advisory Committee are **not** the same.



Committee Matters: SCM 65/2020

**Subject: Report No. 71 of the Windsor Bicycling Committee - Revised 2020
Windsor Bicycling Committee Terms of Reference and Mandate**

REPORT NO. 71
of the
WINDSOR BICYCLING COMMITTEE
of its meeting held January 14, 2020

Present: Councillor Kieran McKenzie, Chair
Klaus Dohring
Robert Hicks
Teena Ireland
Jessica Macasaet-Bondy
John Popham
Erika Valvasori
Ellen van Wageningen

Your Committee submits the following recommendation:

Moved by K. Dohring, seconded by J. Macasaet-Bondy,
That the Revised 2020 Windsor Bicycling Committee Terms of Reference
and Mandate," with edits identified in italics and bold print, **attached** as Appendix
"A" **BE APPROVED**.
Carried.

Note: The Windsor Bicycling Committee Revised Terms of Reference
and Mandate is **attached** as Appendix "A".

CHAIR

COMMITTEE COORDINATOR

Notification:		
Windsor Bicycling Committee	On File	

**Clerk's Note: Edits to the Windsor Bicycling Advisory Committee
Terms of Reference and Mandate:**

Bold and italicized text under **Mandate**

Bold and italicized text under **Composition**

Bold and italicized text under **Absenteeism**

Bold and italicized text under **Quorum**

Windsor Bicycling Committee – January 2020

Revised Mandate and Terms of Reference

Preamble

The current Windsor Bicycling Committee was originally established in 1987 as the Bikeways Ad Hoc Steering Committee whose main role was to advise City council on matters pertaining to the establishment of a network of recreational and commuter routes for cyclists in the City of Windsor. The group worked closely with all levels of the City's administration to develop an implementation plan. This resulted in the Bicycle Use Development Study, prepared by Victor Ford & Associates. This plan was adopted in principle by City Council in late 1990.

Since the bicycling study was approved by Council a number of the proposed routes have either been constructed or incorporated into plans for future developments. The Bikeways Ad Hoc Steering Committee changed its name to the Windsor Bicycling Committee during 1991 and has expanded its mandate accordingly.

1. Mandate

The purpose of the Committee is to enhance the safety and viability of bicycling in the City of Windsor. It acts as an advocate for the growth of ***predominantly bicycling and walking as a*** form of transportation and recreation that is affordable, ***equitable (as they increase access for all residents), enhance community vitality, attract and retain residents and investors, are environmentally sustainable, mitigate climate change, are quiet and promote health and well-being.*** The Committee acts as an advisor to Council and City departments on bicycling ***matters*** in the City of Windsor.

2. Composition

The Windsor Bicycling Committee shall consist of a maximum of **10** voting members and non-voting resource members.

3. Appointment and Term

Windsor City Council shall appoint the members of the Windsor Bicycling Committee.

The term of Committee membership shall be established by Windsor City Council and is currently approved to be the same as the term of Windsor City Council (4 years). A Committee member may be offered and accept consecutive terms subject to the approval of Windsor City Council.

A Chairperson and Vice Chairperson shall be chosen by a majority vote of the Committee members. The position of Chairperson and Vice Chairperson shall be held for the same term as the Committee member term. At the expiration of the term, the outgoing Chairperson and Vice Chairperson may, subject to the approval of Windsor City Council, remain as a Committee member and may be nominated for the position of Chairperson and Vice Chairperson for consecutive terms.

4. Education and Information

- Increase public awareness of cycling – www.cyclewindsor.ca website, events which include Bike the Bridge, Bike to the Fireworks, Ride your Bike to Work
- Promotion of cycling facilities and programs developed by the city, or by groups within the city
- Development and/or promotion of cyclist education courses, in liaison with Windsor Police Services, schools and other groups
- Education/public awareness campaigns for motorists
- Recruitment of those with skills in these areas to volunteer or to train others

5. Fundraising

The Committee may coordinate partnership funding by collecting funds from organizations (derived from various events) with any surplus funds that may be collected to be utilized towards cycling infrastructure, supplies and equipment (i.e. bicycle racks).

6. Vacancy

The Committee may, but is not required to, recommend persons to fill a vacancy if such recommendation is approved by a majority vote of the members present. A vacancy, and any recommended replacements shall be reported by the Chair of the Windsor Bicycling Committee to Windsor City Council. Windsor City Council shall appoint a replacement for the unexpired term of the vacant position.

7. Absenteeism

Any member who is absent from ***75% of the meetings held within a year without a valid reason or the express approval of Council will be deemed to have resigned from the Committee.***

8. Quorum

The quorum of the Windsor Bicycling Committee is 6 voting members.

9. Frequency of Meetings

The Committee shall hold 4 (four) meetings in each calendar year.

10. Conduct of the Meeting

Meetings shall generally be guided by the following:

- (i) The order of business shall ordinarily be as set out in the Agenda, except that the items may be taken up out of order or added to the agenda at the discretion of the Chair by a majority vote of the members present.
- (ii) All decisions of the Committee shall be made by resolution approved by a majority vote of all members present.
- (iii) The Chair shall generally conduct the meeting in accordance with standard Rules of Procedure.
- (iv) In the event of absence of the Chair, a person chosen by a majority vote of the members present shall chair the meeting provided a quorum is present.

11. Agenda and Minutes

An Agenda will be provided prior to each meeting. Committee members may suggest items for the agenda to the Chair who may direct that item to be scheduled.

Minutes shall be taken of all meetings of the Committee and shall be distributed as soon as possible to all Committee members.

All matters related to recording and distributing the Minutes shall comply with the City of Windsor policies governing the recording and distribution of the Minutes of a Committee of City Council.

12. Advocacy and Monitoring

- Monitor City, Provincial and Federal Governments and their committees, departments and agencies, in order to support pro-cycling measures.
- Maintain liaison with other groups such as the Ontario Cycling Association, Bike Windsor-Essex, Share the Road Cycling Coalition and Michigan Trails & Greenways Alliance.



Committee Matters: SCM 149/2020

Subject: Report No. 72 of the Windsor Bicycling Committee - Capital funding for traffic calming measures

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 755**

THAT Report No. 72 of the Windsor Bicycling Committee indicating:

That the investments for traffic calming across the city BE SUPPORTED, however, the Windsor Bicycling Committee objects to the proposal as noted in the 2020 Recommended Capital Budget for the City of Windsor that these initiatives be funded through the proposed allocation of \$600,000 and further recommends that the traffic calming measures BE FUNDED through the significantly larger allocation for road reconstruction **BE RECEIVED**.

Carried.

Report Number: SCM 86/2020
Clerk's File: MB2020

Clerk's Note: The recommendation of the Standing Committee and the Advisory Committee are **not** the same.



Committee Matters: SCM 86/2020

Subject: Report No. 72 of the Windsor Bicycling Committee - Capital funding for traffic calming measures

REPORT NO. 72
of the
WINDSOR BICYCLING COMMITTEE
of its meeting held January 14, 2020

Present: Councillor Kieran McKenzie, Chair
Klaus Dohring
Robert Hicks
Teena Ireland
Jessica Macasaet-Bondy
John Popham
Erika Valvasori
Ellen van Wageningen

Your Committee submits the following recommendation:

Moved by J. Macasaet-Bondy, seconded by K. Dohring,
That the investments for traffic calming across the city **BE SUPPORTED**, however, the Windsor Bicycling Committee objects to the proposal as noted in the 2020 Recommended Capital Budget for the City of Windsor that these initiatives be funded through the proposed allocation of \$600,000 and further recommends that the traffic calming measures **BE FUNDED** through the significantly larger allocation for road reconstruction.
Carried.

Note: The document provided by the Bike Windsor Essex Advocacy Committee dated January 9, 2020 is **attached**.

CHAIR

COMMITTEE COORDINATOR

Notification:		
Windsor Bicycling Committee	On File	

BWE - 1

THIS DOCUMENT CONTAINS ONLY THE PAGES FROM THE 2020 CITY OF WINDSOR CAPITAL BUDGET THAT PERTAIN TO CYCLING AND RELATED ISSUES

2020 Recommended Capital Budget



8 – Year Capital Project Listing by Major Category

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Will the City be investing in bicycle counters so that we can measure our successes?

Vision zero - where does this stand? This is the last we have heard:

At April 15, 2019 council meeting -

Moved by: Councillor Holt Seconded by: Councillor Francis

Decision Number: CR174/2019 ETPS 670

That Administration BE DIRECTED to report back to the Environment Transportation & Public Safety Standing Committee with a Vision Zero Policy for consideration; and, That Administration BE REQUESTED to provide information related to comparisons with other Vision Zero municipalities in Ontario including data and gaps or enhancements that would be required across the Corporation to move forward with a complete policy.

Carried.

Report Number: SCM 118/2019 & S 54/2019 Clerk's File: ST2019

Follow up on the \$6.8M - all projects were identified in S 99/2016. An accounting would be good.

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Committee Matters: SCM 150/2020

Subject: 881 Drouillard Road - Parking Encroachment - Ward 5

Moved by: Councillor Francis
Seconded by: Councillor Costante

Decision Number: **ETPS 756**

THAT the request by the owner of the property at 881 Drouillard Road, identified PLAN 507; LOTS 16 TO 22; PLAN 321; PT LOT 1; PLAN 255; PT CLOSED ALLEY; to permit a parking encroachment into the Edna Street right-of-way, as shown on attached Drawing C-3521, **BE DENIED**.

Carried.

Report Number: S 43/2020
Clerk's File: ST2020

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

Subject: 881 Drouillard Road - Parking Encroachment - Ward 5

Reference:

Date to Council: April 29, 2020
Author: Shannon Mills
Technologist I
519-255-6257 ext 6635
Projects & Right-of-Way
Report Date: March 2, 2020
Clerk's File #: ST2020

To: Mayor and Members of City Council

Recommendation:

That the request by the owner of the property at 881 Drouillard Road, identified PLAN 507; LOTS 16 TO 22; PLAN 321; PT LOT 1; PLAN 255; PT CLOSED ALLEY ; to permit a parking encroachment into the Edna Street right-of-way, as shown on attached Drawing C-3521, **BE DENIED**.

Background:

An application has been received from the owner of 881 Drouillard Road requesting permission to encroach into the Edna Street right-of-way for a parking space located on the sidewalk parallel to the subject property as shown on C-3521.

An email dated March 5, 2019 from Ran Huang, who represents Champion Products Corporation was received by Administration, indicating the following:

“Mr. Ashok Sood used to park his car beside the building owned by his company located on 2744 Edna Street for years without any issue and it is convenient for him. However, there were more than decade parking tickets issued again his car since late last year and early this year.”

An application was received April 5, 2019 from the property owner at 881 Drouillard Road requesting permission for a parking space shown on drawing C-3521 to encroach into the Edna Street Right-of-Way.

Discussion:

The City's Parking By-Law 9023 - Part II Section 7 states;

“No person shall park a vehicle on, over or along any boulevard, sidewalk, curb, pathway, footpath or crosswalk used by or set aside for the use of pedestrians and

forming part of any highway, or being in or upon any park, park lot, boulevard, garden or other place set apart for ornament or embellishment, or for public recreation within the Municipality. (inserted B/L 10676, May 21/91; amended B/L 11338, Feb.15/93)”

The City’s Zoning By-Law 8600 – Section 24 Parking, Loading and Stacking Provisions - 24.20.10.1 Size of a Parking Space requires; *“where one side of the parking space is flanked by a wall or fence, each parking space shall have a minimum length of 5.5 metres and a minimum width of 3.5 metres”*

Furthermore the O. Reg. 191/11: INTEGRATED ACCESSIBILITY STANDARDS under the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11 Part IV.1 Exterior Paths of Travel (80.23) requires exterior paths of travel maintain a minimum clear width of 1.5m. The proposed parking encroachment would create an illegal condition leaving only 1.2m clearance for pedestrians.

Administration also notes the subject property is listed on the Heritage Register and falls within the Ford City Community Improvement Plan. One of the objectives of the Ford City CIP is to enhance the pedestrian areas. Section 4.1 – The Public Realm identifies one of the goals for the subject property is to encourage the installation of new windows on the ground floor (which have been previously covered), to reconnect the space between the building and the street. There is sufficient on-street parking as well as parking spaces provided on the applicant’s own private property.

Lastly, it should be noted that the creation of a parking encroachment on the City Right-of-Way in no way reserves said space for any one individual. The owner of the encroachment would not be permitted to tow vehicles or prevent others from utilizing it; the space would be available to anyone the same as the on-street spaces.

Risk Analysis:

Liability risks are standard with any encroachment and are generally mitigated by transferring the risk to the property owner through the terms of the Encroachment Agreement however; there are health and safety risks and liability risks associated with allowing parking on the sidewalk. There are also risks associated with failing to be AODA compliant, notwithstanding an encroachment agreement the Corporation may be subject to monetary penalties.

Financial Matters:

If approved, the calculated encroachment fee according to M67-2015 results in an annual encroachment fee of \$403.00.

Encroachment

Parking Space \$350.00 (per 200 sq.ft. space) = Encroachment Fee

1 parking space = \$350.00 Therefore the annual encroachment fee of \$350.00 plus the annual billing and inspection fee of \$53.00 are applicable for a total of \$403.00.

The status of fees and deposits are summarized in the table below:

Application fee (Paid)	\$229.25
Legal agreement preparation (Paid)	\$300.00
Surcharge under M67-2015 (Paid)	\$102.00
Annual Encroachment fee [Parking] (Payable upon CAO approval)	\$350.00
Annual Inspection fee (Payable upon CAO approval)	\$53.00
Right of way Permit fee (Payable upon CAO approval)	\$212.00
TOTAL FEES	\$1246.25

Consultations:

The following have been consulted/notified on this application:

City of Windsor
 Transportation Planning- Juan Paramo
 Operations- Roberta Harrison
 Planning – Adam Coates
 Planning – Kevin Alexander
 Police – Barry Horrobin
 Fire – John Lee
 Risk Management – Dana Paladino
 Diversity/Access Officer - Jones, Gayle

Conclusion:

Administration recommends denial of the request due to non-compliance with City By-Laws and Ontario Accessibility Laws.

Approvals:

Name	Title
Adam Pillon	Manager of Right-of-Way
France Isabelle-Tunks	Senior Manager, Engineering / Deputy City Engineer
Mark Winterton	City Engineer and Corporate Leader Environmental Protection and Transportation

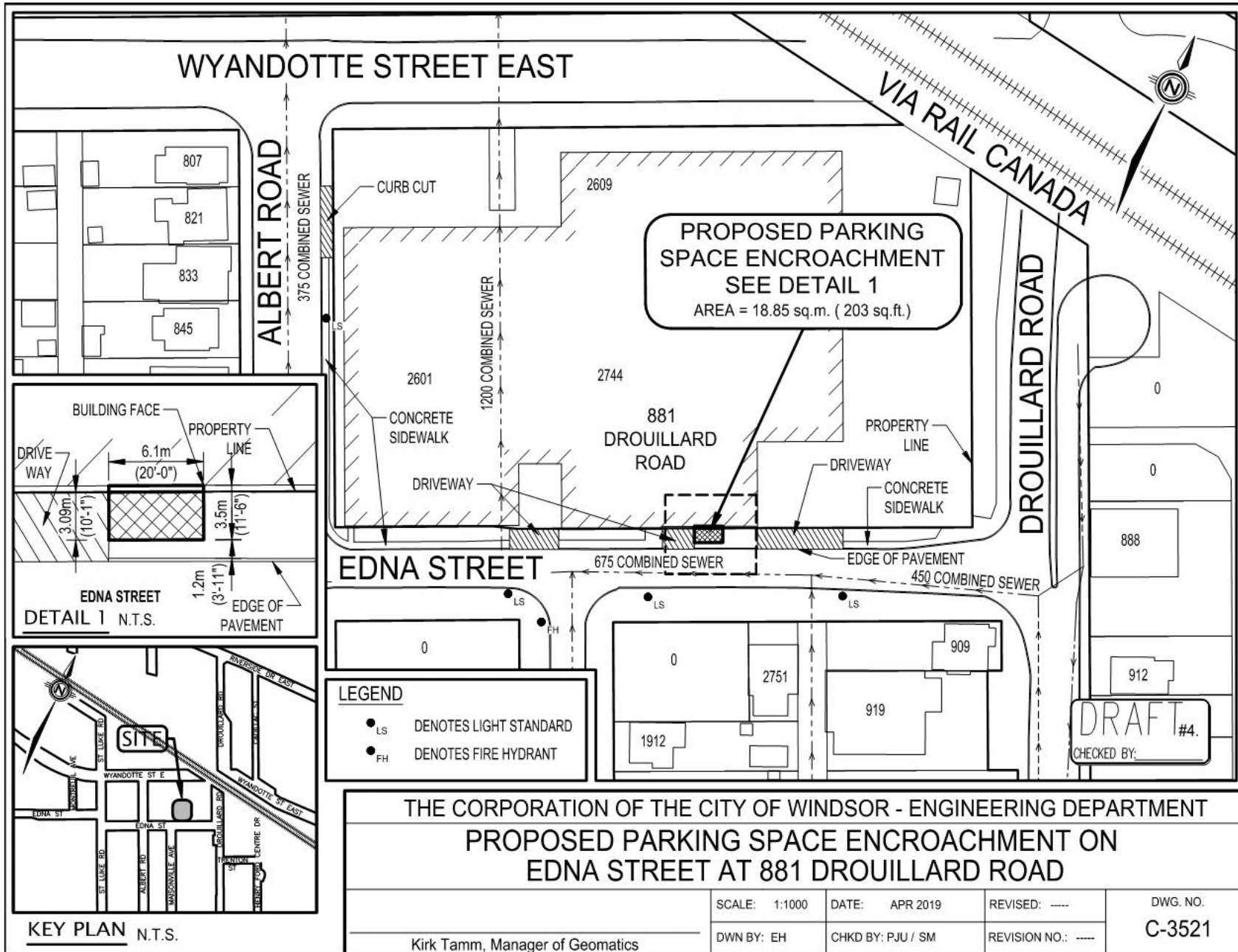
Name	Title
Shelby Askin Hager	City Solicitor and Corporate Leader Economic Development and Public Safety
Thom Hunt	City Planner, Executive Director of Planning & Building
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Edna (Windsor) Inc c/o Ashok Sood President	881 Drouillard Road, Windsor, ON, N8Y 1V2	rhuang@championproducts.com
Ed Sleiman	350 City Hall Sq W Suite 220 Windsor, ON N9A 6S1	esleiman@citywindsor.ca
Risk Management Supervisor Corporate Services		dstraus@citywindsor.ca

Appendices:

- 1 draft Council drawing C-3521



Dear officers/City of Windsor

Subject: 881 Drouillard Road-Parking Encroachment-Ward 5

Firstly, the subject property in the application is located in abutting to the building of 2744 Edna Street, and the municipal road in adjunction to it named Edna Street. Why it has been renamed as 881 Drouillard Road? The Applicant has no idea about it. The said building has been used as applicant's operating office and warehouse for a decade and the subject property has played a very important role in this regard.

1. There are no enough parking spaces for the applicant over the business operation .There are over 50 people working on this building, and there are only limited spaces for parking. In order to resolve the parking issue, the applicant already acquired the property across the street last year, namely 909 Maisonvill to park more cars. By cutting this property as parking place, it is going to put more burden to the applicant's current parking difficulties.
2. The "881 Drouillard Road" along the building of 2744 Edna street, there is no place over 1.5 m for pedestrians except the one in the subject. There is grass lawn and other objects along the side. There are three dock entries to the building of 2744 Edna and entry gate of one storage place connected to the building of 2744 Edna are set facing to "881 Drouillard Road", therefore, making no pedestrians will be safe to select to walk through this side of sidewalk instead of the other side of the sidewalk of the street. The only pedestrians would use the remaining space for walking, mostly would be the owners of the car parking there, or the applicant's employees.
3. According the City's zoning By-Law 8600 -Section 24 parking, loading and Stacking Provisions- 24.20.10.1 Size of a Parking Space requires; "where one side of the parking space is flanked by a wall or fence, each parking space shall have a minimum length of 5.5 meters and a minimum width of 3.5 meters". The current width is 5 meters and there is enough length, therefore, it is sufficient to meet the City above zoning requirement. With parking of a normal sedan and even a pick up truck, there will be still more than 1.5 meter left for the pedestrians.
Based on the inaccurate data that the city obtained in this report, we request the City to send out an inspector to do the measurement on the site.
4. Once an encroachment is created on the said property, the applicant totally understand that anyone could use this parking encroachment. The purpose of the application is to secure the parking spaces of the operation of the business, and not to claim any previlage of the utilizing of the space.
5. Overall, we do think our request for minor consent is consistent with the "Healthy, livable and safe communities" policy promoting cost-effective development to minimize land consumption and servicing costs.

Ran Huang

In-house counsel for Champion Products
Corp.



Committee Matters: SCM 151/2020

Subject: Parking Agreement with RockTech Solutions Canada - Ward 3

Moved by: Councillor Kaschak

Seconded by: Councillor Costante

Decision Number: **ETPS 757**

THAT the City **ENTER** into an agreement with Rocktech Solutions Canada to provide parking spaces in the City's parking garages and **AUTHORIZE** the City Clerk and the CAO to sign the agreement on behalf of the City subject to approval as to technical content by the Executive Director of Operations, financial content by the Chief Financial Officer/City Treasurer and form as to the City Solicitor.

Carried.

Report Number: S 48/2020

Clerk's File: ST/13762

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

Subject: Parking Agreement with RockTech Solutions Canada - Ward 3

Reference:

Date to Council: April 29, 2020
Author: Shawna Boakes
Senior Manager, Traffic Operations & Parking Services
519-255-6247 x6791
sboakes@citywindsor.ca
Public Works - Operations
Report Date: March 5, 2020
Clerk's File #: ST/13762

To: Mayor and Members of City Council

Recommendation:

That the City **ENTER** into an agreement with Rocktech Solutions Canada to provide parking spaces in the City's parking garages and **AUTHORIZE** the City Clerk and the CAO to sign the agreement on behalf of the City subject to approval as to technical content by the Executive Director of Operations, financial content by the Chief Financial Officer/City Treasurer and form as to the City Solicitor.

Executive Summary:

N/A

Background:

Rocktech Solutions Canada (Rocktech) and Quicken Loans Inc. are affiliated companies owned by the same holding company. Rocktech approached the City of Windsor to discuss parking needs for their new facility located at 156 Chatham Street W. After initial discussions, Rocktech requested guaranteed parking spaces as they grow their Windsor staff.

Discussion:

In 2019, RockTech began re-construction of 165 Chatham Street W with the intention of hiring approximately 50 or more staff members for a Windsor location. RockTech approached the City to enquire about parking availability in the downtown area. Administration began discussions with RockTech to provide parking at the Goyeau Street garage with overload parking at the Pelissier Street garage. RockTech requested a total of 65 spaces for staff. At the time of initial discussions, the City was

able to accommodate fifty (50) spaces at Goyeau Street and fifteen (15) spaces at Pelissier Street.

RockTech requested an official agreement with the City as the current agreement used by the City is for individual parkers and RockTech plans to enter the agreement as a business.

The following terms were discussed with RockTech and will form part of the agreement:

RockTech would be charged the same fee as other paid parkers and their fees would increase at the rates as directed by Council through budget decisions. The current monthly rate is \$90 plus HST, per parker. Implementation of the 2020 rates will be done as soon as notifications have been sent and program updates have been completed.

RockTech would be charged for spaces that they are not using at a reduced rate of \$30 plus HST per space in order to secure the spaces, up to a total of 65 spaces. Rocktech may request additional space, however the City will not guarantee spaces in addition to the 65 initially requested. RockTech may reduce the number of requested spaces on a yearly basis by giving prior notice.

The agreement would be for the term of RockTech's lease agreement for the property on Chatham Street W, currently through February 28, 2026 with options for extensions.

RockTech is also requesting validation cards for guests. They would use the spaces similar to other businesses downtown where their guests may use the passes and RockTech would be invoiced for the time used based on the daily rates.

The remainder of the terms are consistent with the terms of other parkers.

Risk Analysis:

If RockTech does not hire the full number of staff in a short period of time, the City may stand to lose revenue by holding parking spaces. To mitigate this potential loss in revenue, RockTech will be charged a 'holding' fee for each space unused. In addition, the City typically oversells permits in the garage by 5% - 15% to account for daily fluctuations, which will also assist in mitigating any potential lost revenue from holding unused spaces for RockTech.

Parking numbers in the garages fluctuate significantly and while in recent years there has been an increase in parkers, a large number are individuals from the public. An agreement with RockTech would ensure long term revenue as opposed to monthly revenue from individuals who request parking spaces on a monthly basis.

Financial Matters:

RockTech will be paying the full fee for each space their staff occupy. Currently this rate is \$90 plus HST. Implementation of the 2020 rates (\$100 plus HST) will be done as soon as notifications have been sent and program updates have been completed. For spaces not occupied up to the total number within the agreement, RockTech will pay a reduced rate of \$30 plus HST per month each.

As of the time of this report, RockTech has 26 staff in Garage 1, paying fees. With 26 current parkers and 39 spaces being held, the current monthly revenue from the signing of this agreement will be \$3,510, plus HST; or \$42,120 annually.

Once all 65 spaces are occupied, the total revenue using 2020 rates will be \$6,500 monthly or \$78,000 per year, notwithstanding any future parking rate increases.

Consultations:

Legal

Finance

Conclusion:

Administration recommends the City enter into an agreement for parking with RockTech Solutions Canada at the agreed upon rates.

Planning Act Matters:

N/A

Approvals:

Name	Title
Natasha Couvillon	Manager, Performance Measurement & Financial Administration
Dwayne Dawson	Executive Director of Operations
Mark Winterton	City Engineer
Shelby Askin Hager	City Solicitor
Joe Mancina	Chief Financial Officer/City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Kevin Bopp, VP, Parking & Mobility		kevinbopp@bedrockdetroit.com

Appendices:



Committee Matters: SCM 152/2020

Subject: Fire Stations No. 2 and 5 Project Completion Report

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

Decision Number: **ETPS 758**

1. THAT the report for completion of Fire Stations No. 2 and 5 **BE RECEIVED** for information; and,
 2. THAT City Council **APPROVE** the establishment of a Species At Risk Reserve Fund, pending the sale of the former Fire Hall Station No. 5; and,
 3. THAT City Council **APPROVE** the transfer of the total project surplus, following the sale of *1905 Cabana Road West*, to the new Species at Risk Reserve Fund.
- Carried.

Report Number: S 209/2018
Clerk's File: SF/11843

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

Subject: Fire Stations No. 2 and 5 Project Completion Report

Reference:

Date to Council: April 29, 2020

Author: Andrew Dowie

Engineer III

(519) 255-6257 ext. 6490

adowie@citywindsor.ca

Projects & Right-of-Way

Report Date: November 7, 2019

Clerk's File #: SF/11843

To: Mayor and Members of City Council

Recommendation:

1. That the report for completion of Fire Stations No. 2 and 5 **BE RECEIVED** for information; and,
2. That City Council **APPROVE** the establishment of a Species At Risk Reserve Fund, pending the sale of the former Fire Hall Station No. 5; and,
3. That City Council **APPROVE** the transfer of the total project surplus, following the sale of *1905 Cabana Road West*, to the new Species at Risk Reserve Fund.

Executive Summary:

N/A

Background:

Project Conception

On December 16, 2013, City Council received report #16905 detailing the Arbitration Award between the Windsor Professional Fire Fighters Association and The Corporation of the City of Windsor together with Implementation Plans. M467-2013 was adopted, indicating "That the report of the Executive Director of Human Resources dated December 12, 2013 regarding "Arbitration Award – Windsor Professional Fire Fighters Association (WPFPA) and The Corporation of the City of Windsor (Corporation) and Implementation Plan" BE RECEIVED, and that M460-2013 BE ADOPTED AS AMENDED." M460-2013 read "*That the Report of Special In-Camera Meeting held December 10, 2013, BE ADOPTED as amended.*"

Relevant sections of the report adopted in M460-2013 included:

- *“That City Council APPROVE the removal of conditions and DIRECT administration to proceed with the acquisition of property on the corner of Northwood and Daytona, in the City of Windsor for a total sum of \$385,000 and associated legal costs and disbursements; and*
- *That City Council DIRECT administration to take steps necessary to utilize a portion of the Long Park property for a fire hall; and*
- *That although the intent of the real property policy was to apply to sale of City property, given the ambiguity of the present policy that council WAIVE the following provisions of the “Dealings With Real Property Policy”, namely:*
 - *s. 4.1.5 obtain independent property appraisals for Real Property in keeping with any requirements imposed by any applicable legislation, by-law, or this Policy;*
 - *5.2.1 For all Real Property with an estimated value of fifty thousand dollars (\$50,000.00) or more, at least one (1) appraisal based on “highest and best use” will be obtained from an accredited appraiser in accordance with the current standards of the Appraisal Institute of Canada;*

and,

- *That City Council AUTHORIZE the City Engineer and Manager of Purchasing and Risk Management, in accordance with the purchasing by-law for time constrained purchases, to Sole Source the architect/consultant as may be needed, to adjust the drawings of recently built Fire Station 7, to allow for their use on the two respective new sites; [...]*

On February 18, 2014, City Council approved CR42/2014 as follows:

- I. That \$9.0 million BE CONFIRMED as the overall budget for the design and construction of the two new fire halls (Fire Hall 2 and Fire Hall 5), funded from;*
 - a) Previously approved \$5.0 million placeholder from within the Contingency allocation in the 2014 Enhanced Capital Budget Plan that was approved December 2, 2013 by City Council; and*
 - b) The reallocation of \$4.0 million of the previously approved \$12.0 million placeholder (B38/2013) set aside for the upfront capital cost of a possible tenant for a new City Hall project.*
- II. That the City Engineer BE AUTHORIZED to issue two tenders for the new Fire Hall No. 2 and Fire Hall No. 5, satisfactory in legal form to the City Solicitor and in compliance with the Purchasing By-law.*
- III. That in order to expedite the construction of the two new fire halls by December 31, 2014 which are the responsibility of the City Engineer and subject to “tender only” (not RFP), and for which the tender submissions fall within the approved*

capital budget, that the Chief Administrative Officer and City Clerk BE AUTHORIZED to sign an agreement with the successful bidders, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content with the City Engineer, and further, that the results of these tenders be subsequently reported to City Council for information purposes.

IV. That the City Planner BE DELEGATED THE AUTHORITY to approve the Site Plan Control application.

In summary, Windsor's network of Fire Stations was reviewed in an effort to improve service efficiency and citywide fire protection coverage. The City's goal is to work towards a 10 Firefighters in 10 Minutes response time to calls. The station design was modified from Fire Station 7.

Fire Station #2

Construction tender results for Fire Station #2 were received at the City Council meeting of April 22, 2014 as part of a Communications Report. Gulf Developments was the successful bidder for the project, with a tender price of \$3,865,850.19. Because this amount fell within the allocated budget, no further direction of City Council was required.

Subsequent to this approval, resident concerns were raised over the introduction of the fire station within an established neighbourhood. To mitigate concerns, additional features were added through landscaping, sidewalks and crosswalks.

Construction at the Fire Station #2 site began on April 29, 2014 and was substantially completed as of December 31, 2014. Formal occupancy of the new Fire Station #2 facility was attained on January 5, 2015. All work associated with Fire Station #2 is now complete.

Fire Station #4

At its meeting of August 5, 2014, City Council allocated funds for roof and wall repairs at Fire Station #4 through CR193/2014. A & G Metro Roofing Ltd. was awarded Tender 55-14 at a total tender price of \$112,000.00 plus HST and Rocana Construction Inc. was awarded RFQ SF-061914-01 at a price of \$37,200.00 plus HST.

Fire Station #5

The construction tender for the new Fire Station #5 project was originally tendered in March 2014 but was cancelled following the discovery of endangered Butler's Garter Snake on site.

On May 20, 2014, City Council received an update regarding the status of Fire Station #5 construction. This update formally advised City Council that Tender #25-14 was cancelled as the Ministry of Natural Resources and Forestry determined that construction would contravene s.9 and s.10 of the ESA. This would have occurred through potential impacts to Species at Risk (SAR) and direct impacts to SAR habitat. As a result, an Overall Benefit Permit Application was prepared by the City for impacts to Butler's Garter snake (BGS), Eastern Fox snake (EFS) and Willow leaf Aster.

A project update was supplied to City Council on November 5, 2015, advising of progress on Fire Station #2 and the status of delays encountered for Fire Station #5 because of compliance with the Endangered Species Act (ESA).

From 2014 until early 2016, Administration worked extensively with subject matter experts at Amec (now Wood) to devise a Species at Risk Mitigation Plan that would be acceptable to the Ontario Ministry of Natural Resources and Forestry.

In early 2016, ESA Permit AY-C-007-15 ("Permit") was issued by the MNRF on March 1st 2016, allowing the City to construct Fire Station #5 on the proposed project site (Figure 1), under specific terms and conditions (MNRF 2016a). Requirements for the site detailed a habitat compensation and ten-year monitoring plan, including both on and off-site mitigation measures. These included dedicated training for each worker participating in the project, reporting procedures in case of conflict with a species at risk, restrictions on methods of construction activity and the creation of replacement habitat within the Spring Garden Area of Natural and Scientific Interest.

At its meeting of August 2, 2016, City Council approved CR472/2016:

- I. *THAT the report regarding the Award of Tender for Tender 110-16, Construction of New Fire Hall No. 5 BE RECEIVED FOR INFORMATION, and*
- II. *THAT APPROVAL BE GIVEN to enter into an agreement with Amico Design-Build Inc. for the construction of Fire Hall No. 5 in the amount of \$4,202,500.00 (excluding HST) and that the Chief Administrative Officer and City Clerk BE AUTHORIZED to sign the agreement, satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and*
- III. *THAT in keeping with the Disposal of Land Policy, Section 4.1.3 the following improved real property BE DECLARED surplus to the needs of the Corporation:*
 - *1905 Cabana Road West – situated on the south side of Cabana Road West opposite the Charlevoix Avenue intersection.*
 - *Legal Description: Part Lot 2, Concession 4 or 2, Sandwich West; McNiff L'Assumption, designated as Part 2 on Plan 12R-2766*
 - *Lot size: 180 feet X 183 feet*
 - *Building size: approximately 5,546 square feet*

and,

- IV. *That the Manager of Real Estate Services BE DIRECTED to list the improved property municipally known as 1905 Cabana Road West on the MLS at a time as determined by the City Solicitor, and*

- V. *THAT in order to supply the required new line of service as it relates to ongoing Ministry of Natural Resources and Forestry (MNRF) commitments under*

s.17(2)(c) of the Endangered Species Act, 2007, Council APPROVE a pre-commitment of \$50,000 to the 2017 Operating Budget for the Parks Department, and

VI. THAT Council APPROVE use of the \$218,000 park land dedication costs within the Fire Hall 2 Project as a funding source for mitigation costs required for commitments under s.17(2)(c) of the Endangered Species Act, 2007, Species at Risk Mitigation Plan for the construction of Fire Hall 5, and

VII. THAT Council APPROVE funding of the estimated project shortfall of \$1,194,941 (including non-recoverable taxes) from the following sources:

- Anticipated proceeds from the sale of surplus Fire Halls 2, 6 & 5 \$900,000*
- Parkland dedication fees - Long Park \$218,000*
- Unallocated Capital Placeholder Contingency \$76,941*
- and that the overall project budget BE REVISED to be \$10,194.941.*

As noted above, Amico Design-Build Inc. was the successful bidder for the works following a two-stage selection process including prequalification.

Construction at the Fire Station #5 site began in late August of 2016 with erection of the permanent snake fence and of site preparation.

Structural construction began in October of 2016, and was substantially completed in October of 2017.

Operations at the station began on October 23, 2017.

A Grand Opening event and Open House for Fire Station #5 was hosted on May 1, 2018. The event included a ceremony held to advertise completion of the project and to welcome members of the media for a tour of the facility.

Additional site amendments to facilitate drainage were concluded in October 2018. As of today, the project is complete and elements of the project remain under warranty.

Discussion:

A common Executive Committee oversaw project management for both projects. The Projects Division of the Engineering Department administered the projects and worked closely with staff of Windsor Fire and Rescue Services towards achieving project objectives.

The final budget approved by Council for the project was \$10,329,861 (detailed breakdown in Financial Matters). The final maintenance/warranty period has ended for both stations. Substantial completion for the final contract was achieved on September

25, 2017. The overall final costs, as well as a summary of project results are included in the attached Schedule A – Project Closeout Evaluation.

The project locations were identified through a geomatics investigation with respect to sites that would offer the established service standard to the most properties.

The location at 2650 Northwood Street was found to be a potential home of species at risk, most notably Butler’s Garter Snake, and the Ontario Ministry of Natural Resources and Forestry recommended conducting a preliminary ecological site assessment of the site to determine whether species at risk plants are present and to assess potential habitat features for snakes.

To comply with regulations, a mitigation plan was developed which included an Overall Benefit Permit Package. Plans were submitted in the spring of 2015 and final approval was obtained in spring of 2016. The City committed to, between the years 2017 and 2026:

- 1) Protecting the surrounding rights-of-way from development throughout the monitoring period (Northway Avenue and Ojibway Street)
- 2) Restoring habitat at various off-site locations for the monitoring period, as follows:

Spring Garden Natural Area (SGNA) Habitat Restoration Sites	Area of Restorable Habitat (ha)	Area Restored (ha) since 2016
Site 1 Spring Garden Natural Area North – West of Bethlehem and Lamont Sts.	0.75	1.44
Site 4 Spring Garden Natural Area Hills – Southwest of Emilia and Amy Lynn Park Rds.	0.16	0.16
Site 5 Turkey Creek North – South of Fazio Drive	0.72	0.10
Site 9 Spring Garden Road – South of Harvest Bible Church	0.76	0.76
Site 10 Lamont Ave. – South side of adjacent properties	0.41	0.41
Site 11 Lansing Street – North side of adjacent properties	0.75	0.75

Of the total funding for the project, \$360,000 of funding was set aside in project 7139004 – Fire Hall Strategic Realignment for Species-at-Risk related ongoing monitoring and enforcement costs. A total of which \$170,014 has already been expended for various species-at-risk related costs. There is risk of exhausting this funding allocation owing to the experience of the past three years.

In order to mitigate this risk, it is recommended that the overall anticipated surplus from project 7139004, which includes the above noted Species-at-Risk, be transferred to a new, separate Reserve Fund for this ongoing work.

Risk Analysis:

There are no significant or critical risks associated with the recommendations in this report.

Financial Matters:

The project has been completed and is projected to finish with an estimated surplus of approximately \$260,000.

The following summarizes the project expenditures.

EXPENSES DESCRIPTION	BUDGET*	Actual to Date *	Variance Surplus / Deficit
Professional Fees	\$306,000	\$345,092	(\$39,092)
Fit-Up Costs	\$267,500	\$100,319	\$167,181
Construction Costs	\$7,596,711	\$7,902,121	(\$305,410)
Miscellaneous (survey, events, financing, permits etc.)	\$1,474,730	\$1,384,290	\$90,440
Contingency	\$684,920	\$338,039	\$346,881
Total	\$10,329,861	\$10,069,861	\$260,000

*Values are as of March 3, 2020 and include non-recoverable taxes. Additional expenses for financing costs are also included in the Miscellaneous expense line.

Following the Species at Risk identification, a budget of \$10,329,861 was approved through the following sources:

- I. \$9,000,000 initial project funding for both Fire Station No. 2 and No. 5.
- II. \$218,000 in park land dedication costs initially transferred from the Fire Station No. 2 project were recovered, as the Fire Station No. 5 project incorporates the improvement of various sites within the Spring Garden Area of Natural and Scientific Interest.
- III. \$900,000 proceeds from the sale of surplus Fire Stations No. 2, 5, and 6.
- IV. \$76,941 from the Unallocated Capital Placeholder Contingency.
- V. \$134,920 in surplus funding from Project 7052089 (Station 7 – New Fire Hall).

With the exception of the sale of Fire Station No. 5, project revenues were distributed in accordance with the approved project budget. Previous Fire Stations No. 2 (located on Walker Road at Richmond Street) and No. 6 (located on Tecumseh Road East at Jos. St. Louis Street) have been sold.

It should be noted that the project is currently in an unfunded position of \$59,925, pending the sale of Fire Station No. 5, and will continue to incur financing charges until the deficit is mitigated.

Despite this, once sale of Fire Station No. 5 is complete, Administration is estimating a net surplus of approximately \$260,000, of which \$190,000 has been set aside for Species-At-Risk. As noted above, Administration is recommending that the overall anticipated surplus from project 7139004 be transferred to a new, separate Reserve Fund for this ongoing work, pending the sale of Fire Hall Station No 5.

Consultations:

Fire Station No. 2 Project Administrator – Wadah Al-Yassiri
Deputy Treasurer, Financial Planning – Tony Ardovini
Fire Chief – Stephen Laforet
Financial Planning Administrator – Carrie McCrindle
Manager of Capital Budget and Reserves – Victor Ferranti

Conclusion:

The projects for Fire Stations No. 2 and 5 are estimated to finish with an overall budget surplus of approximately \$260,000. Work is complete and operations have been ongoing in the facilities.

The introduction of Fire Station No. 2 facilitated an adaptive design, in which mitigation measures were introduced to limit negative impacts to the neighbourhood.

As part of Fire Station No. 5, the capacity for Administration to respond and adapt to Species at Risk Mitigation measures was developed and secured. Future projects will benefit from the knowledge and experience gained from this project to address new legislative requirements.

In addition, each of the station builds incorporated best practices learned from previous projects. Some of the innovations adopted included additional privacy measures in the sleeping quarters for firefighters, selection of a subtle exterior brick as a cost savings that fits the surroundings, the incorporation of a smoke and pollutant extractor for gear and equipment, and additional automation of garage doors and dispatches to calls.

It is recommended that surplus funds associated with the project be moved to a new Species-at-Risk/Fire capital reserve fund in order to support compliance with the Ministry of Natural Resources and Forestry permit commitments. Administration will update council as to the final project balance and the amount to transfer to the reserve once the sale is finalized and the transfer to the project has been made.

Planning Act Matters:

N/A

Approvals:

Name	Title
France Isabelle Tunks	Senior Manager of Engineering / Deputy City Engineer
Stephen Laforet	Fire Chief
Mark Winterton	City Engineer
Shelby Askin Hager	City Solicitor
Dan Seguin	On behalf of City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Project Closeout Evaluation

PROJECT CLOSEOUT EVALUATION

PROJECT NAME:	Fire Stations No. 2 and 5																								
PROJECT ADMINISTRATORS:	<p>Fire Station No. 2 Jake Renaud, P.Eng. Wadah Al-Yassiri, P.Eng.</p> <p>Fire Station No. 5 Andrew Dowie, P.Eng. Colleen Middaugh, P.Eng. Jake Renaud, P.Eng.</p>																								
DATE:	March 11, 2019																								
BUDGET VS. ACTUAL (by contract and overall as of XX)	<p><u>Fire Station No. 2</u></p> <table border="1" data-bbox="672 877 1536 1016"> <thead> <tr> <th></th> <th>Budget</th> <th>Actuals</th> <th>Surplus</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Overall</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>The project was completed with an overall surplus of XX</p> <p><u>Fire Station No. 5</u></p> <table border="1" data-bbox="672 1220 1536 1358"> <thead> <tr> <th></th> <th>Budget</th> <th>Actuals</th> <th>Surplus</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Overall</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>The project was completed with an overall surplus of XX</p>		Budget	Actuals	Surplus	Construction				Overall					Budget	Actuals	Surplus	Construction				Overall			
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DEADLINES/SCHEDULE (by contract and overall)	<p>The projects were originally based on Fire Station No. 7 and the tenders for Fire Stations No. 5 and 2 were originally developed concurrently.</p> <p>The schedules were monitored and confirmed at bi-weekly construction meetings.</p> <p><u>Fire Station No. 2</u></p> <p><u>PROPOSED SCHEDULE:</u> Contract: December 31, 2014</p>																								

	<p><u>ACTUAL SCHEDULE:</u> December 31, 2014 Substantial Performance</p> <p>This build was completed on schedule and did not encounter major issues.</p> <p><u>Fire Station No. 5</u></p> <p><u>PROPOSED SCHEDULE:</u> Contract: August 31, 2017 Substantial Performance</p> <p><u>ACTUAL SCHEDULE:</u> September 23, 2017 Opening</p> <p>The project was not completed on schedule, however it was completed within one month of the originally anticipated completion date. The project encountered several difficulties:</p> <ul style="list-style-type: none"> - Ensuring that necessary trades were available to complete the building structure on schedule. - Structural steel fabrication delays. - Early onset of cold weather during completion of building masonry.
<p>PROJECT SUCCESSES</p>	<p>The project incorporating both stations benefitted from lessons learned in preceding Fire Station projects, and improvements were incorporated for each subsequent build. Continuous improvement was achieved by incorporating lessons learned from builds of Fire Stations 7, 2 and 6.</p> <p>Use of familiar architectural design allowed for an efficient construction period for Fire Station #2.</p> <p>Neighbourhood and employee concerns regarding lights, speed of trucks and other impacts of the station were addressed successfully through public open houses at Fire Station #2.</p> <p>Project staging was achieved successfully with the adjacent St. Bernard school construction including construction traffic routing.</p> <p>Snake-barricading fencing and approaches were implemented before construction in order to allow for the removal of as many snakes as possible from the site and to prevent snakes from re-entering the site. Over 70 snakes were relocated from the site prior to construction.</p> <p>All workers deployed to the Fire Station No. 5 site were required to be trained on protocol for species at risk sightings.</p> <p>The project has been completed with a budget surplus of \$XXX.</p>

<p>PROJECT CHALLENGES</p>	<p>Principal challenges for Fire Station No. 2 included:</p> <ul style="list-style-type: none"> • Resident opposition to location given familiarity with parkland and removal of established street parking. • Quality issues occurred due to weather and working climate. Particular items such as the floor finish were affected and could not be reset due to presence of in floor heating. <p>Principal challenges for Fire Station No. 5 included:</p> <ul style="list-style-type: none"> • Cancelled tender and major delay of project due to Species at Risk mitigation requirements. • High risk and uncertainty of Species at Risk implications. • Mobility of trades and lack of understanding for species at risk mitigation measures. • Concurrent closures of Northwood Street and Daytona Avenue during construction to minimize school time conflicts. • Undesirable use of the site prior to and during construction including illegal dumping, theft and vandalism. • Changes to topography during delay of Fire Station No. 5 project. • Shortage of skilled trades leading to building delays. • Inclement weather during critical time for the project. • Ongoing monitoring and compensation requirements.
<p>INNOVATIONS</p>	<ul style="list-style-type: none"> • The architectural plans for Fire Station No. 7 were reused together with the same consultant project team. Certain building features were mirror images. • The building appearance for Fire Station No. 5 varies slightly from the design of the previous stations. While it was in part a cost-saving measure, a more natural brick was selected for the fire station that recalls the natural environment surrounding the station. • Bedroom quarters for Fire Station No. 5 are first to incorporate solid partition walls. • A naturalized stormwater drainage disposal area was created in the northwest quadrant of the Fire Station No. 5 site. It was expanded during construction to further reduce environmental impact and to better integrate with existing habitat. • Fire Station No. 2 can accommodate two trucks while Fire Station No. 5 can accommodate three trucks on site. • Fire Station No. 5 bedrooms have additional privacy, with sliding doors and block walls separating sleeping quarters. • Rubberized flooring for indoor areas has been installed in lieu of

	<p>polished concrete.</p> <ul style="list-style-type: none">• Bay doors feature traffic lights and light sensor system to prevent vehicle conflict at Fire Station No. 5.• Equipment extractor (to remove toxins) has been installed at Fire Station No. 5 to service platoons from all western fire stations.• Ceiling lights flash when calls are dispatched, improving response time.
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Committee Matters: SCM 153/2020

Subject: Preparations for Recycling Transition to Extended Producer Responsibility - City Wide

Moved by: Councillor Francis

Seconded by: Councillor Kaschak

Decision Number: **ETPS 759**

THAT Council **ENDORSE** the following resolution:

WHEREAS the amount of single-use plastics leaking into our lakes, rivers, waterways is a growing area of public concern;

WHEREAS reducing the waste we generate and reincorporating valuable resources from our waste stream into new goods can reduce GHGs significantly;

WHEREAS the transition to full producer responsibility for packaging, paper and paper products is critical to reducing waste, improving recycling and driving better economic and environmental outcomes;

WHEREAS the move to a circular economy is a global movement, and that the transition of Blue Box programs would go a long way toward this outcome;

WHEREAS the City of Windsor is supportive of a timely, seamless and successful transition of Blue Box programs to full financial and operational responsibility by producers of packaging, paper and paper products;

AND WHEREAS the Association of Municipalities of Ontario has requested municipal governments with Blue Box programs to provide an indication of the best date to transition our Blue Box program to full producer responsibility;

THEREFORE BE IT RESOLVED:

THAT given the information available at this time, the City of Windsor intends to transition their Recycling Collection program to full producer responsibility on August 27th, 2024; and,

THAT this decision is based on the fact that this transition date coincides with the expiration of the current Service Agreement for Recycling Collection; and,

THAT the City of Windsor would be interested in providing collection services to Producers should we be able to arrive at mutually agreeable commercial terms; and further,

THAT any questions regarding this resolution can be directed to the Manager, Environmental Services; and further,

THAT the resolution be forwarded to the Association of Municipalities of Ontario (AMO) and the Ontario Ministry of the Environment, Conservation and Parks.

Carried.

Report Number: S 23/2020
Clerk's File: SW2020

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

Subject: Preparations for Recycling Transition to Extended Producer Responsibility - City Wide

Reference:

Date to Council: April 29, 2020
Author: Anne-Marie Albidone
Manager, Environmental Services
519-974-2277 ext. 3123
aalbidone@citywindsor.ca

Public Works - Operations
Report Date: 1/31/2020
Clerk's File #: SW2020

To: Mayor and Members of City Council

Recommendation:

THAT Council **ENDORSE** the following resolution:

WHEREAS the amount of single-use plastics leaking into our lakes, rivers, waterways is a growing area of public concern;

WHEREAS reducing the waste we generate and reincorporating valuable resources from our waste stream into new goods can reduce GHGs significantly;

WHEREAS the transition to full producer responsibility for packaging, paper and paper products is critical to reducing waste, improving recycling and driving better economic and environmental outcomes;

WHEREAS the move to a circular economy is a global movement, and that the transition of Blue Box programs would go a long way toward this outcome;

WHEREAS the City of Windsor is supportive of a timely, seamless and successful transition of Blue Box programs to full financial and operational responsibility by producers of packaging, paper and paper products;

AND WHEREAS the Association of Municipalities of Ontario has requested municipal governments with Blue Box programs to provide an indication of the best date to transition our Blue Box program to full producer responsibility;

THEREFORE BE IT RESOLVED:

THAT given the information available at this time, the City of Windsor intends to transition their Recycling Collection program to full producer responsibility on August 27th, 2024; and,

THAT this decision is based on the fact that this transition date coincides with the expiration of the current Service Agreement for Recycling Collection; and,

THAT the City of Windsor would be interested in providing collection services to Producers should we be able to arrive at mutually agreeable commercial terms; and further,

THAT any questions regarding this resolution can be directed to the Manager, Environmental Services; and further,

THAT the resolution be forwarded to the Association of Municipalities of Ontario (AMO) and the Ontario Ministry of the Environment, Conservation and Parks.

Executive Summary:

N/A

Background:

The province currently has in place legislation under which it intends to introduce regulations to require the transition of recycling responsibility from Municipalities to Producers. The current model requires Municipalities to provide recycling collection to its residents at least half as often as they offer garbage collection, and that the net cost of the recycling program (both in terms of collection and processing) be funded at a rate of 50% by the Producers. More specifically for the City of Windsor, the Environmental Services department manages collection of recyclable materials, on behalf of the Essex Windsor Solid Waste Authority (EWSWA). EWSWA manages the collection in the County municipalities as well as the processing of all recyclable materials in the region. EWSWA then receives 50% of the total recycling program net costs (all collection and processing) from the Producers. Under the new model, Municipalities will no longer be responsible for collection, processing or any associated costs with the Residential portion of the recycling program. Any recycling services currently offered by the City of Windsor to ICI customers (condominiums, BIAs, schools, etc.) are not expected to transition to Producers.

The MECP has stipulated that all municipalities must transition sometime between January 1, 2023 and December 31, 2025, with 1/3rd of the province transitioning each year. Understandably, it would be near impossible to transition every municipality on the same date. Discussions between the Ministry, Producers and Municipalities are underway to develop a method of determining which municipalities will transition on which day. There are two methods being considered:

1. ***Municipally self-directed***: in this model, municipalities would determine the best date to transition based on established contracts, infrastructure and operational efficiencies. This method is preferable in that the City of Windsor could

determine the date that is of most financial and operational benefit for the transition of collection, while the EWSWA could determine the date that is most beneficial for the transition of the County collection as well as the processing of the recyclable material. The challenge with this model is that it may not result in 1/3rd of the province each year.

2. **Third party expert directed:** in this model, a third party expert would determine when each municipality would transition. Municipalities and Producers alike would have no input on the dates selected. The benefit of this method is that it would theoretically lead to a more balanced transition (1/3rd of the province per year). However, the challenge with this method is that the transition date may result in a financial burden to the City of Windsor (as well as other municipalities).

Producers have recognized that municipalities have an expertise in terms of collection. They therefore have expressed interest in entering into an agreement with municipalities (who are willing to do so) to continue this service. It should be noted that municipalities are not obligated to enter into any agreement with Producers, nor are Producers required to enter into discussions with Municipalities.

The Association of Municipalities of Ontario (AMO), the Regional Public Works Commissioners of Ontario (RPWCO), and the Municipal 3R's Collaborative (M3RC) are three organizations that are part of the discussions with the Ministry and the Producers and are key to representing municipal interests in the development of the Regulations under the *Resource Recovery and Circular Economy Act, 2016*. To this end, AMO has requested the City of Windsor (as well as all Ontario Municipalities) indicate what their preferred transition date is, and whether or not there is interest in having discussions with Producers on service provision. The memo from AMO, dated December 18th, 2019 and presented to Council on January 6th, 2020 outlines a request for a Council Resolution on these matters. The goal is to determine if there are any years that are over or under subscribed, and whether or not the municipally self-directed option is viable. Clearly, if all municipalities want to transition on January 1, 2023 (earliest date), then a third party directed transfer method will be required. The information will also allow AMO and the Province to better understand where there may be challenges with either method.

The purpose of this report is to provide Administration's recommended preferred transition date as well as outline the advantages and disadvantages of service provision post transition.

Discussion:

Preferred Transition Date

The current recycling collection contract with Green For Life (GFL) is set to expire on August 27th, 2024. The terms of this agreement clearly set out the conditions on which the contract may be terminated early, or may be extended.

Section 6 of the contract speaks to Legislative Change Risk.

6. Legislative Change Risk

6.1 *If a Qualifying Change in Law occurs or is about to occur, then either party may notify the other to express an opinion on its likely effects, providing details of the party's opinion of:*

- a) *Any necessary change in the Services;*
- b) *Whether any changes are required to the terms of the Agreement to deal with the Qualifying Change in Law,*
- c) *Whether relief from compliance with any contract obligation is required during the implementation of any relevant Qualifying Change in Law,*
- d) *Any loss of income that may result from the relevant Qualifying Change in Law,*
- e) *Any estimated change in the costs of the Agreement that directly results from the Qualifying Change in Law, and*
- f) *Any expenditure that is required or may no longer be required as a result of a Qualifying Change in Law taking effect during the Term of the Agreement,*

In each case providing full details of any proposed procedure for implementing the resulting change in the Services, confirming to the other party its opinion as to which party should have responsibility for the costs of implementation. Any resulting variation to the Service Fee shall be dealt with in accordance with Section 6.2 below.

6.2 *As soon as practicable after receipt of any notification from either party under Section 6.1, the parties shall discuss and use reasonable commercial efforts to come to agreement on the issues referred to in Section 6.1, and shall review how the Supplier can mitigate the effect of the Qualifying Change in Law, including:*

- a) *Providing evidence that the Supplier has used best efforts, including (where practicable) using competitive quotes to oblige any sub-contactors to minimize any increase in costs and maximize any reduction in costs;*
- b) *Demonstrating how any expenditure to be incurred or avoided is being measured in a cost effective manner, including showing that when such expenditure is incurred or would have been incurred, any foreseeable Changes in Law at that time have been taken into account by the Supplier;*
- c) *Providing evidence in respect of how the Qualifying Change in Law has affected prices charged by any similar businesses, including similar businesses in which the Supplier's shareholders or the Supplier's affiliates carry on business; and*
- d) *Demonstrating that any expenditure that has been avoided, which was anticipated to be incurred to replace or maintain assets that have been affected by the Qualifying Change in Law concerned,*

has been taken into account in the amount in which either party's opinion has resulted or is required under Section 6.1 (e) and/or 6.1 (f) above.

6.3 Any agreement reached by the parties in accordance with this Section 6 shall be subject to the approval of Council.

Further to Section 6, clause 26.2 of the Agreement for Recycling Services outlines a Termination for Convenience as follows:

26.2 Termination for Convenience

(a) This Agreement may be terminated by the City upon ninety (90) days' prior written notice to the Supplier at any time and for any or no reason.

(b) If this Agreement is terminated by the City under Section 26.2(a) the City shall pay to the Supplier the Service Fee and any amounts earned on an hourly rate pursuant to Section 11.4 up to the date of termination, together with the reasonable direct costs actually incurred by the Supplier that are directly attributable to the termination of this Agreement and for which the Supplier is not otherwise compensated. The direct costs payable to the Supplier upon such termination shall in no case exceed:

(i) if the termination occurs in the first three years following the Services Commencement Date, an amount equal to 50% of the Service Fee; and

(ii) if the termination occurs in the fourth or any subsequent year of the Term, an amount equal to 25% of the Service Fee.

The Supplier shall use commercially reasonable efforts to minimize the expenses arising as a result of the termination of this Agreement. The Supplier shall provide substantiation of the direct expenses which it claims it has suffered as a result of the termination and such substantiation shall be in form satisfactory to the City, acting reasonably. Except as provided in this Section 26.2(b), the Supplier shall have no other claim for compensation against the City and the limitation of liability described in Sections 20.1(a) and 20.2 shall apply.

The earliest date the City of Windsor could transition recycling collection to Producers is on January 1, 2023. Doing so would terminate the contract in year 6. Please see the accompanying Private and Confidential memo for further information.

Transitioning at the full term of the contract will have no negative financial impact on the City of Windsor in terms of ending the contract early; however, the City will not benefit from passing along the full cost of the recycling program to the Producers at its earliest possible date and the resulting elimination of Recycling Program costs.

The last possible date for transition is December 31st 2025. A transition on this date, or any date after August 27, 2024 would require an extension of the existing contract with GFL or the issuance of a new tender. The existing contract does allow for two extension of 1 year each, subject to a mutual agreement on the service fee.

Service Delivery

During discussions with the Ministry and Municipalities, Producers have indicated they may have an interest in entering into agreements with Municipalities to manage the collection of recycling. While there is no obligation for Municipalities to do so, there are some reasons to give it consideration:

1. Since 2010, the City of Windsor has benefited from a discounted garbage collection rate by awarding both garbage and recycling collection contracts to the same provider. Entering into an agreement with the Producers may allow the City of Windsor to maintain these economies of scale. This may become even more impactful when the City of Windsor implements a food and organic waste curbside collection, which is required under current legislation by the year 2025.
2. The regulations set out by the Ministry address only residential recycling. The City of Windsor currently provides recycling to some small businesses, multi-residential buildings, BIAs and schools – all of which may not be transitioned to the Producers. Should the City of Windsor wish to continue providing this service to its ICI customers, it would be most efficient to do so with the larger residential recycling collection.
3. Producers have also expressed a possible interest in Call Service systems such as the City of Windsor's 311. Residents are already accustomed to calling 311 for any collection service issues. In order to minimize any impact on our residents 311 could continue to take calls regarding recycling and forward them to the Producers, if agreeable terms can be achieved.

While there is no guarantee that mutually agreeable terms can be reached with Producers on service provisions, an attempt should be made in order to maximize the budget allocations and customer service.

Risk Analysis:

AMO is requesting a resolution from City of Windsor Council by June 30th, 2020 although a response is preferred by the end of the first fiscal quarter. If AMO is unaware of the City's preferred course of action, they will be unable to advocate on our behalf during discussions with the Ministry and Producers. In any event, the decision to enter

into discussion with Producers on service provision will likely be required by December 2020 in order to give Producers sufficient time to prepare tender documents.

Regardless of the transition date selected, there is significant risk that the financial implications will be different than what is outlined in this report. At this time, the Regulations pertaining to this transition have not been finalized, nor even drafted, and many factors within the regulations could affect the assumptions made in the Financial Matters section of this report. Additionally, the Essex Windsor Solid Waste Authority will be indicating that their preferred transition date for the processing of recyclable materials is January 1, 2023. This report assumes that the City of Windsor would continue to bring collected recyclable materials to the Material Recovery Facility located at 3560 North Service Rd E. Should the Producers opt to process recyclable material at a different location, there could be further impacts to the City of Windsor. Those impacts related to both processing and cost, are unknown at this time and will depend on the transition details yet to be developed.

There is no risk in adopting the resolution. Council is reminded that the resolution is simply an expression of preference and in no way binds the Corporation. Furthermore, there is no guarantee that the City's preferred transition date will be accepted, nor is there any guarantee that a favorable agreement can be reached with producers for service provision.

Financial Matters:

There will certainly be financial implications as a result of this transition. Most notably, the City, through the EWSWA budget, will no longer be responsible for Recycling Program costs. The 2020 net recycling program costs are currently budgeted at \$3.7 million, of which the City is responsible for approximately ½. Based on this amount, it is expected that the City will see annual savings of approximately \$1.85 million per year with the transition of the recycling program. These potential savings however, will likely be offset to a certain extent by some fixed expenses that the EWSWA will not be able to fully eliminate, such as certain administrative and/or various overhead costs, which would then be reallocated to other programs of the Authority. These costs are unknown at this time. The City also passes along various fixed administrative and overhead costs related to the City's operation of the Recycling Program to EWSWA, for incorporation into their budget. Some of these City costs would also need to continue as well, despite a transition of the program to the Producers. Currently, it is estimated that approximately \$70,000 in costs would be retained by the City of Windsor only.

Additionally, the current EWSWA recycling budget includes costs related to the pickup, processing and sale of all municipally collected recyclable materials, both residential and commercial. As noted previously, for the time being, the transition to Full Producer Responsibility only contemplates residential recycling and not the commercial component of the program. Therefore, it would be reasonable that the costs related to a program for recycling of commercial recyclables would remain. Whether this function continues to be delivered and managed through the EWSWA or through the City on its own, would need to be a decision point as we move forward. The cost of an ICI recycling program has been estimated at \$600,000 annually, however this number is

purely a projection until such time that a program can be fully developed and implemented.

The program savings noted above also have the potential of being offset by the lost savings that the City was able to negotiate with GFL with respect to the per tonne waste collection rate. This discount was provided to the City as a result of GFL being the successful proponent for both the waste and recycling contracts. Should this discount be eliminated, the City could expect to see increased waste collection costs of approximately \$60,000 per year.

Potential financial ramifications may result from the termination of the recycling contract prior to the end of the term. Please see the accompanying memo for further discussion.

Should the City's transition date coincide with the end of the current Recycling Services contract on August 27, 2024, no penalties would accrue to the City and the agreement with GFL would simply terminate.

Should the transition date extend beyond August 27, 2024, the City could exercise its option under the contract to extend the current recycling contract with GFL for up to two (2) subsequent terms of one (1) year each subject to mutual agreement on the service fee.

The potential cost impact are difficult to quantify, but the total savings can be estimated as being relatively similar regardless of the transition date selected.

As noted in this report, the numbers provided above are very preliminary, high-level estimates included to provide an order of magnitude. Significant uncertainty exists surrounding the actual transition date, the depth of the transition, the ramifications of the contract, the impact to existing operations for both the City and EWSWA and any additional contingency costs that may be incurred. Administration will continue to provide Council with updates on the operational and financial impacts related to the transition of recycling as we move through the transition period and we achieve more clarity regarding the full financial impacts. Given the uncertainty surrounding the financial impact of the transition, the preferred transition date of August 27th, 2024 is being recommended based on the operational aspects of our current recycling program, which includes honouring our current waste and recycling contract terms with GFL.

Consultations:

Eli Maodus, Essex Windsor Solid Waste Authority

Natasha Couvillon, Manager of Performance Measurement and Financial Planning

Mark Nazarewich, Senior Legal Counsel

Conclusion:

Administration recommends advising AMO that based on the limited information available, the City of Windsor's preferred transition date is August 27th, 2024 and that there is an interest in discussing with Producers the terms for providing collection

services. This approach will put the City of Windsor the best position to negotiate the most optimal scenario.

Planning Act Matters:

N/A

Approvals:

Name	Title
Shelby Askin Hager	City Solicitor
Natasha Couvillon	Manager, Performance Measurement & Financial Administration
Dwayne Dawson	Executive Director of Operations
Mark Winterton	City Engineer
Joe Mancina	City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

P&C Memo for Mayor and Members of Council Only.



Committee Matters: SCM 154/2020

Subject: Additional Information - CQ 5/2019 - Implementing Photo Radar - City Wide

Moved by: Councillor Costante
Seconded by: Councillor McKenzie

Decision Number: **ETPS 760**

THAT Administration **BE REQUESTED** to update the School Neighbourhood Policy to allow for School Zones to be posted without the requirement of the reduced speed limit; and,

THAT Administration **BE REQUESTED** to develop a Policy on how Community Safety Zones are selected and implemented; and,

THAT Administration **BE REQUESTED** to provide an additional report as part of 2021 budget process highlighting the progress of the Automated Speed Enforcement program in other Municipalities, provide budget estimates for Windsor based on preferred locations to implement ASE; and request approval to enter into discussions with the Ministry of Transportation Ontario, the ASE program vendor and the City of Toronto if so directed; and,

THAT Administration **BE REQUESTED** to work with the Provincial Offences Division regarding potential necessary changes to the current Provincial Offences Agreement, and that this information **BE PROVIDED** to City Council as part of the additional report during the 2021 budget deliberations.

Carried.
Councillor Francis voting nay.

Report Number: S 45/2020
Clerk's File: ST/13765

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

**Subject: Additional Information - CQ 5/2019 - Implementing Photo Radar
- City Wide**

Reference:

Date to Council: April 29, 2020
Author: Shawna Boakes
Senior Manager, Traffic Operations & Parking Services
255-6247 x6791
sboakes@citywindsor.ca
Public Works - Operations
Report Date: March 3, 2020
Clerk's File #: ST/13765

To: Mayor and Members of City Council

Recommendation:

THAT the additional information report in response to CQ5-2019 – Implementing Red Light Cameras and Photo Radar **BE RECEIVED** by Council for information.

Executive Summary:

N/A

Background:

At the meeting of City Council on February 25, 2019, Councillor Costante asked CQ5-2019 as follows:

“Asks that administration report back on implementing red light cameras and photo radars, including what other municipalities have these installed, pros and cons of implementation and costs of implementation. ST: 2019 February 25, 2019.”

An initial report SCM 401/2019 S 165/2019 was presented at Council on November 18, 2019. At the meeting, Council directed administration to prepare additional information, CR574/2019 ETPS 720:

“That administration BE REQUESTED to provide a report related to reviewing the potential locations for the use of red light cameras, and automated speed enforcement including location and quantity recommendations and that this information, when it is available BE BROUGHT FORWARD for Council's consideration.”

Discussion:

This report deals with Automated Speed Enforcement (ASE) only. A separate report will be brought to Council for consideration (S47/2020) dealing with Red Light Cameras (RLC).

Photo radar, also referred to as automated speed enforcement (ASE) combines the use of radar speed detection technology and cameras to detect the speed of passing vehicles and capture a photograph of the vehicle/license plate.

A working group was developed by the Ontario Traffic Council (OTC), Ministry of Transportation Ontario (MTO), and the Ministry of the Attorney General to discuss the need for ASE technology. Through the working group a number of concerns were discussed and addressed such as the concern of overloading Municipal Provincial Offence Act courts with violations resulting from the installation of these systems. The working group has proposed that violations be handled through a Province-wide system, similar to the Red Light Camera program.

Installations may be permanent or semi-fixed. Permanent installations would be used in locations where on-going issues are experienced and a high quantity of infractions are expected even with the operation of the ASE equipment. Semi-fixed installations would be equipment that can be relocated throughout the year to a variety of installations. Vendor costs for temporary installations would be higher as the vendor would be required to redeploy multiple times through the year.

There are some visibility limitations of the equipment, such as parking. In locations where ASE is proposed, it is best to limit parking to allow for proper views of the roadway and all lanes.

Ontario Regulation 398/19 was approved and published in December of 2019 allowing Municipalities to utilize photo radar technology to issue tickets for speeding. This regulation outlines where the technology is allowed to be installed and operating, the requirements for the photo evidence, how the tickets will be issued and to whom, and signage required at the radar locations.

Summary:

- ASE may only be used in areas designated as Community Safety or School Zones. These zones must be in the Municipal By-Laws.
- Equipment may be permanent or temporary installations.
- Offence notices shall be issued to the owner of the vehicle, no demerit points are to be deducted.
- Signage must be in place notifying drivers/public of the active ASE zone.
- ASE signage may not be installed in areas where equipment is not in use.

Additional information provided in the MTO Guidelines and Agreement that must be adhered to by all Municipalities who use ASE:

- The Province will be conducting a 180 day review process of the program.
- The Province has requested that each Municipality issue a warning letter to all residents 90 days prior to initiating the program. This is in the guidelines so

some Municipalities are not completing this as they believe it is a guideline and not a mandatory requirement.

- The Province has mandated that a 90 day 'advisory' period be implemented by Municipalities, this includes posting of signage in the locations where ASE will be used identifying that it is 'coming soon'. This must be placed at each location the unit is moved to, no tickets may be issued until this is met. The regulation does not specifically speak to whether this warning period must be repeated at each location prior to subsequent use.
- Drivers photographed going more than 50km/h over the legal speed limit shall not be charged through the ASE system with road racing, local police will be provided with data of these offenses however because this is a criminal charge to the driver and not the vehicle, offenses will not be ticketed. Fines can still be administered by the system.

In the spring of 2019, the City of Toronto issued the RFP for suppliers who were interested in supplying, installing, implementing and maintaining equipment for ASE installations for various Municipalities in Ontario. The RFP closed in June of 2019, Redflex Traffic Systems (Canada) Inc. was the successful proponent. Any Municipality wishing to make use of the City of Toronto's Joint Processing Centre must use Redflex, even though the Regulation does not limit the equipment to a specific vendor.

Some Municipalities involved in the initial discussions have begun to enter into contracts with both the City of Toronto (Joint Processing Centre) and Redflex (ASE provider) to begin installations. It is expected that with the number of installations, some Municipalities may be required to wait over a year before their installations are able to be installed.

A number of Municipalities who were originally interested in the program have decided, after reading the wording of the new Regulation, to hold off installation until they have seen how the program operates in the larger areas. The City of Toronto has begun installations and based on the 90 day delay, are expecting to be able to start issuing tickets starting in April of 2020.

The Municipalities implementing ASE in 2020 are:

1. City of Ottawa
2. City of Toronto
3. The Corporation of the City of Brampton
4. The Region of Niagara

Twelve other Municipalities have expressed interest in the program but are currently waiting to implement until after the 180 review of the program. The Province has indicated that there is no intent to cancel the program, however there is uncertainty because the agreements with the City of Toronto and Redflex are 5 year terms. Therefore, there is a risk entering into those agreements not fully understanding what changes may occur in the Regulation.

Similar to the red light camera program, fines and processing of automated speed enforcement charges would be done at a processing centre in the City of Toronto. Fines will be processed through the Provincial Offence Act.

Fines will be based on the rate of travelled speed the offender was determined to be driving. There will be a processing fee along with fees remitted to the province, with the Municipality retaining a portion of the fine.

Out-of-town or out-of-country offenders will be difficult to collect from, similar to the existing red light camera program. Currently, the processing centre has agreements to bill out of Province however the only province that tickets are being sent to is Quebec.

Table 1 shows the current School Zone / Community Safety Zones as per Windsor's Traffic By-Law 9148, Schedule "Q" and Schedule "R":

Table 1 – List of School / Community Safety Zones (Windsor)

Highway / Street	From / To	Type of Zone	Speed Limit	Effective Time
Labelle Street	50 m west of Youngstown Street TO 20 m west of Sierra Drive	School Zone	50 km/h Reduction to 40 km/h During Specified Times	7 am – 9:30 am 2 pm – 5 pm School Days
Huron Church Road	45 m south of College Ave TO south City limits	Community Safety Zone	60 km/h	At all times
Tecumseh Road East	10 m west of Windermere Road TO 35 m east of Kildare Road	Community Safety Zone	50 km/h	8 am – 4:30 pm Monday - Friday
Wyandotte Street East	7 m east of Church Street TO 20 m east of Victoria Ave	Community Safety Zone	50 km/h	8 am – 4:30 pm Monday - Friday

There are a number of other locations that have been reviewed as part of the School Neighbourhood Policy program. There were 16 locations identified as possible school zones, and a number of other locations meeting the criteria for school zone or area requiring further review and re-calculation. The School Neighbourhood Policy recommends that other options be reviewed to reduce the street's score, as much as practical before designating a school zone or area.

The ASE equipment has the ability to be programmed to issue tickets during certain times of the day. In zones such as the Tecumseh Road East from the table above, tickets would only be issued during the times the Community zone is effective, i.e. Monday to Friday 8 am to 4:30 pm.

In school zones, where there are reduced school zone speed limits, tickets may be issued for the reduced speeds however they may not be enforceable. This is due to visual proof that the flashing units may not have been operational at the time of the ticket. Prosecutors consulted stated that without visual proof, there would be no way to prove that the lowered limit was in effect. OTC is working with the Province to come up with a solution to this but nothing is in place at this time.

Placement of school zones is governed by the School Neighbourhood Policy. Under the policy, a school approach street may have one of three classifications:

- School zone (with “40 km/h when flashing” signage)
- School area (with warning signs only)
- Nothing (i.e. no special signs)

When the School Neighbourhood Policy was approved by Council in 2016, there was no advantage in identifying a school zone by by-law except to allow a reduced school zone speed limit; because of this, the Policy recommended school zones only in cases where a reduced speed limit was recommended. The 2019 ASE regulations to the Highway Traffic Act allow a new option that had not been previously considered: implementing school zones – even without speed limit reductions – specifically in order to allow automated speed enforcement.

Additionally, because of the issues raised by OTC regarding enforceability of ASE tickets in “40 km/h when flashing” reduced speed school zones, it may be desirable to delay implementation of new “40 km/h when flashing” signs until these enforceability issues are resolved.

In recognition of these issues, if Council directs that implementation of ASE be referred to the 2021 budget, Administration will provide recommended updates to the School Neighbourhood Policy to support ASE implementation, along with a cost estimate for the associated signage and an updated total cost to fully implement the School Neighbourhood Policy, taking into account the recommended policy updates.

Fines issued in Community Safety Zones may be doubled in the ASE program, similar to typical enforcement. Currently the City does not have a policy outlining the criteria for a Community Safety Zone. It is recommended that a Policy be developed and new locations be placed into the by-laws prior to the selection of ASE locations and that budget be assigned to allow for the installation of signage. The Province raised concerns that Municipalities may overuse the Community Safety Zones to effectively allow the operation of ASE in many locations. It is anticipated that they will be monitoring how Municipalities implement these policies.

Risk Analysis:

The City of Windsor is a border city therefore a large number of drivers on our roads are out of province and out of Country. As such there is a higher risk that a portion of the surplus revenue may not be collectable.

If the additional volume of tickets generated by the ASE program is significant, there could be a significant impact on the service levels of the local municipal Provincial Offences Office (POA). Once the additional tickets are filed at the POA office, the POA

staff will action all court administration activities related to these fines. There may also be additional prosecutor's time to deal with those individuals that choose to meet with the prosecutor in an early resolution meeting and potential court time for those individuals that choose to go to trial. POA collections staff will also be tasked with following up on those offenders who have unpaid fines after their due date has passed. Specific numbers are not available at this time as no program has been initiated.

Financial Matters:

ASE Program – There are two (2) costs related to the program, the vendor's cost and the cost to use the City of Toronto's Joint Processing Centre. The vendor's cost for the portable units is approximately \$80 per day assuming they are in use for 365 days per year, based on entering into a 5 year agreement with the vendor. The City of Toronto has indicated that for a 5 year contract, they are estimating monthly costs in a similar range as the Red Light Camera program. Costs related to the Joint Processing Centre are difficult to determine at this time with the program not having officially started yet. From each ticket, the Province will retain a Victim Fine Surcharge which will be based on the value of the fine similar to the red light camera program, this charge will be in addition to the value of the fine and not part of it. The fee for the use of the Processing Centre will be based on the number of tickets processed.

The program will be similar to the red light camera program where it will be a 5 year program. Municipalities will be allowed to enter into the program mid-stream, but the costs will be higher each year. It is anticipated that the second, 5 year program will begin in 2025, however it will depend on the quantity of additional Municipalities interested in joining throughout the life of the contract.

The City of Windsor Provincial Offences Office (POA) - Pursuing the ASE program may result in additional costs for POA staff (court administration, prosecutors and/or collections). Maintaining adequate staffing will ensure the department upholds its current service levels for processing fines and the court administration of these fines. The request for additional staffing would be dependent on the expected number of tickets generated from ASE. If the volume is low, the impact could potentially be absorbed with current staffing levels.

The Provincial Offences Court in Windsor processes offences that occur not only in the City of Windsor but also in the eight surrounding municipalities. All of the participating municipalities contribute to the costs associated with operating the Provincial Offences Court and are entitled to share in the net revenue from the fines collected. The distribution is based on the annual regional weighted assessment rates for the year the fine revenue is collected. Revenue distribution is not based on the geographical area that the ticket was issued. In order to implement an Automated Speed Enforcement program the City of Windsor would incur significant costs and would be required to share the revenue with the other municipalities unless an amendment to the Inter-Municipal Court Services agreement was obtained. Alternatively, the City may wish to review the possibility of modifying the agreement to process ASE related fines and revenue separately if the other Municipalities are not participating in the program. The above is also applicable for the Red Light Camera program, therefore if Council wishes to proceed with a revised agreement, both programs should be included in the wording.

The high-level financial details contained within this report are based on estimates and assumptions obtained from other municipalities and the information is included to provide City Council with an order of magnitude. As noted previously, the current ASE program is in its pilot phase and therefore limited financial information is available at this time. Should Council decide to proceed with the ASE program, a more detailed analysis, with updated costs and revenues, will be included in a future Council Report.

Consultations:

Transportation Planning

Provincial Offences Office

Conclusion:

Should Council wish to pursue ASE further, the following recommendations could be considered:

It is REQUESTED that Administration update the School Neighbourhood Policy to allow for School Zones to be posted without the requirement of the reduced speed limit.

It is REQUESTED that Administration develop a Policy on how Community Safety Zones are selected and implemented.

It is REQUESTED that Administration provide an additional report as part of 2021 budget highlighting the progress of the Automated Speed Enforcement program in other Municipalities, provide budget estimates for Windsor based on preferred locations to implement ASE and request approval to enter into discussions with the Ministry of Transportation Ontario, the ASE program vendor and the City of Toronto if so directed.

Any funding required to implement both the School Neighbourhood Policy and the Community Safety Policy shall be noted in the budget request for 2021. This includes the cost for the installation of new signage in the areas recommended by the Policy and entered into the by-laws.

Planning Act Matters:

N/A

Approvals:

Name	Title
Natasha Couvillon	Manager of Performance Measurement & Financial Administration
Dwayne Dawson	Executive Director of Operations
Mark Winterton	City Engineer
Vincenza Mihalo	Executive Director, Human Resources

Name	Title
Shelby Askin Hager	City Solicitor
Joe Mancina	Chief Financial Officer/City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

From: Raymond Hoang
Sent: Thursday, April 23, 2020 10:06 PM
To: clerks <clerks@citywindsor.ca>
Subject: Communication for ETPS Standing Committee Item 8.5, 8.6

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I would like to voice my strong support for the red-light cameras, given that a 3 month warning period when it starts. That way, it'll give drivers time so they can adjust and drive more safely. As someone who drives, I have an interest in lowering my car insurance rates, and one of the ways to reduce it would be to reduce the number of car accidents. And red-light cameras do that.

I also support having photo radar cameras, but only on the condition that fines are only issued above a certain threshold above the speed limit (preferably 15km/h, but I'll take 10km/h). They're fairly new, and that we're only human, and will bound to go a few kilometers above the limit. And getting fined for going 51km/h on a 50km/h street sounds unreasonable, and petty.

Given these two conditions, I support having more safety on our streets (and lower car insurance rates)

Thanks,
Raymond Hoang
Ward 7 resident



Committee Matters: SCM 155/2020

Subject: Additional Information - CQ 5/2019 - Implementing Red Light Cameras - City Wide

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 761**

THAT Administration **PROCEED** to engage the Ontario government in discussion regarding the implementation of red light cameras in the City of Windsor and utilize the Joint Municipal Processing Centre operated by the City of Toronto; and,

THAT Administration **BE REQUESTED** to issue a letter of intent to the Ministry and to report back with recommended funding options related to the potential one-time implementation costs and other related matters; and,

THAT Administration **APPLY** to the Ministry of Transportation to obtain an amendment to Ontario Regulation 277/99 and be added to the list of designated Municipalities under this program; and,

THAT Administration **ENTER INTO AN AGREEMENT** with both the City of Toronto to use the Joint Municipal Processing Centre and with the vendor approved by the City of Toronto for installation and maintenance of the equipment; and,

THAT Administration **BE REQUESTED** to begin discussions with Local 543 regarding installation and maintenance work and the County to amend the Inter-Municipal Court Services Agreement.

Carried.
Councillor Francis voting nay.

Report Number: S 47/2020
Clerk's File: ST/13765

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

Subject: Additional Information - CQ 5/2019 - Implementing Red Light Cameras - City Wide

Reference:

Date to Council: April 29, 2020
Author: Shawna Boakes
Senior Manager Traffic Operations & Parking Services
255-6247 x6791
sboakes@citywindsor.ca
Public Works - Operations
Report Date: March 4, 2020
Clerk's File #: ST/13765

To: Mayor and Members of City Council

Recommendation:

THAT the additional information report in response to CQ5-2019 – Implementing Red Light Cameras and Photo Radar **BE RECEIVED** by Council for information.

Executive Summary:

N/A

Background:

At the meeting of City Council on February 25, 2019, Councillor Costante asked CQ5-2019 as follows:

“Asks that administration report back on implementing red light cameras and photo radars, including what other municipalities have these installed, pros and cons of implementation and costs of implementation. ST: 2019 February 25, 2019.”

An initial report SCM 401/2019 S 165/2019 was presented at Council on November 18, 2019. At the meeting, Council directed administration to prepare additional information, CR574/2019 ETPS 720:

“That administration BE REQUESTED to provide a report related to reviewing the potential locations for the use of red light cameras, and automated speed enforcement including location and quantity recommendations and that this information, when it is available BE BROUGHT FORWARD for Council's consideration.”

Discussion:

This report discusses Red Light Cameras (RLC). A separate report (S 45/2020) related to Automated Speed Enforcement (ASE) is also being brought forward for Council consideration.

A red light running camera is a type of traffic enforcement camera that captures an image of a vehicle that enters an intersection in spite of the traffic signal indicating red (during red phase). The camera automatically takes two photos of the vehicle; one entering and one proceeding through the intersection. The photo is evidence that assists authorities in enforcing traffic laws. Generally, the camera is triggered by movement of a vehicle as it passes the stop bar after the associated signal has turned red.

The key reasons why municipalities have installed cameras are to change driving behaviour, reduce angled collisions, and increase safety. However, it has been reported that rear-end collisions increase.

Currently, the Highway Traffic Act requires Municipalities to be authorized to use red light cameras by amending Regulation 277/99. Changes to the Regulation as recent as December of 2019, still indicate this requirement. The process includes a submission letter to the Minister of Transportation, requesting permission to enforce this type of infraction. With this letter, documented approval from Council stating that support and intention to enter into the program must be provided.

The following are points of clarification regarding the issuance of tickets:

- Motorists already in an intersection when the signal changes to red will not be ticketed. This includes those drivers who pass the stop bar while the green or amber signal is illuminated. Only those who cross the stop bar while the red signal is illuminated will be ticketed.
- Red light cameras do not replace police officers. The red light cameras are used to complement police efforts in preventing motorists from running a red light.
- The registered license plate holder of the vehicle will receive the ticket, regardless of who is driving the vehicle. No demerit points are lost by the owner.
- Red light cameras are only capable of detecting one direction of travel at an intersection. If all 4 directions of approaches at an intersection are required to be implemented, 4 separate systems must be installed.
- Red light cameras are able to ticket right turning vehicles that do not come to a complete stop on a red light. However, this application is currently being used in a limited capacity in other Municipalities. In general, this is being utilized where there is a dedicated right turn lane only.
- Photograph images of the vehicles are taken from the rear of the vehicle and therefore no persons are identified in the photos. The Office of the Information and Privacy Commissioner was consulted during the pilot development to ensure privacy concerns were minimized.

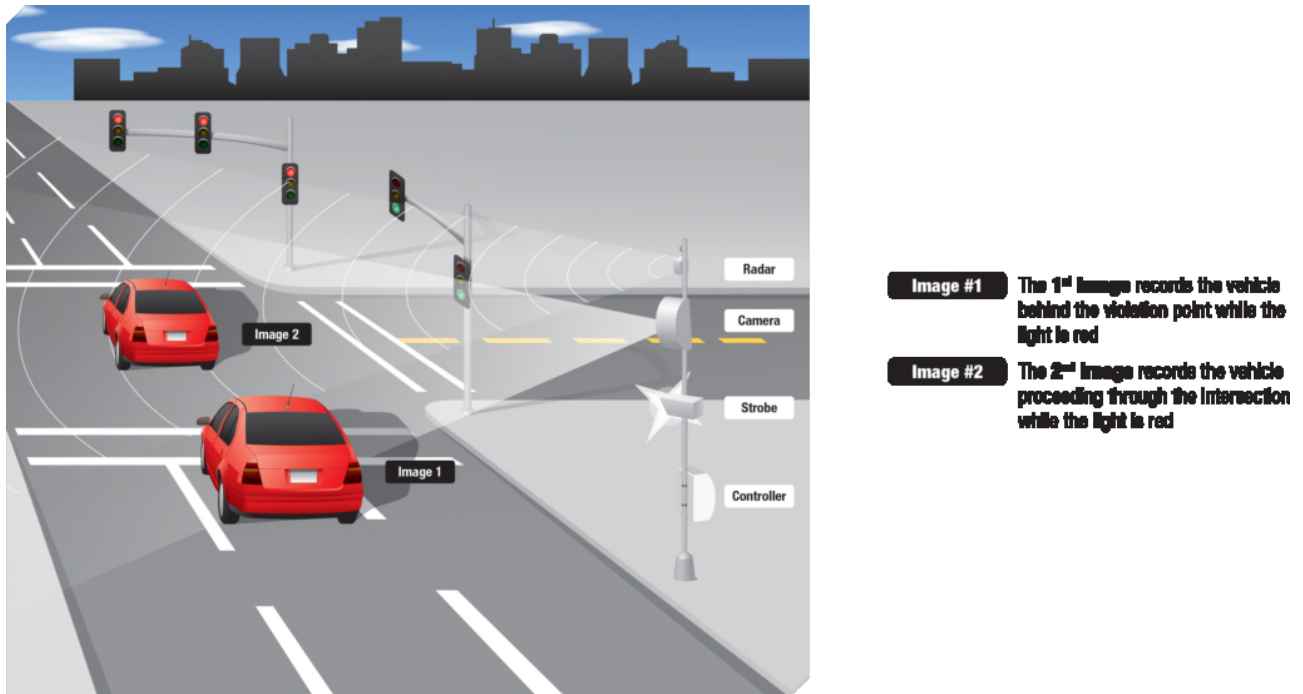


Figure 1 – Operation of Red Light Cameras

The Red Light Camera program is intended to reduce instances of motorists running red lights and hence reduce the instances of angled type collisions. Right-angled collisions typically result in more serious injuries including personal injury or death. Based on the data for the City of Windsor, from 2013 – 2017 there were a total of 7,335 collisions at signalized intersections, 0.54 collisions per million vehicles entering these intersections. During that time 873 (12%) were angle collisions, 3700 (50%) were rear end collisions, the remainder being single car collisions with pedestrians, bicycles or other infrastructure. Only 562 (64%) of angled collisions were noted by police as having disobeyed traffic control.

Should the City of Windsor wish to implement a Red Light Camera program and utilize the Joint Municipal Processing Centre operated by the City of Toronto, the City would first be required to apply to the Ministry of Transportation to obtain an amendment to the Ontario Regulation 277/99 and be added to the list of designated Municipalities. The City of Windsor would then be required to enter into an agreement with both the City of Toronto to use the Joint Municipal Processing Centre and with the vendor approved by the City of Toronto for installation and maintenance of the equipment. Contracts are done in 5-year terms, however Municipalities may enter during an existing 5 year term. The cost is pro-rated based on the number of years left in the contract, which increases the yearly cost for the balance of the 5-year term.

The current program will expire in 2022, however the City of Toronto intends to complete an expansion program in 2020. The City of Toronto intends to begin procurement of a vendor for the expansion program in early 2020 with the expectation that a number of technology changes will be made. The changes include:

- The use of wireless upload and download of data from the units.
- Microwave sensors above ground, no loops installed in the pavement.

The changes are expected to reduce maintenance requirements, costs, and to optimize the program as a whole.

Staffing requirements for Traffic Operations are minimal for the implementation of the RLC program. It is anticipated that it would take a small portion of the Manager of Traffic Operations' time to administer the program, answer public inquiries and provide reports to Council. However, additional staff may be required for the local Provincial Offences Office to process challenges and track payment of tickets. Additionally, discussions with CUPE 543 would be required prior to entering into an agreement with the vendor for installation of camera equipment.

Should Council wish to move forward with a Red Light Camera program in the City of Windsor, Administration recommends submitting the 10 locations listed in Table 1 below to the Ministry of Transportation Ontario. It is recommended that the City purchase ten (10) camera units. Cameras should be in place at each intersection for a minimum of two (2) years, however if significant improvements are measured for a consistent four month (4) time-period, the cameras may be moved earlier. It is not mandatory to relocate the cameras, however it has proven beneficial in other Municipalities.

Table 1 shows the top fifteen (15) intersections where the net collision total indicates a potential reduction in collisions with the use of red light cameras. They are listed in order of priority, therefore the first 10 would be recommended at this time for the use of red light cameras. The column entitled Total Collisions represents the total reduction in collisions expected based on the implementation of red light cameras. This result includes the rate of decrease expected for side impact collisions and the rate of increase expected for rear end collisions. The associated reduction in collisions with injuries or loss of life may be higher than the overall total due to the majority of rear end collisions only representing property damage.

Table 1 – Potential Red Light Camera Locations

Rank - Overall	Location	Projected Net Safety Benefit - Red Light Cameras (Collisions over 5 years)	
		Total Collisions	Injury & Fatal Collisions
Recommended Locations for Initial Installation of Red Light Cameras			
1	WYANDOTTE ST W @ PELISSIER ST	-5.3	-2.4
2	WYANDOTTE ST E @ MCDUGALL ST	-1.7	-1.92
3	WYANDOTTE ST E @ GOYEAU ST	-4.15	-1.92
4	WYANDOTTE ST E @ DROUILLARD RD	-2.9	-1.52
5	UNIVERSITY AVE @ CAMPBELL AVE	-2.95	-1.44

6	WYANDOTTE ST E @ WINDSOR AVE	-2.05	-1.36
7	WYANDOTTE ST W @ JANETTE AVE	-3.05	-1.28
8	HURON CHURCH RD @ WYANDOTTE ST W	-1	-1.28
9	RIVERSIDE DR E @ PARENT AVE	-1.8	-1.04
10	EUGENIE ST E @ MCDOUGALL ST	-2.55	-0.88
Potential Future Locations for Red Light Cameras			
11	UNIVERSITY AVE W @ CRAWFORD AVE	-2.55	-0.8
12	UNIVERSITY AVE E @ MCDOUGALL ST	-1.8	-0.8
13	WYANDOTTE ST W @ VICTORIA AVE	-1.75	-0.8
14	ERIE ST W @ OUELLETTE AVE & ERIE ST E	-1.4	-0.48
15	ERIE ST E @ GOYEAU ST	-1.75	-0.48

The intersections above were selected based on total number of collisions, including right angle collisions, severity of injuries, geometric features of the intersection, and previous efforts to make the intersections safer.

Risk Analysis:

Increases in the number of rear end collisions may require additional time for Windsor Police Services. Additional time and effort would be required to respond to and process the increase in collisions.

Installations currently include the installation of loops in the roadway surface, which reduces the life of the asset. The City expects to use the above ground microwave sensors if we proceed with RLC implementation.

City of Windsor signal related infrastructure is installed and maintained by CUPE 543 staff. The installation and maintenance done by contractors for this program may be considered contracting out of work and require discussions with the union or alternatively an MOA and approval by the Union. Specifically the connections from the RLC device to the traffic signal controller.

The City of Windsor is a border city therefore a large number of drivers on our roads are out of province and out of Country. As such, there is a higher risk that a portion of the surplus revenue seen by other Municipalities may not be collectable in Windsor.

If the additional volume of tickets generated by the red light cameras is significant, there could be a significant impact on the service levels of the local municipal Provincial Offences Office (POA). Once the additional tickets are filed at the POA office, the POA staff will action all court administration activities related to these fines. There will also be additional prosecutor's time to deal with those individuals that choose to meet with the

prosecutor in an early resolution meeting and potential court time for those individuals that choose to go to trial. POA collections staff will also be tasked with following up on those offenders who have unpaid fines after their due date has passed. Specific numbers have not been released by other Municipalities but initial discussions indicate that there are a significant number of challenges to red light camera violations that are being submitted.

Financial Matters:

If the City was able to obtain amendments to add the City of Windsor as a designated municipality to Regulation 277/99 (Red Light Cameras) and to the future regulation pertaining to automated speed enforcement the following costs are anticipated:

RLC Program – The City would be required to enter into an agreement with the City of Toronto and the approved vendor. Payment to the program and vendor are done through one payment through the City of Toronto.

The Vendor installs, operates, and maintains the cameras and the system and then charges a monthly fee based on a minimum 5-year contract. Other Municipalities have estimated a yearly cost of \$52,000 per camera when the contract is entered during year one. The current contract is currently in year 3 and therefore prorated yearly costs are estimated to be in the range of \$80,000 to \$90,000, per camera until the end of the current contract. At the end of the 5 year contract, each Municipality may renew or leave the program.

Costs for the use of the Joint Processing Centre are based on the number of locations registered and the number of cameras in use. The value is based on the total number of cameras the processing center issues tickets from.

Costs would be offset by the revenue retained per violation by the Municipality.

Table 2, uses data from the City of London and provides estimated cost and revenue data, per intersection where red light cameras are used. In 2018, the City of London reported total revenue of \$923,000, which was generated from infractions from 10 cameras.

Table 2 – Potential Costs / Revenue Estimates / Camera

	Yearly Estimates *based on 1 intersection
Expenses*	(\$52,000)
Revenue**	\$92,300
Potential Surplus	\$40,300

**Assumes the City enters into year 1 of the new expansion program*

***Values are based average City of London reported revenues*

The City of London has indicated that the initial surplus is expected to reduce yearly as driver behaviour begins to change, to the point that they are preparing for the potential of a deficit to operate the RLC program in future years. Surplus revenue is being put into a reserve fund that can be used to address these potential deficits in future years and for other road safety initiatives such as education and engineering. Should Council move ahead with a RLC program, Administration recommends a similar approach in Windsor whereby a portion of the revenue generated be used for yearly educational costs (~\$2,000) and the remainder be put into a reserve. The reserve would be used to fund any POA staffing increases and Traffic Operation program expenses, if determined that the RLC program has become a burden on existing staff, and it would be available to cover the operational costs of the agreement in months where the revenue does not exceed the expenses.

Each Municipality that has implemented RLC and is intending to implement ASE has done so along side a public information and communications campaign. It is anticipated that for each program, the initial campaign may cost \$20,000 with ongoing yearly educational costs of \$2,000.

The costs above are estimates. Should Council decide to move forward with the program, Administration will begin negotiations with the vendor and the City of Toronto. Final costs will be based on these discussions. It should be noted however, that Administration does not recommend entering into the current contract. Rather, if the City of Toronto does successfully procure a vendor for the expansion program, it is recommended that the City begin with ten (10) camera units as part of the expansion program.

The City of Windsor Provincial Offences Office (POA) - Pursuing the RLC or the ASE program may result in additional costs for POA staff (court administration, prosecutors and/or collections). Maintaining adequate staffing will ensure the department upholds its current service levels for processing fines and the court administration of these fines. The request for additional staffing would be dependent on the expected number of tickets generated from RLC and/or ASE. If the volume is low, the impact could potentially be absorbed with current staffing levels.

The Provincial Offences Court in Windsor processes offences that occur not only in the City of Windsor but also in the eight surrounding municipalities. All of the participating municipalities contribute to the costs associated with operating the Provincial Offences Court and are entitled to share in the net revenue from the fines collected. The distribution is based on the annual regional weighted assessment rates for the year the fine revenue is collected. Revenue distribution is not based on the geographical area that the ticket was issued. In order to implement a Red Light Camera program or an Automated Speed Enforcement program the City of Windsor would incur significant costs but would be required to share the revenue with the other municipalities unless an amendment to the Inter-Municipal Court Services agreement was obtained. Alternatively, if the other Municipalities choose in the future to enter into the RLC program, this will also impact the POA office as the City court system would process these additional tickets. The above is also applicable for the Automated Speed Enforcement program, therefore if Council wishes to proceed with a revised agreement, both programs should be included in the wording.

In summary, should Council wish to proceed with a RLC program, one-time seed funding of up to \$520,000 for the first year implementation and operating costs for ten (10) red-light camera units, along with \$20,000 for initial public education related to the program could be required. However, this amount is subject to negotiations with the City of Toronto and the red light camera vendor. The City is unable to negotiate costs until Council approves moving forward with a letter of intent to the Minister of Transportation. No funding is currently budgeted in the operating or capital budgets for this program.

Consultations:

Transportation Planning

Provincial Offences Office

Windsor Police Services

Conclusion:

Should Council wish to proceed with the implementation of red light cameras in the City of Windsor and utilize the Joint Municipal Processing Centre operated by the City of Toronto, the City would first be required to apply to the Ministry of Transportation to obtain an amendment to Ontario Regulation 277/99 and be added to the list of designated Municipalities under this program. The City of Windsor would then be required to enter into an agreement with both the City of Toronto to use the Joint Municipal Processing Centre and with the vendor approved by the City of Toronto for installation and maintenance of the equipment. Administration would also need to begin discussions with Local 543 regarding installation and maintenance work and the County to amend the Inter-Municipal Court Services Agreement. The City is unable to negotiate costs until Council approval to move forward with a letter of intent is given. No funding is currently budgeted in the operating or capital budgets for this work. Should Council wish to proceed, direction is required for Administration to issue a letter of intent to the Ministry and to report back with recommended funding options related to the potential one-time implementation costs and other related matters.

Planning Act Matters:

N/A

Approvals:

Name	Title
Natasha Couvillon	Manager of Performance Measurement & Financial Administration
Dwayne Dawson	Executive Director of Operations
Mark Winterton	City Engineer

Name	Title
Vincenza Mihalo	Executive Director, Human Resources
Shelby Askin Hager	City Solicitor
Joe Mancina	Chief Financial Officer/City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Greg Wrigglesworth		gdw@kirwinpartners.com

Appendices:

From: Raymond Hoang
Sent: Thursday, April 23, 2020 10:06 PM
To: clerks <clerks@citywindsor.ca>
Subject: Communication for ETPS Standing Committee Item 8.5, 8.6

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I would like to voice my strong support for the red-light cameras, given that a 3 month warning period when it starts. That way, it'll give drivers time so they can adjust and drive more safely. As someone who drives, I have an interest in lowering my car insurance rates, and one of the ways to reduce it would be to reduce the number of car accidents. And red-light cameras do that.

I also support having photo radar cameras, but only on the condition that fines are only issued above a certain threshold above the speed limit (preferably 15km/h, but I'll take 10km/h). They're fairly new, and that we're only human, and will bound to go a few kilometers above the limit. And getting fined for going 51km/h on a 50km/h street sounds unreasonable, and petty.

Given these two conditions, I support having more safety on our streets (and lower car insurance rates)

Thanks,
Raymond Hoang
Ward 7 resident



Committee Matters: SCM 156/2020

Subject: Bike Share and Scooter Share Services - City-wide

Moved by: Councillor Francis
Seconded by: Councillor McKenzie

Decision Number: **ETPS 762**

THAT Council **DIRECT** Administration to issue a Request for Proposal for a Bike share and E-scooter operator(s) without precluding any potential vendors at this time in both scooter and bike share programs to provide an opportunity for those who want to apply for the RFP to do so even if they do not provide both bike share and/or scooter share service based on Model #3 in the administrative report allowing for Multiple Operators, which will allow Council the opportunity to choose from and deliver options at the appropriate time after the RFP has been received; and,

THAT the results of the Request for Proposal **BE PRESENTED** to Council; and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the successful proponent(s), approved by the City Solicitor as to legal content, the Chief Financial Officer and City Treasurer as to financial content, and the Senior Manager of Transportation Planning as to technical content.
Carried.

Report Number: S 7/2020
Clerk's File: SW/13715

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

Subject: Bike Share and Scooter Share Services - City-wide

Reference:

Date to Council: April 29, 2020
Author: Jeff Hagan
Transportation Planning Senior Engineer
519-255-6267 ext 6003
jhagan@citywindsor.ca
Planning & Building Services
Report Date: March 9, 2020
Clerk's File #: SW/13715

To: Mayor and Members of City Council

Recommendation:

THAT Council **DIRECT** Administration to issue a Request for Proposal for a Bike share and E-scooter operator(s); and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the successful proponent(s), approved by the City Solicitor as to legal content, the Chief Financial Officer and City Treasurer as to financial content, and the Senior Manager of Transportation Planning as to technical content; and,

THAT the results of the Request for Proposal **BE PRESENTED** to Council.

Executive Summary:

N/A

Background:

Provincial E-Scooter Pilot

In November 2019, the Ontario government announced a 5-year e-scooter pilot program, effective January 1, 2020. Under this pilot program, municipalities have the ability to allow electric kick-scooters to operate on streets and in rights-of-way under their jurisdiction.

The regulations for the provincial pilot program give requirements for vehicle design (e.g. maximum speed), required equipment (e.g. lights and bells/horns), and rules of the road. The regulations allow municipalities to implement additional restrictions on e-scooter use through their by-laws.

Bike Share Feasibility Report

At the March 6, 2019 meeting of Council, Council received report C 41/2019 *Bike Share Feasibility Study Update*. This report outlined three options for a bike share service in Windsor:

Model	Description	Example
1. Traditional – Public Sector Owned	Municipality (or a non-profit) owns fleet, manages and operates the system. Municipality generally assumes responsibility for cost overruns.	Montreal, Toronto, Vancouver, Hamilton, Detroit
2. Private – RFP (Exclusive Operator)	Municipality issues an RFP to operate and manage a bike share system based on a set of service standards. A successful proponent delivers the service at no-cost to the municipality but has the right (typically exclusive) of operation on City infrastructure.	Victoria, Kelowna, UBC, Kingston, etc.
3. Private – Permit (Multiple Operators)	Municipality allows multiple companies to operate within city boundaries.	Calgary

The report also provided draft goals for a bike share program:

	Draft Goals	Performance Metric
1	Increase cycling trips as a percentage of total trips	<ul style="list-style-type: none"> • Mode Share for All Trips and/or Mode Share to Work • Average daily trips per 1,000 residents • Daily bike share trips
2	Increase access to transit – improving connections within the first and last mile of transit stops	<ul style="list-style-type: none"> • % of Bus Stops within 200 metres of a bike or station
3	Increasing opportunities for recreation throughout the city	<ul style="list-style-type: none"> • Average daily trips per bike • Average daily trips per bike outside of peak commuting hours (9-4pm & 6-9pm)
4	Improving environmental outcomes through improved air quality and reduced greenhouse gas emissions	<ul style="list-style-type: none"> • Reduced vehicle kilometres traveled (VKT) • Mode Share for All Trips and/or Mode Share to Work

	Draft Goals	Performance Metric
5	Improving Transportation Equity in Windsor	• % of Low-Income Residents within 400 meters of a bike or station

In response to the report, Council decided as follows:

CR125/2019

That Council ENDORSE the Draft Bike Share Vision and Goals as contained in the report of the Transportation Engineer dated March 6, 2019 entitled "Bike Share Feasibility Study Update".

CR127/2019

That Administration REPORT BACK on by-law and Policy recommendations to support a partnership with one or multiple private operators to provide Bike Share Services to the City of Windsor community.

CR126/2019

That Administration BE DIRECTED to prepare a report for Council's consideration relative to a potential e-scooter pilot for the City of Windsor inclusive of an appropriate and legal location(s) for such a pilot project and accompanying regulations and requirements aimed at its safe operation.

CR158/2019

That equity BE GIVEN strong consideration when recommendations come forward on how to regulate the providers to ensure equity is a key component of this business model.

CR128/2019

That Administration BE DIRECTED to report back on funding possibilities for the Bike Share Vision and Goals.

At the time that Council adopted these resolutions, the provincial e-scooter pilot had not yet been announced.

Walk Wheel Windsor

Windsor's Active Transportation Master Plan, *Walk Wheel Windsor*, was presented to Council on July 22, 2019. At this meeting, Council approved the key principles of the plan (CR378/2019).

Among the recommendations of the Active Transportation Master Plan was a recommendation to pursue a partnership with private operators to provide a public bike sharing program and consider the feasibility of an electric scooter sharing program (Walk Wheel Windsor Action 3.1).

This recommendation was identified as one of several “quick wins” that should be prioritized within one to two years of the Active Transportation Master Plan being prepared.

Additionally, the Active Transportation Master Plan identifies a number of “measures of success” to be reported to Council every four years. Several of these “measures of success” are specific to bike share services:

- Number of bike share bicycles
- Proportion of Windsor’s total jobs and population within 400 metres of the bike share service area
- Proportion of Windsor’s land area within 400 metres of the bike share service area
- Proportion of bike share service area located in neighbourhoods identified as having high equity need

At the time that *Walk Wheel Windsor* was brought before Council, the provincial e-scooter pilot had not yet been announced.

E-Scooter Pilot Program Report

At its February 24, 2020 meeting, Council received report *S 236/2019 Electric Kick-Scooter Pilot* and report *C 13/2020 Additional Information – Electric Kick-Scooter Pilot*. In response to these reports, the following resolutions were adopted:

CR83/2020

1. *That Traffic By law 9148 BE AMENDED as listed and attached in Appendix 1 of this report; and that Item 17, referring to helmets, BE DELETED.*
2. *That the City Solicitor BE DIRECTED to prepare the necessary documents to amend the by law.*
3. *That Windsor Police Services BE ADVISED of these by law amendments for enforcement as resources allow.*
4. *That, in addition to the upcoming report on scooter/bikeshare programs and licensing, Administration BE DIRECTED to report back to Council within 12 months with a follow-up report on e-scooter experience to date, along with recommended changes to e-scooter rules and policies.*

5. That Administration BE DIRECTED to conduct a trial period whereby e-scooters will be permitted on the Riverfront Trail paved path; and that the Parks Bylaw 200-2002 BE AMENDED accordingly; and, that the City Solicitor BE DIRECTED to prepare the necessary documents to amend the by law.

6. That collapsible e-scooters BE PERMITTED on Transit Windsor buses.

The resulting amendment to Traffic By-law 9148 allows e-scooters to operate legally within the right-of-way, subject to certain conditions.

Protection of Highways By-law 25-2010 was not modified by the Council resolution; this by-law prohibits storing of property in the right-of-way unless permitted by by-law or agreement, and thereby provides the City with an enforcement mechanism for unauthorized scooter share services, if needed.

Discussion:

As a result of the Province’s recently announced e-scooter pilot program, Administration reviewed the “Recommended Bike Share Framework” prepared by Urban Systems (attached as Appendix A) and presented to Council in the *Windsor Bike Share Feasibility Study* report in March of 2019. After discussions with other City departments, some adjustments to the consultant’s recommendations are recommended. The table below identifies Administration’s suggested recommendations regarding key elements to include in the Request for Proposal.

Item	Recommendation
Fleet Size (Initial)	450 – 600. Any increases / decreases to the Fleet size will need to be approved by the City. A mechanism for increasing / decreasing the fleet size will be included in the RFP/agreement.
Fleet Composition	E-scooters, pedal-assist E-bikes and/or Standard Bicycles (at least 20% of Fleet will be comprised of either pedal-assist E-bikes and/or Standard Bicycles).
Service Area	Phase 1 area as recommended by Urban Systems from Bike Share Feasibility Study Map (Please see Appendix B)
Service Period	Operator(s) to propose options. (i.e. Year-round,

	seasonal, etc).
Term	Two year pilot (maximum length recommended by Urban Systems)
Parking Management	Hybrid dockless model; devices to be generally free floating / dockless EXCEPT near high activity areas, where designated geo-fenced drop-zones will regulate pick-up / drop-off locations and mitigate clutter.
Financial Contributions from City of Windsor	None. Staff time anticipated to work with and regulate operator(s)
Financial Contributions Required of Private Operators	All capital and operations costs. Annual fees, daily per-device fees, and impound/repositioning fees for improperly parked e-scooters will be identified for the RFP.
Cost Overruns	Operator(s) responsible for any cost overruns
Upkeep and Maintenance	Operator(s) responsible for fleet upkeep and maintenance
Operations Plan	Operator(s) must provide operations and maintenance plan, staffing plan. Must have 24-hour customer service phone number and e-mail, as well as direct contact for City Staff.
User Interface and Payment Systems	Operator(s) to be responsible for providing a simple to use access portal that protects personal information and the privacy of the user. To ensure access for all, the operator(s) must provide a proposed payment plan outlining how the operator(s) will provide a service to those without smartphones and those without a credit card.
Costs	Operator(s) retains the right to set pricing and user fees, but will consult with the City in doing so. Must submit costs in proposal as well as package options for

	memberships/pay per use, and surcharges and extra fees.
Data Reporting Standards	<p>Operator(s) must protect user personal and financial information.</p> <p>The City of Windsor will be given access to the fleet management portal and have access to real-time data feeds (GBFS). Monthly reports of number of devices, km travelled, breakdown by age/gender.</p> <p>Also, month trip records for each trip should be provided (including route) including GIS data.</p>
Repair	<p>The operator(s) is/are to maintain all devices in a safe and functional state, and promptly remove any damaged, unsafe or non-functional devices from public property.</p> <p>Once notified on an issue, the operator(s) must lock down the device to ensure it cannot be used.</p> <p>Maintenance data must be updated and submitted monthly.</p>
Rebalancing	<p>Devices must be rebalanced every 24 hours. Operator(s) must respond to pedestrian obstructions and safety concerns within several hours.</p> <p>Operator(s) must inspect any hubs or stations (if applicable) at least once per day to ensure they are kept in safe, tidy, and sanitary conditions.</p> <p>The City may remove or re-park devices in violation with the permit and deduct from the security deposit or fees, resources, and staff time.</p>
Equipment Standards	<p>Devices must meet Provincial safety requirements.</p> <p>Bikes must include adjustable seat posts, all weather tires, front/rear fenders, GPS location tracking and unique identification number.</p> <p>E-bikes and E-scooters must have GPS location tracking and unique identification number.</p>
Storage	Bikes to be parked at:

	<p>1) Bike racks (i.e. post and ring)</p> <p>2) Designated areas in geo-fenced hubs or stations (where applicable);</p> <p>3) Bikes shall not block a 2 metre pedestrian zone, driveways or street furniture. No parking within 0.5m of trees or shrubs. Bikes must not be parked where these minimum distance requirements cannot be met.</p> <p>E-scooters to be parked at</p> <p>1) Designated areas in geo-fenced hubs or stations (where applicable);</p> <p>2) Devices shall not block a 2 metre pedestrian zone, driveways or street furniture. No parking within 0.5m of trees or shrubs. Devices must not be parked where these minimum distance requirements cannot be met.</p> <p>Operator(s) should have in-app ability to communicate by text or alert to let the customer know if a device is parked in a non-permitted area.</p> <p>All devices must remain in an upright position with both wheels in contact with the ground.</p>
User Education	<p>Operator(s) must educate customers on how to use services, proper riding behaviour, how to operate and park bicycles and e-scooters, helmet laws. An education plan must be provided and show education plan will be delivered, including attendance at public meetings and community events to provide education and support to users.</p>
Transit Integration	<p>Operator(s) is/are encouraged to incorporate the capability to integrate payment an access systems with Transit Windsor.</p> <p>Special parking arrangements are to be considered in collaboration with Transit Windsor and the City of Windsor in transportation hubs. (i.e. No parking within 40 feet of Transit stop).</p>
Insurance Requirements	<p>Proof of Commercial Liability Insurance in Province of</p>

	Ontario – no less than \$5 million. Motor vehicle liability insurance in the amount of no less than \$2 million. WSIB coverage.
Indemnification Requirements	Operator must agree to indemnify the City for all losses that may arise from the program, unless so caused by the City’s own negligence.

Beyond these required items, proponents will also be evaluated based on scoring criteria including:

- **Operational plan**, including confirmation that the proponent has the capability and resources to continue the program for the life of the pilot, and details of how the proponent would manage and avoid operational issues (e.g. improperly parked scooters or damage to City property).
- **Experience in other jurisdictions** showing a positive track record with similar programs.
- **Safety**, such as educational programs for scooter riders or motorists aimed at reducing injury rates.
- **Equity**, such as programs aimed at increasing mobility for people with low incomes, disabilities, or receiving social assistance, or job-training programs for unemployed and under-employed people.
- **Alignment with City of Windsor Policies and Strategic Goals** as identified in the Official Plan, Active Transportation Master Plan, Strategic Plan, and other City policies and strategies.

Risk Analysis:

Risks associated with the pilot program include:

Financial Risk:

In order for this pilot program to be successful, additional signage and/or storage locations may be required. It is anticipated that the Administrative Fee and/or the amount charged for penalties/violations of the agreement will be sufficient to cover the capital and operations costs associated with the pilot program. However, there is a slight risk that it is the funds collected from the operator(s) will not cover all costs. Costs above what is collected from the operator will be tracked and reported to Council.

Resource Risk:

Staff Resources are required to administer the program. As this is a pilot program, it is presently unknown how much staff time will actually be required to administer the program. Every effort will be made to administer the program as efficiently and effective as possible given the current level of staff resources.

Legal Liability Risk:

There is an inherent risk associated with riding a bike or e-scooter (regardless whether it is rented or owned). These risks pertain to both injuries to persons and/or damage to property. As more people will have access to e-scooters and e-bikes, there is the potential for claims to be brought against the City. Road surfaces which may be suitable for vehicles may not be suitable for e-scooters and e-bikes. Having dockless devices can also obstruct sidewalks, resulting in risk of harm to sidewalk users. Liability risks are mitigated by requiring the operator to carry insurance and agree to indemnify the City in the event of a loss, but an indemnification provision will not be triggered if the allegation relates to independent negligent acts of the City.

Complaint Risk:

Complaints regarding the use and or misuse of e-scooters and/or e-bikes and bicycles will be received from the public (i.e. blocked sidewalks, improper parking of devices, improper use of devices). The City's 311 department will track the complaints. Complaints relating to the operator (i.e. broken e-scooter, e-scooter blocking sidewalk) will be forwarded directly to the operator to address. Complaints may be mitigated by educating users and the public regarding proper use and storage of the devices.

Financial Matters:

There are no financial impacts associated with the receipt of this report.

However, there may be some associated costs associated with providing signage/markings in the Central Riverfront Park. The signs and markings will attempt to minimize conflicts between park users. Similarly, some parking / storage areas may need to be constructed in order to not clutter the park.

It is anticipated that the administrative fee charged to the operator(s) will be sufficient to cover these costs.

Any other costs will be tracked and reported to Council.

Consultations:

Operations: Dwayne Dawson, Phong Nguy, Roberta Harrison, Andrew Lewis

Traffic Operations: Shawna Boakes

Parks: James Chacko, Mike Clement, Heidi Baillargeon, James Scott

Transit Windsor: Jason Scott, Kelsey Amlin

Right-of-Way: Adam Pillon, Shannon Mills

Windsor Police Service: Barry Horrobin, Sgt. Craig Judson, Sgt. Morgan Evans

Legal & Risk Management: Dana Paladino, Joshua Meloche

Purchasing: Alex Vucinic

Conclusion:

Upon receiving approval from Council, Administration will undertake to issue an RFP for a two-year bike share and scooter share services pilot program in the area identified as Phase 1 in the Windsor Bike Share Feasibility Study.

Planning Act Matters:

N/A

Approvals:

Name	Title
John Revell	Chief Building Official
Shelby Askin-Hager	City Solicitor
Mark Winterton	City Engineer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Recommended Bike Share Framework - prepared by Urban Systems
- 2 Appendix B - Phase 1 map

ES 2 - Recommended Bike Share Framework

Item	Recommendation
Fleet Size	At least 450 bicycles
Fleet Composition	Combination of standard bicycles and e-bikes
Service Area	See <i>Figure 12 (Phase 1)</i>
Service Period	Year-round operation
Term of License	One or two year pilot license
Parking Management	Hybrid dockless model; bike share system to be generally free floating / dockless EXCEPT near high activity areas, where designated geo-fenced drop-zones will regulate pick-up / drop-off locations and mitigate clutter.
Financial Contributions from City of Windsor	None Staff time anticipated to work with and regulate operator(s)
Financial Contributions Required of Private Operators	All capital and operations costs. Annual Licensing Fee OR application fee, Annual Program Administrative Fee per Bike. Licensee shall reimburse for any costs (plus penalty) incurred by the City for violations of the agreement, or for repair/maintenance of public property.
Cost Overruns	Operator(s) responsible for any cost overruns
Upkeep and Maintenance	Operator(s) responsible for fleet upkeep and maintenance
Operations Plan	Operator(s) must provide operations and maintenance plan, staffing plan. Must have 24-hour customer service phone number and email, as well as direct contact for City staff.
User Interface and Payment Systems	Operator(s) to be responsible for providing a simple to use access portal that protects personal information and the privacy of the user. To ensure access for all, the operator(s) must provide a proposed payment plan outlining how the operator(s) will provide service to those without smartphones and those without a credit card.
Costs	Operator(s) retains the right to set pricing and user fees, but will consult with the City in doing so. Must submit costs in proposal as well as package options for memberships/pay per use, and surcharges and extra fees.
Data Reporting Standards	Operator(s) must protect users personal and financial information. The City of Windsor will be given access to the fleet management portal and have access to real-time data feeds (GBFS). Monthly reports of number of bikes, km travelled, breakdown by age/gender. Also, monthly trip records for each trip should be provided (including route) including GIS data.

Item	Recommendation
<p>Repair</p>	<p>The operator(s) is/are to maintain all bikes in a safe and functional state, and promptly remove any damaged, unsafe or non-functional bikes from public property.</p> <p>Once notified of an issue, the operator(s) must lock down the bicycle to ensure it cannot be used.</p> <p>Maintenance data must be updated and submitted monthly.</p>
<p>Rebalancing</p>	<p>Bicycles must be rebalanced every 24 hours. Operator(s) must respond to pedestrian obstructions and safety concerns within several hours.</p> <p>Operator(s) must inspect any hubs or stations (if applicable) at least once per day to ensure they are kept in safe, tidy, and sanitary conditions.</p> <p>The City may remove or re-park bicycles in violation with the permit and deduct from the security deposit for fees, resources, and staff time.</p>
<p>Equipment Standards</p>	<p>Bikes must meet Provincial safety requirements and include adjustable seat posts, all-weather tires, front/rear fenders, GPS location tracking, unique identification number and permit number. E-bikes must conform to Provincial requirements.</p>
<p>Storage</p>	<p>Bikes to be parked at:</p> <ul style="list-style-type: none"> (1) Bike racks (i.e. post and ring) (2) Designated areas in geo-fenced hubs or stations (where applicable); (3) Bikes shall not block a 2 metre pedestrian zone, driveways, or street furniture. No parking within 0.5m of trees or shrubs. Bicycles must not be parked where these minimum distance requirements cannot be met. <p>Operator(s) should have in-app ability to communicate by text or alert to let the customer know if a bicycle is parked in a non-permitted area.</p> <p>All bicycles must remain in an upright position with both wheels in contact with the ground.</p>
<p>User Education</p>	<p>Operator(s) must educate customers on how to use services, proper riding behaviour, how to operate and park bicycles, helmet laws. An education plan must be provided and show how education plan will be delivered, including attendance at public meetings and community events to provide education and support to users.</p>
<p>Transit Integration</p>	<p>Operator(s) is/are encouraged to incorporate the capability to integrate payment and access systems with Transit Windsor.</p>

Item	Recommendation
	Special parking arrangements are to be considered in collaboration with the Transit Windsor and the City of Windsor in transportation hubs.
Insurance Requirements	Proof of Commercial General Liability Insurance in Province of Ontario – no less than \$5 million. Motor vehicle liability insurance in the amount of no less than \$2 million. WSIB coverage.

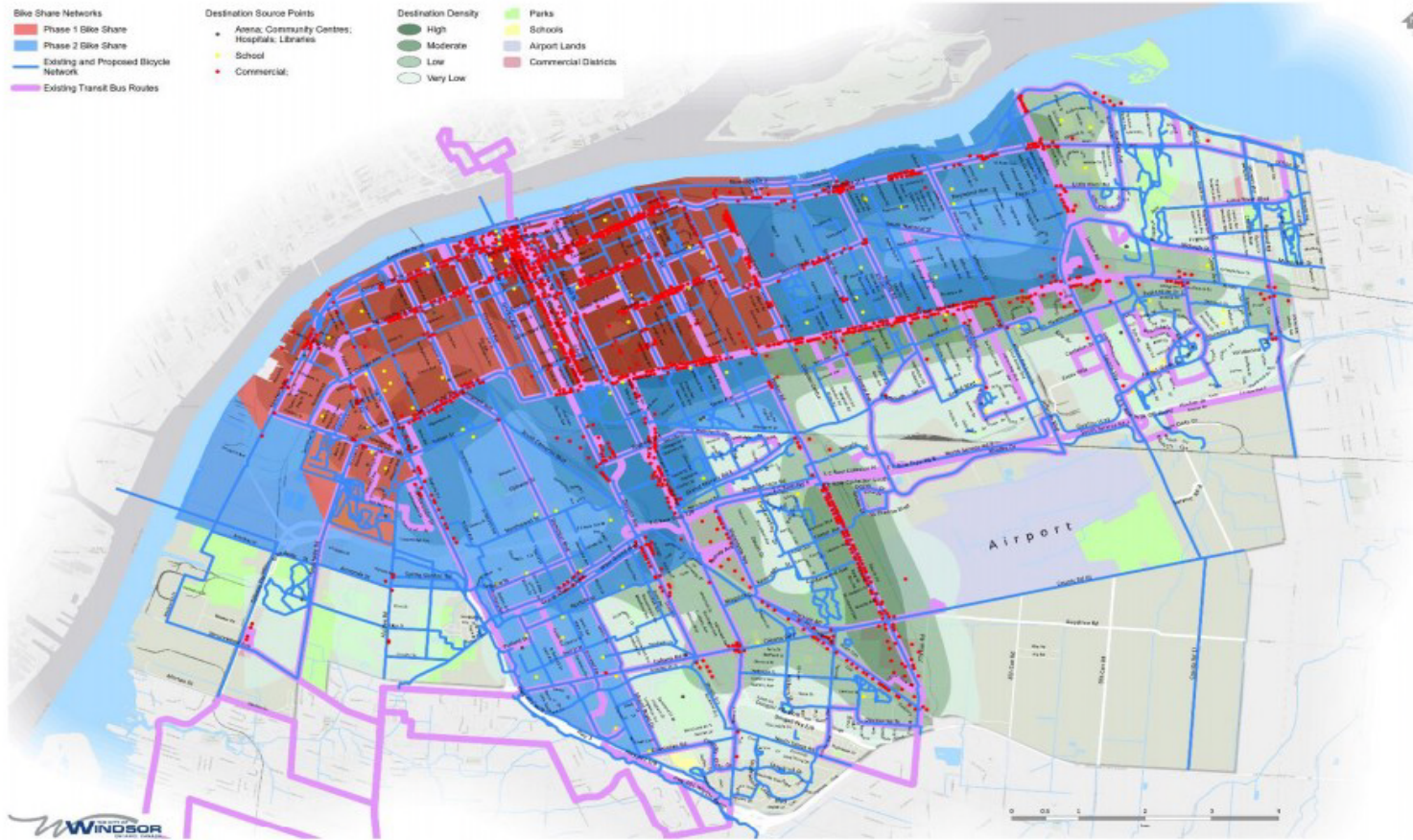


Figure 11 - Recommended Service Area

Sent: Tuesday, April 21, 2020 1:03 PM
To: Critchley, Valerie
Subject: Fwd: Lime: Bike Share and Scooter Share Services - City-wide

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

----- Forwarded message -----

Date: Mon, Apr 20, 2020 at 9:50 AM
Subject: Lime: Bike Share and Scooter Share Services - City-wide

Hi Mayor,

Firstly, I hope this email finds you, your colleagues, and family well.

I am touching base on Item 8.7 on the April 29th agenda of the Environment, Transportation & Public Safety Standing Committee Meeting re "Bike Share and Scooter Share Services". Please see the summary below and the attached PDF for greater detail.

Two concerns exist with Windsor city staff recommendations:

- **Fleet composition**
 - **Issue**
 - City staff are recommending Operators applying to City RFP operate both bikes and scooters as part of their fleet.
 - No other City has made a similar recommendation to date in Canada requiring Operators to apply with both bikes and scooters.
 - To date, of the 11 micro-mobility Operators in Canada, only 1 small Operator in Kelowna has operated a fleet of both bikes and scooters.
 - **Solution**
 - Allow Operators applying to City RFP to apply with a fleet of scooters and bikes, only scooters, or only bikes.
 - Having multiple Operators (minimum of 2 to a maximum of 4) rather than 1 is ideal for consumers to create competitive prices and offerings.
- **Fees**
 - **Issues**
 - Operators are not opposed to fees just the form some fees can take: Annual and daily per device fees are upfront fees before an Operator earns any revenue in a City.
 - The City can earn the same total revenue through a per trip fee which is more conducive to industry financials.

- **Solution**
 - Require a per trip fee in lieu of upfront fees like an annual fee and/or daily per device fee.
 - Windsor has experience with a per trip fee with the rideshare industry (Uber).

Item	Windsor Staff Recommendation	Lime Comment
Fleet Composition	E-scooters, pedal-assist E-bikes and/or Standard Bicycles (at least 20% of Fleet will be comprised of either pedal-assist E-bikes and/or Standard Bicycles).	<p>Windsor staff recommendation with respect to Fleet Composition is concerning. It appears staff is recommending that a vendor applying to the RFP has to offer both bike share (ebike or standard bike) AND scooter share.</p> <p>No other City in Canada has mandated that an operator offer both bike share (e-bike or standard) and scooter share. While Lime started as a dockless standard bike share company and then morphed into a dockless e-bike share provider, it is now exclusively in the e-scooter space in Canada (Lime no longer offers dockless e-bikes in Calgary or anywhere in Canada).</p> <p>In fact, if Windsor goes this direction, there will be only one small company eligible to participate in the RFP, assuming they are interested (see table below). Every other micro-mobility operator to date in Canada is either exclusively in the bike share space or scooter share space. Having multiple vendors (minimum of 2 to a maximum of 4) is ideal for consumers to create competitive prices and offerings.</p> <p>It should also be noted that it appears that both Ubike and Dropbike no longer offer bike share services in Canada (or are withdrawing their services). This leaves very few bike share providers in Canada (JUMP operates a bike share in Montreal but Windsor may not be their next target City before larger cities).</p> <p>Moreover, given the challenging developments related to COVID-19 for the micromobility industry right now, I would expect further consolidation and potential bankruptcy of smaller less well capitalized players in this space, which may further reduce the number of current bike share and/or scooter share operators in Canada and globally.</p>

		<p>This reality leans in the direction of approaching any future RFP from a more flexible approach so that a scooter company can apply solely with scooters for example.</p>
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Item	Windsor Staff Recommendation	Lime Comment
<p>Financial Contributions Required of Private Operators</p>	<p>All capital and operations costs.</p> <p>Annual fees, daily per-device fees, and impound/repositioning fees for improperly parked e- scooters will be identified for the RFP.</p>	<p>Agreed.</p> <p>Fleet operators like Lime are not opposed to fees. We simply oppose the form some fees take, particularly when there is a way for a City to secure the same quantum in fees by way of a different fee form that works better for industry.</p> <p>Annual and daily per-device fees are large upfront fees before an Operator ever earns money in a City. This could potentially be fiscally challenging for operators, particularly in a post COVID-19 environment where ridership levels may take some time to return to normal.</p> <p>Upfront annual fees and daily per-device fees are the type of fees that have caused the scooter industry to unfortunately make some hard decisions to pull out of some</p>

		<p>markets with large upfront fees and other challenging regulations: https://medium.com/@adamkovac/we-pulled-our-scooters-out-of-a-dozen-cities-heres-what-cities-can-learn-from-that-a1cf8c006281</p> <p>I would encourage the City to adopt a small per trip fee rather than larger upfront annual fees and/or daily per device fees. A per trip fee can be established to net the City the same (or more in fees) as upfront fees generate. I would be happy to model this out for the City.</p> <p>Windsor collects a per trip fee from the rideshare industry (Uber) so has familiarity with this concept.</p>
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Chris Schafer
Sr. Director, Strategic Development, Lime (Canada)
chris.schafer@li.me | +1 (647) 389-8052
[Unlock Life](#)

Item	Windsor Staff Recommendation	Lime Comment
<p>Fleet Size (Initial)</p>	<p>450 – 600. Any increases / decreases to the Fleet size will need to be approved by the City. A mechanism for increasing / decreasing the fleet size will be included in the RFP/agreement.</p>	<p>450 - 600 scooters per operator permitted to operate in Windsor would be appropriate. This same amount spread across multiple operators is not ideal. Lime encourages cities to select at a minimum two operators to ensure competition in the marketplace. In addition, if an operator is unable to deliver on commitments made in an RFP, selecting only one operator would place the City in a bind that can be better avoided with multiple vendor selection.</p> <p>In 2019, Lime operated in Edmonton, Calgary, Montreal and Waterloo. What we observed as a company based on objective data, was “missed demand / missed trips”: The demand for scooters outstripped the available supply of scooters. Lime tracked this data by reviewing how many times a Lime user opened their app but a scooter was not within a 150 metres of them, at which distance we know trip conversions drop precipitously. This can happen when a City establishes an arbitrary cap on the # of scooters that is not premised on data and without a mechanism to responsibly increase fleet sizes where warranted.</p> <p>In Edmonton, scooter operators can apply on a quarterly basis (we believe it should be more frequent - perhaps monthly - given seasonality in Canada) to increase or decrease fleet.</p> <p>In Calgary, Committee and Council adopted a dynamic cap after the first phase of their program for the above reasons. The Motion is below:</p>

		<p>ADMINISTRATION RECOMMENDATION:</p> <p><i>That the Standing Policy Committee on Transportation and Transit recommend that Council:</i></p> <ol style="list-style-type: none"> 1. Give three readings to the proposed bylaw to amend the Calgary Traffic Bylaw 26M96 (Attachment3) 2. Develop and implement for the next phase (Spring 2020 –Fall 2020) of the e-scooter pilot, a dynamic fleet cap based on Trips per Vehicle per Day (TVD) and/or an Incentive Fleet Cap based on defined City goals. <p>Thus, as the Windsor staff recommendation notes, there is a way to enable managed and responsible fleet growth for operators so demand and supply are more in equilibrium. It can be done by:</p> <ul style="list-style-type: none"> ● Dynamic cap - permit a % fleet cap increase based on Trips per Vehicle per Day (TVD) averaged over a time basis (monthly). For example, an average of a 3 TVD per month would warrant a 25% fleet increase, an average of a 4 TVD per month would warrant an additional % fleet increase, etc. <p>USA Example: Portland, Oregon</p> <ul style="list-style-type: none"> ● Fleet cap increase mechanisms are routine in various e-scooter frameworks in the USA such as Norfolk, Salt Lake City, Miami, etc. ● Portland, Oregon incentivizes scooter operators with fleet increases for advancing the City's interests by, for example, conducting safety-training workshops or reducing car trips, etc.
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		<p>SAFETY</p>	<p>A Permittee who implements innovative technology or business practices that eliminate sidewalk riding may be eligible for an up to 20% allotment increase.</p> <p>A Permittee who implements innovative technology or business practices that eliminate improper parking may be eligible for an up to 20% allotment increase.</p> <p>A Permittee who organizes free safety workshops in partnership with a local nonprofit organization during the review period may be eligible for a 2.5% allotment increase per 10 documented event participants, up to a total of 15%.</p>
<p>UTILIZATION</p>	<p>A Permittee who meets or exceeds an average of 3-4 trips per scooter per day outside of East Portland may be eligible for an up to 35% allotment increase.</p>		
<p>EQUITY</p>	<p>A Permittee who meets or exceeds an average of 2-3 trips per scooter per day in East Portland may be eligible for an up to 35% allotment increase.</p>		
<p>REDUCE VMT</p>	<p>A Permittee who works with a third-party researcher or consultant to provide an analysis and verifiably demonstrates a reduction in operational vehicle miles traveled and climate impacts during the third review period may be eligible for an up to 35% allotment</p>		
<p>GOOD PARTNER</p>	<p>increase. The allotment increase may be determined by the relative amount of the permittee's per scooter operational VMT to the aggregate per scooter VMT from all permittees submitting reports.</p>		
<p>GOOD PARTNER</p>	<p>A Permittee who demonstrates a commitment to collaboration with the City and recognizes the importance of local control of regulation and management of the Public Right-of-Way may be eligible for a 15% allotment increase.</p>		

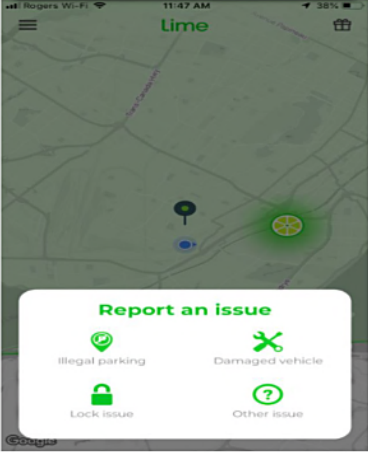
<p>Fleet Composition</p>	<p>E-scooters, pedal-assist E-bikes and/or Standard Bicycles (at least 20% of Fleet will be comprised of either pedal- assist E-bikes and/or Standard Bicycles).</p>	<p>Windsor staff recommendation with respect to Fleet Composition is concerning. It appears staff is recommending that a vendor applying to the RFP has to offer both bike share (ebike or standard bike) AND scooter share.</p> <p>No other City in Canada has mandated that an operator offer both bike share (e-bike or standard) and scooter share. While Lime started as a dockless standard bike share company and then morphed into a dockless e-bike share provider, it is now exclusively in the e-scooter space in Canada (Lime no longer offers dockless e-bikes in Calgary or anywhere in Canada).</p> <p>In fact, if Windsor goes this direction, there will be only one small company eligible to participate in the RFP, assuming they are interested (see table below). <u>Every other micro-mobility operator to date in Canada is either exclusively in the bike share space or scooter share space.</u> Having multiple vendors (minimum of 2 to a maximum of 4) is ideal for consumers to create competitive prices and offerings.</p> <p>It should also be noted that it appears that both Ubike and Dropbike no longer offer bike share services in Canada (or are withdrawing their services). This leaves very few bike share providers in Canada (JUMP operates a bike share in Montreal but Windsor may not be their next target City before larger cities).</p> <p>Moreover, given the challenging developments related to COVID-19 for the micromobility industry right now, I would expect further consolidation and potential bankruptcy of smaller less well capitalized players in this space, which may further reduce the number of current bike share and/or scooter share operators in Canada and globally. This reality leans in the direction of approaching any future RFP from a more flexible approach so that a scooter company can apply solely with scooters for example.</p>
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		<table border="1"> <thead> <tr> <th data-bbox="1003 264 1261 320">Operator</th> <th data-bbox="1261 264 1518 320">2019 Jurisdiction</th> <th data-bbox="1518 264 1776 320">E-bike and/or Standard Bike Share</th> <th data-bbox="1776 264 2033 320">E-scooter Share</th> </tr> </thead> <tbody> <tr> <td data-bbox="1003 320 1261 376">Lime</td> <td data-bbox="1261 320 1518 376">Edmonton, Calgary, Montreal, Waterloo</td> <td data-bbox="1518 320 1776 376">No</td> <td data-bbox="1776 320 2033 376">Yes</td> </tr> <tr> <td data-bbox="1003 376 1261 416">Bird</td> <td data-bbox="1261 376 1518 416">Edmonton, Calgary, Montreal</td> <td data-bbox="1518 376 1776 416">No</td> <td data-bbox="1776 376 2033 416">Yes</td> </tr> <tr> <td data-bbox="1003 416 1261 456">Ubike</td> <td data-bbox="1261 416 1518 456">Western Canada</td> <td data-bbox="1518 416 1776 456">Yes</td> <td data-bbox="1776 416 2033 456">No</td> </tr> <tr> <td data-bbox="1003 456 1261 496">Drop Bike</td> <td data-bbox="1261 456 1518 496">Western Canada, Ontario</td> <td data-bbox="1518 456 1776 496">Yes</td> <td data-bbox="1776 456 2033 496">No</td> </tr> <tr> <td data-bbox="1003 496 1261 536">Jump</td> <td data-bbox="1261 496 1518 536">Montreal</td> <td data-bbox="1518 496 1776 536">Yes</td> <td data-bbox="1776 496 2033 536">No</td> </tr> <tr> <td data-bbox="1003 536 1261 576">Roll</td> <td data-bbox="1261 536 1518 576">Kelowna</td> <td data-bbox="1518 536 1776 576">Yes</td> <td data-bbox="1776 536 2033 576">Yes</td> </tr> <tr> <td data-bbox="1003 576 1261 616">Bunny</td> <td data-bbox="1261 576 1518 616">Kelowna</td> <td data-bbox="1518 576 1776 616">No</td> <td data-bbox="1776 576 2033 616">Yes</td> </tr> <tr> <td data-bbox="1003 616 1261 655">Zip</td> <td data-bbox="1261 616 1518 655">Kelowna</td> <td data-bbox="1518 616 1776 655">No</td> <td data-bbox="1776 616 2033 655">Yes</td> </tr> <tr> <td data-bbox="1003 655 1261 695">Ogo</td> <td data-bbox="1261 655 1518 695">Kelowna</td> <td data-bbox="1518 655 1776 695">No</td> <td data-bbox="1776 655 2033 695">Yes</td> </tr> <tr> <td data-bbox="1003 695 1261 735">Spin</td> <td data-bbox="1261 695 1518 735">Kelowna</td> <td data-bbox="1518 695 1776 735">No</td> <td data-bbox="1776 695 2033 735">Yes</td> </tr> <tr> <td data-bbox="1003 735 1261 775">Loop</td> <td data-bbox="1261 735 1518 775">Kelowna</td> <td data-bbox="1518 735 1776 775">No</td> <td data-bbox="1776 735 2033 775">No</td> </tr> </tbody> </table>	Operator	2019 Jurisdiction	E-bike and/or Standard Bike Share	E-scooter Share	Lime	Edmonton, Calgary, Montreal, Waterloo	No	Yes	Bird	Edmonton, Calgary, Montreal	No	Yes	Ubike	Western Canada	Yes	No	Drop Bike	Western Canada, Ontario	Yes	No	Jump	Montreal	Yes	No	Roll	Kelowna	Yes	Yes	Bunny	Kelowna	No	Yes	Zip	Kelowna	No	Yes	Ogo	Kelowna	No	Yes	Spin	Kelowna	No	Yes	Loop	Kelowna	No	No
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Service Area	Phase 1 area as recommended by Urban Systems from Bike Share Feasibility Study Map (Please see Appendix B)	<p>I would encourage Windsor City staff to allow the permitted operator(s) to determine their service area. No Canadian city to date sets permitted operating areas. They let operators determine based on their experience and data as it develops over time in the City, where it's best to operate within the boundaries of the City.</p> <p>Lime operates in 100+ cities around the world and can bring that knowledge and experience to bear + data as it develops overtime in a City (in addition to taking into consideration things like seasonality) to best determine an operational service area within the legal boundaries of a City.</p> <p>Lime makes the operational service area transparent to riders in its app. Lime also has the ability to ensure scooters are kept within the operational service area so that the most scooters are available to the most people most of the time</p>																																																

		(be it riders and/or “juicers” who work recharging low battery scooters) through geo-fencing: no park zones, etc.
Service Period	Operator(s) to propose options. (i.e. Year-round, seasonal, etc)	Providing operators with flexibility here is ideal.
Term	Two year pilot (maximum length recommended by Urban Systems)	This falls within the 5 year timeframe for the provincial e-scooter pilot and makes sense.
Parking Management	Hybrid dockless model; devices to be generally free floating / dockless EXCEPT near high activity areas, where designated geo-fenced drop-zones will regulate pick-up / drop-off locations and mitigate clutter.	<p>With respect to designated geo-fenced drop-zones in certain areas of the City, while Lime can facilitate this, it should be known that reliably triggering the geofence at the correct location is challenging. GPS technology is imprecise and geofencing has inherent technical limitations. For example, when one opens the Google Maps app, it occasionally places the blue dot indicating a user’s location across the street. That is a GPS error, something even Google has not solved in every instance, in part because GPS is an over 40-year-old technology.</p> <p>GPS is generally accurate down to 10 meters, but accuracy can be as large as 40 meters in some cases. These factors are out of Lime’s product/engineering control and related to regional network connection, surrounding buildings, hardware, etc.</p> <p>As such, where Lime has implemented designated geo-fenced drop-zones in a handful of global cities, the City has agreed to allowing operators a 20 metre radius around the designated drop-zone to allow for “GPS drift”. This means that an operator is unable to ascertain that a rider is actually parking a scooter in the designated on street/on sidewalk painted box, and are instead within the</p>

		<p>surrounding 20 metre radius.</p> <p>I would encourage the City to consider doing what Calgary did:</p> <ul style="list-style-type: none"> • Calgary did not implement any additional parking requirements beyond free floating/dockless during the first year of the scooter pilot. • Learning from the MDS data collected from scooter operators in 2019 (i.e. where riders are parking scooters in select highly pedestrian areas of the City in 2019), in year two of the Pilot (2020), the City is creating “preferred parking spots” (i.e. a painted box on or off-street with signage) for scooters. These spots are not mandatory but they will be identified by scooter operators in their app riders can opt to use these areas to park scooters.
Financial Contributions from City of Windsor	<p>None.</p> <p>Staff time anticipated to work with and regulate operator(s)</p>	Agreed.
Financial Contributions Required of Private Operators	<p>All capital and operations costs.</p> <p>Annual fees, daily per-device fees, and impound/repositioning fees for improperly parked e- scooters will be identified for the RFP.</p>	<p>Agreed.</p> <p>Fleet operators like Lime are not opposed to fees. We simply oppose the form some fees take, particularly when there is a way for a City to secure the same quantum in fees by way of a different fee form that works better for industry.</p> <p>Annual and daily per-device fees are large upfront fees before an Operator ever earns money in a City. This could potentially be fiscally challenging for operators, particularly in a post COVID-19 environment where ridership levels may take some time to return to normal.</p>

		<p>Upfront annual fees and daily per-device fees are the type of fees that have caused the scooter industry to unfortunately make some hard decisions to pull out of some markets with large upfront fees and other challenging regulations: https://medium.com/@adamkovac/we-pulled-our-scooters-out-of-a-dozen-cities-heres-what-cities-can-learn-from-that-a1cf8c006281</p> <p>I would encourage the City to adopt a small per trip fee rather than larger upfront annual fees and/or daily per device fees. A per trip fee can be established to net the City the same (or more in fees) as upfront fees generate. I would be happy to model this out for the City.</p> <p>Windsor collects a per trip fee from the rideshare industry (Uber) so has familiarity with this concept.</p>
Cost Overruns	Operator(s) responsible for any cost overruns	Agreed.
Upkeep and Maintenance	Operator(s) responsible for fleet upkeep and maintenance	Agreed.
Operations Plan	Operator(s) must provide operations and maintenance plan, staffing plan.	<p>Agreed.</p> <p>The City having a direct contact with operational staff for a scooter or bike share operator is crucial and expected. I would encourage Windsor staff to refrain</p>

	<p>Must have 24-hour customer service phone number and e-mail, as well as direct contact for City Staff.</p>	<p>from mandating phone support, or at the very least not mandating 24 hour phone support. While this is something some operators currently offer, including Lime, there are other ways for residents to engage an operator that are equally effective and more cost effective:</p> <ul style="list-style-type: none"> • Email support • In-app reporting (see image below) • 3-11 integration where possible <p>Lime customers and non-customers are able to flag bad behaviour and parking habits of others as well as mark a scooter as broken in the Lime app, keeping Lime even further informed of user habits.</p> 
<p>User Interface and Payment Systems</p>	<p>Operator(s) to be responsible for providing a simple to use access portal that protects personal</p>	<p>Agreed. Lime takes our riders' data and privacy very seriously. GPS data is always anonymized before sharing with cities. Additionally, we do not sell rider data to third-party recipients, and a subpoena or other lawful process is required to access rider data in compliance with legal obligations. For more information</p>

	<p>information and the privacy of the user.</p> <p>To ensure access for all, the operator(s) must provide a proposed payment plan outlining how the operator(s) will provide a service to those without smartphones and those without a credit card.</p>	<p>and to review Lime's privacy policy, see: https://www.li.me/privacy. For Lime's Terms of Agreement (User Agreement), see: https://www.li.me/user-agreement/ca.</p> <p>To date in Canada, no City has mandated a payment plan for those residents without a smartphone or credit card. I am unaware of any operator in Canada that has this capability currently (Lime has a "Lime Access" program in some USA cities to date but faces challenges introducing this program in Canada given how nascent the industry is here). In addition, in Canada as compared to the USA, our society has very high smartphone penetration and credit card usage.</p> <p>I would encourage the City to explore other means of addressing this issue such as:</p> <ul style="list-style-type: none"> ● Requiring Operators to support credit card payment + other digital payment options: PayPal and Credit/Debit cards. ● Providing operators with incentives (i.e. fleet size increases) for serving lower-income neighbourhoods. ● Providing operators with incentives (i.e. fleet size increases) if they introduce these options but not mandating they do.
<p>Costs</p>	<p>Operator(s) retains the right to set pricing and user fees, but will consult with the City in doing so. Must submit costs in proposal as well as package options for memberships/pay per use, and surcharges and extra fees.</p>	<p>Lime supports sharing this information with the City: Submitting costs in proposal as well as package options for memberships/pay per use, and surcharges and extra fees.</p> <p>No City to date in Canada requires consultation on costs, nor does any City approve costs. Understandably, as a private sector business that receives no subsidy from municipal governments for the service we offer</p>

		<p>residents, operators need to set prices at a level required to remain competitive and achieve a profit after costs.</p>
<p>Data Reporting Standards</p>	<p>Operator(s) must protect user personal and financial information.</p> <p>The City of Windsor will be given access to the fleet management portal and have access to real-time data feeds (GBFS). Monthly reports of number of devices, km travelled, breakdown by age/gender.</p> <p>Also, month trip records for each trip should be provided (including route) including GIS data.</p>	<p>Agreed. This is standard industry practice.</p> <p>It may be semantics here, but no City that I am aware of globally has access to an operator's real-time internal/proprietary fleet management portal or systems.</p> <p>However, data sharing with our municipal partners is of course something Lime values. To date, all Canadian cities have opted for MDS data sharing. Most cities started with GPFS but are moving or have moved now to MDS. We are able to share data with cities via APIs. The API system we prefer to use is MDS (Mobility Data Specification), which comes with GBFS built in.</p> <p>This information below is relevant equally with respect to bike share and electric scooter share:</p> <ol style="list-style-type: none"> 1. Data Sharing Overview 2. Why Data Sharing Matters 3. How can cities use this data once they have it? 4. Data We Can Share 5. Why Should Cities Use MDS? 6. Third Party Transportation Data Platforms 7. Other Data We Can Share 8. Data We Cannot Share

		<p>1. Data Sharing Overview</p> <p>Lime collects a large volume of data on trips, vehicles, maintenance and support, however, as a general rule we believe that the data that we share with cities should be raw (e.g. # of vehicles, # of riders, but NOT riders/vehicle), standardized (e.g. through a widely accepted API format like MDS or GBFS) and that cities must handle it in a manner that protects user privacy and our proprietary trade secrets.</p> <p>2. Why Data Sharing Matters</p> <p>Cities need information:</p> <ul style="list-style-type: none"> ● Enforcing permit requirements ● Evaluating our performance as an operator ● Understanding usage and impacts of micro-mobility ● Planning infrastructure and transit improvements <p>3. How can cities use this data once they have it?</p> <ul style="list-style-type: none"> ● Cities should treat Lime ride data as Personally Identifiable Information (PII). ● They should not disclose raw ride data under public records requests without aggregating it or obfuscating it first. ● Cities should understandably practice proper data security practices with ride data. ● If your city uses MDS for data sharing as preferred by Lime, we suggest review of and signing terms that we can share with you. ● For more information: <ul style="list-style-type: none"> ○ See: LADOT legal interpretation of ride data as PII ○ See: Center for Democracy and Technology recommended
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		<p style="text-align: center;">best practices</p> <p>4. Data We Can Share</p> <p>The data Lime can share is API Route & Vehicle (MDS & GBFS) data. Most cities started with GPFS but are moving to MDS. We are able to share data with cities via APIs. The API system we prefer to use is MDS (Mobility Data Specification), which comes with GBFS built in.</p> <p>MDS is a data standard originally proposed by the Los Angeles Department of Transportation. MDS has subsequently been widely adopted and implemented in Europe (Madrid, Nice, Paris, etc) and North America (Los Angeles, Detroit, Minneapolis, Providence, and others).</p> <p>At a high level, MDS provides cities with:</p> <ul style="list-style-type: none"> ● Trips <ul style="list-style-type: none"> ○ Including the entire trip route in GeoJSON format of every trip that was taken within the city/region. ● Vehicle List <ul style="list-style-type: none"> ○ By status, including details on why a vehicle is unavailable (e.g. juicer picked up, in repair, etc) ● GBFS <ul style="list-style-type: none"> ○ An older format that lists all currently NOT in a trip available vehicles in an easily consumed fashion <p>Aggregated data is also available to cities via Lime's "Insights Tab". This data can be filtered by day, week and month, lifetime and vehicle type and displays:</p> <ul style="list-style-type: none"> ● Total Trips
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		<ul style="list-style-type: none"> ● Unique Riders ● Distance Traveled ● Total Time Traveled ● Median Distance/Trip ● Median Time/Trip <p>It also shows a heat map, filtered by day/week/month but NOT vehicle type of the routes that were taken. Finally, it allows a raw (CSV file) download of all starts and ends, filtered by month and vehicle type, of trips in that region. It should be noted that this "Insights Tab" data can be compiled from MDS but we also produce it via our "Insights Tab".</p> <p>5. Why Should Cities Use MDS?</p> <ul style="list-style-type: none"> ● Standardization: MDS is standardized and does not need to be rebuilt for different cities. Global companies like Lime operate with limited engineering bandwidth. ● Ease of Use: By way of a subscription, a city uses the third party platform to receive the MDS data from operators like Lime. Historically, cities have preferred simple CSV files from Operators on some routine basis for ease of use but with third party platforms, receiving MDS data is easy. ● One Stop Shop: Using third party platforms means cities get all operator shared data available via one single dashboard. This eliminates a city having to go to separate company/operator dashboards to collect data from different operators. ● Value Add: Third party platforms offer value added analytical features to help cities know what the shared data means, for various data visualization purposes, etc. These third parties can also help cities
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		<p>with tech support.</p> <p>6. Third Party Transportation Data Platforms Lime partners with three common companies that can help your city analyze, visualize, and generate insights out of MDS/GBFS data to assist with compliance monitoring, impact analysis, infrastructure planning, and more.</p> <ul style="list-style-type: none"> ● Remix ● Ride Report ● Populus <p>Benefits of data platforms for cities provided by Remix, Ride Report or Populus:</p> <ul style="list-style-type: none"> ● Provide holistic view of activity and compliance across all operators ● Solve the technical work of setting up MDS ● Offer value-added analysis features ● Integrate micro-mobility data with transportation planning tools <p>7. Other Data We Can Share</p> <ul style="list-style-type: none"> ● Surveys: Lime is able to periodically run surveys of Lime riders as cities request to gather information not available through Lime’s platform, such as demographics or mode shift impacts. However, our bandwidth for such surveys is limited and they are very manual to execute, so we suggest a survey cadence on an annual basis. <p>8. Data We Cannot Share</p> <ul style="list-style-type: none"> ● Injuries & Collisions <ul style="list-style-type: none"> ○ Lime does not generally receive this data from users as they do not routinely report it to us. Cities also do not share it with
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		<p>us.</p> <ul style="list-style-type: none"> ● Demographic Data <ul style="list-style-type: none"> ○ Lime does not collect any demographic data on our users. We do not know age, gender, or even where they live. ○ As noted above, we are able to conduct periodic surveys of our user base on an annual basis. ● Rebalancing & Hotspot Data <ul style="list-style-type: none"> ○ As this data falls under competitive advantage concerns in an industry that is very competitive, we view this information as competitive business sensitive information.
Repair	<p>The operator(s) is/are to maintain all devices in a safe and functional state, and promptly remove any damaged, unsafe or non-functional devices from public property.</p> <p>Once notified on an issue, the operator(s) must lock down the device to ensure it cannot be used.</p> <p>Maintenance data must be updated and submitted monthly.</p>	<p>Agreed.</p> <p>Agreed. Lime possesses this capability.</p> <p>Agreed. The City might consider a quarterly basis.</p>
Rebalancing	<p>Devices must be rebalanced every 24 hours. Operator(s) must</p>	<p>I would encourage the City to not set a defined time limit in this instance. Why? The City objective and operator objective are already aligned. Operators do not</p>

	<p>respond to pedestrian obstructions and safety concerns within several hours.</p> <p>Operator(s) must inspect any hubs or stations (if applicable) at least once per day to ensure they are kept in safe, tidy, and sanitary conditions.</p> <p>The City may remove or re-park devices in violation with the permit and deduct from the security deposit or fees, resources, and staff time.</p>	<p>and will not leave scooters in areas of the City if they are not being ridden and thus earning revenue. Thus, I would encourage the City to permit operator flexibility here by removing this 24 hour requirement. If a defined time limit is desired, I would encourage the City to think about 36-48 hours.</p> <p>An arbitrary rule of 24 hours for rebalancing will mean:</p> <ul style="list-style-type: none"> • Mandatory rebalancing during rainy weather which results in lower trip volumes from otherwise ideal locations for scooters to remain waiting for dryer weather. • Mandatory rebalancing when it makes more sense from a business and data intelligence perspective to leave the scooter where it is, particularly if it's strategically located for the next day. Different days have different travel patterns. A Monday is not the same as a Friday evening or a Saturday afternoon. <p>Agreed.</p>
<p>Equipment Standards</p>	<p>Devices must meet Provincial safety requirements.</p> <p>Bikes must include adjustable seat posts, all weather tires, front/rear fenders, GPS location tracking and unique identification number.</p>	<p>Agreed. Lime scooters meet provincial requirements.</p> <p>n/a for Lime as we don't operate bike share in Canada (except in a handful of global markets).</p>

	E-bikes and E-scooters must have GPS location tracking and unique identification number.	Agreed. Our scooters meet this requirement already.
Storage	<p>Bikes to be parked at:</p> <ol style="list-style-type: none"> 1) Bike racks (i.e. post and ring) 2) Designated areas in geo-fenced hubs or stations (where applicable); 3) Bikes shall not block a 2 metre pedestrian zone, driveways or street furniture. No parking within 0.5m of trees or shrubs. <p>Bikes must not be parked where these minimum distance requirements cannot be met.</p> <p>E-scooters to be parked at</p> <ol style="list-style-type: none"> 1) Designated areas in geo-fenced hubs or stations (where 	<p>n/a for Lime as we don't operate bike share in Canada (except in a handful of global markets).</p> <p>Ok.</p>

	<p>applicable);</p> <p>2) Devices <i>shall not block a 2 metre pedestrian zone</i>, driveways or street furniture. No parking within 0.5m of trees or shrubs. Devices Must Not Be Parked where these minimum distance requirements cannot be met.</p> <p>Operator(s) should have in-app ability to communicate by text or alert to let the customer know if a device is parked in a non-permitted area.</p> <p>All devices must remain in an upright position with both wheels in contact with the ground.</p>	<p>Agreed.</p> <p>Agreed. Lime’s app has this capability.</p>
User Education	<p>Operator(s) must educate customers on how to use services, proper riding behaviour, how to operate and park bicycles and e-scooters, helmet laws. An education plan must be provided and show education plan will be</p>	<p>Agreed.</p>

	delivered, including attendance at public meetings and community events to provide education and support to users.	
Transit Integration	<p>Operator(s) is/are encouraged to incorporate the capability to integrate payment an access systems with Transit Windsor</p> <p>Special parking arrangements are to be considered in collaboration with Transit Windsor and the City of Windsor in transportation hubs. (i.e. No parking within 40 feet of Transit stop).</p>	<p>Encouraging operators to examine the potential for integrating payment systems with Transit Windsor is a good goal.</p> <p>I would encourage the City to help facilitate first KM and last KM travel by enabling operators to work with Windsor Transit. A city staff report in Montreal found that e-scooter share in the City in 2019 facilitated first KM and last KM trips to and from public transit to the tune of 27% of trips. Lime believes this should be encouraged and facilitated. As such, requiring scooters to be located far from public transit may actually discourage first KM / last KM trips.</p>
Insurance Requirements	<p>Proof of Commercial Liability Insurance in Province of Ontario – no less than \$5 million. Motor vehicle liability insurance in the amount of no less than \$2 million. WSIB coverage.</p>	Ok.

Indemnification Requirements	Operator must agree to indemnify the City for all losses that may arise from the program, unless so caused by the City's own negligence.	Agreed.
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Regional Trauma Program

Re: RE: April 29, 2020 Environment, Transportation & Public Safety Standing Committee meeting for E-Scooter ride-share development

For council and standing committee consideration,

It is not a matter of if injury will occur, but how much and how severe. A plethora of international evidence has been presented to both the Environment, Transportation, and Public Safety Standing Committee around the volume and types of injury around the world, resulted from e-scooter ride-share participation.

Concern around related future injury for those that will participate in Windsor remain. Currently there is no way of recording e-scooter injury in our ICD-10 coding system. This system is used for all hospital admissions and visits throughout the country. There is some good news on this front as CIHI, the governing body that updates the ICD-10 program, will be adding a new code to identify e-scooter injury. We do not know when this change will occur but anticipate it potentially sometime in 2021.

In the meantime, we are recommending that the city of Windsor, Windsor Regional Hospital, University of Windsor and local urgent care clinics and physicians work collaboratively to develop a plan which includes:

- standard injury data collection
- education
- analysis of data
- communication and reporting of data at established intervals
- education, awareness and instruction campaigns for potential users including:
 - safe and proper use of equipment
 - helmets and risk of not wearing a helmet
 - equipment failure
 - method of reporting issues including collisions and injuries
 - consideration of use of e-scooter app and city 311 links

This will help to ensure community and expert engagement in determining the risks and benefits of this pilot project and actions required for safe sustainment and injury prevention.

Thank you

Diane

Diane Bradford RN, MN |Manager Regional Trauma Program/Injury Prevention
Office: 519-254-5577, ext. 37818
Email: diane.bradford@wrh.on.ca
1030 Ouellette Ave., Windsor, ON, N9A 1E1



Committee Matters: SCM 157/2020

Subject: Temporary Traffic Calming Measures (CQ14-2019 CQ15-2019) - City-wide

Moved by: Councillor Francis
Seconded by: Councillor Costante

Decision Number: **ETPS 763**

THAT the report of the Transportation Planning Senior Engineer and Transportation Planning Coordinator dated March 13, 2020 entitled Temporary Traffic Calming Measures (CQ14-2019 CQ15-2019) - City-wide **BE REFERRED** to the 2021 Budget deliberations; and,

THAT an expedited process for temporary traffic calming measures **BE PROVIDED**; and,

THAT the updated Traffic Calming Policy also **BE PROVIDED** to ensure that City Council has all of the information at the appropriate time in order to make a decision.
Carried.

Report Number: S 58/2020
Clerk's File: ST2020

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

Subject: Temporary Traffic Calming Measures (CQ14-2019 CQ15-2019) - City-wide

Reference:

Date to Council: April 29, 2020
Author: Jeff Hagan
Transportation Planning Senior Engineer
519-255-6267 ext 6003
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Awele Nwaesei
Transportation Planning Coordinator
519-255-6100 ext 6793
anwaesei@citywindsor.ca
Planning & Building Services
Report Date: 3/13/2020
Clerk's File #: ST2020

To: Mayor and Members of City Council

Recommendation:

That report S 58/2020, "Temporary Traffic Calming Measures (CQ14-2019 CQ15-2019)," **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

In response to two Council Questions regarding traffic calming (CQ14-2019 and CQ15-2019), Administration brought report S 145/2019, "CQ14-2019 CQ15-2019 Traffic Calming," forward to the Environment, Transportation and Public Safety Standing Committee at its September 18, 2019 meeting and then subsequently to Council.

This report outlined existing options for residents whose traffic calming requests were unsuccessful, including the Local Improvement Process and the Windsor Police Service Road Watch program. The report also provided a summary of measures taken by other municipalities, including temporary traffic calming programs.

At its October 7, 2019 meeting, Council passed the following resolution regarding the report:

CR517/2019

That the report of the Transportation Planning Engineer dated August 6, 2019 entitled "CQ14-2019 CQ15-2019 Traffic Calming" BE RECEIVED for information; and,

That administration PROVIDE additional information related to costing of temporary traffic measures when this report proceeds to Council; and,

That administration BE REQUESTED to bring forward a more robust report on temporary traffic calming measures including information from other municipalities; and that this information BE PROVIDED at a future meeting of the Environment, Transportation and Public Safety Standing Committee.

This report provides the requested response.

Traffic Calming Policy

The current City of Windsor Traffic Calming Policy was adopted by Council in September 2015 and is scheduled for its 5-year review in September 2020.

A key feature of the Traffic Calming Policy is that it does not prescribe specific traffic calming measures. At the time the policy was developed, it was recognized that the spectrum of traffic calming measures available was changing rapidly, especially for electronic and temporary measures. The policy gives Council the flexibility to consider any measure that will address the identified issues in a neighbourhood, taking into account resident feedback and cost.

Previous Reports

At the January 27, 2020 budget meeting of Council, Council passed the following resolution regarding several reports related to pedestrian issues on Cabana Road East:

B5/2020

That the report of the Environment, Transportation & Public Safety Standing Committee regarding CQ14-2018 Cabana Road East / Roseland Public School Pedestrians - WARD 9 and Additional Information - Cabana Road East Roseland Public School Pedestrians - WARD 9 BE DEFERRED to a future meeting of Council, to allow for the citywide traffic calming report to be issued and considered first.

The reports (ETPS 657, including S 156/2018 and S 29/2019) referred to in B5/2020 are attached as Appendix 1 for information. Related report C 45/2019 is attached as Appendix 2.

Discussion:

Temporary Versus Permanent Traffic Calming Measures

In general, temporary traffic calming measures might be selected for a project rather than permanent measures for one of the following reasons:

- **To expedite traffic calming:** at locations that have been approved (or are likely to be approved) for permanent traffic calming measures, it is sometimes desirable to install temporary measures while the permanent traffic calming plan waits for funding approval, design, and construction.
- **To allow the measures to be removed quickly:** in cases where traffic calming measures are installed without the normal public approval process, using temporary measures allows the measures to be removed quickly if negative feedback is received from residents.
- **For temporary traffic issues:** if a neighbourhood is experiencing (or is expected to experience) temporary traffic issues, temporary traffic calming measures can be installed, and then removed once the temporary traffic issues have ended.
- **To reduce cost (applies only to certain measures):** in some cases, temporary measures can be installed for lower cost than permanent measures; also, some traffic calming devices (e.g. radar speed feedback signs) can be rotated through several locations so that one device can be used to provide benefit on multiple streets, though not necessarily at the same service level as one device at a fixed location.
- **As an interim measure:** if a road has qualified for traffic calming but is planned for road works in the near future (e.g. road reconstruction), it may be appropriate to install temporary traffic calming measures as an interim solution.

Additionally, some jurisdictions have implemented programs of lower-impact temporary traffic calming measures that are used for locations that do not meet the normal warrant for typical traffic calming measures.

For both temporary and permanent traffic calming, most municipalities use traffic data (e.g. measured speed and volumes) to confirm that traffic calming will be effective at addressing the neighbourhood's concerns and to prioritize between locations.

Temporary Traffic Calming in Windsor's Current Framework

Because of the flexibility granted by the Traffic Calming Policy, Council has the ability to consider temporary traffic calming measures, where appropriate.

Temporary traffic calming measures – in particular, temporary speed cushions – were installed on Bellagio Drive and Bartlet Drive in 2012. These installations were at Council's direction (M287-2012, M353-2012) prior to the adoption of the current Traffic Calming Policy.

The outcome of these projects was as follows:

- **Bellagio Drive:** after negative resident feedback, the speed cushions were moved at the direction of Council (Motion M244-2014) and then subsequently removed.
- **Bartlet Drive:** the temporary speed cushions were replaced with permanent asphalt speed cushions after unfavourable results with temporary speed cushions.

Key lessons from this pilot program:

- Temporary speed cushions or similar devices cannot be left installed during the winter maintenance season.
- Removing and re-installing traffic calming devices in the roadway can cause significant pavement damage, since the anchors – and anchor holes – cannot be reused from one year to another.
 - In general, it is recommended that large, bolt-in traffic calming measures such as speed cushions not be installed at the same location for more than two years. Beyond this point, the pavement damage can be severe enough that the anchors may not be able to keep the cushions secured to the pavement.
- The initial purchase of rubber traffic calming devices is generally more expensive than the cost for similar permanent asphalt devices.

Under the current Traffic Calming Policy, all traffic calming measures, whether temporary or permanent, are subject to the same warrant review and approval process. This approach was consistent with other jurisdictions and national guidance that was available during the best practice review for the 2015 Traffic Calming Policy update.

Since 2015, certain other jurisdictions – in particular, the City of Ottawa and the City of Kitchener – have updated their policies to provide a separate, expedited process for a set range of lower-cost, temporary traffic measures that can be removed quickly if needed. This approach is not reflected in Windsor's current Traffic Calming Policy, but will be included in the upcoming policy review.

Radars Speed Feedback Trailer

While not considered a traffic calming measure under the Traffic Calming Policy, the current practice is to use radar speed feedback trailers proactively at locations where temporary traffic issues are expected to arise (e.g. on potential cut-through routes when a nearby arterial route is closed or has lane restrictions for construction). The radar speed feedback trailer:

- Provides immediate feedback to drivers, resulting in a moderate reduction in speeds, and
- Collects data on vehicle speeds and volumes, which is shared with the Windsor Police Service Traffic Unit to assist them in prioritizing locations for enforcement.

The Corporation currently has two radar speed feedback trailers. Both trailers are fully utilized year-round currently. They are primarily used to respond to resident service requests.

Community Comparison

Administration reviewed the traffic calming policies for a number of comparable municipalities. Municipalities that have used – or have policies supporting the use of – temporary traffic calming measures are summarized in Table 1.

Table 1: Community Comparison

Approach Used	Example Municipalities
Temporary traffic calming measures have been used for pilot programs only	City of Sarnia Town of Newmarket
Temporary traffic calming measures may be used under the municipality's traffic calming policy, but there is no expedited approach for temporary measures	City of Windsor City of Barrie City of Greater Sudbury City of London City of Kingston
The municipality has an expedited process to approve and install temporary traffic calming measures.	City of Ottawa City of Kitchener
The municipality uses certain temporary traffic calming measures at locations that do not qualify for permanent traffic calming.	City of Ottawa City of Kitchener
Other approaches – see discussion below	City of Calgary City of Toronto

Municipalities noted in the table above that have an approved process for temporary traffic calming measures that is substantially different from Windsor's existing process are discussed in detail below.

City of Ottawa

In April 2019, the City of Ottawa introduced their Temporary Traffic Calming Measures Program as part of an update to their traffic calming policy. This program is intended to address situations that fall outside the normal program for permanent traffic calming measures, such as:

- Streets that are currently in the review and approval process for permanent traffic calming measures;
- Streets that do not qualify for – or are otherwise unsuitable for – permanent traffic calming measures, but have traffic issues that remain unaddressed; or
- Temporary or seasonal traffic issues.

In order to expedite the installation of these traffic calming measures and to be responsive to temporary issues, temporary traffic calming measures are installed at the direction of the Ward Councillor without a lengthy consultation process; each Councillor has an annual budget allocated for temporary traffic calming measures.

Since most of the allowed measures under the program are removable and – for the most part – lower-cost or reusable, they can be removed if they create a negative resident reaction or if the measures are no longer needed.

Most traffic calming measures installed under the program are removed seasonally to allow for winter maintenance.

Specific Measures that are included in the City of Ottawa’s Temporary Traffic Calming Measures Program are listed in Table 2. Measures that have special issues to be considered for implementation are noted.

Table 2: City of Ottawa Temporary Traffic Calming Measures

Measure (Source: City of Ottawa)	Issues for Consideration
Speed display devices (permanent or temporary)	
Pavement markings (e.g, speed limit, “school” or “slow”)	“School” pavement markings are only installed in school zones.
Flexible centreline signage	This measure often requires a length of on-street parking to be cleared.
Cycling delineators	This measure is generally only possible on streets with buffered bicycle lanes.
Gateway speed limit signs	
Community entrance signs	
Permanent “slow down for us” signage	
Planters on local streets to create chicanes	This measure often requires a length of on-street parking to be cleared.
Flexible posts to create bulb outs or chicanes	This measure often requires a length of on-street parking to be cleared.
Warranted pedestrian crossovers (PXOs)	In Windsor, warranted PXOs can be installed without going through the traffic calming review process.

Ottawa’s Councillors and staff meet early each year before the end of the winter maintenance season to identify locations for the year’s programs. This schedule allows sufficient time for staff to coordinate the installation of traffic calming measures and to

bring forward by-law amendments for locations where the traffic calming measures require on-street parking to be cleared.

As the program is relatively new, the success of the program is still being evaluated.

One aspect of the City of Ottawa's program, gateway speed limit signs, will be addressed in a future report in response to CQ7-2020.

City of Kitchener

The City of Kitchener uses two processes to approve locations for traffic calming:

- **Permanent traffic calming:** a formal process similar to that in the City of Windsor Traffic Calming Policy is followed.
- **Temporary traffic calming:** each year, ward councillors and staff meet to identify locations for their Seasonal Traffic Calming program.

Temporary measures under the Seasonal Traffic Calming program are installed for 8 months per year and removed for the winter maintenance season. Two types of measures are offered under the program:

- Centreline flex signs (10 per ward)
- Radar speed feedback signs (1 per ward, rotated among multiple locations in each ward – 1 month per location).

The City of Kitchener's Seasonal Traffic Calming program has operated successfully since 2017 and has expanded each year that it has been in operation.

As for the City of Ottawa, Kitchener's Councillors and staff meet early each year to identify locations for the year's programs so that sufficient time is available to coordinate the program and to put in place any required parking removals.

City of Calgary (and City of Sarnia)

In 2018, the City of Calgary developed a new traffic calming device – the traffic calming curb – for temporary use on Calgary traffic calming projects. An example of an installation of traffic calming curbs is shown in Figure 1.



Figure 1: Temporary Traffic Calming Curbs (source: City of Calgary)

Traffic calming curbs are precast reinforced concrete slabs that can be used to construct traffic calming features such as curb extensions, traffic circle centre islands, and chicanes. They can also be used to construct active transportation facilities such as protected bicycle lanes. The City of Calgary won the Transportation Association of Canada's 2019 Road Safety Engineering award for the development of traffic calming curbs.

Because traffic calming curbs do not interfere with roadway drainage, they can be installed quickly without a lengthy design process.

The weight of each curb module is sufficient to hold them in place in most cases. Typically, they can be installed without anchoring them to the pavement and can be left in place year-round. Because of this, they typically do little to no damage to the underlying pavement.

As a pilot project, the City of Sarnia recently installed several traffic calming curbs using the City of Calgary design.

Administration is currently evaluating the feasibility of using traffic calming curbs on a pilot basis to create "pop-up" protected bicycle lanes on road diet projects.

City of Toronto

Under the former municipality of North York, now amalgamated into the current City of Toronto, locations identified for permanent traffic calming would receive temporary traffic calming for a 6-month trial period. At the end of this period, residents would be surveyed by questionnaire to determine resident opinion on the measures. Depending on resident support, either the traffic calming measures would be removed or permanent measures would be installed.

As part of the City of Toronto’s efforts to harmonize policies across all former municipalities, a single traffic calming policy for the entire city was adopted in 2002; this feature of the former City of North York’s policy was not retained.

Implementing Measures and Approaches from Other Jurisdictions in Windsor

Two aspects of implementing the measures and approaches from other jurisdictions were considered:

- Traffic calming devices and measures
- Different processes for the approval of temporary measures

In general, the current Traffic Calming Policy allows Council the flexibility to include any measure that will address the neighbourhood’s identified speed or traffic volume issues as part of a traffic calming plan.

Windsor’s Traffic Calming Policy does not provide an expedited process for temporary traffic calming measures. However, some aspects of the City of Ottawa’s Temporary Traffic Calming Measures Program and the City of Kitchener’s Seasonal Traffic Calming Program are already available in Windsor without the need to go through the process of the Traffic Calming Policy.

The City of Ottawa and City of Kitchener’s temporary traffic calming programs include other measures which are not currently in Windsor’s Traffic Calming Policy. These measures are summarized in Table 3. It should be noted that a number of these measures are neither temporary nor considered “traffic calming” under the Windsor’s current Traffic Calming Policy. The Discussion column describes how each measure is currently – or could be – implemented in Windsor.

As noted previously, Administration is currently evaluating the feasibility of using traffic calming curbs on a pilot basis to create “pop-up” protected bicycle lanes on road diet projects.

Table 3: Currently Available Measures

Measure	Discussion
Post- / Pole- Mounted Radar speed feedback signs	<p>In the past, these devices have been offered to Councillors as a potential purchase from ward funds.</p> <p>The Corporation’s radar trailers are currently used as temporary, portable radar speed feedback signs and for data collection.</p>
Warranted pedestrian crossovers	Pedestrian crossovers are installed where warranted in priority sequence as funding allows.

Measure	Discussion
School zone pavement markings	<p>The School Neighbourhood Policy supports the use of school zone pavement markings at appropriate locations.</p> <p>As of the 2020 capital budget, funding for implementation of the School Neighbourhood Policy is scheduled to begin in 2022.</p>
Cycling delineators	<p>Separated bicycle lanes with flexible delineators are supported in some circumstances by the Ontario Traffic Manual.</p> <p>To date, flexible delineators along bicycle lanes have not been used on Windsor streets due to maintenance concerns.</p>
Gateway speed limit signs	<p>A separate report is being prepared in response to CQ7-2020 that will address gateway speed limit signage.</p> <p>Any speed limit changes require Council approval through an amendment to Traffic By-law 9148.</p>

Cost of Temporary Traffic Calming Measures

Costs for specific traffic calming devices were provided in an additional information memo for report S 145/2019.

Costs for the City of Ottawa's temporary traffic calming program are as follows:

- Capital costs: \$1,150,000 per year (\$50,000 per ward for 23 wards).
- Operating costs: \$841,120 per year, primarily for staffing (nine full-time equivalent positions) to administer the program, including data collection, traffic calming plan design, and installation and removal of traffic calming measures.

The City of Kitchener's current capital budget for their program (10 radar speed feedback signs and 80 centreline flex signs) is \$60,000 per year (\$6,000 per ward for 10 wards). This budget is for ongoing maintenance of equipment and expansion of the program only; it does not include the past purchase cost for existing equipment reused from past years. Information on the required staff resources to administer the program was not available.

The cost for the Corporation to purchase an additional radar speed feedback trailer is \$15,000.

The City of Calgary has identified that the purchase cost for traffic calming curbs is \$750 per unit. Administration is currently investigating price and availability for these units from Ontario suppliers.

Review of the Traffic Calming Policy

The current Traffic Calming Policy was approved by Council in 2015 and is scheduled for its 5-year review in 2020. As part of this review, Administration will examine other jurisdictions, including those discussed in this report, to propose best practices for inclusion in the policy update.

Along with temporary traffic calming, the policy update will consider other issues, such as:

- Aligning the Traffic Calming Policy with the School Neighbourhood Policy, the Active Transportation Master Plan, and other policies and guidelines adopted since 2015,
- New national guidelines on traffic calming, published by the Transportation Association of Canada in 2018, and
- The potential use and impact of technologies that have emerged since 2015.

Administration will provide a draft updated Traffic Calming Policy report to Council for consideration after public consultation has been carried out, currently planned for Fall 2020.

Risk Analysis:

There are no risks associated with the recommendations of this informational report.

Financial Matters:

No expenditures are associated with the recommendations of this informational report.

Consultations:

Shawna Boakes, Traffic Operations

Phong Nguy and Roberta Harrison, Operations – Maintenance

Conclusion:

As requested, Administration has provided additional information on temporary traffic calming, including information from other municipalities.

The City of Windsor Traffic Calming Policy already allows for the use of some temporary traffic calming measures.

Recently, a small number of comparable municipalities have put in place expedited approval processes for certain lower-impact temporary traffic calming measures; this approach will be considered for the next update to the City of Windsor Traffic Calming Policy.

A number of measures included in other municipalities' temporary traffic calming programs are already available in Windsor without lengthy approval processes.

Planning Act Matters:

N/A

Approvals:

Name	Title
John Revell	Chief Building Official
Dwayne Dawson	Executive Director of Operations
Shelby Askin-Hager	City Solicitor
Mark Winterton	City Engineer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Windsor Bicycling Committee		

Appendices:

- 1 ETPS Report 657 (Includes reports S 156/2018 and S 29/2019)
- 2 Report C 45/2019

Subject: CQ14-2018 Cabana Road East / Roseland Public School Pedestrians - WARD 9 AND Additional Information - CQ14-2018 Cabana Road East Roseland Public School Pedestrians - WARD 9

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 657**

THAT the report of the Policy Analyst dated September 12, 2018 entitled "CQ14-2018 Cabana Road East/Roseland Public School Pedestrians" and the report of the Policy Analyst dated January 24, 2019 entitled "Additional Information - CQ14-2018 Cabana Road East Roseland Public School Pedestrians" **BE RECEIVED** for information; and further,

THAT the installation of a crosswalk on Cabana Road East on the west side of Karen Avenue **BE APPROVED**; and further,

THAT the funding for this initiative **BE DERIVED** from the allocated Ward 9 funds.
Carried.

Councillor Francis voting nay.

Report Number: S 156/2018 & S 29/2019
Clerk's File: ST2018 ST2019

Clerk's Note: The recommendation of the Standing Committee and Administration are **not** the same.

**Subject: CQ14-2018 Cabana Road East / Roseland Public School
Pedestrians - WARD 9**

Reference:

Date to Council: April 15, 2019

Author: Jeff Hagan

Policy Analyst

519-255-6247 ext 6003

jhagan@citywindsor.ca

Report Date: 9/12/2018

Clerk's File #: ST2018

To: Mayor and Members of City Council

Recommendation:

That report of the Policy Analyst dated September 12, 2018 entitled CQ14-2018 Cabana Road East / Roseland Public School Pedestrians **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At the August 27, 2018 meeting of Council, Councillor Payne asked the following Council Question:

CQ 14-2018

Asks for a report soon on the feasibility of installing a school crosswalk on Cabana Road East in the vicinity of Roseland Public School for the safety of children crossing in light of the recent widening of the street to four lanes.

This report provides the requested response.

Related Reports

Report *S 90/2018 Pedestrian Crossovers* was brought before the Environment, Transportation and Public Safety Standing Committee at its August 29, 2018 meeting. This report addressed a number of locations where pedestrian crossovers have been

requested, including Cabana Road in the vicinity of Roseland Public School. At the August 29, 2018 meeting, the Standing Committee deferred the report in order to allow consideration of it along with the response to CQ 14-2018 (addressed in this report) and CQ 17-2018 (addressed in a separate report), which also concerned pedestrian crossovers.

Discussion:

Existing Conditions

As shown in Figure 1, a school crossing is provided on Cabana Road East at Karen Street / Clara Avenue immediately east of Roseland Public School. In accordance with normal practice and the City of Windsor *Crossing Guard Procedure*, school crossing guards are provided for 30 minutes in the morning before the school's arrival bell time and for 30 minutes in the afternoon following the school's dismissal bell time. Beginning with the start of the 2018-2019 school year, two crossing guards are provided at this crossing.

This portion of Cabana Road East was recently reconstructed in accordance with the Cabana Road Environmental Assessment preferred design. As part of this reconstruction, the roadway was widened to provide 4 general purpose lanes and bicycle lanes.



Figure 1: Area Map (2017 Aerial Photo)

Pedestrian Crossing Evaluation

Based on service requests received, Administration reviewed the existing school crossing to determine whether converting the crossing to a pedestrian crossover would be warranted according to Ontario Traffic Manual guidelines. As noted previously in report S 90/2018, this location does not meet the requirements for a pedestrian crossover. The results of the review are summarized as follows:

- The width of Cabana Road East at the crossing location exceeds the maximum crossing width for a pedestrian crossover recommended by the Ontario Traffic Manual (for two-way roads: 4 lanes).
- Most pedestrians crossing at this location are children who are crossing at times when crossing guards are present.
- The number of pedestrians crossing at this location is too low to warrant a pedestrian crossover except for a location on a “pedestrian desire line” (i.e. the path that pedestrians would naturally choose, taking into account the locations of pedestrian attractors and generators, distance to nearby controlled crossings, and connections to the wider pedestrian network). However, the crossing is a pedestrian desire line primarily because a school crossing has been provided.

Where the protection of schoolchildren walking to and from school is the primary concern for a pedestrian crossing, the Ontario Traffic Manual generally recommends a school crossing rather than other controlled crossing types. Since a school crossing is currently provided, Administration does not recommend any changes to the pedestrian crossing type.

Administration received a resident petition (provided as an appendix to report S 90/2018) that raised concerns about pedestrians other than students crossing Cabana Road East at the school crossing at times when a guard was not present. In response, Administration carried out an additional pedestrian count while school was not in session (Friday, August 31, 2018). This additional count found that 11 pedestrians crossed Cabana Road at or near the school crossing in an 8-hour period (8:30 a.m. to 2:00 p.m. and 2:30 p.m. to 4:30 p.m.).

During the Cabana Road reconstruction, underground conduit was installed to facilitate pedestrian signals, should they become warranted. Currently, Cabana Road at Karen Street / Clara Avenue does not meet the warrant for traffic signals; Administration will continue to monitor the intersection periodically. If the warrant for traffic signals is met, Administration will bring forward a recommendation at that time.

Risk Analysis:

Risks were identified in report S 90/2018. No additional risks have been identified.

Financial Matters:

No financial expenditures are associated with the report recommendations.

Consultations:

John Wolf, Traffic Operations

Conclusion:

Administration has reviewed Cabana Road East at Karen Street / Clara Avenue. This review found that the existing school crossing continues to be the appropriate type of pedestrian crossing for this location. A pedestrian crossover is not recommended.

Planning Act Matters:

N/A

Approvals:

Name	Title
Josette Eugeni	Manager of Transportation Planning
Wira Vendrasco	Deputy City Solicitor
Shelby Askin-Hager	City Solicitor and Corporate Leader, Economic Development and Public Safety
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Councillor Payne		

Appendices:

N/A

**Subject: Additional Information - CQ14-2018 Cabana Road East
Roseland Public School Pedestrians - WARD 9**

Reference:

Date to Council: April 15, 2019
Author: Jeff Hagan
Policy Analyst
519-255-6247 ext 6003
jhagan@citywindsor.ca

Report Date: January 24, 2019
Clerk's File #: ST2019

To: Mayor and Members of City Council

Recommendation:

THAT report S 29/2019 "Additional Information - CQ14-2018 Cabana Road East Roseland Public School Pedestrians" **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At the August 27, 2018 meeting of Council, former Councillor Payne asked the following Council Question:

CQ 14-2018

Asks for a report soon on the feasibility of installing a school crosswalk on Cabana Road East in the vicinity of Roseland Public School for the safety of children crossing in light of the recent widening of the street to four lanes.

Report S 156/2018 CQ14-2018 Cabana Road East / Roseland Public School Pedestrians was brought before the Environment, Transportation and Public Safety Standing Committee at its October 17, 2018 meeting. That report, as well as related report S 90/2018 Pedestrian Crossovers, were deferred at that meeting to allow the opportunity for comment from the Windsor Police Service.

Report S 156/2018 noted the following key conclusions:

- The existing school crossing is consistent with provincial guidance and normal practice.
- The crossing was reviewed for conversion to a pedestrian crossover. The review found that this location does not meet the normal requirements for a pedestrian crossover.
- The crossing was reviewed for potential installation of traffic signals (either a full signal or a pedestrian signal). The warrants for a signal are not met currently. Administration will continue to periodically evaluate the intersection to assess whether the signal is warranted in the future.

Discussion:

In the time since report *S 156/2018 CQ14-2018 Cabana Road East / Roseland Public School Pedestrians* was prepared, the following activities have occurred in the vicinity of the school crossing on Cabana Road East at Karen/Clara:

- Additional signs and pavement markings were installed
- Speeds on Cabana Road East have been measured
- Additional observations of traffic behaviour at the school crossing have been carried out

These activities do not alter Administration's recommendations from what was recommended in reports S 90/2018 and S 156/2018. Additional details on each of these activities is given below.

Signs and Pavement Markings

The Ontario Traffic Manual identifies standard signs and pavement markings for school crossings. The remainder of these signs and markings were installed on November 19, 2018:

- **Additional crosswalk warning signs:** these signs make the crossing more conspicuous to approaching drivers and help to alert drivers to the potential need to stop.
- **"No passing here to crossing" signs:** these signs deter vehicles from pulling around vehicles that may be stopped to allow children to cross.
- **Solid line lane markings:** these lane markings reinforce the "no passing" signage and emphasize that changing lanes near the school crossing is not allowed.

Cabana Road East Speeds

Speed data was collected on Cabana Road East:

- Before the widening to 4 lanes plus bicycle lanes
- After the widening
- After the additional signage and pavement marking upgrades noted above.

The results of the speed surveys are summarized in Table 1. The speed limit on Cabana Road East is 50 km/h.

Date	Overall (24 hours)		During Crossing Guard Times	
	Average Speed	85 th Percentile Speed	Average Speed	85 th Percentile Speed
September 2016 (before widening)	55 km/h	65 km/h	54 km/h	65 km/h
September 2018 (after widening)	58 km/h	66 km/h	62 km/h	66 km/h
January 2019 (after upgrades)	61 km/h	69 km/h	60 km/h	67 km/h

The results from these speed surveys have been shared with Windsor Police Services for their action as they deem appropriate.

Additional Observations

Administration conducted additional field reviews in October, November, and December to observe traffic behaviour and operations at the school crossing. During these field reviews, drivers' compliance with the crossing guards' direction was generally good. The following feedback was received from the crossing guards:

- When a single guard was placed at the school crossing, visibility of the guard could be an issue if a large vehicle was stopped for the crossing. However, the placement of a second guard at the crossing has addressed this issue.
- Driver behaviour has improved with the installation of the additional signs and pavement markings.

Sightline reviews at the intersection of Karen Street and Cabana Road East were also conducted in consideration of the new private fence construction at 3809 Karen Street. This review did not find that this fence obstructed required sight triangles for vehicles turning onto Cabana Road East from Karen Street.

Risk Analysis:

Risks were identified in report S 90/2018. No additional risks have been identified.

Financial Matters:

This report does not recommend any financial expenditures.

Consultations:

Traffic Operations

Building By-law Enforcement

Risk Management

Windsor Police Service

Compliance and Enforcement

Conclusion:

Since the previous report (S 156/2018), Administration has installed additional signage and pavement markings at the school crossing on Cabana Road East at Karen Street / Clara Avenue. Field reviews and reports from the crossing guards indicate that these changes have caused driver behaviour to improve.

Recent speed data on Cabana Road East has been collected and shared with Windsor Police Services.

Planning Act Matters:

N/A

Approvals:

Name	Title
Josette Eugeni	Manager of Transportation Planning
Wira Vendrasco	Deputy City Solicitor
Shelby Askin-Hager	City Solicitor and Corporate Leader, Economic Development and Public Safety
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Councillor McKenzie		

Appendices:

N/A

Subject: Second Additional Information - S 156/2018 CQ14-2018 Cabana Road East Pedestrians - WARD 9

Reference:

Date to Council: April 15, 2019
Author: Jeff Hagan
Transportation Planning Engineer
519-255-6247 ext 6003
jhagan@citywindsor.ca

Report Date: March 7, 2019
Clerk's File #: ST2019

To: Mayor and Members of City Council

Recommendation:

That report C 45/2019 **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At its February 20, 2019 meeting, the Environment, Transportation and Public Safety Standing Committee adopted the following recommendation:

THAT the report of the Policy Analyst dated September 12, 2018 entitled "CQ14-2018 Cabana Road East/Roseland Public School Pedestrians" and the report of the Policy Analyst dated January 24, 2019 entitled "Additional Information - CQ14-2018 Cabana Road East Roseland Public School Pedestrians" BE RECEIVED for information; and further,

THAT the installation of a crosswalk on Cabana Road East on the west side of Karen Avenue BE APPROVED; and further,

THAT the funding for this initiative BE DERIVED from the allocated Ward 9 funds.

This report provides additional information and costs for options to implement the Committee's recommendation to provide a crosswalk at this location on Cabana Road East.

Related Reports

Other related reports are as follows:

- **S 90/2018 Pedestrian Crossovers** provided a list of locations City-wide where pedestrian crossovers had been requested and referred the list of warranted locations to 2019 budget deliberations. This report noted that a pedestrian crossover is not recommended for Cabana Road East at Karen Street/Clara Avenue.
- **S 156/2018 CQ14-2018 Cabana Road East / Roseland Public School Pedestrians** responded to a Council Question regarding pedestrians at this location. The report:
 - Confirmed that a pedestrian crossover is not recommended for Cabana Road East at Karen Street/Clara Avenue,
 - Confirmed that the existing school crossing meets provincial guidelines, and
 - Addressed resident concerns about pedestrians crossing Cabana Road East outside of the times when a crossing guard is on duty.
- **S 29/2019 Additional Information - CQ14-2018 Cabana Road East Roseland Public School Pedestrians** provided additional information on:
 - Performance of the school crossing after sign and pavement marking upgrades, and
 - Speeds on Cabana Road East before widening, after widening, and after the sign and pavement marking upgrades.

Discussion:

If Council elects to replace the existing school crossing on Cabana Road East with a different form of controlled pedestrian crossing, the following options are available:

1. Pedestrian Crossover
2. Intersection Pedestrian Signal (“half signal”)

Each of these options is discussed below.

Pedestrian Crossover

At a pedestrian crossover, vehicles are required to yield to pedestrians waiting to cross. For all but the lowest level of crossover, pushbutton-actuated flashing beacons are provided to alert drivers to pedestrians crossing or about to cross.

For locations that meet the warrant for a pedestrian crossover, the Ontario Traffic Manual gives guidelines for the appropriate level and type of pedestrian crossover based on:

- Roadway width
- Vehicle volume
- Roadway speed limit

Pedestrian crossover levels and types are summarized in Appendix 1.

For a 4-lane road without a raised refuge, normally a Level 2 Type B or a Level 1 Type A pedestrian crossover would be considered, depending on vehicle volume.

The existing width on Cabana Road East at Karen Street/Clara Avenue (4 lanes plus buffered bicycle lanes, for a total width of 16.4 m) exceeds the maximum recommended width for a pedestrian crossover (4 basic lanes, for a total maximum width of 15 m). For this reason, the Ontario Traffic Manual does not recommend any type of pedestrian crossover for this situation; however, volumes for the closest case (4 lanes without raised refuge) are provided in Table 2.

Table 1: Recommended Maximum Traffic Volumes for Pedestrian Crossovers

Pedestrian Crossover Type	Recommended Maximum 8-Hour Vehicle Volume [Note]
Level 2 Type B	6,000 vehicles
Level 1 Type A	7,500 vehicles
Observed 8-hour Volume Cabana Road East (Howard Avenue to Holburn Street)	8,506 vehicles

Note: Maximum volumes given are for 4 lanes without raised refuge, 50 km/h speed limit. Source: Ontario Traffic Manual

Research cited in the Ontario Traffic Manual found that when a pedestrian crossover is provided at locations where the vehicle volume is higher than the recommended maximum volume, poor compliance by drivers typically results, and that driver compliance decreases as vehicle volume increases.

For cases where the vehicle volume is higher than the recommended maximum for a pedestrian crossover, the Ontario Traffic Manual recommends considering a traffic signal.

Intersection Pedestrian Signal (“Half Signal”)

At an intersection pedestrian signal, a signal-protected crosswalk is provided across the major street. Traffic on the major street is controlled by signal heads and traffic on the minor street is controlled by stop signs.



Figure 1: Intersection Pedestrian Signal (source: MTO)

The Ontario Traffic Manual provides a warrant system to identify where traffic signals should and should not be provided. For pedestrian signals, the warrant has two parts; both parts of the warrant must be met for the warrant to be met overall. The warrant review results are summarized in Table 3.

Table 2: Pedestrian Signal Warrant Review Summary

Warrant Part	Result
1 – Minimum Pedestrian Crossing Volume	Not met
2 – Delay to Pedestrians	Not met
Overall	Warrant not met

Highway Traffic Act

While the Ontario Traffic Manual guidelines suggest that neither a pedestrian crossover nor a pedestrian signal be provided at this location, neither option would contravene the Highway Traffic Act.

Risk Analysis:

For Cabana Road East at Karen Street/Clara Avenue, neither a pedestrian crossover nor a pedestrian signal would be in keeping with provincial guidelines set out in the Ontario Traffic Manual.

Administration uses established guidelines as a risk management tool, since following these guidelines can help limit risk to the Corporation and to others. Departing from

established guidelines may result in higher safety risks to road users and higher risks of claims against the Corporation.

Financial Matters:

The estimated cost to replace the existing school crossing on Cabana Road East at Karen Street/Clara Avenue with a different type of controlled pedestrian crossing are summarized in Table 3. These costs include all signs, equipment, and pavement markings, as well as removing school crossing signs and pavement markings that would no longer be appropriate.

Table 3: Estimated Capital Costs

Option	Estimated Capital Cost (including non-recoverable HST)
Option 1: Level 1 Type A pedestrian crossover	\$60,000
Option 2: Intersection pedestrian signal	\$75,000

The Committee recommendation identifies Ward 9 ward funds as a source of funds for the capital cost. While the 2019 Capital Budget has not been approved as of the date of this report, the proposed amount of ward funds of \$50,000 per ward is not sufficient to complete this work.

Estimated annual maintenance and operating costs for both options are given in Table 4; actual amounts will vary based on fluctuations in power costs and actual maintenance experience.

Table 4: Estimated Operating Costs

Option	Estimated Annual Costs		
	Power	Maintenance	Total
Option 1: Level 1 Type A pedestrian crossover	\$480	\$2,000	\$2,480
Option 2: Intersection pedestrian signal	\$600	\$2,000	\$2,600

These ongoing costs are for electrical power and maintenance only. They do not include repairs or future replacement costs.

Cost Savings

Typically, school crossing guards are only provided at pedestrian crossovers or signalized pedestrian crossings in special circumstances. The existing school crossing is staffed by two guards for one hour per day (30 minutes in the morning, 30 minutes in the afternoon). Elimination of the school crossing will result in an annual savings in wages and fringe benefits. The amount of savings from the Crossing Guard Operating Budget item will be \$6,250 per year at current rates.

These savings will be reduced to \$3,125 per year if the crossing is staffed with a single guard after a pedestrian crossover or pedestrian signal is installed.

Consultations:

Dana Paladino, Risk Management

Shawna Boakes, Traffic Operations

Conclusion:

Information, including information on costs, has been provided for options to implement the Committee's recommendation of a pedestrian crosswalk on Cabana Road East at Karen Street.

Planning Act Matters:

N/A

Approvals:

Name	Title
Josette Eugeni	Manager of Transportation Planning
Don Nantais	Financial Planning Administrator
Shelby Askin Hager	City Solicitor and Corporate Leader, Public Safety and Economic Development
Joe Mancina	City Treasurer
Onorio Colucci	Chief Administrative Officer

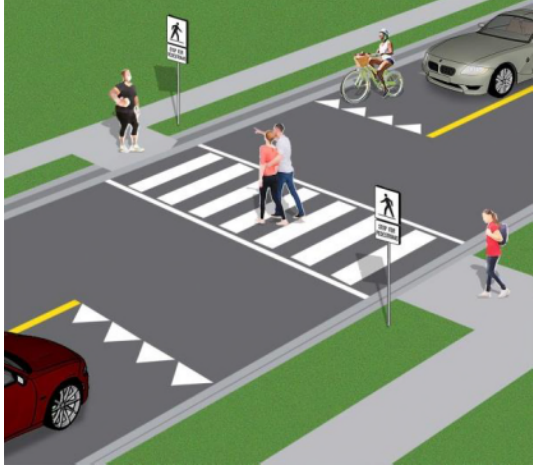

Notifications:

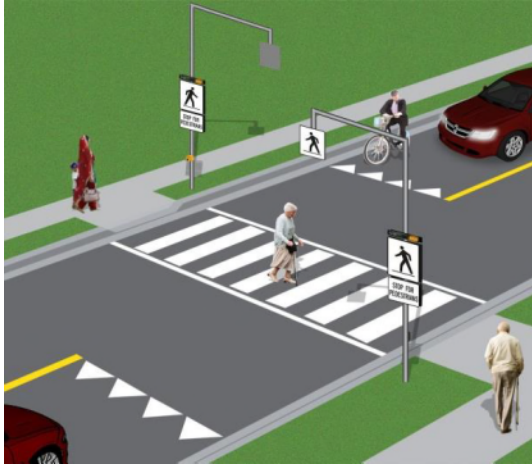

Name	Address	Email
Councillor McKenzie		
Ian Bawden Constituency Assistant Brian Masse, M.P. Windsor West		masseb1a@parl.gc.ca
Shelley Armstrong Superintendent of Business Greater Essex County District School Board		Shelley.Armstrong@publicboard.ca
Shawn Dufour, Principal Wendy Iatzko, Vice Principal Roseland Public School	620 Cabana Road East Windsor ON N9G 1A4	
Jessica Sartori Trustee & Chairperson of the Board Greater Essex County District School Board		jessica.sartori@publicboard.ca
Linda Qin Trustee Greater Essex County District School Board		linda.qin@publicboard.ca
Signatories to Cabana/Karen/Clara petition (Appendix to report S 90/2018) <i>(list provided to Clerks)</i>		

Appendices:

- 1 Pedestrian Crossover Levels and Types

Pedestrian Crossover Levels and Types

Level and Type	Description / Illustration (Illustration source: MTO)	Typical Use
Level 2 Type D	<p>Static roadside signs, no flashing beacons</p> 	Low-volume 1- and 2-lane roads
Level 2 Type C	<p>Roadside signs with flashing beacons</p> 	Low-volume 3-lane roads or higher volume roads 4-lane with a refuge median

Level and Type	Description / Illustration (Illustration source: MTO)	Typical Use
Level 2 Type B	Overhead and roadside signs with roadside flashing beacons 	Higher-volume 2- and 3- lane roads, or moderate-volume 4-lane roads
Level 1 Type A	Overhead flashing beacons and illuminated signs with roadside signs 	Higher-volume 4-lane roads



Committee Matters: SCM 141/2020

Subject: PwC Internal Audit Summary Report January 1, 2020 - April 30, 2020

THAT the attached report provided by PricewaterhouseCoopers LLP (PwC) for the period January 1, 2020 to April 30, 2020 comprised of the following:

- a) Internal Audit Performance and Status Summary
- b) Security Incident Prevention and Mitigation Internal Audit Report
- c) VFM- Purchased services - Winter Road Clearing Internal Audit Report
- d) Hotline Investigation Internal Audit Report - NTS 005-FEB - 2020
- e) Management Action Plan Validation (MAPV) report

BE RECEIVED for information; and further,

THAT City Council **AUTHORIZE** administration to proceed to implement the Management Action Plans as prescribed in the detailed internal audit reports; and,

THAT City Council **DIRECT** administration to report on the progress of the implementation of the Management Action Plans and that such reports should coincide with PricewaterhouseCoopers LLP's quarterly updates to Council.

Clerks File:

The Corporation of the City of Windsor

Internal Audit Summary Report

January 1 2020 to April 30, 2020

Prepared as of May 8, 2020





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1. Performance and status summary

Planned projects	Percent complete	Report issued
Risk Assessment and Annual Plan Development 2019-20	<div style="width: 100%;"></div> 100%	✓
IA Attendance at City Meetings	<div style="width: 100%;"></div> 100%	✓ ✓ ✓
a) Periodic Status & Reporting		✓
Management Action Plan Validation (Annual)	<div style="width: 100%;"></div> 100%	✓
Hotline Administration	<div style="width: 100%;"></div> 100%	✓ ✓
Auditor General Complaint Handling	<div style="width: 100%;"></div> 100%	✓
Planning and Development	<div style="width: 100%;"></div> 100%	✓
Security Programs & Safety Incident Management	<div style="width: 100%;"></div> 100%	✓
HR Recruiting Process and Retention Strategy	<div style="width: 100%;"></div> 100%	✓
VFM Audit - Purchased Services - Road Clearing/Maintenance	<div style="width: 100%;"></div> 100%	✓
Cyber Response Strategy	<div style="width: 100%;"></div> 100%	✓
Unallocated	<div style="width: 100%;"></div> 100%	n/a

Legend			
	Issued in current period	Issued in prior period	In progress/ Not yet issued

IA plan completion

● Progress in period ● Reported previously

Deliverables progress

● Issued in period ● Previously issued ● Issued above plan

Observation count

■ In Period ■ YTD

Category	In Period	YTD
Findings	9	18
Advisory	4	15

SME information

- Public Works Operations (1)
- Human Resources (1)
- Facilities (1)
- Information Technology (1)

Items under investigation

Source	In progress	Reported in year
CCEP	1	2
AG Notification	-	2

- 11 of 25 Hotline complaints routed to management relate to the pandemic.
- Issued a Hotline complaint report in the period included in this package.
- Updated our audit report rating scale to reflect more current practices (see page 52 of package).
- We provide our annual performance reporting in Appendix F.

2. Summary of reports issued in period

2.1 Security incident prevention and mitigation

Executive summary

Safety context Safety and security are closely interrelated concepts that pertain to protection of lives and assets. Security is the broader concept that involves having the infrastructure (both physical and social) in place creating the context for safety.

Safety is the experience of being free from risk of harm, and the knowledge and preparation to deal with risk when it arises.

We focused on the security and safety risks related to eight (8) downtown (including two (2) municipal parking garages) City of Windsor properties.

Safety numbers for the eight sites

- Over 800 employees are accommodated across these City properties.
 - Three (3) properties also accommodates third party tenants.
 - One (1) property is close to downtown where City Hall staff park their vehicles.
 - Across these properties, there are eleven (11) cash stations related to multiple services.
 - Six (6) properties offer after hour supervision by guards.
 - Ten (10) security service provider staff are assigned across seven (7) properties and increased when required.
 - Eleven (11) City supervisors are assigned across these properties for general supervision and safety awareness.
 - Over 100 Duress (panic) buttons and around 250 cameras are installed across these properties.
 - Subsequent to this audit, one (1) library branch was opened in the downtown area.
-

Project purpose We conducted an assessment of the internal controls and processes, assessment management has implemented to achieve the three objectives related to Security Incident Prevention and Mitigation managed by the City of Windsor (the City). These related to:

- resource allocation and safety programs;
- event and incident monitoring; and
- training/awareness.

Specific scope, objectives and exclusions are described in Appendix B.

What we did To conduct our work we completed various activities to achieve our objectives by covering three (3) risk domains including Workplace, Occupation, and Services. Our activities included, but were not limited to:

- Compiled a list of site inspection requirements based on City policies/procedures as well as good practices and visited two (2) sites (2 different times of the day) to determine if these practices were in place.
-

- Our visits included knowledge assessment of staff, site profile discussion, site tour, open Q&A session with supervisors and guards, review of demonstration of safety or security components including observation of physical infrastructure, duress buttons, cameras, radios, locks, lights to assess whether they were functioning at the time of visit.
- Reviewed security service provider contracts and performance terms and nature of protection services available.
- Assessed management's oversight/governance process over the security vendor.
- Reviewed City documentation to determine if legislative requirements are incorporated into H&S documentation and procedures.
- Reviewed and analyzed incident management mechanisms including event reporting protocols.
- Reviewed practices in place for evacuation drills.

Scope limitation Given current funding, a formal risk assessment for site selection and future planned sites has not been completed. As such we are not able to conclude on the sufficiency of the security threat/vulnerability/risk assessments (TRVA) control.

Overall assessment Overall our assessment of Security Incident Prevention and Mitigation at the City is one of **No Major Concerns**. We identified areas where one significant internal control weakness was noted which is reported in the Private and confidential package.

A total of **four findings** have been identified surrounding the Resource Allocation and Incident Monitoring area whereas **two considerations for improvement** have been provided as well.

Management comments In the absence of a centralized corporate security division, a single responsible party does not currently exist. A report to council dealing with the results of 5 facility security risk assessments, and a security master plan is anticipated later in the year. Administration will be seeking council direction, including the option to establish a centralized corporate security division.

Management agrees with the recommendations, and has provided specific action plans in the Detailed Observations section, however, pending the outcome of the aforementioned report to council, a responsible party is not identified for some management action plans at this time.

(Additional details provided in 'Appendix A - Security Incident Prevention and Mitigation Internal Audit Report')

2.2 VFM - Purchased services - Winder road clearing

Executive summary

Winter road clearing overview

The City of Windsor (the City) has hired a contractor, CoCo Paving Inc., for winter road clearing services through a solicitation process. The contract is in effect for seven winter seasons starting from November 1, 2016 with an option for an additional three years. Public Works - Operations designed 17 routes for total of 853 km¹ which are assigned to the 17 trucks of the contractor. In the 2017/18 winter season, the contractor's snow plow/salt trucks cleared the routes and traveled 135,191 kms on the routes based on the truck GPS data we collected. In 2018/19 winter season, the total distance traveled on the routes was lower at 68,928 kms when there was less snow weather.

Payments to the contractor for these seasons were \$2,458,000 and \$1,871,000 respectively. When considering the payment total it is important to note that there are several components: the guaranteed minimum operating hours, operating hours exceeding minimum hours, standby hours and equipment daily standby rate as well as supervisor hours. The payments resulted in an average cost for road clearance per winter event day of \$76.81K (2017/18) and \$77.96K (2018/19).

The terms of contract for winter road clearance are such that the City supplies the salt and salt brine whereas other resources including salter/plow trucks, drivers, and supervisors shall be made available by the contractor. The City issues payment certificates on a monthly basis to the contractor. Technical Team within Public Works - Operations prepares a detailed report to summarize operating hours and standby hours for each contractor truck on each snow event day based on supervisor logs, timecards and Global Positioning System (GPS) records. (Each contractor truck is equipped with a City owned GPS transponder.) The instances of truck operating exceptions such as late arrivals, no shows and equipment breakdowns are also captured from supervisor logs and included in the summary report. The summary report is provided to Contract Management. Based on the summary report, the Contract Coordinator applies the contract specified rates to the hours and calculates penalties according to instances of exceptions.

Road clearing metrics noted

Metric	2017-2018 Season	2018-2019 Season
Number of trucks	19	19
Number of operators/supervisors	71	69
Kilometers of road cleaned	135,191	68,928
Snow event days	32	24
Truck operating hours paid	6,573	3,591
Payment made to contractor (in \$'000s)	\$2,458	\$1,871
Approximate cost per snow event day (in \$'000s)	\$76.81	\$77.96

¹ 853km is aggregated kilometers of the 17 routes. There are portions of the routes which are overlapping.

Project purpose

We conducted a Value for Money (VFM)/Performance Audit of purchased services related to winter road clearing. Our approach was based on both Internal Audit and Performance Auditing approaches and frameworks in accordance with the Auditor General Charter. For the VFM audit, we focused on:

- a set of performance objectives evaluated as part of this audit.
- internal controls and processes over the three key areas: including financial, operational, and compliance.

Specific scope, objectives and exclusions are described in Appendix B.

What we did

To conduct our work we completed various activities including, but not limited to:

- Re-calculated CPI adjustment factor for operating rates for the 2017/2018 and 2018/2019 season and noted variance. (see finding #1)
 - Re-performed the summary of operating hours and standby hours for the contractor trucks for the four sampled months based on supervisor logs and timecards provided.
 - Compared the hours we summarized to the hours captured in the Summary Report prepared by the Technical Team and noted variance in cost categories. (see finding #2)
 - Traced hours and penalties summarized by the Technical Team to the corresponding payment certificates for the selected four months and noted favorable variance.
 - Performed data analytics on available GPS records for the contractor trucks for 2017/2018 and 2018/2019 season and identified operational deficiencies. (see finding #3)
 - We evaluated internal controls over issuance of payment certificate, monitoring contractor performance and contract management practices and identified areas for improvement. (finding #1, finding #2, and finding #3)
-

Overall assessment

VFM/Performance Metrics: Of the seven performance objectives assessed, **three** were **Attained**, **three** were **Substantially Attained**, and **one** was **Not Attained**. The last metric not attained had evidence of management awareness and some level of action but not sufficient evidence for an independent reviewer to assess full adherence and timely action.

Internal Controls: While **opportunities for improvement exist**, the controls are designed and operated in a manner to reasonably attain the City's objectives within the operating budget and resource constraints.

A total of **three findings** have been **identified** in the financial, operational and compliance areas whereas two considerations for improvements are raised over the contract management, and oversight over supervisor log completion.

Management comments

While we generally agree with the findings in the audit, and are pleased with the results showing that we have an effective and efficient service, we have a few concerns. A review of the Municipal Benchmarking Network Canada (MBNC) shows Windsor as having the lowest cost for Winter Maintenance per Lane Km of all participating municipalities. While climate is a factor, the comparators indicate that our winter control service is among the most efficiently run. For each of the findings in the audit, Management has an action plan that has either already been implemented or will be implemented in the upcoming winter control season.

Under heading #2 “Effective Review of Supervisor Log Completion”, while we agree that there is an opportunity for improvement, we note that the Supervisor reports were completed, occasionally with non-uniform methods between supervisors. The call-in time is always written in the Supervisor logs as it is our basis for payment. We agree that sometimes it is not in the correct box and sometimes the Supervisor notes the call-in times in their handwritten notes on the reverse side of the page, however the information is still there, in all cases. We will look to improve the reporting. Secondly, when an event runs over multiple shifts/days, there is only one call-in time which is at the beginning of the event. If the event continues over such time periods, the Supervisor does not repeat this call-in time on the log as it is irrelevant over the course of the same event.

Given that the Supervisor on duty is Supervising seven-nine City staff, six Contractor trucks, further contractors for other snow related activities (sidewalk snow clearing, bust stop clearing etc., other residential clearing contractors), the Technical Support person, and additional City staff performing other duties. They are also expected to be on the road checking road conditions, answering phone calls and communicating via radio to City staff and Coco. They are simply at their limit of being able to provide an extremely detailed log of events unless there are more resources dedicated to assist them.

In order to comply with performance objective #2 significant additional resources would be required, which would not, in our opinion, add additional value. For Performance Objective #5, “Contractor Equipment Breakdowns”, it is an operational expectation that equipment will break down during the fulfilling of contract duties. This is accounted for in the contract. While additional spares could be required, the additional cost and value added would not change the measured criteria.

For performance Objective #7 while the contractor did have “no-shows”, they were penalized for every instance and the contractor was advised via meetings and phone calls. We will be conducting contractor evaluations and improve on the documentation for this objective.

While we strive for continuous improvement, we would stress that our operation is the lowest cost and among the most efficient winter control operations in the country based on objective criteria such as MBNC. Management believes that these two factors indicate that this is a well managed operation and is receiving good value for money.

(Additional details provided in 'Appendix B -VFM - Purchased services - Winter road clearing Internal Audit Report')

2.3 CoW - Hotline Investigation Report - NTS-005 - FEB-2020

Executive summary

Allegation information

A complaint was received via Concerned Citizen and Employee Hotline which lead to an investigation of the following allegation by Internal Audit under the oversight of the City's Auditor General:

A named employee was not working their expected hours and was departing City operations during business hours to earn additional income elsewhere

Investigation approach

For the allegation noted above we developed investigative procedures specific to the named employee as well as items to address the broader employee base. These procedures included items such as:

Named employee specific procedures:

- Is management aware of how often the named employee left the City (during normal or expected working hours) during this past December to February?
- While the role may permit some flexibility, how does the City know the named employee is completing the required work/that the expected outcomes are achieved?

Broader employee base considerations:

- Does the City have a formal policy for flexible work arrangements and/or a formal policy regarding additional/alternate employment loyalties outside the City?
- How many personnel does the City have working in flexible positions across the City?
- How many personnel does the City have who are working flexible schedules who are also employed by, or providing significant time/services, to other organizations?
- For these alternative approaches how does the City know each employee is completing their work, that the hours reported were worked or that the expected outcomes were achieved?

Details of our activities may be found in the Summary of procedures and results section later in this report.

Summary of procedures and findings

Based on the procedures we executed and the results of our testing, a summary of our analysis is included in the Summary of Procedures and Results section of this report.

With regards to the allegation we did not detect evidence to support the allegation as an issue. The named employee does provide services to another organization and receives compensation from that other entity; however, the City has practices in place to manage the flexible work schedule such that the City is aware of the absences and has mechanisms to manage and monitor that the named individual provides the City the employment services for which they are compensated. We did note that formalization of these controls should be enacted. Further, we noted additional improvement which should be implemented for the broader employee base.

**Management
Comments**

Employees will be required to use Workforce Management to record time away from work to be approved by their respective supervisor/manager. Annual performance appraisals are performed with each employee and this will be an opportunity to discuss/alter an employee's work hours if necessary.

Currently the Code of Ethics & Conflict of Interest policy are notations in the annual Performance Appraisal forms which provides for discussion between the supervisor and the employees during their Performance Appraisals as it relates to any conflicts, during these appraisals managers will continue to discuss any Conflicts that have arisen or may arise in the upcoming year. As well, all new staff sign off on a declaration that they have received and read the Conflict of Interest policy.

For employees wishing to have a continuous flex time arrangement/schedule, the current Flex Time form needs to be completed and as per the Flex Time procedures---"approvals will be granted for specified periods not to exceed one year..." we will look to see if these approved Flex Time requests can be maintained in the Workforce Management system as opposed to manually by departments as is currently the case

(Additional details provided in 'Appendix C - Hotline Investigation Report - NTS 005 - FEB - 2020)

2.4 Annual Management Action Plan Validation (MAPV)

Key measures:	All findings	Significant findings
Average age of open findings :	512 days	706 days
Average age of past due findings:	636 days	750 days
Age of oldest past due finding:	1674 days	1674 days
Number of Past Due Findings:	21	8

In the above, ratings consideration is also given to the number of retargeted observations with a rating reduction for every 2% of action plan dates retargeted for the first time in this quarter.

Rating	Opening balance (as of Dec 31,2018)	Additions in the year	Expected to be closed by Dec 31, 2019	Closed by IA	Accepted risk (No validation)	Open at end of period (A+B-D-E)	Open – On track	Open & Delayed
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
Significant	13	1	13	5	0	9	1	8
High	0	1	0	0	0	1	1	0
Moderate	17	4	15	7	0	14	5	9
Low	9	5	12	8	0	6	2	4
Not Rated*	0	2	2	2	0	0	0	0
Total	39	13	42	22	0	30	9	21

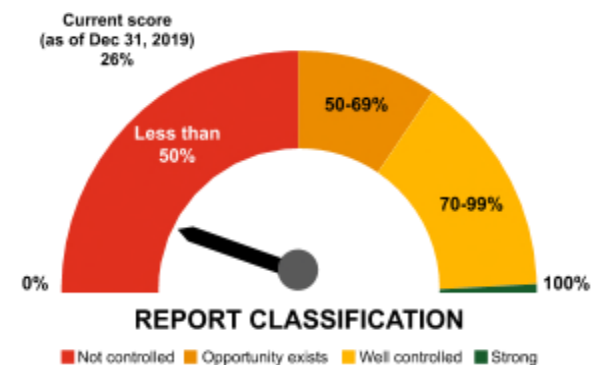
Scope Period: January 1, 2019 through December 31, 2019

Approach: For *validating management action plan*, the activities undertaken by internal audit included:

Requesting status updates and contact information from management;

Testing/validating evidence of management's resolution/disposition of the original finding for items expected to be closed and/or indicated as closed by management;

Preparing a report on the outcomes of the management action plan internal audit activity.



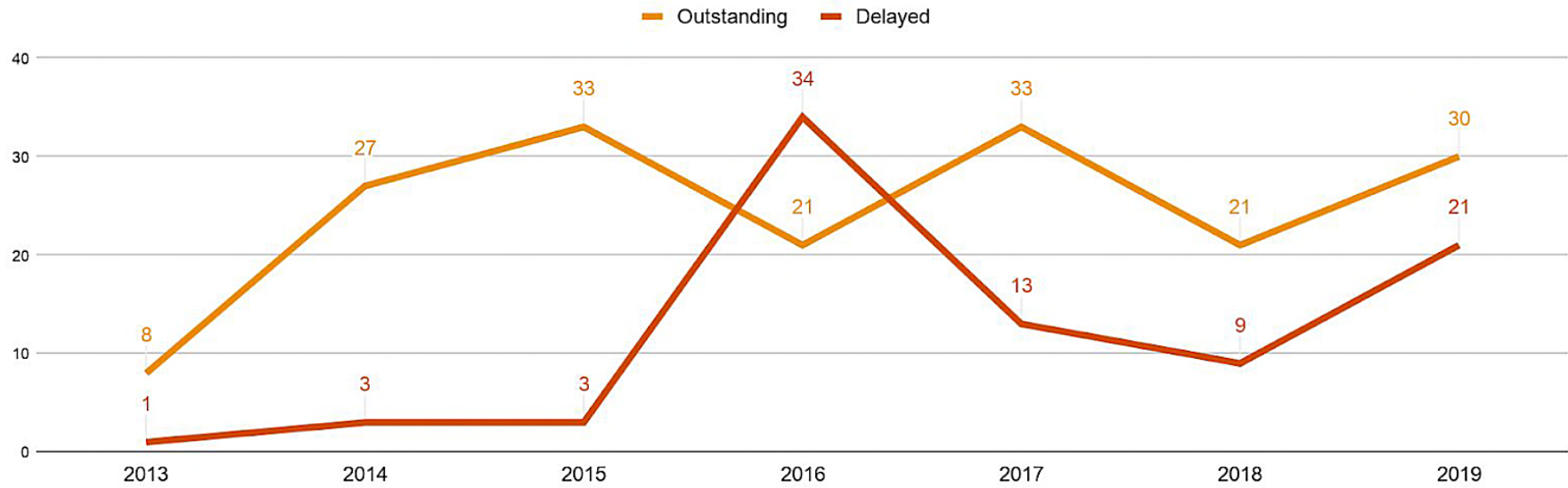
Conclusion: In the quarter, in total, 52% of findings that were expected to close in the period were closed.

- *Closed as planned:* There were 42 management action plans due to be implemented by December 31, 2019, or from prior periods, of which 22 were closed with a closure score of 52%
- *Closed in advance:* There was 1 management action plan closed ahead of schedule.
- *Additions:* 13 management action plans were added during the period.
- *Retargeted Items:* In the period, there were twenty (20) action plans retargeted. 13 of these 20 findings were retargeted for the first time in this quarter with a penalty of 26%

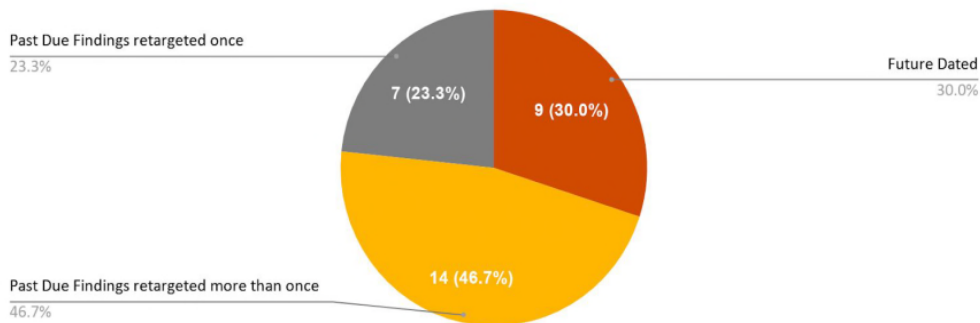
The overall trend for the year ending December 2019 has been classified as "Not Controlled" with an overall score of 26%.

Open and delayed trends for MAPV as at December 31, 2019

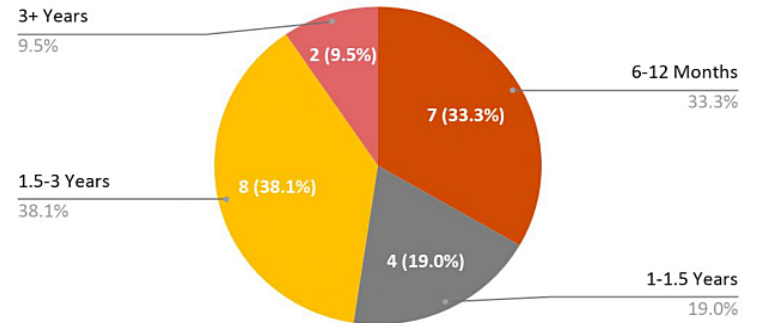
Outstanding and delayed findings



Future and Delayed Findings



Delayed Findings Age (From Original Target Date)



Appendices

Appendix A - Security incident prevention and mitigation report

The Corporation of the City of Windsor

Security incident prevention and mitigation

Distribution list

For action

Jan Wilson, Corporate Leader of Parks, Recreation, Culture, and Facilities
Tom Graziano, Senior Manager Facilities
Adrian Busa, Manager Facilities
Marco Aquino, Executive Initiatives Coordinator

For information

Vincenza Mihalo, Executive Director - Human Resources
Julie Ryckman, Manager - H&S and Wellness

Limitations and responsibilities

This Report was developed in accordance with our engagement letter dated 06/09/2016 and amended 01/24/2020 and is subject to the terms and conditions included therein. Our work was limited to the specific procedures and analysis described herein and was based only on the information made available at the time we prepared the report. Accordingly, changes in circumstances after the date of this Report could affect the findings outlined herein. We are providing no opinion, attestation or other form of assurance with respect to our work and we did not verify or audit any information provided to us. This information has been prepared solely for the use and benefit of and pursuant to a client relationship exclusively with the Corporation of the City of Windsor. PwC disclaims any responsibility to others based on its use and accordingly this information may not be relied upon by anyone other than the Corporation of the City of Windsor.

FINAL Internal audit report

April 27, 2020



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Executive summary

Safety context

Safety and security are closely interrelated concepts that pertain to protection of lives and assets. Security is the broader concept that involves having the infrastructure (both physical and social) in place creating the context for safety.

Safety is the experience of being free from risk of harm, and the knowledge and preparation to deal with risk when it arises.

We focused on the security and safety risks related to eight (8) downtown (including two (2) municipal parking garages) City of Windsor properties.

Safety numbers for the eight sites

- Over 800 employees are accommodated across these City properties.
- Three (3) properties also accommodates third party tenants.
- One (1) property is close to downtown where City Hall staff park their vehicles.
- Across these properties, there are eleven (11) cash stations related to multiple services.
- Six (6) properties offer after hour supervision by guards.
- Ten (10) security service provider staff are assigned across seven (7) properties and increased when required.
- Eleven (11) City supervisors are assigned across these properties for general supervision and safety awareness.
- Over 100 Duress (panic) buttons and around 250 cameras are installed across these properties.
- Subsequent to this audit, one (1) library branch was opened in the downtown area.

Project purpose

We conducted an assessment of the internal controls and processes, assessment management has implemented to achieve the three objectives related to Security Incident Prevention and Mitigation managed by the City of Windsor (the City). These related to:

- resource allocation and safety programs;
- event and incident monitoring; and
- training/awareness.

Specific scope, objectives and exclusions are described in Appendix B.

What we did

To conduct our work we completed various activities to achieve our objectives by covering three (3) risk domains including Workplace, Occupation, and Services. Our activities included, but were not limited to:

- Compiled a list of site inspection requirements based on City policies/procedures as well as good practices and visited two (2) sites (2 different times of the day) to determine if these practices were in place.

- Our visits included knowledge assessment of staff, site profile discussion, site tour, open Q&A session with supervisors and guards, review of demonstration of safety or security components including observation of physical infrastructure, duress buttons, cameras, radios, locks, lights to assess whether they were functioning at the time of visit.
- Reviewed security service provider contracts and performance terms and nature of protection services available.
- Assessed management's oversight/governance process over the security vendor.
- Reviewed City documentation to determine if legislative requirements are incorporated into H&S documentation and procedures.
- Reviewed and analyzed incident management mechanisms including event reporting protocols.
- Reviewed practices in place for evacuation drills.

Scope limitation

Given current funding, a formal risk assessment for site selection and future planned sites has not been completed. As such we are not able to conclude on the sufficiency of the security threat/vulnerability/risk assessments (TRVA) control.

Overall assessment

Overall our assessment of Security Incident Prevention and Mitigation at the City is one of **No Major Concerns**. We identified areas where one significant internal control weakness was noted which is reported in the Private and confidential package.

A total of **four findings** have been identified surrounding the Resource Allocation and Incident Monitoring area whereas **two considerations for improvement** have been provided as well.




Management comments

In the absence of a centralized corporate security division, a single responsible party does not currently exist. A report to council dealing with the results of 5 facility security risk assessments, and a security master plan is anticipated later in the year. Administration will be seeking council direction, including the option to establish a centralized corporate security division.

Management agrees with the recommendations, and has provided specific action plans in the Detailed Observations section, however, pending the outcome of the aforementioned report to council, a responsible party is not identified for some management action plans at this time.

Summary of internal audit results

Based on the controls identified and tested, we have determined that there is reasonable evidence to indicate that:

#	Objective	Report classification				
		Optimally Controlled	Managed	Some Improvement Opportunity	Major Improvement Opportunity	Unacceptable Risk Exposure
1	Resource allocation, and Safety program (including physical factors, safety apparatus and building floor plans) related decisions consider safety hazards and security needs					
2	Security/safety incident monitoring occurs periodically including logging, defined categorization of incidents (e.g. by location), and reporting processes to facilitate timely and appropriate updates to Safety programs					
3	Regular and relevant capacity building/training/awareness provided to exposed positions for responding to safety/security related concerns or priorities					

We identified areas where internal control weakness exists. One was noted as a significant control deficiency. If implemented, our recommendations would serve to provide a more consistent and solid security posture, clarity of responsibility, related framework and service provider governance.

Management has provided comprehensive action plans, which we believe will address the deficiencies noted. Below we provide a summary of the findings noted as part of our work:

Summary of findings

#	Topic	Rating ¹		Management action plan
Resource Allocation & Safety Programs				
1	Establish protocols for joint ownership of security policies and monitoring controls (design effectiveness)		Significant	Council direction on a management report to council will provide further direction as resources and funding are required to address the finding. [Dec 31, 2021] <i>Council direction will then be used to determine a remedial action plan.</i>
		X	Moderate	
			Low	
2	Establish define responsibilities to monitor contractual requirements (design effectiveness)		Significant	The responsibilities indicated will be defined and implemented. [Dec 31, 2022]
		X	Moderate	
			Low	
3	Reported in the confidential package	X	Significant	Administration will be seeking council direction, including the option to establish a centralized corporate security division. [Dec 31, 2020]] <i>Council direction will then be used to determine a remedial action plan.</i>
			Moderate	
			Low	
Event and Incident Monitoring				
4	Enhance protocols for managing and documenting dynamic security plans (design effectiveness)		Significant	Administration will be seeking council direction, including the option to establish a centralized corporate security division. [Dec 31, 2020] <i>Council direction will then be used to determine a remedial action plan.</i>
			Moderate	
		X	Low	
Training/Awareness				
	N/A			

Management comments

Management appreciates the findings and recommendations within this report as a way for the Corporation to pursue continuous improvement in the way it provides a safe and secure environment for its employees and visitors.

In the absence of a centralized corporate security division, a single responsible party does not currently exist. A report to council dealing with the results of 5 facility security risk assessments, and a security master plan is anticipated later in the year. Administration will be seeking council direction, including the option to establish a centralized corporate security division.

Management agrees with the recommendations, and has provided specific action plans in the Detailed Observations section, however, pending the outcome of the aforementioned report to council, a responsible party is not identified for some management action plans at this time.

Name: Jan Wilson

Title: Corporate Leader, Parks, Recreation, Culture, and Facilities

Date: April 27, 2020

¹ See Appendix A for Basis of Finding Rating and Report Classification

Overview

Internal Audit selected a sample of two (2) of the eight (8) downtown properties and conducted site visits. The eight (8) downtown properties are listed as follows:

1. 350 City Hall Square*
2. 400 City Hall Square*
3. The Windsor International Aquatic and Training Centre*
4. The Windsor International Transit Terminal*
5. Windsor Museum and Art Gallery*
6. Windsor Water World
7. Pelissier Parking Garage
8. Goyeau Parking Garage

* These represent the five (5) sites for which an external security consulting firm has been retained to conduct security threat/vulnerability/risk assessments (TRVA).

During our visits, we inquired about and observed safety programs available for employees including safety/security related tools and systems that were in place. This included information related to external lighting, alarm system, access mechanisms, inspection system, monitoring by security guard, maintaining visitor logs, availability of emergency manuals, training and support provided to employees, incident reporting and management, security camera installation, etc.

To illustrate how joint/functional responsibility for managing corporate security risks we can summarize management's activities into three (3) categories 1) managing the physical infrastructure 2) managing workplace health and safety and 3) managing contracted services.

The following comments are relevant to these three (3) managed services:

- Physical infrastructure and workplace / occupational health and safety services are governed by the relevant legislative framework, policies, procedures and training content necessary for operationalizing security or safety programs and plans.
- For contracted services, the contracts and relationships are the basis for assessing/managing the corporate security risks and supplemental documents (ie. security guard post orders) provide more site specific guidance.
- Some controls are not being performed in a coordinated manner among the managed service groups. The recommendations in this report aim to improve the coordination and interaction thereof. The City may establish protocols for joint ownership of overlapping/common security policies and controls and improve interaction with health and safety teams.

The table on the following page specifies the department or function responsible for each of the managed service categories until a central owner for managing corporate security risks is defined.

	1. Physical security infrastructure	2. Workplace H&S	3. Contracted security services
Specific Managed Services	<ul style="list-style-type: none"> • Card access (Hardware) • Duress/panic alarms • Security cameras • Intrusion alarms • Entry points (locks, card access devices) 	<ul style="list-style-type: none"> • Site Management of Access Cards • Safety advisors • Violence risk assessment • Safety site inspections • Evacuation drills • Incident records • Job hazard assessment and training needs 	<ul style="list-style-type: none"> • Professional and protective security services • Security threat assessments • Commissionaire services (contracted by Employment and Social Services) • Armoured Car Services
Function / Department	Facilities Services	Human Resources <ul style="list-style-type: none"> → H&S committee/teams → H&S staff advisors → H&S site manager or supervisor 	Purchasing, Facilities Services, Employment & Social Services and Finance

We noted that policies are less mature given the absence of a corporate security risk owner for developing, maintaining and overseeing policy and procedures for effective implementation of security programs and measures. Currently, the Facilities department is managing the Corporate Security Assessment and Planning process only in context of a corporate project, and currently there is no central ownership for the organization in relation to security policies, programs and control measures.

Security programs and plans

The City has retained an external security consulting firm to document the Security Master Plan by conducting security threat/vulnerability/risk assessments (TRVA) for five (5) selected sites. The assessment will also result in various security related recommendations, including resource allocations. The consultant will also assist the City with documenting necessary corporate security policies and procedures, which are currently not in place. The amended implementation date of these policies and procedures is planned for the 2021 year.

Management should consider the recommendations made by the third party consultant as it pertains to a central/corporate security division or unit. However, in the interim, we recommend drafting a policy to provide clarity with respect to joint and individual responsibilities to staff and the commissionaire. Consideration to grouping the properties in the downtown core should be given, so they are managed with a more specific focus toward central ownership. This may be accomplished initially with a Downtown Security Plan using completed TRVA's for five (5) selected sites. Within the downtown plan, we recommend developing a Security Video Surveillance Policy and Corporate Security Message Center (CSMC) usage procedures.

The City has retained a security service provider to provide professional and protective security services. Communication tools and approaches are established at select sites for escalating or reporting of incidents, and such protocols are documented in security guard post orders (relative to each security guard's post). In addition, a daily communication channel between the City Supervisor and the security service provider's guards exists. A CSMC is installed at the City Hall campus, which assists security guards, the Facility Site Manager and their staff in the event of major staffing issues that require attention. This function provides the above mentioned staff the opportunity to direct emails of concern to the relevant parties. In the event that a panic button is activated, the security guard arrives at the spot and records the actions on the incident record accordingly.

We noted a few control enhancement opportunities including:

- Adding a service hold over clause in the contract to address the time gap associated with going through the process from RFP and entering into a formal contractual agreement with a new vendor, or incumbent.
- Record of common recurring service disruptions should be maintained to document security needs and to handle ad hoc situations.
- A security services contingency plan should be documented as part of vendor risk analysis considering unforeseen situations.
- Security planning/change management and risk assessments should be coordinated across functions.

Incident management process is in place to detect, respond and report on physical security incidents.

Health and Safety programs

The City safety programs are managed by the Manager H&S. This manager is actively involved in conducting various safety related programs such as delivering training, facilitating drills, threat assessment and safety inspections.

Training needs are identified by the Manager H&S by conducting job hazard assessments which identify training measures/physical measures. The Job Hazard Assessments are provided to the Executive Director of the affected position and posted on Dashboard. The job hazard assessment also incorporates consideration of the past three years' incidents reported in the respective site. The Manager H&S provides training to staff including communications such as handling situations, working alone, safety in parking lots, etc. In addition, mandatory training on respectful workplace is also delivered at the time of hiring and is repeated every five years.

At a minimum, once a year, an evacuation/emergency drill is performed as evidenced by the City of Windsor Emergency Response Manuals. A debrief session is conducted after the drill by the responsible person assigned by the Site Manager for lessons learned. Emergency Manuals (EM) are accessible to employees via the City dashboard as well as the departmental Code of Conduct policies. The Code of Conduct is also physically posted on bulletin boards within the facilities.

Workplace Violence Threat Risk Analysis are conducted by the occupational H&S advisors every five years to observe and assess department work sites and recommend potential considerations regarding employee training/safety, or improvement to building efficiencies. This assessment is also conducted specifically when a violent incident occurs at a specific site. The Workplace Violence Threat Risk Analysis' are provided to the Executive Director or Senior Manager of the site, and the JHSC, etc.

Safety inspections are performed by the Joint H&S Committee on a monthly basis. The Committee members perform this assessment along with the site supervisor. These inspections may identify security concerns. As documented in the minutes of the Joint H&S Committee, the Committee also follows up on past observations and work orders (if any) are tracked to completion in subsequent assessments.

Change management protocols are in place to address changes being made to safety and security procedures. Facility assessment was conducted after the construction of a new facility in 2013. This was observed by inspecting the Joint H&S Committee meeting minutes. Also, when the use of a site changes, a new Workplace Violence Risk Assessment is completed.

In order for management to identify security specific trends and to inform long term security master planning, inputs such as: drills, site inspections, incidents, duress logs, job hazard summaries and number of occupants could be compiled by site and shared where appropriate. These items are currently posted on dashboard, site bulletin boards, and provided to onsite JHS committees.

Detailed observations

1. Establish protocols for joint ownership of security policies and monitoring controls (design effectiveness)			Overall rating: Moderate
Impact:	Medium	Likelihood:	Likely
<p>Observation: Currently there is no central ownership for the organization in relation to security policies, programs and plans associated with enterprise security risk. The Facilities department manages building security infrastructure for facilities within its budgeted portfolio (not all City facilities; for example, wastewater treatment plants), including key card hardware system, duress/panic alarms, security cameras and intrusion alarms.</p> <p>a) When it comes to employee health and safety, policies and procedures are centrally maintained and updated with clear joint responsibilities outlined. However, in regards to how security related procedures are managed we noted the following:</p> <ul style="list-style-type: none"> • some procedures were outdated (more than 10-15 years old) including visitor log, duress system, emergency blue lights, key/access card; and • specific policies which were observed in other comparable municipalities not available (Security Video Surveillance Policy and Corporate Security Message Center (CSMC) Policy). <p>b) While processes exist in some facilities to test security infrastructure, a consistent methodology for performing threat/vulnerability/risk assessments (TRVA) and periodic hardware/infrastructure inspections was not in force at the time of the audit and we understand more formal risk assessments may occur after the master plan is finalized, subject to funding approval. While there is health and safety hazard/risk information gathered from the H&S teams managed by the HR function, the interaction points to share this information with other functions (e.g. facilities) are not clearly defined. Management on site is currently responsible to ensure the work is completed for their site with follow up provided by the JHS committees.</p>			
<p>Implication Security policies and procedures, roles and responsibilities as well as accountabilities and expectations are not sufficient for the security risks present.</p>			
<p>Recommendation</p> <p>a) Management should consider the recommendations made by the third party consultant as it pertains to the central/corporate security division or unit. However in the interim we recommend drafting a policy to provide clarity with respect to joint and individual responsibilities to staff:</p> <ul style="list-style-type: none"> • the ownership of security risks should rest with the facilities department when it pertains to managing security infrastructure (cameras, doors, lighting, emergency duress system, key card hardware system, etc.); • where there is joint responsibility, a policy should be developed articulating the responsibilities by workplace, occupation or services with consideration for assessing risk/hazards, recommending security measures/needs, performing regular testing and reviews; and • criteria for assigning responsibilities may also need to be developed such as a focus on the department occupying each facility. <p>Management should consider grouping the properties in the downtown core so they are managed with a more specific focus toward central ownership. This may be accomplished with a Downtown Security Plan, which would incorporate downtown posts including the posts managed via a contracted service provider.</p> <p>Within the downtown plan, we recommend developing a Security Video Surveillance Policy and CSMC usage procedure for effective communication. New/updated policy/procedure should be communicated to relevant employees on a timely basis.</p>			

- b) Management should consider formalizing periodic security audits to assess effectiveness of procedures/policies and consider spot audits for risks such as: handling of security incidents, vendor performance, camera systems functionality, duress system functionality, etc. Assign a central role (security technician) who may be responsible for monitoring security specific trends and to inform long-term security master planning. The central role could be responsible for one or more of the following activities:
- spot inspections and walkthroughs of facilities, hardware/equipment and real property;
 - perform check-ins with key stakeholders to inquire about security incidents;
 - aggregate information per facility such as: drills, site inspections, incidents, duress logs, job hazard summaries and number of occupants;
 - review records from the inspections of other functions from a security point of view; and
 - perform threat/vulnerability/risk assessments (TRVA) to determine if inspection routines should be adjusted based on incidents/findings.

Management action plan

<p>a) Resources and funding do not currently exist for Facilities to maintain security infrastructure beyond its operating budget. Pending a report to council that will deal with a security master plan, corporate responsibility for security will be determined.</p> <p>A Security Video Surveillance Policy will be developed via the security assessment and master planning project.</p>	<p>Responsible party:</p>	<p>Senior Manager, Facilities</p>
	<p>Due date:</p>	<p>December 31, 2020</p>
<p>b) A report to the council dealing with security is forthcoming. Administration will be seeking council direction, including the option to establish a centralized corporate security division. Although management agrees with the principle of the recommendation, the responsible party for corporate security is still to be determined. Subsequent to the Council direction the remaining action plans or risk acceptance will be determined.</p>	<p>Responsible party:</p>	<p>Senior Manager, Facilities</p>
	<p>Due date:</p>	<p>December 31, 2021</p>

2. Define responsibilities to monitor contractual requirements (design effectiveness)			Overall rating: Moderate
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Impact:	Medium	Likelihood:	Likely
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Observation:
While reviewing the relevant third party risks with respect to contracts with outsourced security service provider, we noted the following:

- The contract with the current security service provider was not signed until 56 days subsequent to the commencement of services. The service date was also changed from what was in the original RFP (Aug 26, 2019 to Oct 1, 2019).
- Site specific emergency management (including drills by HR) training were not provided consistently across all facilities to security service provider's staff.
- Service level performance measures are not clearly documented in the contract nor are designated roles for monitoring service levels clearly defined.
- Post orders were not ready for release to security service provider's staff prior to their allotment (as of the date of fieldwork). It is also not clear whether the security provider staff signed the post order acknowledgement form prior to commencement of duty.
- A third party security consulting firm has been retained to document the Security Master Plan via conducting security threat/vulnerability/risk assessments (TRVA) of five (5) selected sites as per the RFP. It was noted:
 - a standard template for conducting assessments has not been shared with the City as of our fieldwork; and
 - meetings with the consultant regarding discussion and updates are not documented/tracked.
- Mobile patrolling units are primarily used for alarm response, and occasionally for fire watch. These units are equipped with GPS however, the City does not have direct access to the GPS data. Mobile patrol usage by the contractor is not tracked.

Please also refer to consideration for improvement #2 related to vendor performance evaluation.

Implication:
Inappropriate response or service impacting City brand and/or financial obligations. The security master planning process may be delayed.

Recommendation:
Management should:

- Consider updating the existing contract to add a service hold clause with respect to the time gap of going through the process from RFP to entering into formal contractual agreement with future vendors (including incumbent).
- Facilitate site specific emergency management (including drills by HR) to be provided consistently across all facilities to security service provider's staff.
- Designate roles for monitoring service levels should be defined accordingly and consider updating the existing contract to add service level measures with respect to prevention and/or mitigation of security events, including:
 - Regulations Management,
 - Quality Management Systems & Continuous Improvement,
 - Cost Management and Non-conformance Reporting,
 - Performance/Schedule/Timeline,
 - Management and Allocation of Resources, and
 - Communication.
- Provide post orders to any new security service provider's staff prior to their allotment at respective posts. For future practice, prepare and release security service provider post orders prior to post allotment. Post order acknowledgement form should be signed off by the respective security staff prior to commencement of duty.
- Obtain standard template from the third party security consulting with respect to security assessment to independently conduct similar future security assessments, document and track progress of service received and also maintain agenda items and/or minutes for meetings held.
- Have arrangements with the contractor to have access to the source GPS data from regularly deployed mobile patrolling units. Formalize tracking of mobile patrol usage.

Management action plan		
a) Facilities will endeavour to ensure that security guard services contracts are fully executed prior to the expiry of the previous contract as the transition is made from one to the next. Adding a "service hold clause" will be reviewed and considered in the next RFQ.	Responsible party:	Manager, Parks & Facilities, Projects and Assets
	Due date:	December 31, 2022
b) Contracted security guards will participate in future emergency management drills, which are coordinated with the department using the services.	Responsible party:	Manager, Health and Safety; Departments using guard services
	Due date:	December 31, 2020
c) Service level performance metrics will be reviewed and may be added to the next security guard services contract. Departments that are users of the services will monitor performance and provide performance feedback annually in accordance with Purchasing policies.	Responsible party:	Senior Manager, Facilities; Departments using guard services
	Due date:	December 31, 2022
d) Post orders will be provided to the security guard services contractor prior to guards starting in their respective posts. The contractor is responsible to ensure that the guards assigned to a post are aware of, and understand the post orders.	Responsible party:	Senior Manager, Facilities; Departments using guard services
	Due date:	December 31, 2020
e) The Corporation will utilize a format similar to that used by the consultant for future assessments. Meeting minutes for future meetings will be prepared.	Responsible party:	Senior Manager, Facilities; Future Corporate Security Manager
	Due date:	December 31, 2020
f) Access to the source GPS for mobile patrolling units is not required due to the limited amount of mobile patrols. The additional cost of the service is not warranted at this time, but will be considered if required in the future.	Responsible party:	Manager, Parks & Facilities, Projects and Assets
	Due date:	Complete

3. Reported in the confidential package

Management action plan		
<p>A report to the council dealing with security is forthcoming. Administration will be seeking council direction, including the option to establish a centralized corporate security division. Although management agrees with the principle of the recommendations, the responsible party for corporate security is still to be determined.</p> <p>Subsequent to the Council direction the remaining action plans or risk acceptance will be determined.</p>	Responsible party:	Senior Manager, Facilities
	Due date:	December 31, 2020

4. Enhance protocols for managing and documenting dynamic security plans (design effectiveness)			Overall rating: Low
Impact:	Low	Likelihood:	Likely
<p>Observation: When reviewing the resource/security planning processes we noted that:</p> <ul style="list-style-type: none"> a) Standard procedure and record of common recurring service disruptions is not maintained to document security needs, to handle ad hoc situations (e.g., protests, elections, postal strike, temporary displacement, construction/decommissioning, special ceremonies etc), and to inform annual security planning and resource allocation. b) A security services contingency plan is not documented as part of vendor risk analysis. 			
<p>Implication: The City may not be able to carry out necessary security arrangements in an event when a security service provider under-performs or is unable to deliver for any reason.</p>			
<p>Recommendation: Management should formalize the the security planning process by considering the following:</p> <ul style="list-style-type: none"> a) A template “request form” or “security needs analysis” for assigning/deploying temporary security measures (e.g. when the workplace is displaced) should be established. This may include options for selection of services (e.g. on-site guard service, alarm response, mobile patrol need, pre-planned temporary guard service, emergency callout, crossing guard needs, etc.) available within the contract. The template may also include: approval, department requesting, nature of event, number of venues, frequency, timings, nature and number of occupations impacted. City may allow exemption to this form if event characteristics have already been logged. Special events log for recurring events should also be maintained. b) Develop security contingency plans to address unforeseen security needs in the event of vendor substandard performance or contract termination. Such a plan may include prioritized high ranking expectations and assigning certified/trained guards employed by the city or deploy certified security trainers to build temporary capacity or an alternate service provider or solution. The contingency plan could be an extension of the previous recommendation as to responding to areas which may need security without delay or lapse. <p>Continued from finding 1 regarding a Corporate Security Message Center (CSMC) usage procedure, we recommend the contingency plans or temporary/ad hoc changes be communicated using the CSMC for purposes of maintaining a repository for security requests placed to central.</p>			
Management action plan			
<p>a) A report to the council dealing with security is forthcoming. Administration will be seeking council direction, including the option to establish a centralized corporate security division. Although management agrees with the principle of the recommendation, the responsible party for corporate security is still to be determined.</p> <p>Subsequent to the Council direction the remaining action plans or risk acceptance will be determined.</p>	Responsible party:	Senior Manager, Facilities	
	Due date:	December 31, 2020	
<p>b) In the event that the contracted security vendor was unable, or unwilling to provide services, the Corporation would use emergency and sole source procedures, outlined in the Purchasing By-Law, to hire another security guard service until a permanent solution can be implemented.</p>	Responsible party:	Senior Manager, Facilities	
	Due date:	Complete	

Considerations for improvement

1. Establish quantifiable expectations/goals for drills

Observation

At a minimum, once a year an evacuation/emergency drill is performed as evidenced by the City of Windsor Emergency Response Manuals. It was noted that no quantifiable expectations/goals are established to benchmark the results of these drills.

Consideration

Management should consider developing clearly defined measures for the drills. This may benefit management in directing its efforts in improving evaluation times by implementing measures like the PA system etc. These measures may be extended to other security measures, such as the number of times trespass policy was applied etc. Examples of measures could include but are not limited to:

- number of reported cases where staff could not hear the alarm or were not reachable by radio or by designated informer;
- number of minutes building evacuated/locked down (for comparison against sites with similar characteristics);
- number of days between drill and communication of lessons learned;
- number of near miss events originating around or on city properties; and
- average number of occupants for each marshaling areas.

2. Readiness to adopt the mandatory vendor performance management controls

Observation

A set of Vendor Relationship Management Procedures and Guidelines have been drafted and will be presented to the Council in the upcoming months (preferably April 2020 or May 2020) as indicated by management. We noted that protocols for vendor performance evaluation for service providers have been established in the draft procedures and would be communicated to contract/vendor relationship owners once approved.

Consideration

We recommend that the owners of significant contracts start to prepare for the implementation by reviewing vendor performance expectations and documenting baseline performance results/evaluations informally prior to the formal requirement.

The City may wish to anticipate contracts with joint responsibilities and whether this impacts the process for evaluations.

Appendix A: Basis of findings rating and report classification

Finding rating matrix	Low Impact	Medium Impact	High Impact
Highly likely <ul style="list-style-type: none"> History of regular occurrence of the event. The event is expected to occur in most circumstances. 	Moderate	Significant	Significant
Likely <ul style="list-style-type: none"> History of occasional occurrences of the event. The event could occur at some time. 	Low	Moderate	Significant
Unlikely <ul style="list-style-type: none"> History of none or seldom occurrence of the event. The event may occur only in exceptional circumstances. 	Low	Low	Moderate

Impact	Impact Consideration
High	<p>Financial impact likely to exceed \$250,000 in terms of direct loss or opportunity cost.</p> <p>Internal Control: Significant control weaknesses, which would lead to financial or fraud loss.</p> <p>An issue that requires a significant amount of senior management/Board effort to manage such as:</p> <ul style="list-style-type: none"> Failure to meet key strategic objectives/major impact on strategy and objectives. Loss of ability to sustain ongoing operations: <ul style="list-style-type: none"> Loss of key competitive advantage/opportunity Loss of supply of key process inputs A major reputational sensitivity, e.g. market share, earnings per share, credibility with stakeholders and brand name/reputation building. <p>Legal/regulatory: Large scale action, major breach of legislation with very significant financial or reputational consequences.</p>
Medium	<p>Financial impact likely to be between \$75,000 to \$250,000 in terms of direct loss or opportunity cost.</p> <p>Internal Control: Control weaknesses, which could result in potential loss resulting from inefficiencies, wastage, and cumbersome workflow procedures.</p> <p>An issue that requires some amount of senior management/Board effort to manage such as:</p> <ul style="list-style-type: none"> No material or moderate impact on strategy and objectives. Disruption to normal operation with a limited effect on achievement of corporate strategy and objectives Moderate reputational sensitivity. <p>Legal/regulatory: Regulatory breach with material financial consequences including fines.</p>

Impact	Impact Consideration
<p>Low</p>	<p>Financial impact likely to be less than \$75,000 in terms of direct loss or opportunity cost.</p> <p>Internal Control: Control weaknesses, which could result in potential insignificant loss resulting from workflow and operational inefficiencies.</p> <p>An issue that requires no or minimal amount of senior management/Board effort to manage such as:</p> <ul style="list-style-type: none"> • Minimal impact on strategy • Disruption to normal operations with no effect on achievement of corporate strategy and objectives • Minimal reputational sensitivity. <p>Legal/Regulatory: Regulatory breach with minimal consequences.</p>

Audit report classification

Report Classification	The internal audit identified one or more of the following:
Optimally Controlled	<ul style="list-style-type: none"> Well-structured design effectively achieves fit-for purpose control objectives Controls consistently applied and operating at optimum level of effectiveness.
Managed	<ul style="list-style-type: none"> Sound design achieves control objectives. No control design improvements identified. Controls consistently applied. Only minor instances of controls identified as not operating, which have mitigating back-up controls or the risk of loss is immaterial. All previous significant audit action items have been closed.
Some Improvement Opportunity	<ul style="list-style-type: none"> Control design improvements identified, however, the risk of loss is immaterial. Isolated or “one-off” significant controls identified as not operating for which sufficient mitigating back-up controls could not be identified. Numerous instances of minor controls not operating for which sufficient mitigating back-up controls could not be identified. Some previous significant audit action items have not been resolved on a timely basis.
Major Improvement Opportunity	<ul style="list-style-type: none"> Design is not optimum and may put control objectives at risk. Control design improvements identified to ensure that risk of material loss is minimized and functional objectives are met. A number of significant controls identified as not operating for which sufficient mitigating backup controls could not be identified which may put control objectives at risk. Losses have occurred as a result of control environment deficiencies. Little action taken on previous significant audit findings to resolve the item on a timely basis.
Unacceptable Risk Exposure	<ul style="list-style-type: none"> Control design leaves the opportunity for loss, error or abuse. Significant control design improvements identified to ensure that the risk of material loss is minimized and functional objectives are met. An unacceptable number of controls (including a selection of both significant and minor) identified as not operating for which sufficient mitigating back-up controls could not be identified creating the opportunity for loss, error or abuse. Material losses have occurred as a result of control environment deficiencies. Instances of fraud or significant contravention of corporate policy detected. No action taken on previous significant audit findings to resolve the item on a timely basis.

Appendix B: Background, Scope and Objectives

Background

The Security Incident Prevention and Mitigation audit is based on the risks identified through the 2019-2020 City of Windsor Internal Audit Risk Assessment and Plan approved by the Corporate Services Standing Committee on May 6, 2019. This was a value protection audit where the IA addressed risks including: Vandalism, Public Facilities, Terrorism, Training and development, and physical security of facilities.

Scope

The scope of this internal audit included an assessment of the controls in effect as of December 2019.

Internal audit objectives

The focus of this internal audit was to provide a current state assessment of the design and operating effectiveness of controls management has implemented to achieve the following objectives related to Staff Safety Incident Prevention and Mitigation managed by the City:

- Resource allocation, and Safety program (including physical factors, safety apparatus and building floor plans) related decisions considering safety hazards and security needs.
- Security/safety incident monitoring occurs periodically including logging, defined categorization of incidents (e.g. by location), and reporting processes to facilitate timely and appropriate updates to Safety programs.
- Regular and relevant capacity building/training/awareness provided to exposed positions for responding to safety/security related concerns or priorities.

Specific scope exclusions

Given the nature of the work and budgeted effort, the following elements are explicitly excluded from the scope of this internal audit:

- Emotional or verbal abuse unless threat of security to staff, logical security and access controls
- Developing/executing Business Continuity and Disaster Recovery Plans
- Investigations and reporting of incidents at an incident level
- Enterprise wide risk assessment process
- Nuclear Safety and Control Act (federal)
- Municipal Evacuation Plan
- Hazard Prevention and Mitigation
- Normal occupational hazards

Appendix C: Limitations and responsibilities

Limitations inherent to the internal auditor's work

Internal control

Internal control systems, no matter how well designed and operated, are affected by inherent limitations. These include the possibility of poor judgment in decision-making, human error, control processes being deliberately circumvented by employees and others, management overriding controls and the occurrence of unforeseeable circumstances.

Future periods

Our assessment of controls is for the period specified only. Historic evaluation of effectiveness is not relevant to future periods due to the risk that:

- the design of controls may become inadequate because of changes in operating environment, law, regulation or other; or
- the degree of compliance with policies and procedures may deteriorate.

Responsibilities of management and internal auditors

It is management's responsibility to develop and maintain sound systems of risk management, internal control and governance and for the prevention and detection of irregularities and fraud. Internal audit work should not be seen as a substitute for management's responsibilities for the design and operation of these systems.

We endeavour to plan our work so that we have a reasonable expectation of detecting significant control weaknesses, and if detected, we shall carry out additional work directed towards identification of consequent fraud or other irregularities. However, internal audit procedures alone, even when carried out with due professional care, do not guarantee that fraud will be detected.

Accordingly, our examinations as internal auditors should not be relied upon solely to disclose fraud, defalcations or other irregularities which may exist.



This document has been prepared only for The Corporation of the City of Windsor and solely for the purpose and on the terms agreed with The Corporation of the City of Windsor in our agreement dated January 24, 2020. We accept no liability (including for negligence) to anyone else in connection with this document, and it may not be provided to anyone else.

This report is confidential. The report is intended solely for use by the management of the Corporation of the City of Windsor, and is not intended or authorized for any other use or party. If any unauthorized party obtains this report, such party agrees that any use of the report, in whole or in part, is their sole responsibility and at their sole and exclusive risk; that they may not rely on the report; that they do not acquire any rights as a result of such access and that PricewaterhouseCoopers LLP does not assume any duty, obligation, responsibility or liability to them.

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Appendix B - VFM- Purchased services - Winter road clearing report

The Corporation of the City of Windsor

Value for money audit: Purchased services - Winter road clearing

Distribution list

For action

Mark Winterton, City Engineer

Dwayne Dawson, Deputy City Engineer

Tony Ardochini, Deputy Treasurer

Natasha Couvillon, Manager Performance Measurement and Financial Administration

Phong Nguy, Manager Contracts FS Maintenance Operations

Roberta Harrison, Coordinator Maintenance Operations

Marco Aquino, Executive Initiatives Coordinator

For information

Joe Mancina, CFO and City Treasurer

Limitations and responsibilities

This Report was developed in accordance with our engagement letter dated 06/09/2016 and is subject to the terms and conditions included therein. Our work was limited to the specific procedures and analysis described herein and was based only on the information made available at the time we prepared the report. Accordingly, changes in circumstances after the date of this Report could affect the findings outlined herein. We are providing no opinion, attestation or other form of assurance with respect to our work and we did not verify or audit any information provided to us. This information has been prepared solely for the use and benefit of and pursuant to a client relationship exclusively with the Corporation of the City of Windsor. PwC disclaims any responsibility to others based on its use and accordingly this information may not be relied upon by anyone other than the Corporation of the City of Windsor.

FINAL Internal audit report

Prepared as of May 1, 2020

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Executive summary

Winter road clearing overview

The City of Windsor (the City) has hired a contractor, CoCo Paving Inc., for winter road clearing services through a solicitation process. The contract is in effect for seven winter seasons starting from November 1, 2016 with an option for an additional three years. Public Works - Operations designed 17 routes for total of 853 km¹ which are assigned to the 17 trucks of the contractor. In the 2017/18 winter season, the contractor's snow plow/salt trucks cleared the routes and traveled 135,191 kms on the routes based on the truck GPS data we collected. In 2018/19 winter season, the total distance traveled on the routes was lower at 68,928 kms when there was less snow weather.

Payments to the contractor for these seasons were \$2,458,000 and \$1,871,000 respectively. When considering the payment total it is important to note that there are several components: the guaranteed minimum operating hours, operating hours exceeding minimum hours, standby hours and equipment daily standby rate as well as supervisor hours. The payments resulted in an average cost for road clearance per winter event day of \$76.81K (2017/18) and \$77.96K (2018/19).

The terms of contract for winter road clearance are such that the City supplies the salt and salt brine whereas other resources including salter/plow trucks, drivers, and supervisors shall be made available by the contractor. The City issues payment certificates on a monthly basis to the contractor. Technical Team within Public Works - Operations prepares a detailed report to summarize operating hours and standby hours for each contractor truck on each snow event day based on supervisor logs, timecards and Global Positioning System (GPS) records. (Each contractor truck is equipped with a City owned GPS transponder.) The instances of truck operating exceptions such as late arrivals, no shows and equipment breakdowns are also captured from supervisor logs and included in the summary report. The summary report is provided to Contract Management. Based on the summary report, the Contract Coordinator applies the contract specified rates to the hours and calculates penalties according to instances of exceptions.

Road clearing metrics noted

Metric	2017-2018 Season	2018-2019 Season
Number of trucks	19	19
Number of operators/supervisors	71	69
Kilometers of road cleaned	135,191	68,928
Snow event days	32	24
Truck operating hours paid	6,573	3,591
Payment made to contractor (in \$'000s)	\$2,458	\$1,871
Approximate cost per snow event day (in \$'000s)	\$76.81	\$77.96

¹ 853km is aggregated kilometers of the 17 routes. There are portions of the routes which are overlapping.

Project purpose

We conducted a Value for Money (VFM)/Performance Audit of purchased services related to winter road clearing. Our approach was based on both Internal Audit and Performance Auditing approaches and frameworks in accordance with the Auditor General Charter. For the VFM audit, we focused on:

- a set of performance objectives evaluated as part of this audit.
- internal controls and processes over the three key areas: including financial, operational, and compliance.

Specific scope, objectives and exclusions are described in Appendix B.

What we did

To conduct our work we completed various activities including, but not limited to:

- Re-calculated CPI adjustment factor for operating rates for the 2017/2018 and 2018/2019 season and noted variance. (see finding #1)
 - Re-performed the summary of operating hours and standby hours for the contractor trucks for the four sampled months based on supervisor logs and timecards provided.
 - Compared the hours we summarized to the hours captured in the Summary Report prepared by the Technical Team and noted variance in cost categories. (see finding #2)
 - Traced hours and penalties summarized by the Technical Team to the corresponding payment certificates for the selected four months and noted favorable variance.
 - Performed data analytics on available GPS records for the contractor trucks for 2017/2018 and 2018/2019 season and identified operational deficiencies. (see finding #3)
 - We evaluated internal controls over issuance of payment certificate, monitoring contractor performance and contract management practices and identified areas for improvement. (finding #1, finding #2, and finding #3)
-

Overall assessment

VFM/Performance Metrics: Of the seven performance objectives assessed, **three** were **Attained**, **three** were **Substantially Attained**, and **one** was **Not Attained**. The last metric not attained had evidence of management awareness and some level of action but not sufficient evidence for an independent reviewer to assess full adherence and timely action.

Internal Controls: While **opportunities for improvement exist**, the controls are designed and operated in a manner to reasonably attain the City's objectives within the operating budget and resource constraints.

A total of **three findings** have been **identified** in the financial, operational and compliance areas whereas two considerations for improvements are raised over the contract management, and oversight over supervisor log completion.

Management comments

While we generally agree with the findings in the audit, and are pleased with the results showing that we have an effective and efficient service, we have a few concerns. A review of the Municipal Benchmarking Network Canada (MBNC) shows Windsor as having the lowest cost for Winter Maintenance per Lane Km of all participating municipalities. While climate is a factor, the comparators indicate that our winter control service is among the most efficiently run. For each of the findings in the audit, Management has an action plan that has either already been implemented or will be implemented in the upcoming winter control season.

Under heading #2 “Effective Review of Supervisor Log Completion”, while we agree that there is an opportunity for improvement, we note that the Supervisor reports were completed, occasionally with non-uniform methods between supervisors. The call-in time is always written in the Supervisor logs as it is our basis for payment. We agree that sometimes it is not in the correct box and sometimes the Supervisor notes the call-in times in their handwritten notes on the reverse side of the page, however the information is still there, in all cases. We will look to improve the reporting. Secondly, when an event runs over multiple shifts/days, there is only one call-in time which is at the beginning of the event. If the event continues over such time periods, the Supervisor does not repeat this call-in time on the log as it is irrelevant over the course of the same event.

Given that the Supervisor on duty is Supervising seven-nine City staff, six Contractor trucks, further contractors for other snow related activities (sidewalk snow clearing, bust stop clearing etc., other residential clearing contractors), the Technical Support person, and additional City staff performing other duties. They are also expected to be on the road checking road conditions, answering phone calls and communicating via radio to City staff and Coco. They are simply at their limit of being able to provide an extremely detailed log of events unless there are more resources dedicated to assist them.

In order to comply with performance objective #2 significant additional resources would be required, which would not, in our opinion, add additional value. For Performance Objective #5, “Contractor Equipment Breakdowns”, it is an operational expectation that equipment will break down during the fulfilling of contract duties. This is accounted for in the contract. While additional spares could be required, the additional cost and value added would not change the measured criteria.

For performance Objective #7 while the contractor did have “no-shows”, they were penalized for every instance and the contractor was advised via meetings and phone calls. We will be conducting contractor evaluations and improve on the documentation for this objective.

While we strive for continuous improvement, we would stress that our operation is the lowest cost and among the most efficient winter control operations in the country based on objective criteria such as MBNC. Management believes that these two factors indicate that this is a well managed operation and is receiving good value for money.

Summary of internal audit results

Report classification

In general, controls are properly designed and are operating effectively for the purpose envisaged. Given the nature of this audit, we are providing an overall assessment using performance auditing measures as well as our standard internal controls assessment.

Performance-based audit results²

In accordance with performance auditing standards, given that performance measures were not previously defined for the subject matter area, we worked with management to identify performance measures which could be used to measure the value and/or performance related to purchased winter services. The winter road clearing financial and operational performance objectives were established in coordination with the City's Public Works - Operations prior to the commencement of our field work. The results are based on our detailed review of selected monthly vendor payment certificates and data analytics on available GPS records for vendor salters/plow trucks over the 2017/2018 and 2018/2019 seasons.

Performance Objective	Assessment (% Attained)	Summary
<p>1. Aggregate certificates:</p> <p>Aggregate payments certificates were issued with no more than a 2% aggregated variance for all certificates tested.</p>	<p>Attained</p> <p>100%</p>	<p>We identified a total overpayment of \$37,751 made over the course of both seasons due to incorrect utilization of the CPI rates in calculation of annual Consumer Price Index (CPI) adjustment factors. The overpayment accounted for 0.87% of the total payment of \$4,328,790 (over the two seasons). As a result of our work on this audit, the City has recovered the overpayment amount from the vendor and corrected the annual operating rates retrospectively for 2017/2018 and 2018/2019 seasons. The starting operating rates for the 2019/2020 season were set up correctly.</p>
<p>2. Individual certificates:</p> <p>Individual payment certificates were issued with no more than a 5% variance for all certificates tested.</p>	<p>Attained</p> <p>100%</p>	<p>Based on our detailed testing of a sample of 4 monthly certificates, we did not note any individual payment errors. The 4 monthly certificates sampled related to \$2,766,080 (63.9%) of the total \$4,328,790 payments rendered.</p>

² Performance rating scale and definitions contained in Appendix A.





Performance Objective	Assessment (% Attained)	Summary
<p>3. Contractor trucks on route:</p> <p>100% of contractor trucks were on the assigned routes during a winter event.</p>	<p>Substantially Attained</p> <p>For 86.5% of now event, contractor covered 99% of the routes assigned to them</p> <p>Substantially Attained</p> <p>98.9% of individual trucks covered more than 90% of the respective routes assigned to them</p>	<p>Using data analytics, based on available GPS records for contractor salter/plow trucks during 2017/2018 and 2018/2019 seasons, we identified that in 45 (86.5%) out of 52 snow events, the routes assigned to the contractor were covered for 99% and above. 7 (13.5%) out of 52 snow events the routes assigned to the contractor were covered for less than 99%. When there is construction or emergency roadblocks, the routes may not be covered by 100% during a winter event.</p> <p>GPS data analysis also identified that in 704 (98.9%) of 712 individual truck snow events, the individual truck covered more than 90% of the respective routes assigned to them. 8 (1.1%) of 712 individual truck snow events, the individual trucks covered less than 90% of the respective routes assigned to them. When there are construction or emergency roadblocks, the routes may not be covered 100%. In addition, some portions of the individual route are designed for the salter truck to come back to the City's yard when it completes the salting. The truck is allowed to choose other roads to come back.</p>
<p>4. Breaks:</p> <p>100% of contractor operators do not take more than half an hour break for every 4 hours operation</p>	<p>Substantially Attained</p> <p>99.8% of contractor operators followed the rules for taking breaks</p>	<p>Based on available GPS records for all contractor trucks during the 2017/2018 and 2018/2019 seasons we identified that 9,345.28 (99.8%) hours out of 9,362 operating hours identified through GPS are in compliance with break time entitled. In 12 different events trucks idled for more than one hour and less than two hours, for a total of 16.72 hours. There were no notes regarding the idles identified above in the related supervisor logs. The locations the trucks idled suggest the idling may not be related to work. The total idle time counts for 0.2% of total 9,362 operating hours identified through GPS.</p> <p>The incidents appear to be isolated, however, the performance objective of 100% compliance with break time was substantially attained. We cannot readily determine the basis for the exceptions or whether they may be valid operational issues or potential performance issues; however proximity of truck GPS location to restaurants/coffee shops or non-work related areas is apparent.</p>

Performance Objective	Assessment (% Attained)	Summary
<p>5. Contractor equipment breakdowns:</p> <p>Contractor equipment breakdowns during one day in a given winter event should not exceed a total of 5 hours per truck.</p>	<p>Substantially Attained 97.4% contractor equipment did not have breakdowns exceeding performance threshold</p>	<p>From the sample testing of the selected 4 months covering 38 winter day events, we identified 1 (2.6%) instance where the contractor truck was noted as “broken down” for 5 hours 13 minutes and no backup truck came as replacement.</p>
<p>6. Tardiness:</p> <p>Late show hours during any winter event for a contractor route should not exceed a total of one (1) hour.</p>	<p>Attained 100%</p>	<p>From our detailed review of 4 sampled months covering 38 winter events , we did not note a winter event where the contractor late shows exceeded one hour.</p>
<p>7. No-show performance:</p> <p>100% of contractor no-shows were captured and communicated back to the Contractor for remediation and were considered in vendor performance evaluation.</p>	<p>Not Attained</p>	<p>From our detailed review of 4 sampled months, we identified 22 no shows occurred over 3 winter events in January 2019 and 4 no shows occurred over 2 winter events in February 2019. This results in 22 no shows out of a total of 724 truck shifts in the sample. We noted that the contractor no-shows were captured on the supervisor logs; however, no formal notice letter was provided to the contractor requesting immediate remedy of the ‘unacceptable performance³. In addition, the Contractor has been providing the winter road cleaning services for the City since November 2016 but there has been no vendor evaluation performed. <i>While there is no directly independently verifiable evidence, management has indicated that escalation conversations occurred with the contractor close to the time of the events.</i></p>

³ Terminology as per contract.

Internal controls assessment⁴

Based on the controls identified and tested, we have determined that there is reasonable evidence to indicate that:

#	Objective	Report classification				
		Optimally Controlled	Managed	Some Improvement Opportunity	Major Improvement Opportunity	Unacceptable Risk Exposure
1	The City has spent money on road clearing with due regard for economy and efficiency and has satisfactory procedures for measuring and reporting on the effectiveness of contractor performance.					
2	The City has clearly established contractors performance objectives for road clearing/maintenance, and the objectives were based on reasonable, researched and approved factors.					
3	The City has monitoring and reporting mechanisms in place to determine if the performance objectives are being attained and meeting its intended results.					
4	When the intended results of the road clearing were not being met, the City has taken actions to remediate.					

During the audit, we noted the following good practices implemented by Public Works - Operations.

- Operations has established a Winter Maintenance Manual and updates the manual annually. The manual documents operations objectives, level of services and specifies city and contractor’s responsibilities during the winter season.
- Tracking Winter Control Contractor Hours procedure was developed and implemented by the Technical Team, which is designed to compile the hours which the City pays the contractor for.
- A Technical Team, which is independent from Supervisors and Contractor Coordinators, prepares detailed reports by truck and by date based on information collected from supervisors logs, time cards and GPS data. These reports serve as a basis for the monthly progress certificates.
- To ensure the contractor equipment was in good working condition and ready for the season, Operations collected contractor equipment calibration reports prior to the start of the two seasons we audited.

We identified areas where internal control weakness exists, however, none were noted as a significant control deficiency. If implemented, our recommendations would serve to provide greater financial accuracy, operational effectiveness and better leveraging of existing technology capabilities.

Management has provided comprehensive action plans, which we believe will address the deficiencies noted. Below we provide a summary of the findings noted as part of our work:

⁴ Rating scale described in Appendix A

Summary of findings

#	Topic	Rating ⁵	Management action plan
Financial			
1	Establish control to independently review the payment certificate calculation template (design effectiveness)	Significant	Prior to each season, the Contracts Coordinator will prepare the adjusted rates for the applicable contract items based on the Consumer Price Index, Transportation component for Ontario. The Contracts Coordinator will submit these numbers to Finance for verification.
		Moderate	
		X Low	
Operational			
2	Leverage existing real time GPS records to improve vendor performance monitoring (operating effectiveness)	Significant	GPS will be used to establish an idle alarm which will indicate to the Technical Support person that a truck has not moved for 30 min. Any issues found are to be called into the Supervisor for immediate action. The Technical Support person's findings of their GPS analysis will be logged and documented several times throughout their shift.
		X Moderate	
		Low	
Compliance			
3	Formally amend contract terms to minimize risk of potential contract dispute (design effectiveness)	Significant	Moving forward, any and all settlements and agreements that are contrary to the terms of the contract will be documented with explanation and backup and formally agreed to by both parties.
		Moderate	
		X Low	

Management comments

While we generally agree with the findings in the audit, and are pleased with the results showing that we have an effective and efficient service, we have a few concerns. A review of the Municipal Benchmarking Network Canada (MBNC) shows Windsor as having the lowest cost for Winter Maintenance per Lane Km of all participating municipalities. While climate is a factor, the comparators indicate that our winter control service is among the most efficiently run. For each of the findings in the audit, Management has an action plan that has either already been implemented or will be implemented in the upcoming winter control season.

Under heading #2 "Effective Review of Supervisor Log Completion", while we agree that there is an opportunity for improvement, we note that the Supervisor reports were completed, occasionally with non-uniform methods between supervisors. The call-in time is always written in the Supervisor logs as it is our basis for payment. We agree that sometimes it is not in the correct box and sometimes the Supervisor notes the call-in times in their handwritten notes on the reverse side of the page, however the information is still there, in all cases. We will look to improve the reporting. Secondly, when an event runs over multiple shifts/days, there is only one call-in time which is at the beginning of the event. If the event continues over such time periods, the Supervisor does not repeat this call-in time on the log as it is irrelevant over the course of the same event.

Given that the Supervisor on duty is Supervising 7-9 City staff, 6 Contractor trucks, further contractors for other snow related activities (sidewalk snow clearing, bust stop clearing etc., other residential clearing contractors), the Technical Support person, and additional City staff performing other duties. They are also expected to be on the road checking road conditions, answering phone calls and communicating via radio to City staff and Coco. They are simply at their limit of being able to provide an extremely detailed log of events unless there are more resources dedicated to assist them.

In order to comply with performance objective #2 significant additional resources would be required, which would not, in our opinion, add additional value. For Performance Objective #5, "Contractor Equipment Breakdowns", it is an operational expectation that equipment will break down during the fulfilling of contract duties. This is accounted for in the contract. While additional spares could be required, the additional cost and value added would not change the measured criteria.

For performance Objective #7 while the contractor did have "no-shows", they were penalized for every instance and the contractor was advised via meetings and phone calls. We will be conducting contractor evaluations and improve on the documentation for this objective.

⁵ See Appendix A for Basis of Finding Rating and Report Classification

While we strive for continuous improvement, we would stress that our operation is the lowest cost and among the most efficient winter control operations in the country based on objective criteria such as MBNC. Management believes that these two factors indicate that this is a well managed operation and is receiving good value for money.

Name: Mark Winterton

Title: City Engineer

Date: May 1, 2020

Detailed findings

1. Establish control to independently review the payment certificate calculation template (design effectiveness)			Overall rating: Low																
Impact:	Low	Likelihood:	Unlikely																
<p>Observation: The contract between the City and the contractor allows vehicle operating rates, wing plow operator rates, and drivers' standby rates to be adjusted at 85% of the increase or decrease in the CPI Transportation component at the start of each contract year, with the initial increase occurring on November 1, 2017. We noted the use of incorrect CPI rates for both the 2017/2018 and 2018/2019 season. These resulted in total overpayment of \$37,752 over the course of the two seasons.</p> <p>A summary of the calculation factors follows below.</p> <table border="1"> <thead> <tr> <th>Season</th> <th>CPI factor calculated by the City</th> <th>Our CPI factor calculation</th> <th>Over payment</th> </tr> </thead> <tbody> <tr> <td>Dec 2017/2018</td> <td>4.80%</td> <td>4.08%</td> <td>\$14,373</td> </tr> <tr> <td>Dec 2018/2019</td> <td>3.32%</td> <td>2.55%</td> <td>\$23,379</td> </tr> <tr> <td></td> <td></td> <td>Total</td> <td>\$37,752</td> </tr> </tbody> </table> <p>Based on our detection of the error, management has acted and recovered the full amount from the contractor as of January 2020. Management recovered this amount by deducting half the value on each of the November and December 2019 payment certificates.</p>				Season	CPI factor calculated by the City	Our CPI factor calculation	Over payment	Dec 2017/2018	4.80%	4.08%	\$14,373	Dec 2018/2019	3.32%	2.55%	\$23,379			Total	\$37,752
Season	CPI factor calculated by the City	Our CPI factor calculation	Over payment																
Dec 2017/2018	4.80%	4.08%	\$14,373																
Dec 2018/2019	3.32%	2.55%	\$23,379																
		Total	\$37,752																
<p>Implication: The City incurred financial loss due to overpayment made to the contractor</p>																			
<p>Recommendation: To ensure accuracy of future contractor payment, management should consider having an independent review of the payment certificate calculation template prior to each snow season. This review should check the operating rates and formulas.</p>																			
Management Action Plan																			
Prior to each season, the Contracts Coordinator will prepare the adjusted rates for the applicable contract items based on the Consumer Price Index, Transportation component for Ontario. The Contracts Coordinator will submit these numbers to Finance for verification.	Responsible party:	Contract Co-ordinator																	
	Due date:	Q4 Annually																	

2. Leverage existing real time GPS records to improve vendor performance monitoring (operating effectiveness)		Overall rating: Moderate	
Impact:	Medium	Likelihood:	Likely
<p>Observation: Based on the GPS data extracted from Focus database and the assigned contractor routes provided by the Operations team, we performed data analytics and noted:</p> <ol style="list-style-type: none"> 1. In seven out of 52 winter events the contractor had less than 99% of the overall coverage of all routes assigned to them by all the trucks; Refer to Truck Overall Coverage Maps in appendix D. 2. In eight out of 712 individual truck events the individual trucks covered less than 90% of the routes specifically assigned to them; (Refer to Example of Individual Truck Coverage Maps in appendix E) 3. We noted 12 instances where contractor trucks had more than one hour idle time during operations. (Trucks are entitled to half an hour break for every 4 hours of operation). The related Supervisor Logs did not have any specific reasons for the idles such as equipment breakdown or traffic accident, etc. The positions where the trucks were idle may imply that the operators were possibly taking prolonged breaks; however we cannot state that with certainty. (See Example of Truck Idle Map in appendix D). 4. During the month of January and February 2019, the contractor incurred 22 instances of no shows. The no shows were captured in Supervisor Log, however, there was no notice letter issued to the contractor requesting immediate actions to be taken to remediate the unacceptable performance. Management indicated that a meeting with the contractor was held to discuss such issues, however it occurred significantly after the fact on October 4, 2019 and we could not detect evidence of what was discussed. 			
<p>Implication: Contractor not performing to the required standards impacts the City in achieving its goal of maintaining safe and passable streets to the public.</p>			
<p>Recommendation: The Operations team should consider enhancing monitoring and measuring controls by leveraging existing GPS technology. GPS records provide visibility over the entire fleet in real time during the winter event. Operations teams may identify performance issues such as late arrivals, uncovered routes or truck idling for a longer period of time on a timely basis through monitoring truck GPS records. The issues should be notified to the on duty supervisors immediately so they may be addressed during the event. There should be a log to document issues identified, actions taken and outcome.</p> <p>Operations management should improve contract management practices and hold the contractor accountable for service standards. A formal notice letter should be issued to the contractor promptly (within one to three days) when unacceptable performance issues are identified and formal requests should be made to the contractor to take immediate actions to address unacceptable performance. The notice letter also protects the City's interest in case of any contract dispute in the future.</p>			
Management Action Plan			
GPS will be used to establish an idle alarm which will indicate to the Technical Support person that a truck has not moved for 30 min. Any issues found are to be called into the Supervisor for immediate action. The Technical Support person's findings of their GPS analysis will be logged and documented several times throughout their shift. If there is an instance where the unacceptable performance issues arise, a letter will be sent to the Contractor with a date in which to expect a reply and remediation to the performance.	Responsible party:	Maintenance Co-ordinator	
	Due date:	Q4 2020	

3. Formally amend contract terms to minimize risk of potential contract dispute			Overall rating: Low
Impact:	Low	Likelihood:	Likely
<p>Observation: We observed that in practice, certain contract terms were modified in favor of the City and only verbal agreement with the contractor was obtained. Contract terms were not formally amended. For example, penalties applied and processed were higher in actual contract payment calculations than are specified in the agreement. Management has indicated that such items were agreed with the contractor however no documented evidence of such agreement exists.</p>			
<p>Implication: Without formally amending the contract terms or obtaining written consent from the contractor, the City could be possibly exposed to the risk of non-compliance to the contract and involved in contract dispute if the contractor does not agree with the City's practice any more.</p>			
<p>Recommendation: Contract Management should formally amend contract terms and obtain sign off from both parties. In addition, the City's standard Contract Dispute Resolution clause should be included in the contract to outline the process to be followed in case of disputes.</p>			
Management Action Plan			
Moving forward, any and all settlements and agreements made with the contractor that are contrary or different than the terms set out in the contract will be documented with explanation and backup and formally agreed upon by both parties.	Responsible party:	Contract Co-ordinator	
	Due date:	Q4 2020	

Considerations for improvement

1. Readiness to adopt the mandatory vendor performance management controls
<p>Observation</p> <p>A set of Vendor Relationship Management Procedures and Guidelines have been drafted and will be presented to the Council in the upcoming months (preferably April 2020 or May 2020) as suggested by management. We noted that protocols for vendor performance evaluation for service providers have been established in the draft procedures and would be communicated to contract/vendor relationship owners once approved.</p>
<p>Consideration</p> <p>We recommend that the owners of significant contracts start to prepare for the implementation by reviewing vendor performance expectations and documenting baseline performance results/evaluations informally prior to the formal requirement.</p> <p>The City may wish to consider one contract with joint responsibilities or multiple contracts with the same vendor and anticipate how each scenario impacts the process for evaluations.</p>

2. Effective review of supervisor log for completion
<p>Observation:</p> <p>Supervisors retain logs for each winter operation event. The log records the details of operations and serves as the main source for calculating operating hours, and thereby payments, for each of the contractor trucks. In order to pay, or apply penalties, to different categories of cost, the log indicates that the supervisors is to record call in time, and for each truck, arrival time, standby starts and ends time, shift starts and ends time, truck breakdown starts and ends time as well as trucks which did not show up on call. From our sample of 76 supervisor logs (38 for the east side and 38 for the west side covering December 2017, December 2018, January 2019 and February 2019), we noted a few cases where the supervisor logs were not completed consistently. As a result, the supervisor log may not be reliable to completely capture contractor hours, or may incur additional effort to determine so.</p> <p>Furthermore, there are numerous days in both seasons where the GPS records for multiple trucks were not available. We were able to extract 9,362 truck operating hours from the GPS database while the City paid 10,092 operating hours for the same period. The difference of 730 hours are mainly caused by GPS data loss or GPS system malfunction.</p>
<p>Consideration:</p> <p>Operations should mandate critical time points including call in time, arrival time, shift start and end time, equipment breakdown start and duration/end time to be recorded in Supervisor Log for each event and for each truck. Such records should be captured and retained.</p> <p>The Technical Team should review the supervisor logs and time cards after each event date to check the completeness of the information captured. For any missing time records, the Technical Team should follow up with the supervisors immediately. Management may wish to explore the cost/benefit of using automation to capture the data within the entire process using technology.</p> <p>Operations team should notify the supplier for any GPS malfunction noted during the operations right away and request issues to be resolved on a timely basis.</p>

Appendix A: Basis of findings rating and report classification

Finding rating matrix	Low Impact	Medium Impact	High Impact
Highly likely <ul style="list-style-type: none"> History of regular occurrence of the event. The event is expected to occur in most circumstances. 	Moderate	Significant	Significant
Likely <ul style="list-style-type: none"> History of occasional occurrences of the event. The event could occur at some time. 	Low	Moderate	Significant
Unlikely <ul style="list-style-type: none"> History of none or seldom occurrence of the event. The event may occur only in exceptional circumstances. 	Low	Low	Moderate

Impact	Impact Consideration
High	<p>Financial impact likely to exceed \$250,000 in terms of direct loss or opportunity cost.</p> <p>Internal Control: Significant control weaknesses, which would lead to financial or fraud loss.</p> <p>An issue that requires a significant amount of senior management/Board effort to manage such as:</p> <ul style="list-style-type: none"> Failure to meet key strategic objectives/major impact on strategy and objectives. Loss of ability to sustain ongoing operations: <ul style="list-style-type: none"> Loss of key competitive advantage/opportunity Loss of supply of key process inputs A major reputational sensitivity, e.g. market share, earnings per share, credibility with stakeholders and brand name/reputation building. <p>Legal/regulatory: Large scale action, major breach of legislation with very significant financial or reputational consequences.</p>
Medium	<p>Financial impact likely to be between \$75,000 to \$250,000 in terms of direct loss or opportunity cost.</p> <p>Internal Control: Control weaknesses, which could result in potential loss resulting from inefficiencies, wastage, and cumbersome workflow procedures.</p> <p>An issue that requires some amount of senior management/Board effort to manage such as:</p> <ul style="list-style-type: none"> No material or moderate impact on strategy and objectives. Disruption to normal operation with a limited effect on achievement of corporate strategy and objectives Moderate reputational sensitivity. <p>Legal/regulatory: Regulatory breach with material financial consequences including fines.</p>

Impact	Impact Consideration
Low	<p>Financial impact likely to be less than \$75,000 in terms of direct loss or opportunity cost.</p> <p>Internal Control: Control weaknesses, which could result in potential insignificant loss resulting from workflow and operational inefficiencies.</p> <p>An issue that requires no or minimal amount of senior management/Board effort to manage such as:</p> <ul style="list-style-type: none"> • Minimal impact on strategy • Disruption to normal operations with no effect on achievement of corporate strategy and objectives • Minimal reputational sensitivity. <p>Legal/Regulatory: Regulatory breach with minimal consequences.</p>

Performance measurement classification

Performance Measures Fully Met	
Exceeded	>100% of performance measure
Attained	100% of performance measure
Performance Measure Partially Met	
Substantially Attained	90-99.99% of performance measure
Partially Attained	70-89.99% of performance measure
Somewhat Attained	50-69.99% of performance measure
Performance Measure Not Met	
Not Attained	<50% of performance measure

Audit report classification

Report Classification	The internal audit identified one or more of the following:
Optimally Controlled	<ul style="list-style-type: none"> Well-structured design effectively achieves fit-for purpose control objectives Controls consistently applied and operating at optimum level of effectiveness.
Managed	<ul style="list-style-type: none"> Sound design achieves control objectives. No control design improvements identified. Controls consistently applied. Only minor instances of controls identified as not operating, which have mitigating back-up controls or the risk of loss is immaterial. All previous significant audit action items have been closed.
Some Improvement Opportunity	<ul style="list-style-type: none"> Control design improvements identified, however, the risk of loss is immaterial. Isolated or “one-off” significant controls identified as not operating for which sufficient mitigating back-up controls could not be identified. Numerous instances of minor controls not operating for which sufficient mitigating back-up controls could not be identified. Some previous significant audit action items have not been resolved on a timely basis.
Major Improvement Opportunity	<ul style="list-style-type: none"> Design is not optimum and may put control objectives at risk. Control design improvements identified to ensure that risk of material loss is minimized and functional objectives are met. A number of significant controls identified as not operating for which sufficient mitigating backup controls could not be identified which may put control objectives at risk. Losses have occurred as a result of control environment deficiencies. Little action taken on previous significant audit findings to resolve the item on a timely basis.
Unacceptable Risk Exposure	<ul style="list-style-type: none"> Control design leaves the opportunity for loss, error or abuse. Significant control design improvements identified to ensure that the risk of material loss is minimized and functional objectives are met. An unacceptable number of controls (including a selection of both significant and minor) identified as not operating for which sufficient mitigating back-up controls could not be identified creating the opportunity for loss, error or abuse. Material losses have occurred as a result of control environment deficiencies. Instances of fraud or significant contravention of corporate policy detected. No action taken on previous significant audit findings to resolve the item on a timely basis.

Appendix B: Background, Scope and Objectives

Background

We conducted a The Value for Money (VFM) /Performance Audit of purchased services related to winter road clearing based on the risks identified through 2019-2020 City of Windsor Internal Audit Risk Assessment and Plan approved by the Corporate Services Standing Committee on May 6, 2019. This was a value enhancement audit where the Internal Audit (IA) addressed risks including: Materials/ Contractor availability, Third Party and Contract management, Inadequate governance structures/Operating Models, Project management, Asset Planning.

Scope

The scope of this internal audit included an assessment of the performance measures as attained by management and the controls in effect related to winter road clearing for the period from Fall (November 1) 2017 to Winter (April 30) 2019.

Performance objectives

- **Aggregate certificates:** Aggregate payments certificates were issued with no more than a 2% aggregated variance for all certificates tested.
- **Individual certificates:** Individual payment certificates were issued with no more than a 5% variance for all certificates tested.
- **Contractor trucks on route:** 100% of contractor trucks were on the assigned routes during a winter event.
- **Breaks:** 100% of contractor operators completed one cycle of their assigned routes before taking a 30 minute work break or were in conformance with other applicable legislative requirements.
- **Contractor equipment breakdowns:** Contractor equipment breakdowns during one day in a given winter event did not exceed a total of 5 hours per truck.
- **Tardiness:** Late show hours during any winter event for a contractor route did not exceed total of one (1) hour.
- **No-show performance:** 100% of contractor no-shows were captured and communicated back to the Contractor for remediation and considered in vendor performance evaluation.

Internal audit objectives

Internal audit conducted procedures to determine if:

- The City has spent money on road clearing with due regard for economy and efficiency and has satisfactory procedures for measuring and reporting on the effectiveness of contractor performance.
- The City has clearly established contractors performance objectives for road clearing/maintenance and the objectives were based on reasonable, researched and approved factors.
- The City has monitoring and reporting mechanisms in place to determine if the performance objectives are being attained and meeting its intended results.
- When the intended results of the road clearing were not being met, The City has taken actions to remediate.

Specific scope exclusions

Given the nature of the work and budgeted effort, the following elements are explicitly excluded from the scope of this internal audit:

- The design, implementation and operation of the Information and Technology (IT) environment and IT general controls, end-user computing controls, IT application controls, data integrity of reports used in IT dependent manual control;
- City's insourced snow clearing operations;
- Supplies and materials used in winter road clearing;
- Strategic sourcing public solicitation and vendor selection process.

Appendix C: Example maps for full event overall route coverage less than 99%

Map 1 - On March 16th, 2019, 97% of all routes were covered by all contractor trucks. The grey areas with no overlapping blue dots indicate the portions of the roads were not covered by any of the trucks during the event.



Map 2 - On February 20th, 2019, 98% of all routes were covered by all contractor trucks. The grey areas with no overlapping blue dots indicate the portions of the roads were not covered by any of the trucks during the event.



- ◆ #1 Truck GPS Location
- #1 Assigned Truck Route

Map 3 - on November 11th, 2018, 98% of all routes were covered by all contractor trucks. The grey areas with no overlapping blue dots indicate the portions of the roads were not covered by any of the trucks during the event.



- ◆ #1 Truck GPS Location
- #1 Assigned Truck Route

Appendix D: Example maps for individual truck route coverage less than 90%

Map 1 - On March 16th, 2019, truck 420 only completed 84% of its assigned route. The grey areas with no overlapping blue dots indicate the portions of the roads were not covered.

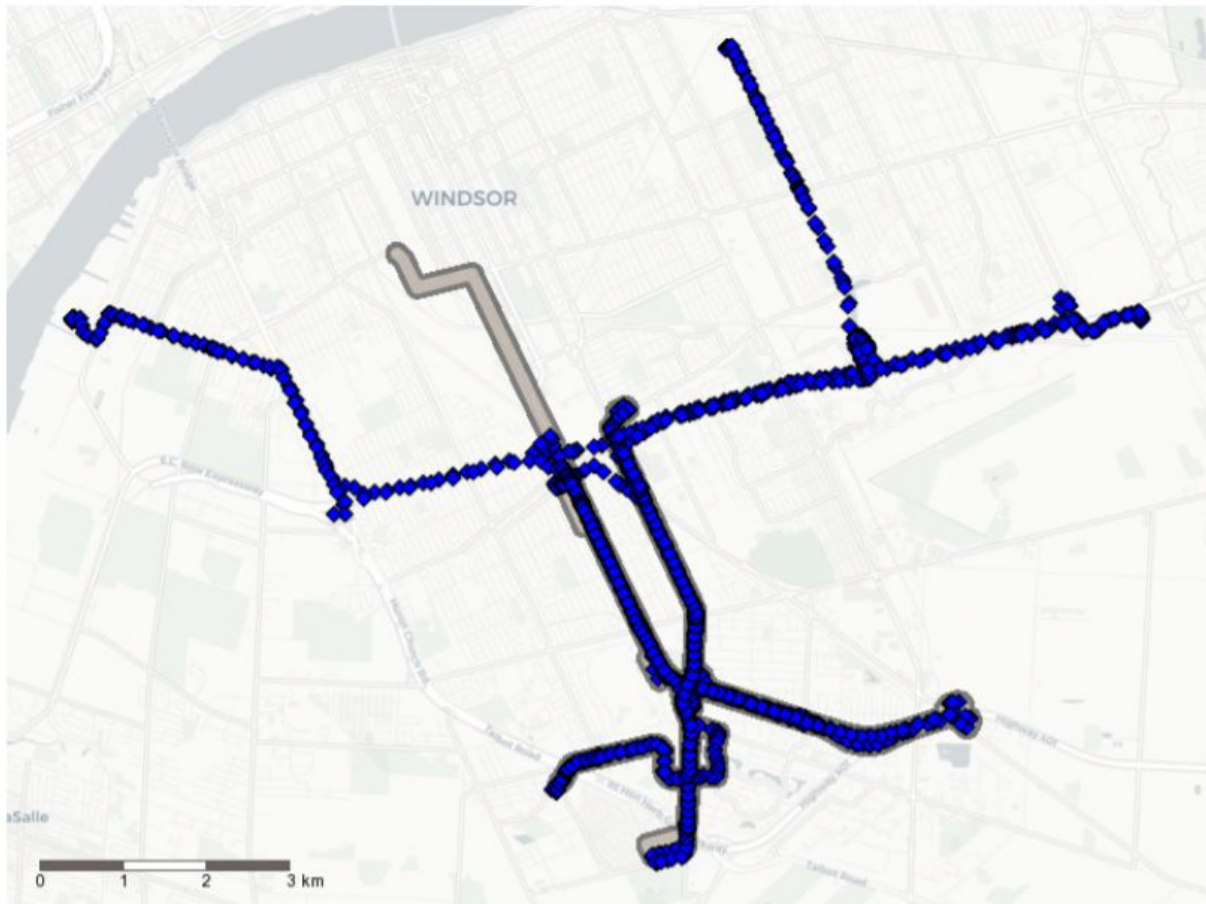


- ◆ #1 Truck GPS Location
- #1 Assigned Truck Route

Map 2 - On December 30th, 2018, truck 422 only completed 63% of its assigned route. The grey areas with no overlapping blue dots indicate the portions of the roads were not covered.



Map 3 - on December 13th, 2017, truck 417 only completed 83% of its assigned route. The grey areas with no overlapping blue dots indicate the portions of the roads were not covered.



- ◆ #1 Truck GPS Location
- #1 Assigned Truck Route

Appendix E: Example maps for truck idling more than one hour

Map 1 - On February 27th, 2019, truck 423 took a 1 hour break starting around 12:39 pm, potential risk as this is near a Tim Hortons



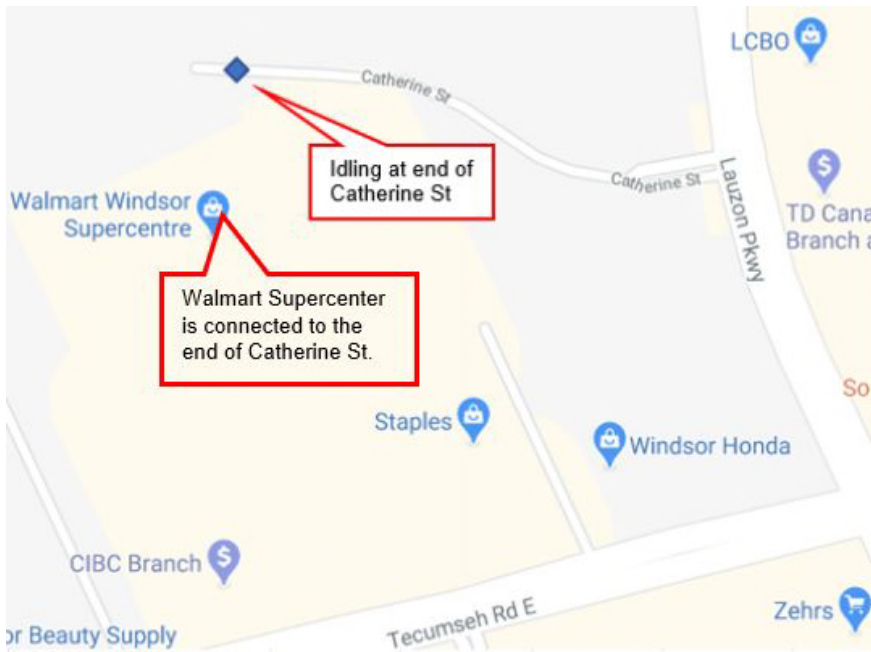
◆ #1 Truck GPS Location



Map 2 - On December 15th, 2017, truck 423 took a 1 hour 24 minute break starting around 4:13 pm. The truck was stopped in a quiet area at the end of Catherine street. A Walmart Supercenter is connected to the end of Catherine St. .



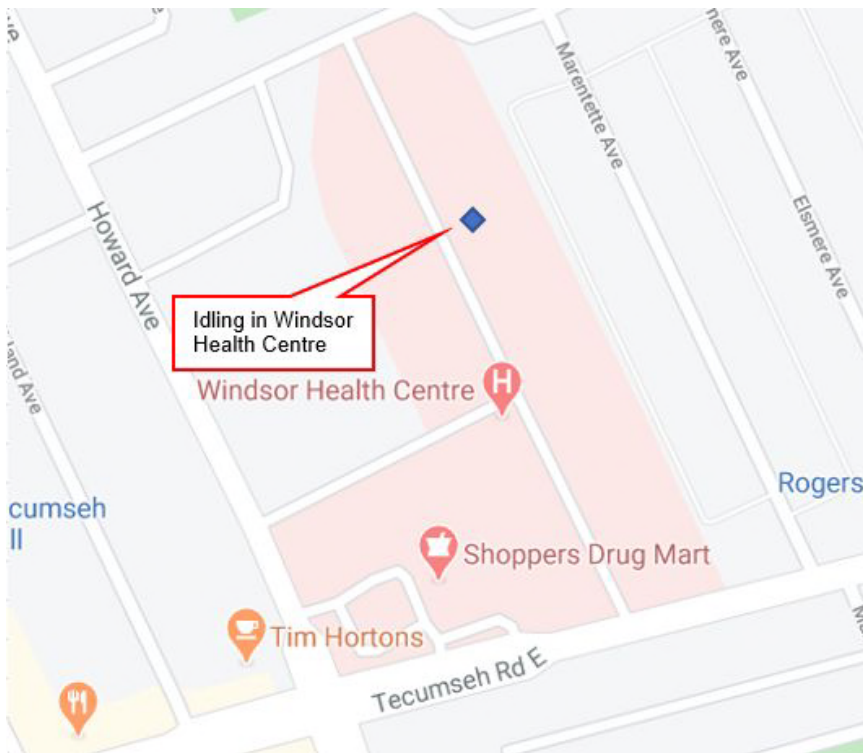
◆ #1 Truck GPS Location



Map 3 - On January 22nd, 2019, truck 417 took two breaks greater than 1 hour each within the same shift. Map 11 shows the first break is for 1 hour 30 minutes starting around 11:35 pm. The driver was parked near the Windsor Health Centre.




◆ #1 Truck GPS Location



Map 4 - January 23rd, 2019 truck 417 took its second break at 1 hour 16 minutes starting around 12:52 pm. The truck GPS indicates it was idling in the parking lot of one of the restaurants in the area.



 #1 Truck GPS Location



Appendix F: Limitations and responsibilities

Limitations inherent to the internal auditor's work

Internal control

Internal control systems, no matter how well designed and operated, are affected by inherent limitations. These include the possibility of poor judgment in decision-making, human error, control processes being deliberately circumvented by employees and others, management overriding controls and the occurrence of unforeseeable circumstances.

Future periods

Our assessment of controls is for the period specified only. Historic evaluation of effectiveness is not relevant to future periods due to the risk that:

- the design of controls may become inadequate because of changes in operating environment, law, regulation or other; or
- the degree of compliance with policies and procedures may deteriorate.

Responsibilities of management and internal auditors

It is management's responsibility to develop and maintain sound systems of risk management, internal control and governance and for the prevention and detection of irregularities and fraud. Internal audit work should not be seen as a substitute for management's responsibilities for the design and operation of these systems.

We endeavour to plan our work so that we have a reasonable expectation of detecting significant control weaknesses, and if detected, we shall carry out additional work directed towards identification of consequent fraud or other irregularities. However, internal audit procedures alone, even when carried out with due professional care, do not guarantee that fraud will be detected.

Accordingly, our examinations as internal auditors should not be relied upon solely to disclose fraud, defalcations or other irregularities which may exist.



This document has been prepared only for The Corporation of the City of Windsor and solely for the purpose and on the terms agreed with The Corporation of the City of Windsor in our agreement dated January 24, 2020. We accept no liability (including for negligence) to anyone else in connection with this document, and it may not be provided to anyone else.

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Appendix C - Hotline investigation report - NTS 005 - FEB - 2020

Corporation of the City of Windsor

Hotline Investigation Report
NTS-005-FEB-2020

FINAL - May 6, 2020



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Executive summary

Allegation information

A complaint was received via Concerned Citizen and Employee Hotline which lead to an investigation of the following allegation by Internal Audit under the oversight of the City's Auditor General:

A named employee was not working their expected hours and was departing City operations during business hours to earn additional income elsewhere.

Investigation approach

For the allegation noted above we developed investigative procedures specific to the named employee as well as items to address the broader employee base. These procedures included items such as:

Named Employee Specific Procedures:

- Is management aware of how often the named employee left the City (during normal or expected working hours) during this past December to February?
- While the role may permit some flexibility, how does the City know the named employee is completing the required work/that the expected outcomes are achieved?

Broader Employee Base Considerations:

- Does the City have a formal policy for flexible work arrangements and/or a formal policy regarding additional/alternate employment loyalties outside the City?
- How many personnel does the City have working in flexible positions across the City?
- How many personnel does the City have who are working flexible schedules who are also employed by, or providing significant time/services, to other organizations?
- For these alternative approaches how does the City know each employee is completing their work, that the hours reported were worked or that the expected outcomes were achieved?

Details of our activities may be found in the Summary of procedures and results section later in this report.

Summary of procedures and findings

Based on the procedures we executed and the results of our testing, a summary of our analysis is included in the Summary of Procedures and Results section of this report.

With regards to the allegation we did not detect evidence to support the allegation as an issue. The named employee does provide services to another organization and receives compensation from that other entity; however, the City has practices in place to manage the flexible work schedule such that the City is aware of the absences and has mechanisms to manage and monitor that the named individual provides the City the employment services for which they are compensated. We did note that formalization of these controls should be enacted. Further, we noted additional improvement which should be implemented for the broader employee base.

Summary of procedures and results

1. Named Employee Specific Procedures:

#	Procedure	Results
1.1	Does management have individual or aggregate records for how many times the Named Employee left the City (during normal or expected working hours) related to this and other types of absence during Dec to Feb?	<p>We inquired with management and were informed that the individual named in the allegation has never left the City office during their working hours. IA was informed that between December 2019 and February 2020 the individual had six separate meetings pertaining to the other organization which were conducted on their personal time. These meetings were approved by their supervisor. The individual often works evenings and weekends and therefore their schedule is adjusted frequently between them and their supervisor. This may lead others, not aware of the situation, to imply that the individual is not working during normal business hours but this is permitted under the work arrangement.</p> <p>We were not able to inspect above mentioned approvals, as they are verbal in nature. The named employee and the supervisor's office are in the same location. The supervisor indicated that daily communication occurs in person. The verbal adjustment of hours has been past practice for many years and with the recent implementation of the Workforce Management system (WFM), future work hours will be adjusted in the computerized time tracking system to reflect actual/adjusted work hours.</p>
1.2	While the role may permit some flexibility, how does the City know the individual is completing 35 hours weekly? How does the City know the hours reported were actually worked, that the expected outcomes are achieved?	<p>We inquired with management and were informed that management staff are not directly monitored on an hourly basis, as is common practice in the public sector and industry. The supervisor is responsible for overseeing that the named employee is completing their 35 hours/week. This is achieved by adjusting the named employee's work schedule on a weekly basis as well as evening/weekend/holiday events occur successfully without any major concerns. Furthermore, the supervisor regularly communicates/visits the named employee during the events they are working.</p> <p>We were unable to inspect the above mentioned communication between the person named in the allegation and their supervisor as prior to the implementation of the WFM, the named employee is a non-union salaried employee therefore there was not any paperwork to support any schedule changes prior to WFM.</p> <p>The Flexible Work Policy, Code of Ethics and Conflict of Interest require disclosure by the named employee via the Conflict of Interest form. We obtained and inspected the Conflict of Interest form submitted by the individual named in the allegation. The form included the date they were to start working with the other organization and also the time they plan to spend i.e., within their personal time. This form was signed by the HR Manager and Supervisor/Manager of the individual named in the allegation.</p>

Conclusion: No further procedures required; however management should document evidence that the individuals in these flexible/alternative work scenarios are performing as required/expected. Management should consider documenting the flexible work program approach, ongoing adaptations (as they occur) and annual assessments thereof. One mechanism already in place is the annual consideration as to if the arrangement should be extended. At a minimum, management should document the assessment of performance over the past year and if the flexible arrangements/alternative work practices met the needs of both the City and the Employee and if the arrangement should be extended into the coming year. This analysis and determination should be documented and retained as part of human resource/personnel records.

2. Broader Employee Base Considerations:

#	Procedure	Results
2.1	Does the City have a formal policy for flexible work arrangements?	We obtained and inspected the Flex Time policy and noted that the policy is in place for full time employees who maintain a working week of five days. The policy allows employees to vary their specific working hours, while maintaining a five day work week. Management indicated that the approval of flex time requests are conditional and must meet a number of criteria before being approved. Additionally, the policy indicates that employees are required to be present during the core business hours of 9:30 am to 3:30 pm.
2.2	Does the City have a formal policy with regards to employees who desire, or wish to, hold employment and additional employment loyalties outside the City, where the City is the primary employer?	<p>A Code of Ethics and Conflict of Interest for Staff and Volunteers Policy is in place which is overseen by the CAO's office. The Policy indicates that in such instances as described above, the employee is required to complete the Conflict of Interest form. Such forms are monitored and tracked by the CAO's office.</p> <p>Standards of Employee Department Policy also exist which are considered for the disciplining of the employee.</p> <p>Further, time away from work, (if longer than lunch) is to be recorded in the Workforce Management time and attendance system (WFM) and should be approved by the manager/supervisor.</p> <p>We inspected the City's code of Ethics and Conflict of Interest policies and noted specific language pertaining to employees who hold additional employment outside of the City of Windsor Corporation. The policy also includes disclosure requirements which allow several ways for the conflict of interest to be disclosed. Disclosure can be made by the employee in the potential conflict, by another employee who is aware of a potential conflict or anonymously by reporting to the Chief Administrative Office.</p>
2.3	How many personnel does the City have working in such flexible positions across the City?	<p>We inquired with management and noted that since 2016, five active employees have completed Conflict of Interest disclosures (with respect to such employment arrangements). Management indicated that the employee's secondary employment may continue beyond the year the disclosure form was submitted.</p> <p>The City was not readily able to provide a count or listing of all active employees working in flexible positions.</p>
2.4	How many personnel does the City have who are working such flexible schedules and are also employed by or providing significant time services to other organizations?	We were informed that there are other staff members who are on a flex schedule for a variety of reasons due to the nature of their job. The office of the CAO is aware of five employees who have signed conflict of interest forms.
2.5	For these alternative approaches how does the City know each employee is completing their weekly 35 hours? How does the City know the hours reported were actually worked, that the expected outcomes were achieved?	<p>We were informed that the City operates with the philosophy that Non-Unionized staff are salaried employees and are compensated on a salary basis. All Executive Directors, Managers, and Supervisors are required to ensure appropriate timekeeping is maintained, reported, and approved within the WFM time and attendance system.</p> <p>We obtained and inspected the city's hours of work policy (Hours of Work/Overtime for Non-Union Policy). The policy outlines that alternative working schedules may be allowed, given appropriate approval. The regular business hours of the City are Monday to Friday, for an eight hour period daily, less one hour daily eating period. However, the policy does not explicitly define how time is to be tracked and verified. Alternative working schedules may be authorized in order to best support the needs of an office.</p>

Conclusion: No further procedures necessary however, the City should formalize the annual flexible and additional employment protocols to maintain a complete, accurate and current listing and perspective on personnel in these scenarios. Further, the City should use this listing as a control mechanism to determine that all agreements have an annual review as to past performance and future need. Original agreements, arrangements and modifications should be retained for the period over which the arrangement is in force and for a reasonable period afterwards.

Recommendations

Finding	Recommendation & Action Plan
<p>1. Formalize evidence of ongoing flexible/alternative work arrangements</p>	
<p>Observation</p> <p>In conducting tests we noted several items where documented evidence was not available:</p> <p>Evidence of agreements to day to day modified hours may be verbally discussed and not documented.</p> <p>Annual review of the arrangements and performance as well as agreement to continue the arrangement is not consistently and formally documented.</p>	<p>Recommendation</p> <p>Management should consider documenting the flexible work program approach, ongoing adaptations (as they occur) and annual assessments thereof.</p> <p>One mechanism already in place is the annual consideration as to if the arrangement should be extended.</p> <p>At a minimum, management should document the assessment of performance over the past year and if the flexible arrangements/alternative work practices met the needs of both the City and the Employee and if the arrangement should be extended into the coming year. This analysis and determination should be documented and retained as part of human resource/personnel records.</p> <p>Management action plan: Employees will be required to use Workforce Management to record time away from work to be approved by their respective supervisor/manager. Annual performance appraisals are performed with each employee and this will be an opportunity to discuss/alter an employee's work hours if necessary.</p> <p>Responsible party: Manager Community Development; Executive Director Human Resources</p> <p>Due date: March 31, 2021</p>

Finding	Recommendation & Action Plan
2. Formalize central insight into all flexible/alternative agreements in effect	
<p>Observation</p> <p>In conducting tests we noted that:</p> <ol style="list-style-type: none"> 1. The existing Flexible Work policy requires annual agreement to extend the terms of the respective working arrangement. 2. The City is not able to readily identify how many flexible/alternative arrangements are in effect at this time nor a complete list of who these personnel are. 	<p>Recommendation</p> <p>The City should formalize the annual flexible and additional employment protocols to maintain a complete, accurate and current listing and perspective on personnel in these scenarios.</p> <p>The City should use this listing as a control mechanism to determine that all agreements have an annual review as to past performance and future need.</p> <p>Original agreements, arrangements and modifications should be retained for the period over which the arrangement is in force and for a reasonable period afterwards.</p> <p>Management action plan: Currently the Code of Ethics & Conflict of Interest policy are notations in the annual Performance Appraisal forms which provides for discussion between the supervisor and the employees during their Performance Appraisals as it relates to any conflicts, during these appraisals managers will continue to discuss any Conflicts that have arisen or may arise in the upcoming year. As well, all new staff sign off on a declaration that they have received and read the Conflict of Interest policy. For employees wishing to have a continuous flex time arrangement/schedule, the current Flex Time form needs to be completed and as per the Flex Time procedures---“approvals will be granted for specified periods not to exceed one year...” we will look to see if these approved Flex Time requests can be maintained in the Workforce Management system as opposed to manually by departments as is currently the case</p> <p>Responsible party: Executive Director of Human Resources</p> <p>Due date: March 31, 2021</p>

Appendix A: Limitations and responsibilities

Limitations inherent to the internal auditor's work

Internal control

Internal control systems, no matter how well designed and operated, are affected by inherent limitations. These include the possibility of poor judgment in decision-making, human error, control processes being deliberately circumvented by employees and others, management overriding controls and the occurrence of unforeseeable circumstances.

Future periods

Our assessment of controls is for the period specified only. Historic evaluation of effectiveness is not relevant to future periods due to the risk that:

- the design of controls may become inadequate because of changes in operating environment, law, regulation or other; or
- the degree of compliance with policies and procedures may deteriorate.

Responsibilities of management and internal auditors

It is management's responsibility to develop and maintain sound systems of risk management, internal control and governance and for the prevention and detection of irregularities and fraud. Internal audit work should not be seen as a substitute for management's responsibilities for the design and operation of these systems.

We endeavour to plan our work so that we have a reasonable expectation of detecting significant control weaknesses, and if detected, we shall carry out additional work directed towards identification of consequent fraud or other irregularities. However, internal audit procedures alone, even when carried out with due professional care, do not guarantee that fraud will be detected.

Accordingly, our examinations as internal auditors should not be relied upon solely to disclose fraud, defalcations or other irregularities which may exist.

This document has been prepared only for The Corporation of the City of Windsor and solely for the purpose and on the terms agreed with The Corporation of the City of Windsor in our agreement dated June 9, 2016. We accept no liability (including for negligence) to anyone else in connection with this document, and it may not be provided to anyone else.

This report is confidential. The report is intended solely for use by the management of the Corporation of the City of Windsor, and is not intended or authorized for any other use or party. If any unauthorized party obtains this report, such party agrees that any use of the report, in whole or in part, is their sole responsibility and at their sole and exclusive risk; that they may not rely on the report; that they do not acquire any rights as a result of such access and that PricewaterhouseCoopers LLP does not assume any duty, obligation, responsibility or liability to them.

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Appendix D - Management Action Plan Validation (MAPV) report

The Corporation of the City of Windsor Report on Validation of Management Action Plans

FINAL
Prepared as of December 31, 2019



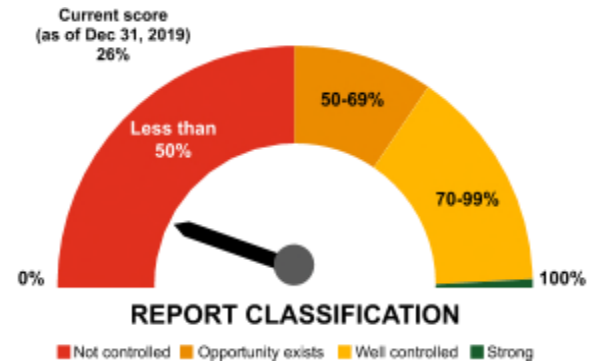
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1. Executive summary

Key measures:	All Findings	Significant Findings
Average age of open findings :	512 days	706 days
Average age of past due findings:	636 days	750 days
Age of oldest past due finding:	1674 days	1674 days
Number of Past Due Findings:	21	8

In the above, ratings consideration is also given to the number of retargeted observations with a rating reduction for every 2% of action plan dates retargeted for the first time in this quarter.



Rating	Opening balance (as of Dec 31, 2018)	Additions in the year	Expected to be closed by Dec 31, 2019	Closed by IA	Accepted risk (No validation)	Open at end of period (A+B-D-E)	Open – On track	Open & Delayed
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
Significant	13	1	13	5	0	9	1	8
High	0	1	0	0	0	1	1	0
Moderate	17	4	15	7	0	14	5	9
Low	9	5	12	8	0	6	2	4
Not Rated*	0	2	2	2	0	0	0	0
Total	39	13	42	22	0	30	9	21

Scope Period: January 1, 2019 through December 31, 2019

Approach: For validating management action plan, the activities undertaken by internal audit included:

Requesting status updates and contact information from management;

Testing/validating evidence of management’s resolution/disposition of the original finding for items expected to be closed and/or indicated as closed by management;

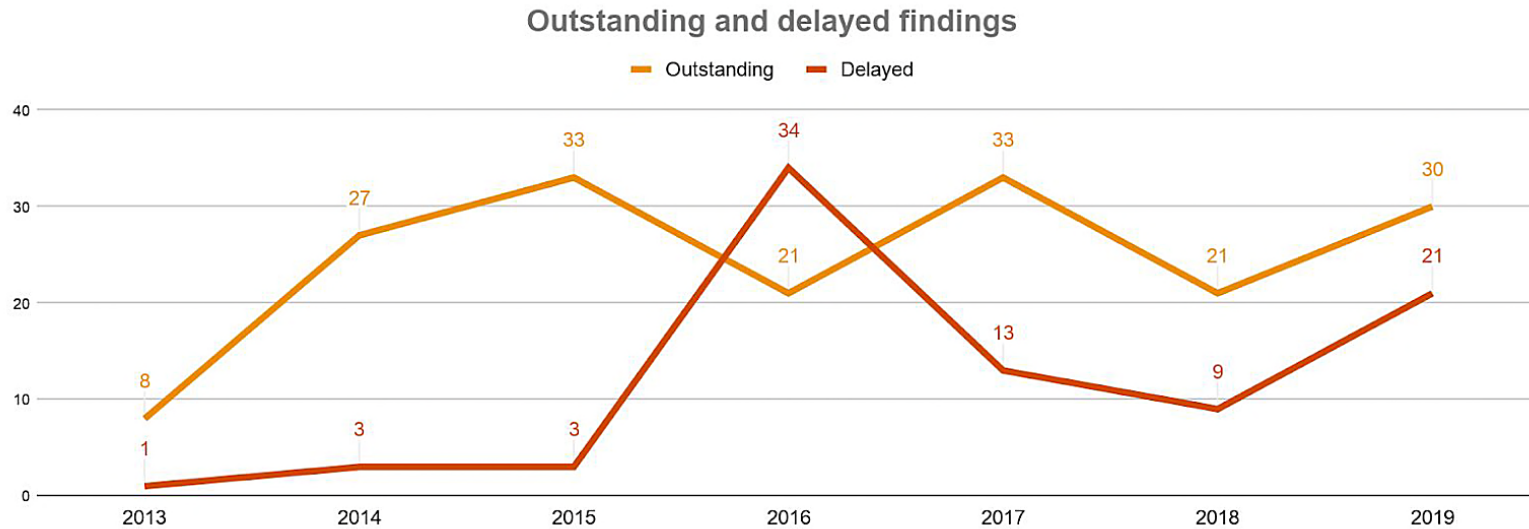
Preparing a report on the outcomes of the management action plan internal audit activity.

Conclusion: In the quarter, in total, 52% of findings that were expected to close in the period were closed.

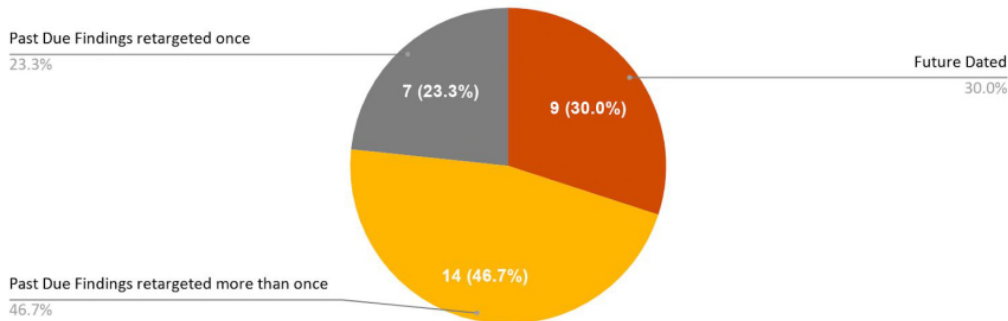
- *Closed as planned:* There were 42 management action plans due to be implemented by December 31, 2019, or from prior periods, of which 22 were closed with a closure score of 52%
- *Closed in advance:* There was 1 management action plan closed ahead of schedule.
- *Additions:* 13 management action plans were added during the period.
- *Retargeted Items:* In the period, there were twenty (20) action plans retargeted. 13 of these 20 findings were retargeted for the first time in this quarter with a penalty of 26%

The overall trend for the year ending December 2019 has been classified as “Not Controlled” with an overall score of 26%.

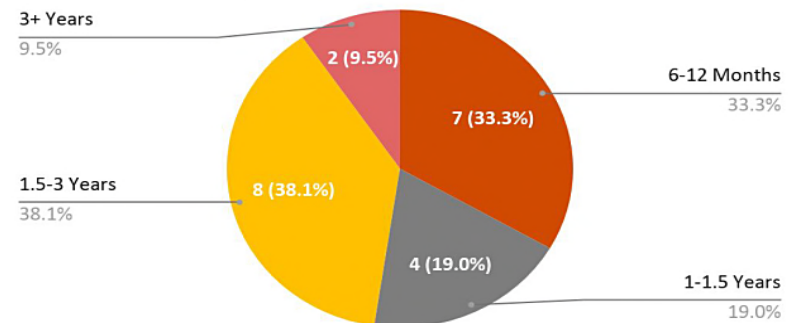
2. Open and delayed trends as at December 31, 2019



Future and Delayed Findings



Delayed Findings Age (From Original Target Date)



3. Action plan status by internal audit

Internal Audit	Opening Dec 31, 2018	Additions in the Period	Expected Closed	Closed by IA	Accepted Risk	Open at Dec 31, 2019 (F= A+B-D-E)	Open – On track	Open & Delayed
City-Based Audits	(A)	(B)	(C)	(D)	(E)	(F= A+B-D-E)	(G)	(H)
Hotline COI	0	2	2	2	0	0	0	0
Subtotal	0	2	2	2	0	0	0	0
User Fees	1	0	1	1	0	0	0	0
Inventory Control	1	0	1	1	0	0	0	0
Service Provider	1	0	0	0	0	1	0	1
Preventive Maintenance Pollution Control	3	0	3	3	0	0	0	0
Preventive Maintenance - Fleet	2	0	2	2	0	0	0	0
Fire Rescue Compliance (FRC)	4	0	3	3	0	1	1	0
Managing Transition of Projects into Operations	4	0	4	0	0	4	0	4
Property tax billing and payment processing	1	0	1	1	0	0	0	0
Facilities Operations	6	0	6	0	0	6	0	6
Social Media Strategy Assessment	6	0	4	3	0	3	2	1
Pursuit of Grant Funding	1	0	1	1	0	0	0	0
Emergency Response Planning	0	5	5	5	0	0	0	0
CHC Asset Management Housing Portfolio	0	2	0	0	0	2	2	0
Cyber Incident Response Assessment	0	4	0	0	0	4	4	0
Subtotal	30	11	31	20	0	21	9	12

Internal Audit	Opening Dec 31, 2018	Additions in the Period	Expected Closed	Closed by IA	Accepted Risk	Open at Dec 31, 2019	Open – On track	Open & Delayed
	(A)	(B)	(C)	(D)	(E)	(F=A+B-D-E)	(G)	(H)
ABC-Based Audits								
WDTC	1	0	1	0	0	1	0	1
Solid Waste	1	0	1	0	0	1	0	1
Roseland	3	0	3	0	0	3	0	3
Your Quick Gateway (YQG)	4	0	4	0	0	4	0	4
Subtotal	9	0	9	0	0	9	0	9
Total	39	13	42	22	0	30	9	21

4. Retargeted management action plans

The following findings were re-targeted by management this quarter during the management action plan validation process. Management had intended to carry out the action plan by the original due date; however, they were unable to do so for reasons included in the “Rationale” column below for each individual finding. Internal Audit has requested that management provide a retargeted due date in order for us to follow up with them when we next perform findings follow up.

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
1	*WDTC	51 – Strategic plan not documented	Original Due Date	December 31, 2016	Chief Executive Officer	<p>Background: Action arose during the review of management’s reporting of its operational and capital budgets to the Board of Directors. It was noted that there was no documentation of a broader Board directed and approved strategic plan. It was also noted that there is no process currently in place for a periodic review of strategic plans. There were a total of seven open findings for WDTC out of which one that pertains to the strategic plan has been retargeted to Q4 2020, however remaining six findings have been classified as “Validation Not Required” as those finding pertained to the JoA that has been terminated.</p> <p>Reason for delay: . In 2018, WDTC launched a new operating company, Windsor Detroit Borderlink Limited (“WDBL”). The Board has had an initial Strategic Planning Session and Administration’s initial focus has been on operationalizing WDBL’s Business Plan..</p> <p>Basis for viability of reforecasted date: The Board already had an initial Strategic Planning Session and Administration’s initial focus has been on operationalizing WDBL’s Business Plan. More time is required to document the plan and get board approval.</p>
			Retarget Date	December 31, 2020		
			# of Retargets	4		
			Days since Identification	4 years 6 months		
			Days past Original Due Date	3 years		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
2	Solid Waste	101 - Agreement Between the City of Windsor and EWSWA	Original Due Date	June 30, 2016	City of Windsor Chief Administrative Officer	<p>Background: On review of the agreement between the County of Essex and the City of Windsor, Internal Audit noted that here is no formal agreement between the two parties outlining responsibility, ownership and cost allocations, etc.</p> <p>Reason for delay: There are some contentious clauses that need to be accepted and finalised. Meetings were planned in January 2019 with the County to finalise the agreement that it may go to the respective councils for approval. However the meetings are still pending and approvals from both County and Windsor City Council are yet to be received.</p> <p>Basis for viability of reforecasted date: Management has agreed to contact their joint venture partner, the County of Essex, to see if they are willing to undertake a review of the agreement. City of Windsor Administration has proceeded with review meetings with the County and most of the clauses appear to have been agreed to; however, there are some contentious clauses that need to be accepted and finalised. Though a number of meetings have taken place with the County and EWSWA and a revised document is close to being finalized for submission to the respective Councils, work on this matter has been postponed due to higher priorities during the COVID-19 crisis. It is expected that it can be finalized relatively quickly but the actual date will depend on the length of the emergency situation.</p>
			Retarget Date	September 30, 2020		
			# of Retargets	4		
			Days since Identification	4 years 1 month		
			Days past Original Due Date	3 years 5 months		
3	Roseland Golf & Curling Club	165 - Document a reporting and services agreement between the City & RGCC	Original Due Date	June 30, 2018	CFO/City Treasurer City of Windsor	<p>Background: Internal Audit notes that there is no documented reporting agreement between Roseland Golf & Curling Club and the City of Windsor. Roseland Management will develop a comprehensive list of services provided to Roseland from the City of Windsor, develop a comprehensive procedure for reporting, and prepare a document outlining the reporting procedure. The initial reporting and service agreement between City and Roseland are subject to revisions that have not been completed and approved by the Board</p> <p>Reason for delay: The service agreement was in draft when the previous General Manager resigned in early 2019. The Board of Directors conducted an extensive search and hiring process summer of 2019 has caused the delay.</p> <p>Basis for viability of reforecasted date: Roseland Board of Directors have approved the initial reporting and service agreement between City and Roseland on September 18, 2019. It is expected the revisions to the reporting and service agreements will be presented to the Board by early summer 2020.</p> <p>The General Manager has been hired and will review the draft service agreement. The General Manager will meet with the Board of Directors to finalize and approve the agreement. This is on schedule and pending. The project is expected to be complete by December 2020.</p>
			Retarget Date	December 31, 2020		
			# of Retargets	2		
			Days since Identification	2 years 3 months		
			Days past Original Due Date	1 year 5 months		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
4	Roseland Golf & Curling Club	166 - Define and document strategic plan	Original Due Date	December 31, 2018	Roseland General Manager, Roseland Board of Directors	<p>Background: Internal Audit noted that there was no documented strategic plan which was presented to the Roseland Board. Further the Board does not endorse significant strategic decisions such as golf rates, approval of significant capital expenditures, approval of cheque register and staffing reports. The appointment of a qualified consultant and development of a long term plan is still underway. Management will reach out to Roseland Board and the City of Windsor for further plan development including engaging a qualified consultant to develop a 5-10 year strategic plan.</p> <p>Reason for delay: The changeover of management has caused the delay.</p> <p>Basis for viability of reforecasted date: Roseland Management has presented elements of a strategic plan for consideration by the Board mainly relating to Clubhouse and Golf Operations. They have further approved contracting with a consultant to develop a strategic plan and this is anticipated to be completed by early summer 2020.</p> <p>The Board of Directors has completed the hiring process of a new manager and contracted with a strategic consultant. With the new general manager in place, Global Golf Advisors will complete a strategic plan for Roseland Golf & Curling Club.</p>
			Retarget Date	December 31, 2020		
			# of Retargets	2		
			Days since Identification	2 years 3 months		
			Days past Original Due Date	365 days		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
5	Roseland Golf & Curling Club	167 - Update policy manual to address organization specific needs	Original Due Date	September 30, 2018	Roseland General Manager	<p>Background: Internal Audit noted that the Roseland Golf and Curling Club policy has not been updated since 2008, the policy manual does not address Roseland Golf and Curling Club specific needs and lacks key policy elements. There was no evidence of staff training on policies and procedures and the process for periodic review of policies was not defined</p> <p>Management agreed to carry out the following:</p> <ul style="list-style-type: none"> Review 2008 Policy Manual. Incorporate adopted and implemented City policies. Incorporate policies specific for golf operations, employee code of conduct. Incorporate an Organization Chart in identifying reporting structure and roles and responsibilities. Present to Roseland Board of Directors for adoption. Implement document control with a procedure for a master copy, identified by colour, location and possession. Approval of all Roseland specific and City adopted policies by the Roseland Board of Directors Include policies manual with employee enrollment package for review and sign off. Organize a policies manual review session for current employees. <p>Make a copy of the Policies Manual centrally available in three locations, Little River Pro Shop, Roseland Pro Shop and Roseland Clubhouse Servery.</p> <p>Reason for delay:The change over of management has caused the delay.</p> <p>Basis for viability of reforecasted date: Roseland Board is working on finalising the Policy Manual to address Organization Specific Needs and anticipates completion by early summer 2020.</p> <p>The targeted date was based on operations functioning as normal. Management will provide the updated documentation and present the manuals to the Board of Directors for review and approval. This is on schedule and pending. The realistic target date is December 2020.</p>
			Retarget Date	December 31, 2020	Roseland Assistant General Manager	
			# of Retargets	2		
			Days since Identification	2 years 3 months		
			Days past Original Due Date	1 year 2 months		

#	Audit Report	Observation # and name	Retargets		Executive approval from	Rationale
6	*Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	205- Enhance purchasing policy and document inventory and asset management procedures	Original Due Date	June 30, 2019	Director of Operations	<p>Background: This finding arose as (i) key elements that were not present in YQG's purchasing policy, (ii) other process/procedure elements that appear to be known but not formalized and (iii) requirements/ constraints on the personal use of YQG small tools were not formally defined. Management has indicated that the practice of permitting employees to borrow company tools for personal reasons has been discontinued.</p> <p>Management has indicated that a new CEO has resumed the role on January 13, 2020. Hence additional time is required to complete this action plan due to the restructuring of roles.</p> <p>Reason for delay:When testing the control resolution, Internal Audit did not detect evidence of such communication, or articulation in a policy, to substantiate this practice</p> <p>Basis for viability of reforecasted date: Based on current circumstances, the Q4 retarget date is viable.</p>
			Retarget Date	Dec 31, 2020		
			# of Retargets	1		
			Days since Identification	1 year 6 months		
			Days past Original Due Date	184 days		
7	*Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	206- Review and document current inventory/asset management systems and processes	Original Due Date	March 31, 2019	Director of Operations	<p>Background: This finding highlighted the issues around following three control elements:</p> <ul style="list-style-type: none"> Asset inspection plans for vehicles and equipment do not have a defined plan/ schedule or triggers. Inventory monitoring/reconciliation controls are not formalized or evidenced. Central inventory listing is not maintained. <p>Management agreed to create an asset tracking system for significant supplies, equipment and small tool inventories for presentation to the YQG Board</p> <p>Management has indicated that a new CEO has resumed the role on January 13, 2020. Hence additional time is required to complete this action plan due to the restructuring of roles.</p> <p>Reason for Delay:Pandemic has forced limited operational availability.</p> <p>Basis for viability of reforecasted date: Based on current circumstances, the Q4 retarget date is viable.</p>
			Retarget Date	Dec 31, 2020		
			# of Retargets	1		
			Days since Identification	1 year 6 months		
			Days past Original Due Date	275 days		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
8	*Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	207 - Enhance key vendor management controls	Original Due Date	December 31, 2018	Chief Executive Officer YQG	<p>Background: Management has developed a new Purchasing Policy that includes segregation of duties and other vendor management controls (purchasing controls).</p> <p>Reason for Delay: The segregation of duties and related controls are active as of date, however due to the recruitment of a new CEO the Purchasing Policy has been delayed for approval. Director of Finance left corporation on April 3, 2020 and position is currently under recruitment.</p> <p>Basis for viability of reforecasted: Management will be presenting the new Purchasing Policy to the Board before the end of Q2 2020 for discussion and approval.</p>
			Retarget Date	Dec 31, 2020		
			# of Retargets	2		
			Days since Identification	1 year 6 months		
			Days past Original Due Date	365 days		
9	Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	209 - Enhance compensating controls to address potential segregation of duties	Original Due Date	December 31, 2018	Chief Executive Officer YQG	<p>Background: Management has developed a new Purchasing Policy that includes segregation of duties and other vendor management controls (purchasing controls).</p> <p>Reason for Delay: The segregation of duties and related controls are active as of date, however due to the recruitment of a new CEO in Q1 2020, the approval of Purchasing Policy has been delayed. Director of Finance left corporation on April 3, 2020 and position is currently under recruitment.</p> <p>Basis for viability of reforecasted: Management will be presenting the new Purchasing Policy to the Board before the end of Q2 2020 for discussion and approval.</p>
			Retarget Date	Dec 31, 2020		
			# of Retargets	2		
			Days since Identification	1 year 6 months		
			Days past Original Due Date	365 days		
10	Managing Transition of Projects into Operations	211- Enhance project classification and expectation guidelines	Original Due Date	Sep 30, 2019	Executive Initiatives Coordinator, Office of the CAO	<p>Background:In a review of the policies, procedures, templates and samples projects, it was noted (a) that project classification requires significant interpretation; and (b) that project management methodologies allow for alternatives but do not include minimum expectations.</p> <p>Reason for Delay: Lack of resources available to carry out the tasks. The Executive Initiatives Coordinator (EIC) in the CAO's Office has been seconded to the WFM project. This position has not been backfilled and therefore all projects, responsibilities, and duties have been put on hold until its return to the EIC position, the date of which is unknown at this time.</p> <p>Basis for viability of reforecasted: The resources for this project are not expected to be available until late 2020/early 2021. From that point they will be required to undertake the management action plan in time to meet the revised date. They have capacity set aside at that future time for this work.</p>
			Retarget Date	Dec 31, 2021		
			# of Retargets	1		
			Days since Identification	1 year 2 months		
			Days past Original Due Date	92 days		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
11	Managing Transition of Projects into Operations	212- Enhance considerations for project risk assessments	Original Due Date	Sep 30, 2019	Executive Initiatives Coordinator, Office of the CAO	<p>Background:A common process and template for risk management is not shared across the projects. Specific project demands/needs for central functions such as Communications, IT and Human Resources are not consistently considered during project planning to understand/assess potential risks to resource capability and capacity. Management agreed to include the requirement for risk assessments to be monitored and updated in Schedule C of the PMMP.</p> <p>Reason for Delay: Lack of resources available to carry out the tasks. The Executive Initiatives Coordinator (EIC) in the CAO's Office has been seconded to the WFM project. This position has not been backfilled and therefore all projects, responsibilities, and duties have been put on hold until its return to the EIC position, the date of which is unknown at this time.</p> <p>Basis for viability of reforecasted: The resources for this project are not expected to be available until date. From that point they will be required to undertake the management action plan in time to meet the revised date They have capacity set aside at that future time for this work.</p>
			Retarget Date	Dec 31, 2021		
			# of Retargets	1		
			Days since Identification	1 year 2 months		
			Days past Original Due Date	92 days		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
12	Managing Transition of Projects into Operations	213- Formalize detailed Project Implementation Plan which includes Change Management/Transition Plans	Original Due Date	Sep 30, 2019	Executive Initiatives Coordinator, Office of the CAO	<p>Background:IA noted that a project implementation plan to support the Project Managers in project transition (transition plan and critical path) is not a formal deliverable required for projects to account for multiple factors, including (but not limited to):</p> <ul style="list-style-type: none"> • knowledge transfer activities; • stakeholder feedback processes; • pre- and post- go live transition activities; and • site readiness pre-go live and post-go live (performing a dry run). <p>Management agreed to develop a project implementation plan template, and added it as a required deliverable for major projects.They also agreed to conduct a cost benefit analysis on requiring some elements of the project implementation plan for medium projects.</p> <p>Reason for Delay: Lack of resources available to carry out the tasks.The Executive Initiatives Coordinator (EIC) in the CAO's Office has been seconded to the WFM project. This position has not been backfilled and therefore all projects, responsibilities, and duties have been put on hold until its return to the EIC position, the date of which is unknown at this time.</p> <p>Basis for viability of reforecasted: The resources for this project are not expected to be available until date. From that point they will be required to undertake the management action plan in time to meet the revised date They have capacity set aside at that future time for this work.</p>
			Retarget Date	Dec 31, 2021		
			# of Retargets	1		
			Days since Identification	1 year 2 months		
			Days past Original Due Date	92 days		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
13	Managing Transition of Projects into Operations	214- Enhance approach to pre/post go-live feedback collection and aggregation	Original Due Date	Sep 30, 2019	Executive Initiatives Coordinator, Office of the CAO	<p>Background:It was identified that the requirement of projects to solicit pre- and post- go-live feedback from internal/external stakeholders prior to official project 'closure' is not in place. In addition, the project closure timelines/expectations are not clearly defined.The Executive Initiatives Coordinator agreed to develop a document (or webpage section) that outlines common and various methods of soliciting pre and post go-live feedback including the guidelines for implementing, measuring and monitoring expectations and success. Further, would also develop a formal process for determining feedback solicitation required for a project, considering the cost-benefit proposition for different types of projects.</p> <p>Reason for Delay: Lack of resources available to carry out the tasks.The Executive Initiatives Coordinator (EIC) in the CAO's Office has been seconded to the WFM project. This position has not been backfilled and therefore all projects, responsibilities, and duties have been put on hold until its return to the EIC position, the date of which is unknown at this time.</p> <p>Basis for viability of reforecasted: The resources for this project are not expected to be available until date. From that point they will be required to undertake the management action plan in time to meet the revised date They have capacity set aside at that future time for this work.</p>
			Retarget Date	Dec 31, 2021		
			# of Retargets	1		
			Days since Identification	1 year 2 months		
			Days past Original Due Date	92 days		
14	*Facilities Operations	218-Define service standards and metrics to evaluate performance	Original Due Date	Dec 31, 2019	Manager Assets and Projects and Manager, Facility Operations	<p>The current staffing master plan recommends restructuring solely based on size of the portfolio (measured in square footage) and does not consider other elements such as minimum service level expectations, administrative processes, volume of projects and nature of work (recoverable/low priority work).</p> <p>Reason for Delay: There were 3 key personnel who were required to run daily operations and address the management action plan, however one resigned and another was on unplanned leave. As a result resources were not available to address the issues. The lack of resources, compounded by the COVID-19 pandemic in the first and second quarter of 2020, required a retarget of the due date</p> <p>Basis for viability of reforecasted: Management personnel positions were available in 2020; however, all focus shifted to providing essential services during the COVID-19 pandemic. If the pandemic concludes by the end of the third quarter of 2020, resources will be assigned to meet the revised target date.</p>
			Retarget Date	June 30, 2021		
			# of Retargets	1		
			Days since Identification	355 days		
			Days past Original Due Date	0 day		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
15	*Facilities Operations	219- Enhance Bi-weekly Management Discussions	Original Due Date	Dec 31, 2019	Manager, Assets & Projects & Manager, Facility Operations	<p>Background:Internal Audit noted that key workforce metrics (i.e. staff utilization) and commitments on special projects are not formally monitored. Further, tracking, review and coordination of recoverable work is not performed and discussed in management meetings. Management is in agreement that recoverable work orders should be tracked and reviewed. Management will analyze and document the recoverable work process, including how recoverable work will be reviewed.</p> <p>Reason for Delay: There were 3 key personnel who were required to run daily operations and address the management action plan, however one resigned and another was on unplanned leave. As a result resources were not available to address the issues. The lack of resources, compounded by the COVID-19 pandemic in the first and second quarter of 2020, required a retarget of the due date</p> <p>Basis for viability of reforecasted: Management personnel positions were available in 2020; however, all focus shifted to providing essential services during the COVID-19 pandemic. If the pandemic concludes by the end of the third quarter of 2020, resources will be assigned to meet the revised target date.</p>
			Retarget Date	June 30, 2021		
			# of Retargets	1		
			Days since Identification	355 days		
			Days past Original Due Date	0 day		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
16	*Facilities Operations	220- Define clear 'documentation' standard and develop standard forms/templates	Original Due Date	Dec 31, 2019	Manager, Assets & Projects and Manager, Facility Operations	<p>Background:In review of work order management processes the following were identified:</p> <ul style="list-style-type: none"> • Standard processes/forms/checklists have not been devised and implemented to record management discussions/decisions • inconsistency in how staff completed/documented the status of a work order. • Further,training schedules, status/completion by staff, and training materials are not centrally tracked and maintained. <p>Management concurs to develop a formal template of criteria for pursuing/not pursuing capital work.In addition, develop standard documentation procedures to ensure data entry is consistent & a central repository for training material and records.</p> <p>Reason for Delay: There were 3 key personnel who were required to run daily operations and address the management action plan, however one resigned and another was on unplanned leave. As a result resources were not available to address the issues. The lack of resources, compounded by the COVID-19 pandemic in the first and second quarter of 2020, required a retarget of the due date</p> <p>Basis for viability of reforecasted: Management personnel positions were available in 2020; however, all focus shifted to providing essential services during the COVID-19 pandemic. If the pandemic concludes by the end of the third quarter of 2020, resources will be assigned to meet the revised target date.</p>
			Retarget Date	June 30, 2021		
			# of Retargets	1		
			Days since Identification	355 days		
			Days past Original Due Date	0 day		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
17	*Facilities Operations	221- Conduct division wide periodic Work Order Aging Analysis	Original Due Date	Dec 31, 2019	Manager, Assets & Projects and Manager, Facility Operations	<p>Background:Open work orders are identified and reviewed individually by each supervisor based on staff assignment; however, division-wide periodic work order aging analysis is not conducted to identify trends, aging and/or balance of work. Further, reviews performed are not accompanied by discussions with other supervisors and/or managers to improve and measure the age of work orders and to determine the over-/under-utilisation of supervisors and staff</p> <p>Reason for Delay: There were 3 key personnel who were required to run daily operations and address the management action plan, however one resigned and another was on unplanned leave. As a result resources were not available to address the issues. The lack of resources, compounded by the COVID-19 pandemic in the first and second quarter of 2020, required a retarget of the due date</p> <p>Basis for viability of reforecasted: Management personnel positions were available in 2020; however, all focus shifted to providing essential services during the COVID-19 pandemic. If the pandemic concludes by the end of the third quarter of 2020, resources will be assigned to meet the revised target date.</p>
			Retarget Date	June 30, 2021		
			# of Retargets	1		
			Days since Identification	355 days		
			Days past Original Due Date	0 day		
18	*Facilities Operations	222- Design and implement Customer Satisfaction Survey	Original Due Date	Dec 31, 2019	Sr. Manager of Facilities	<p>Background: This finding arose on identification of Satisfaction surveys/feedback solicitation not being conducted to monitor satisfaction levels or to obtain feedback from users/customers on a) overall feedback for improving interactions and core activities and b) feedback specific to work requested/completed. There is an internal process requiring that internal services solicit internal feedback which results in non-compliance with an internal policy. Management agreed to conduct a customer satisfaction survey in coordination with the corporate Communications and Customer Service division. The survey will be sent to internal staff and include questions related to satisfaction with response time and performance.</p> <p>Reason for Delay: There were 3 key personnel who were required to run daily operations and address the management action plan, however one resigned and another was on unplanned leave. As a result resources were not available to address the issues. The lack of resources, compounded by the COVID-19 pandemic in the first and second quarter of 2020, required a retarget of the due date</p> <p>Basis for viability of reforecasted: Management personnel positions were available in 2020; however, all focus shifted to providing essential services during the COVID-19 pandemic. If the pandemic concludes by the end of the third quarter of 2020, resources will be assigned to meet the revised target date.</p>
			Retarget Date	June 30, 2021		
			# of Retargets	1		
			Days since Identification	355 days		
			Days past Original Due Date	0 day		

*

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
19	*Facilities Operations	223- Track Conditions, Standard Ratings and building condition assessments periodically	Original Due Date	Dec 31, 2019	Sr. Manager of Facilities	<p>Background:This finding arose on identification of properties that did not undergo an internal or external building condition inspection during the scope period.It was further noted that tracking of condition ratings is currently not performed and is paper based/manual.</p> <p>Reason for Delay: There were 3 key personnel who were required to run daily operations and address the management action plan, however one resigned and another was on unplanned leave. As a result resources were not available to address the issues. The lack of resources, compounded by the COVID-19 pandemic in the first and second quarter of 2020, required a retarget of the due date</p> <p>Basis for viability of reforecasted: Management personnel positions were available in 2020; however, all focus shifted to providing essential services during the COVID-19 pandemic. If the pandemic concludes by the end of the third quarter of 2020, resources will be assigned to meet the revised target date.</p>
			Retarget Date	June 30, 2021		
			# of Retargets	1		
			Days since Identification	355 days		
			Days past Original Due Date	0 day		
20	Social Media Strategy Assessment	229- Document key content management procedures /checklists and review/update key account level roles/responsibilities.	Original Due Date	Dec 31, 2019	Senior Manager Communications & Customer Service	<p>Background:Currently the role for preparer, reviewer and approver of content/posts is segregated, however, such protocol is not defined (in a procedural document) at account level or on basis of severity of the post. Content management process flow/diagram is not documented for key social media activities, its dependencies on departments or required controls (IT and Business Process. Further, Incidents are not defined and no formal criteria/severity levels exist to guide the appropriate level of action (parameters such as: timing, content, sharing/release, etc.) for escalating incidents; and written approval is not a requirement for responding to inappropriate posts/comments. It is also not clear whether the terms of use/service level statements available to followers also apply to internal staff.</p> <p>Reason for Delay: IA noted that the addition of the Digital Media Coordinator position submitted to the City Council was not approved at the recent 2020 budget session, hence existing Communications staff will be assigned the respective duties. In order to do this, management needs additional time to reprioritize existing tasks assigned to staff.</p> <p>Basis for viability of reforecasted: The specific recommendations outlined by PwC as needing attention are achievable with the current staff compliment if time permits. Having said that, due to COVID-19's interruption, guaranteeing the timeline is difficult. However, as the changes recommended are positive but not vital to the operation of the City of Windsor's social media channels, the target date for completion is best left in place as viable but with the understanding that reassessment along the way could become necessary.</p>
			Retarget Date	Mar 31, 2021		
			# of Retargets	1		
			Days since Identification	355 days		
			Days past Original Due Date	0 day		

* The retarget dates of the marked items were extended considering the COVID-19 impact which required additional time for management to implement the action plans

5. Risk acceptance

5.1 Formal Risk Acceptance

No findings noted in this year

5.2 Implied Short Term Risk Acceptance

This section indicates those findings for which management is implicitly accepting the risk of not having the control in the short run (from the point of identification until the planned resolution). All findings that are open for more than 1.5 years from the date of the report have been listed under this section as follows:

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
1	WDTC	51 – Strategic plan not documented	Original Due Date	December 31, 2016	Chief Executive Officer	There is short-term risk that any initiatives undertaken by the Tunnel will not be sufficiently coordinated and informed. This is mitigated by WDBL’s business plan that addresses its operations, and financial initiatives.
			Retarget Date	Dec 31, 2020		
			# of Retargets	4		
			Days since Identification	4 years 6 months		
			Days past Original Due Date	3 years		
2	Solid Waste	101 - Agreement Between the City of Windsor and EWSWA	Original Due Date	June 30, 2016	City of Windsor Chief Administrative Officer	The required changes to the agreement identified during the discussions to date will not result in substantive changes to the financial or operational relationship between the parties. Therefore continuation with the current agreement until the parties can finalize the changes does not pose a major risk to the corporation and is therefore an acceptable risk until such time as the finalization of the revised agreement can be prioritized.
			Retarget Date	September 30, 2020		
			# of Retargets	4		
			Days since Identification	4 years 1 month		
			Days past Original Due Date	3 years 5 months		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
3	Service Provider and Outsourced Services Governance and Management	159- Monitoring of Supplier Issues and Risks	Original Due Date	June 30, 2018	Purchasing Department	<p>The action item required is a comprehensive policy which shall;</p> <ol style="list-style-type: none"> 1. make it mandatory for all City departments to utilize the VMS and participate in the Vendor Relationship Management (VRM) program; and, 2. outline the business practices which would be utilized in the policy, including: vendor segmentation, vendor governance, vendor performance management, and continuous improvements. <p>The policy assigns important responsibilities to key employees in the Corporation and would integrate and affect the use of the Vendor Management System (VMS), which is formally developed to document and assess vendor performance at project completion. Currently the City can accurately evaluate vendors across the City, permit comparisons, identify City wide performance concerns, communicate them to contractors, and foster improved service. In addition, the Purchasing Bylaw allows the City to levy sanctions against vendors for various issues, including performance.</p> <p>The short term risk of not being able to take action is that administration would not be able to utilize the VMS in assessing past performance in subsequent RFX bid submissions and will not be able to improve the effectiveness of performance appraisals and aggregation of vendor performance evaluations through the VMS program. Since this action item will affect all vendors drastically, the City needs to ensure that the policy does not inherently prejudice certain vendors more than others. Maintaining a fair and equitable program is paramount to the success of the objectives of this action item and VMS. The City must ensure that the vendor's performance ratings accurately reflect each vendor's performance and that the policy and procedure implemented are comprehensive, user-friendly documents that encompass best practices while maximizing compliance, efficiency and effectiveness in purchasing processes.</p> <p>Due to the far-reaching effects of the policy, the City required that internal and external stakeholders be consulted prior to council approval. The short-term risk is low for not implementing it on the original due date as there are mechanisms in place currently which govern vendor performance pursuant to the Purchasing Bylaw compared to implementing the action item without proper evaluation, implementation and feedback from stakeholders.</p>
			Retarget Date	June 30, 2020		
			# of Retargets	1		
			Days since Identification	2 years 5 months		
			Days past Original Due Date	1 year 5 months		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
4	Roseland Golf & Curling Club	165 - Document a reporting and services agreement between the City & RGCC	Original Due Date	June 30, 2018	CFO/City Treasurer City of Windsor	The new General Manager is finalizing the Service Agreement. The agreement will be presented to the Roseland Board of Directors for approval, There is a risk that the City and Roseland will disagree on what services are presently included in the fee, however no significant conflict has come up in past years while operating under the current model. City administration from Legal, Finance, and Clerks regularly attend Board meetings and would identify potential conflicts as they arise. With the Board of Directors in place, the risk is low until the service agreement completes. Expected target date is December 2020.
			Retarget Date	December 31, 2020		
			# of Retargets	2		
			Days since Identification	2 years 3 months		
			Days past Original Due Date	1 year 5 months		
5	Roseland Golf & Curling Club	166 - Define and document strategic plan	Original Due Date	December 31, 2018	Roseland General Manager,	A strategic planning consultant was hired in the fall of 2019 to complete a strategic plan. The General Manager meets with the Board of Directors monthly to review Roselands operations. The strategic plan will be complete by the summer of 2020. The consultant will present the strategic plan to the Board of Directors and General Manger by the summer of 2020.
			Retarget Date	December 31, 2020	Roseland Board of Directors	
			# of Retargets	2		
			Days since Identification	2 years 3 months		
			Days past Original Due Date	365 days		
6	Roseland Golf & Curling Club	167 - Update policy manual to address organization specific needs	Original Due Date	September 30, 2018	Roseland General Manager	The General Manager is updating the policy manuals to address the organizations specific needs. The General Manager and Roseland Board of Directors meet monthly to review the facilities operations, policies and risks. With the Board of Directors in place, the risk is low until the documentation has been updated.
			Retarget Date	December 31, 2020	Roseland Assistant General Manager	
			# of Retargets	2		
			Days since Identification	2 years 3 months		
			Days past Original Due Date	1 year 2 months		

#	Audit Report	Observation # and name	Retargets		Executive approval from	Rationale
7	Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	205- Enhance purchasing policy and document inventory and asset management procedures	Original Due Date	June 30, 2019	Director of Operations	Short term risk minimal as airport operations have been significantly impacted by the Covid-19 pandemic. At the present time, a return to air service is a higher priority coupled with potential operational changes in a post-pandemic environment.
			Retarget Date	Dec 31, 2020		
			# of Retargets	1		
			Days since Identification	1 year 6 months		
			Days past Original Due Date	184 days		
8	Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	206- Review and document current inventory/asset management systems and processes	Original Due Date	March 31, 2019	Director of Operations	Short term risk minimal as airport operations have been significantly impacted by the Covid-19 pandemic. At the present time, a return to air service is a higher priority coupled with potential operational changes in a post-pandemic environment.
			Retarget Date	Dec 31, 2020		
			# of Retargets	1		
			Days since Identification	1 year 6 months		
			Days past Original Due Date	275 days		
9	Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	207 - Enhance key vendor management controls	Original Due Date	December 31, 2018	Chief Executive Officer YQG	Short term risk minimal as airport operations have been significantly impacted by the Covid-19 pandemic. At the present time, a return to air service is a higher priority coupled with potential operational changes in a post-pandemic environment.
			Retarget Date	Dec 31, 2020		
			# of Retargets	2		
			Days since Identification	1 year 6 months		
			Days past Original Due Date	365 days		

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
10	Your Quick Gateway (YQG) - Managing Inventory, Repairs and Maintenance	209 - Enhance compensating controls to address potential segregation of duties	Original Due Date	December 31, 2018	Chief Executive Officer YQG	Short term risk minimal as airport operations have been significantly impacted by the COVID-19 pandemic. At the present time, a return to air service is a higher priority coupled with potential operational changes in a post-pandemic environment.
		Retarget Date	Dec 31, 2020			
		# of Retargets	2			
		Days since Identification	1 year 6 months			
		Days past Original Due Date	365 days			

6. Previously retargeted management plans

The following findings were re-targeted by management in past periods during the findings follow up process. Management had intended to carry out the action plan by the original due date, however were unable to do so for reasons included in the "Rationale" column below for each individual finding. Internal Audit has requested that management provide a retargeted due date in order for us to follow up with them when we next perform findings follow up.

#	Audit report	Observation # and name	Retargets		Executive approval from	Rationale
1	Service Provider and Outsourced Services Governance and Management	159- Monitoring of Supplier Issues and Risks	Original Due Date	June 30, 2018	Purchasing Department	<p>Background: This observation arose on review of the samples, highlighting that the required Vendor Management System ("VMS") supplier assessment used to track supplier risks, issues and performance feedback was not available. Noted that in the majority of the contracts sampled, the departments had not formally documented the identification, tracking, and closing of the key supplier risks and issues.</p> <p>Management agreed to the importance of the Vendor Management System ("VMS") and the ability of the City to evaluate the performance of the supplier. Management has developed a procedure around the use of the VMS in accordance with the Purchasing By-Law 93-2012.</p> <p>Reason for Delay: IA noted that the Vendor Relationship Management Procedures have been prepared however the same has not been presented to Council for review.</p> <p>Basis for viability of reforecasted The viability is strong, as the council report is in draft form and the policy and procedures are complete. Given the COVID-19 pandemic, the timelines may be delayed further.</p>
			Retarget Date	June 30, 2020		
			# of Retargets	1		
			Days since Identification	2 years 5 months		
			Days past Original Due Date	1 year 5 months		

Appendix A: Findings closed in the period

The closure summaries/details for each closed findings are published in the management report presented to the Council.

#	Audit report	Observation # and name	Finding Owner
1	User Fees	116- Refresh the User Fee Policy	Executive Director, Recreation and Culture Deputy Treasurer – Financial Planning
2	Inventory Control & Lifecycle Management	173- Define Overarching Policies for Inventory Controls	Deputy Treasurer – Financial Accounting
3	Pollution Control -Preventative Maintenance Compliance & Accountability	192- Enhance PM Task Instruction Accuracy	Mechanical Process Engineer
4	Pollution Control -Preventative Maintenance Compliance & Accountability	193- Conduct Trend Analysis	Mechanical Process Engineer
5	Pollution Control -Preventative Maintenance Compliance & Accountability	194- PM Escalation Standards	Mechanical Process Engineer
6	Fleet - Preventive Maintenance Compliance & Accountability	196- Enhance PM Compliance	Fleet Coordinator
7	Fleet - Preventive Maintenance Compliance & Accountability	197- Conduct Trend Analysis	Fleet Manager
8	Fire Rescue Compliance (FRC)	199- Establish policies and procedures for Apparatus and Training division	Deputy Chief of Support Services. Director of Apparatus
9	Fire Rescue Compliance (FRC)	201- Improve documentation structure and consistency for training	Deputy Chief of Support Services. Director of Apparatus
10	Fire Rescue Compliance (FRC)	202- Enhance apparatus maintenance annual planning and documentation for monitoring	Director of Apparatus Deputy Chief of Support Services
11	Property tax billing and payment processing	215- Improve evidence of timely completion and review of key billing controls	Deputy Treasurer, Taxation and Financial Projects
12	Pursuit of Grant Funding	217- Continue to monitor resource needs and benefits of the centralized grant function	Senior Manager, Asset Planning
13	Social Media Strategy Assessment	224 - Refresh SM Policy and Implement SM Procedure	Senior Manager Communications & Customer Service
14	Social Media Strategy Assessment	227- Develop standard forms/templates for new account creation requests	Senior Manager Communications & Customer Service
15	Social Media Strategy Assessment	228- Improve controls over Access Management	Senior Manager Communications & Customer Service

16	Emergency Response - Planning and Preparedness Internal Audit Report	230- Update Emergency response plan and document process for performing annual update	Emergency Planning Officer
17	Emergency Response - Planning and Preparedness Internal Audit Report	231-Documentation of EMPC meeting minutes and retention of annual review of emergency management documentation	Emergency Planning Officer
18	Emergency Response - Planning and Preparedness Internal Audit Report	232- Implement incident notification and briefing documentation/logging	Emergency Planning Officer
19	Emergency Response - Planning and Preparedness Internal Audit Report	233- Develop process guidelines for continuous improvement exercises, documentation and reporting	Emergency Planning Officer
20	Emergency Response - Planning and Preparedness Internal Audit Report	234- Review completeness of annual ERP training provided to the staff	Emergency Planning Officer
21	Hotline Investigation Report	237- Establish an acknowledgement procedure to document whether changes to scope prior to issuing addendum were reviewed by a qualified professional	Purchasing Manager
22	Hotline Investigation Report	238- Enhance controls over authorization, recording and release of materials to contractors.	Senior Manager of Traffic Operations



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Appendix E - Summary of use of unallocated effort

Unallocated Effort			
Activity	Requested by	2019-20 effort hours	Result
Auditor General Research, Memo and Input/Discussion Memo	Management	55	<p>We prepared a memo outlining service delivery options for the Auditor General and conducted research on other AG offices. Some items are listed as follows:</p> <ul style="list-style-type: none"> • Comparison of Auditor General & Internal Audit Model • Overview of Auditor General's role based on research of the role of the Auditor General of Canada (AGC), the Auditor General of Ontario (AGO), and the Office of a Municipal Auditor General (MAG) • Overview of understanding of the various categories of audits, office of the AG can deliver • Preparation of Auditor General Charter • Attendance at management, CSSC and Council meetings to discuss options, approach and research outcomes
Total		55	

Appendix F - Annual Performance Summary

To measure our performance we report on the following KPIs upon plan completion for period July 1, 2019 to April 30, 2020:

Client Service		
Value Driver	Target	Results
Management support initiatives	As needed	None required
Fees planned versus billed	\$300,000	\$300,000
Hours planned versus incurred	1,800	2,245
Client satisfaction target versus attained	At least 7 out of 10	8.5 out of 10
Timeline reporting by phase	See service delivery metric table	See service delivery metric table
Recommendations raised since April 2015	N/A	258
Considerations for improvement identified since April 2015	N/A	87
Recommendations validated as closed by management since April 2015	N/A	219

Client Service			
Value Driver	Annual Score	Related to # of Projects	Considers # of Responses
Audit Quality Survey Score	8.5	6	10

Pursuant to the communication plan, PwC requests feedback from auditees one week after receipt of management comments in the form of a quality survey. The feedback is gathered anonymously and reported on a consolidated basis (total score only) to the Corporate Services Standing Committee. Following are the ratings that PwC has received over the 2019/20 internal audit year and compared with the prior years.

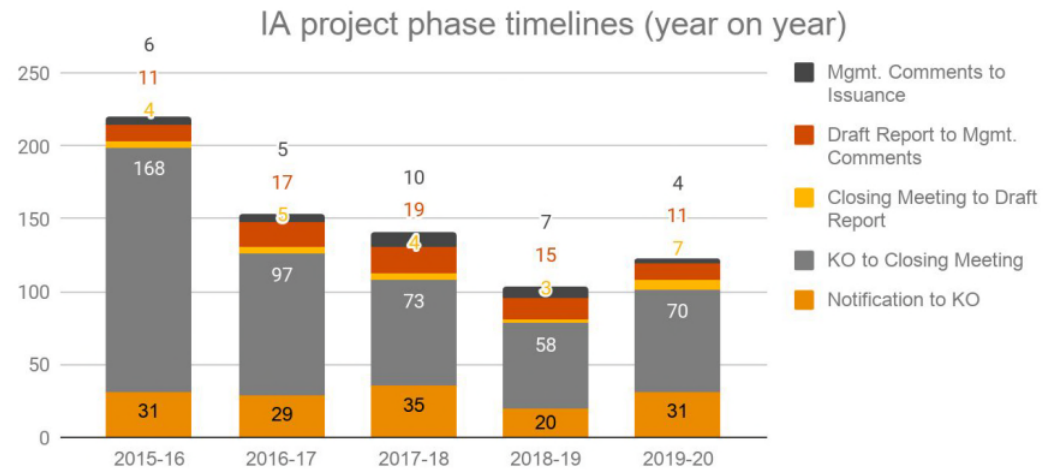
Survey question			
Value Driver	Average rating 2014 to 2019	Previous year rating	Current year rating
The City has confidence in the quality of work that PwC has performed.	8.4	8.1	8.3
During the project, the PwC team engaged us (key project participants including the project sponsor) in a meaningful conversation about our business that may have included new ideas about your own business or situation.	8.4	8.5	8.4
During the project, the PwC team was approachable, responsive, and developed positive relationships with our team.	8.9	8.7	8.2
In a way that was respectful of the City's other priorities, the PwC team efficiently delivered what they said they would in the internal audit scope memo.	8.5	8.4	8.2
The PwC team remained professional, independent, and objective in their dealings with the City personnel and the project.	9.0	8.6	9
We would recommend the PwC services to our other contacts.	8.9	8.5	8.8

Average customer service satisfaction scores are also depicted by chart below for the period from the audit year 2014 - 19 to the seventh audit year ending 2019-20:



Service Delivery Metrics					
Activity	Notification	Start	Draft report	Mgt Comments	Issuance
Target	At least 20 days prior to start	+/- 2 days from Kick-off Meeting	Within 5 days of completing fieldwork	Within 15 days of issuing draft report	Within 5 days of receiving management comments
Actuals	31	-1	7	11	4

The following chart depicts the time taken in days on average for each phase of the Internal Audit Projects performed on a year on year basis and below the chart a table also details the target days for each phase.



Complaints & Investigations									
Activity	Checked within required time frame	# of Spam Contacts	# of Contacts Received	# of hang ups	# of handoffs to management	# of items under analysis	# of items under investigation	# of items investigated	# of items related to Pandemic
Concerned Citizen and Employee Hotline Channel	Yes	161	30	2	25	1	-	2	11
Auditor General Channel	Yes	-	2	-	-	-	-	2	-



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Item No. 10.2

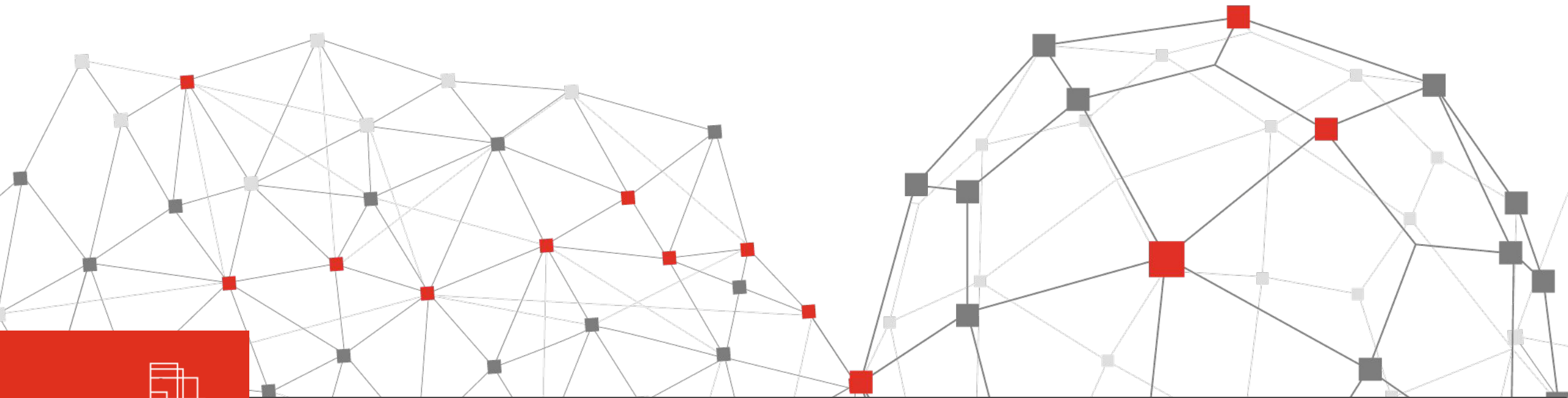


Committee Matters: SCM 142/2020

Subject: PwC Internal Audit response to the COVID-19 crisis prepared by the City Auditor General dated May 2020

COVID-19

Internal Audit response to the COVID-19 crisis Prepared by the City Auditor General

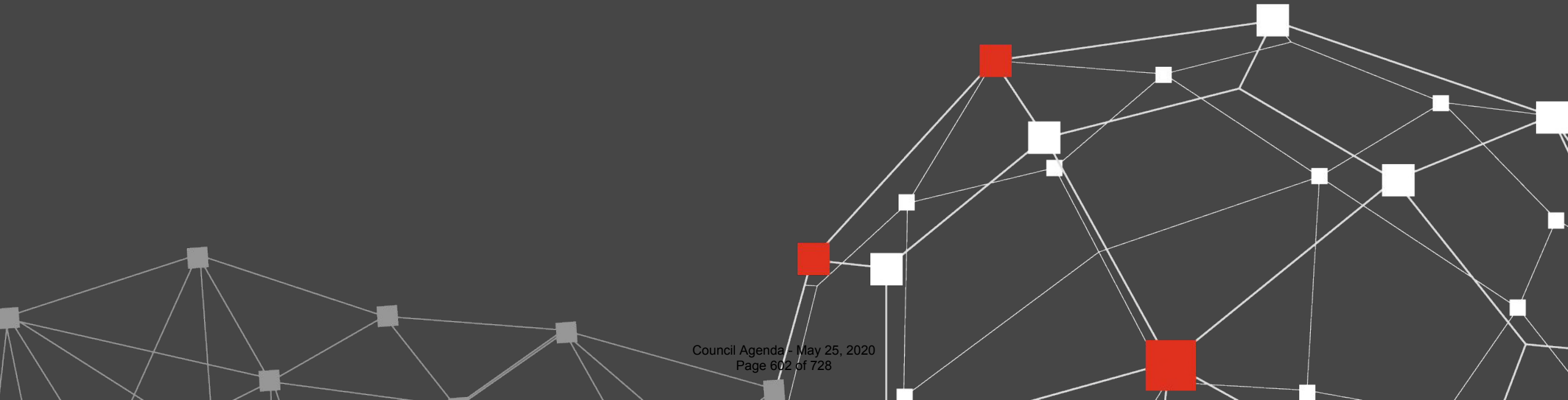


May 2020

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Plan Summary



New Circumstances - New Plan

Adapting the Audit Plan to the New Reality

The Initial Plan

Leveraged our traditional risk based 3 year rotating approach

- We had embarked on our normal risk based planning approach prior to the declaration of the pandemic. Needless to say the current environment has changed everyone's perspective. We are now living in a world where a planned for risk, pandemic, is in play. As a result, other risks have changed in severity and new risks, or nuances, are emerging.
- As a result this proposed Covid-19 audit plan is being presented for consideration and the initially planned projects deferred for later consideration. These projects were going to be:
 - A value for money/performance audit related to accounts payable
 - Quality and compliance process and control in effect at Huron Lodge
- Details of these projects are included in Appendix A.

Required Adaptation

New, emerging and changing risks required plan adaptation and leveraged consultation with peers

- The remainder of this plan outlines our proposed projects in this new environment and changing risk landscape. We have identified the proposed plan with details of the expected work and reports/deliverables.
- Prior to recommending the following Audit Plan, the Auditor General held discussions with City Leadership and participated in several national and international roundtables of Audit Executives. There is a definite trend in the current environment for the Audit roles to assist management with real-time response to emerging and changing risks as opposed to the traditional retrospective audit approaches. This is a permitted approach under professional standards but may require a period of "cooling-off" for the audit function for 12-18 months for the specific areas considered.

Reporting Modifications

Adapted approaches need adapted reporting structures

- Given the advisory nature for the first 3 projects, these reports will differ from traditional audit reports. Given the realtime consultation with management to get in front of the changing risk landscape our reports will summarize the key areas where we provide input to management and highlight the considerations we raised. No formal testing or findings/recommendations are expected to be issued.
- The remaining projects will provide the normal outputs/reports generated.

Limitation

Risk considerations recommended for consideration exceed available resources

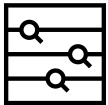
- By approving this plan, or modified plan, the City is acknowledging that the Auditor General and Internal Audit will be covering a small portion of the legacy and emerging risk landscape.
- In Appendix B we have also included what we see as changing risks and the areas that we would ideally recommend to cover that do not fit within the current budget and available resources.

Overview



Background

The ongoing COVID-19 situation presents a substantial challenge for business, Governments and the community. We are likely to see an impact over many months on many business stakeholders including citizens, employees, customers, suppliers and other stakeholders such as regulators. With COVID-19, Audit executives may — understandably — feel in uncharted territory. Their companies face multiple major new challenges, all at once. These challenges often compete with each other, and they all demand a rapid response. New risks are still arising and current ones evolve by the hour.



What does this mean for the Auditor General & Internal Audit?

In these challenging times, Internal Audit executives have an obligation and an opportunity: to help their companies manage the most critical risks that COVID-19 has either created or magnified and help ensure that organizations can maintain a strong system of internal control during this period of change and uncertainty. While business leaders juggle the dual imperative of crisis response and operational continuity, Internal Audit executives can help them weigh risks and opportunities to make essential business decisions.

Immediate actions

- ✓ Ensure the continued safety and care of our team (including regular communication)
- ✓ Redirect our risk expertise to COVID-19 priorities
- ✓ Identify new delivery models and ways to add value and mobilize accordingly
- ✓ Proactively communicate with both management and audit committee stakeholders
- ✓ Connect with other Auditor General's, Audit Leaders, Chief Internal Auditor, and consider trends

Summary of Proposed Audit Plan



Covid-19 based policy and practice amendments

Review management's current, or planned, response to adaptation of key policy/procedure documents in a wide variety of areas impacted by Covid-19 using limited resources to cover a broad base or risk areas for the City.



Liquidity management

Proactively working with management to consider process and control risks and impacts to income streams and outlays given the current and prospective economic environment will help to implement considerations in a real-time manner.



Fraud risk mitigation enhancements

We will work with management to provide input into Covid-19 initiated fraud risk identification and mitigation plans in place as well as to review other possible areas for management's consideration in the current and evolving environment.



Auditor General Functions

Provide Auditor General oversight, input, investigations and support.



Management action plan validation

Follow-up on and report back to the City on the status and sufficiency of management's resolution of prior findings. An annual internal audit report on management's resolution of planned findings will be provided to management and the CSSC. Cut off for the activity is scheduled for December 31, 2020.



Risk assessment refresh

Development of annual risk assessment and 3 year internal audit plan (2020-23). We will update our risk assessment for the City as a basis for identifying areas of audit emphasis.



Oversight, administration & reporting

Ongoing status reporting and key performance metrics to the City. Maintain awareness of the City organisational risks, strategy and operational execution, Quarterly reporting to the CLT and CSSC will occur. Summary of the plan's completion

Given the volume of project status reporting is amended to 2 times per annum, with others as needed.



Concerned Citizen & Employee Hotline

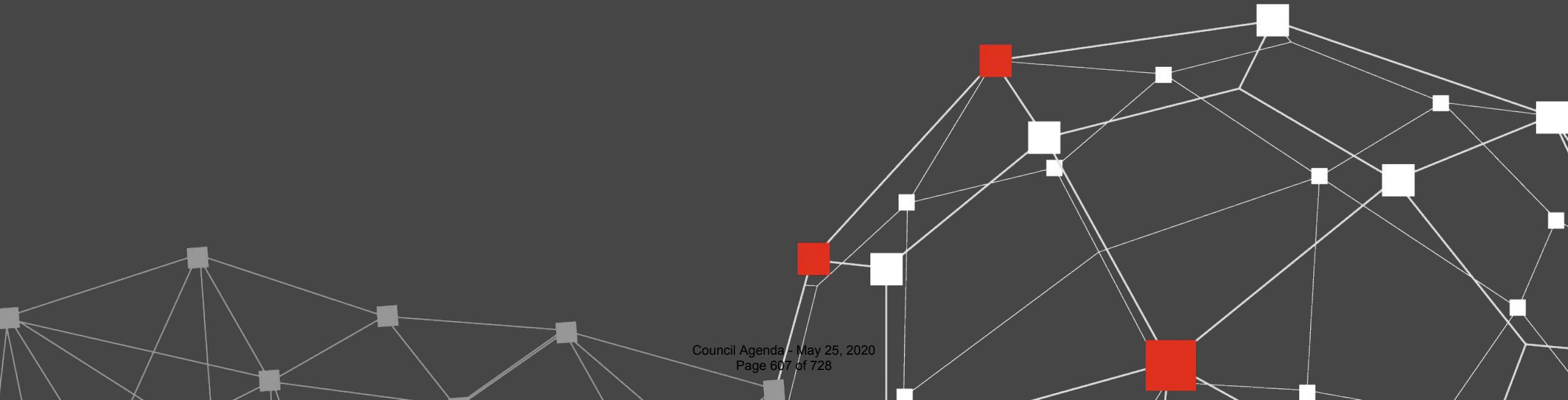
Monitor the City's Hotline for accusations of fraud or abuse/waste of City assets. Internal Audit will investigate appropriate accusations as per the CCEHN Protocol (last updated July 2015).

Summary of rolling audit plan by audit type

5 year perspective

Audit Type	2018/19	2019/20	2020/21 (planned)	2021/22 (planned)	2022/23 (planned)
Financial	<ul style="list-style-type: none"> Asset Planning Methodology 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Liquidity Management 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> None
Operational, Compliance, Performance/VFM	<ul style="list-style-type: none"> Social Media Strategy Assessment Pursuit of Grant Funding Legislative Emergency Management / Planning Facilities Operations WECHC: Asset Management - Housing Portfolio Risk Assessment & Planning 	<ul style="list-style-type: none"> Purchased Services for Winter Control - VFM Audit HR Recruiting Process and Retention Strategy Cyber Response Strategy Security Programs & Safety Incident Management Planning & Development Risk Assessment & Planning 	<ul style="list-style-type: none"> Covid based policy and practice amendments Fraud risk mitigation enhancement Risk Assessment & Planning 	<ul style="list-style-type: none"> Small, Sole/Single Source, Emergency Purchase Order Analysis Huron Lodge - Compliance Management and Quality Inspection Program Risk Assessment & Planning 	<ul style="list-style-type: none"> Transit Windsor - Service Delivery Review Network Attack & Penetration Risk Assessment & Planning
Fraud & Waste Hotline	<ul style="list-style-type: none"> Concerned Citizen & Employee Hotline Fair Procurement Practices 	<ul style="list-style-type: none"> Concerned Citizen & Employee Hotline Lancaster Stabilizers Chimczuk Funds Sewer Insurance Letter 	<ul style="list-style-type: none"> Concerned Citizen & Employee Hotline Auditor General Complaint Handling 	<ul style="list-style-type: none"> Concerned Citizen & Employee Hotline Auditor General Complaint Handling 	<ul style="list-style-type: none"> Concerned Citizen & Employee Hotline Auditor General Complaint Handling
Follow Up	<ul style="list-style-type: none"> Q1 Management Action Plan Validation Q2 Management Action Plan Validation Q3 Management Action Plan Validation Q4 Management Action Plan Validation 	<ul style="list-style-type: none"> Annual Management Action Plan Validation 	<ul style="list-style-type: none"> Annual Management Action Plan Validation 	<ul style="list-style-type: none"> Annual Management Action Plan Validation 	<ul style="list-style-type: none"> Annual Management Action Plan Validation
Management & Oversight	<ul style="list-style-type: none"> Management & Oversight Ad Hoc 	<ul style="list-style-type: none"> Management & Oversight Ad Hoc 	<ul style="list-style-type: none"> Auditor General Management & Oversight Ad Hoc 	<ul style="list-style-type: none"> Auditor General Management & Oversight Ad Hoc 	<ul style="list-style-type: none"> Auditor General Management & Oversight Ad Hoc

Plan Details



COVID-19: The City needs to respond to the crisis and build resilience over time








Changing and Emerging Risks for Audit Consideration in the Pandemic

COVID-19 Risk Perspectives Considered in the Audit Plan





Covid-19 Emerging Risks

	Activation of BCP arrangements Management and governance structures
	New or elevated workplace health and safety Incident response risks associated with increased use of remote working
	Transparency & Employee management Protect employees during uncertainty
	Risk Culture Consider impact on risk culture across the organisation
	Fraud Lapse of key fraud controls and management attention
	Public Safety Providing essential services and protecting the public and personnel in a time of pandemic.




Operational & Financial Risks

	Supply Chain Visibility and efficiency of the supply chain
	Cash & Funding Resilience Consider short, medium and long term funding
	Third Party Continuity of supply from third party service providers
	Market Opportunities & Vulnerabilities Volatility in investment portfolios, returns and public funding (including timing).
	Tax & Regulatory Potential Impacts

IT Risks

	Remote administration & IT Support Capacity Increased use of remote working arrangements
	New or elevated cyber security risks Potential exposure due to new tools and increased use
	Privacy & Data Protection Potential exposure of customer personal information
	Managing rapid infrastructure change Pressure to implement major infrastructure changes in a short period.

Compliance Risks

	Regulatory/government enforced changes due to COVID-19 Maintain compliance and plan for potential interim changes
	Changes to the control environment Management and governance structures
	Financial Reporting Resiliency over finance & accounting processes to provide stakeholder information

Summary of reporting, efforts, timeline and project type

 Project Area	 Expected Report	 Draft Timeline/ Effort	 Audit Type (see Appendix B)
Covid based policy and practice amendments	<ul style="list-style-type: none"> • Memo of key areas of input and summary of input perspectives 	<ul style="list-style-type: none"> • June - August 2020 • 250 hours 	Operational, Compliance, Performance
Liquidity management	<ul style="list-style-type: none"> • Memo of key areas of input and summary of input perspectives 	<ul style="list-style-type: none"> • September 2020 - January 2021 • 225 hours 	Financial
Fraud risk mitigation enhancement	<ul style="list-style-type: none"> • Memo of key areas of input and summary of input perspectives 	<ul style="list-style-type: none"> • June - August 2020 • 125 hours 	Operational, Compliance, Performance
Management action plan validation	<ul style="list-style-type: none"> • Historical report format 	<ul style="list-style-type: none"> • December 2020 - March 2021 • 120 hours 	Follow Up
Risk assessment and audit plan	<ul style="list-style-type: none"> • Rolling 3-year risk based internal audit plan 	<ul style="list-style-type: none"> • March-May 2021 • 60 hours 	Operational, Compliance, Performance
Auditor General functions	<ul style="list-style-type: none"> • As needed reports 	<ul style="list-style-type: none"> • ongoing • 380 hours 	Management & Oversight
Oversight, administration & reporting	<ul style="list-style-type: none"> • Semi-annual report on status • Completion of plan report and performance metrics 	<ul style="list-style-type: none"> • Ongoing • 170 hours 	Management & Oversight
Concerned Citizen & Employee Hotline	<ul style="list-style-type: none"> • Semi-annual reporting of counts • Investigative reports (as needed) 	<ul style="list-style-type: none"> • Ongoing • 100 hours 	Fraud & Waste Hotline

Proposed Project Details

Project #1: Covid Based Policy and practice amendments

Risks Touched Upon By Project

	Activation of BCP arrangements
	New or elevated workplace health and safety
	Transparency & Employee management
	Risk Culture
	Fraud
	Public Safety
	Remote administration & IT Support Capacity
	New or elevated cyber security risks
	Privacy & Data Protection
	Managing rapid infrastructure change
	Changes to the control environment
	Regulatory/government enforced changes due to COVID-19

Internal Audit response

Covid-19 policy and practice amendments: Focusing pandemic related updates to protocols which need to adapt to the current and medium (3-6 mos) realities of the pandemic response and return to normal..

Perspective:

- The prior, current and future pandemic circumstances require modification and enhancement to a wide variety of operating practices and policies to protect personnel, the public and mitigate risk (legacy, emerging and escalating risks).
- While the project does not cover one City function or domain in depth it will provide a broad based touch over know risk areas and management response to those changes. Thus using limited resources to cover a broad base of potential risk areas.

Project Focus:

We will review management current, or planned, response to adaptation of key policy/procedure documents for pandemic response related updates in areas such as:

- Business Continuity
- Pandemic Response
- Cyber Risk/Response
- Information Security (Remote access/acceptable use)
- Technology Issue Response/Coordination
- Privacy/Confidentiality
- Various approvals and Decision making authorities
- Local travel control
- Staff safety and cleanliness
- Building/Facilities
- Flexible work policies
- Remote working and enablement
- other broad policies that protect employees.

Approach:

We recognize that such operations are in a state of flux and our input may be best served in current state analysis and conversations with management to identify potential considerations as to how to proactively identify risks and mitigate risks. There will be limited to no testing as part of this project but more focus on working with management to proactively identify the risks and potential controls from our perspective for management consideration. This should enable management to have a more comprehensive solution.




Reporting:

Our report will differ from the traditional format and be a memo reporting a summary of which areas we covered, if they were updated or to be updated and key areas of focus we recommended to management for consideration.

Proposed Project Details

Project #2: Liquidity management

Risks Touched Upon By Project

	Cash & Funding Resilience
	Risk Culture
	Changes to the control environment

Internal Audit response

Liquidity Management: Proactively working with management to consider process and control risks and impacts to income streams and outlays given the current and prospective economic environment will help to implement considerations in a real-time manner.

Perspective:

- Short, medium and long term funding requirements can be impacted.
- Changes in budgetary spend have occurred - some have declined, some have increased, some have been added, some have been deferred.
- Economic environment impacts on income streams are also occurring and may increase.
- These events have a significant ability to impact current and future municipal budgets and services.

Project Focus:

It is important to support management through the re-prioritisation of spending and financial obligations, as well as consider what opportunities are there to accelerate cash collection/generation. Assess and provide real-time advice as to the City as it considers deferred/cancelled budgetary items, increase budget line impacts and potential short term and future income funding impacts (economic environment and tax arrears impacts).

Approach:

We recognize that such operations are in a state of flux and our input may be best served in current state analysis and conversations with management to identify potential considerations as to how to proactively identify risks and mitigate risks. There will be limited to no testing as part of this project but more focus on working with management to proactively identify the risks and potential controls from our perspective for management consideration. This should enable management to have a more comprehensive solution.

Reporting:

Our report will differ from the traditional format and be a memo reporting a summary of which areas we covered, if they were updated or to be updated and key areas of focus we recommended to management for consideration. By the time the formal memo is issued management will have likely acted on our input.

Proposed Project Details

Project #3

Risks Touched Upon By Project



Fraud



Risk Culture



Changes to the control environment

Internal Audit response

Fraud risk mitigation enhancements: We will work with management to identify areas which should be considered for enhanced mitigation controls in light of process, operational, cultural and environmental changes related to the pandemic.

Perspective:

- The changing landscape may require modifications in business processes and create opportunities for unwanted behaviours giving rise to fraud risks. The general market has already experience this reality.
- Additionally, as long term staff are forced to work from home and change their normal routine, this may uncover long running fraud practices. Therefore an increased need for urgent investigation and remediation will be required.

Project Focus:

We will work with management to provide input into Covid-19 initiated fraud risk identification and mitigation plans in place as well as to review other possible areas for management's consideration in the current and evolving environment.

Approach:

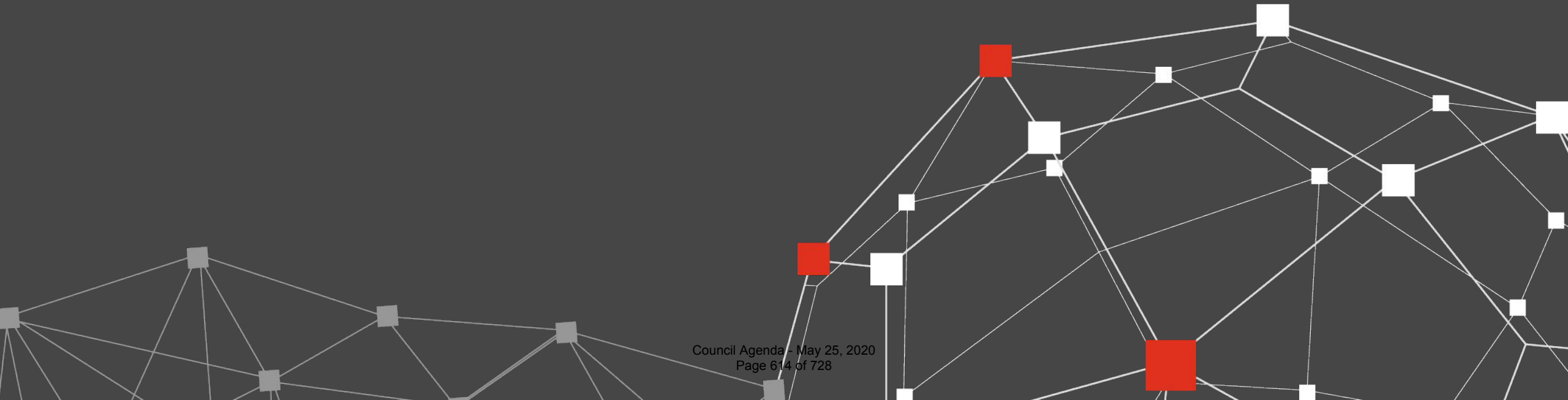
We recognize that such operations are in a state of flux and our input may be best served in current state analysis and conversations with management to identify potential considerations as to how to proactively identify risks and mitigate risks. There will be no testing as part of this project. We will focus on working with management to proactively identify the risks and potential controls from our perspective for management consideration. This should enable management to have a more comprehensive solution.

Reporting:

Our report will differ from the traditional format and be a memo reporting a summary of which areas we considered and high level recommendations for management consideration.

Appendix A

Deferred projects



Deferred Projects

The following projects were initially planned but have been deferred given the pandemic based risk perspective:

Title: Small, Sole/Single Source, Emergency Purchase Order Analysis VFM/Performance Audit

Audit Type: Operational, Compliance, Performance

Scope: The processing and approach to purchase orders under \$5k is designed to provide rapid procurement and solutions where required when the expenditures are low (<\$5k) such that emergencies can be addressed in a defined timeline. Our work will evaluate if the current process is designed and operating to meet these objectives and incorporate testing to determine if items are being split or routed through the process threshold that should not be, using data analytics as an investigative approach.

Related risks: Budgeting and realizing savings, Procurement

Title: Huron Lodge - Compliance Management and Quality Inspection Program

Audit Type: Operational, Compliance, Performance

Scope: In consideration for the over 900 regulations governing Huron Lodge and compliance is regularly subject to quality, inspections, critical incident reviews and complaint investigations, internal audit will review processes and controls designed and in operation at Huron Lodge to address the following objectives:

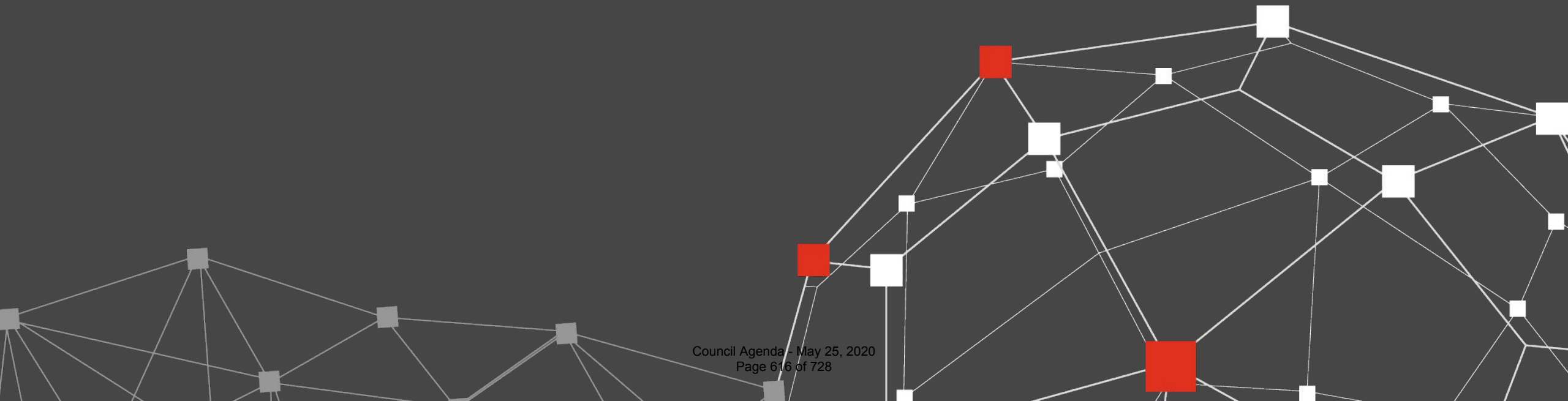
- periodic assessment of compliance and safety risks is conducted and policies are reviewed periodically for alignment to the LTCHA
- internal quality inspection protocols are communicated
- oversight and monitoring of external service providers
- coordination with other City functions (i.e. Facilities) to manage risks
- reporting of compliance (non compliance) occurs in a timely manner
- results of internal quality reviews are reviewed by leadership and appropriately inform staff performance management and progression

Related risks:

Legislative & Regulatory, Regulatory inspection (H&S, labour), Health & Safety

Appendix B

Projects considered but not included in plan due to constraints



Risks and Related Projects Not Covered in the Proposed Plan

COVID-19 Emerging Risks

Risk

	Activation of BCP arrangements Management and governance structures
	New or elevated workplace health and safety IR risks associated with increased use of remote working
	Transparency & Employee management Protect employees during uncertainty
	Risk Culture Consider impact on risk culture across the organisation
	Fraud Lapse of key fraud controls and management attention






Internal Audit response

- **Review of BCP arrangements:** Critical analysis of BCP plans for weaknesses and unidentified impacts specific to COVID-19 (supply chain, staff availability, citizen demand). This could include simulation of various contingency scenarios to 'stress test' continuity plans and assess impact on associated process and controls.
- **WHS remote worker readiness assessment:** Assess the clarity of policies, procedures and effectiveness of communications relating to employee wellbeing and safe working arrangements from an employee perspective. Review the implementation of remote worker and mobility into BCP.
- **Employer obligations for remote working:** Assess processes and controls to manage impact of increased remote working arrangements and compliance with employment obligations.
- **Honouring employees' entitlements:** Underpayment of staff remains a hot topic across a number of industries. As the City make choices about their workforce in the time of crisis, it is critical that employees have access to entitlements and are treated with fairness. Internal Audit should focus on reviewing organisations' governance frameworks and processes related to employee entitlement policies in changing times (e.g. additional/special leave management, accuracy of wages, robustness of underlying systems that support one-off choices implemented by organisations, etc).
- **Behavioural impacts of COVID-19:** Employees will be facing challenges with their day-to-day tasks and decision making due to personal stress; pressure on increased demand or downturn; implications of rapid implementation of a remote workforce; potential acceptance of mistakes and oversight in the current environment; and prioritisation of 'critical activities' impacting compliance, control requirements, customer and/or regulatory obligations. This may have a direct impact on compliance with internal policies and practices, which heightens the risk faced by organisations in key areas as highlighted in this document.
- **Project included in proposed plan**

Risks and Related Projects Not Covered in the Proposed Plan

Operational & Financial Risks

Risk

	Supply Chain Visibility and efficiency of the supply chain
	Cash & Funding Resilience Consider short, medium and long term funding
	Third Party Continuity of supply from third party service providers
	Market Opportunities & Vulnerabilities Volatility in investment portfolios, returns and public funding (including timing).
	Tax & Regulatory Potential Impacts

Internal Audit response

- **The robustness of the supply chain is key:** From the sourcing of raw material to deploying this in local projects new risks have arisen and may be impacted. A deep understanding of the supply chain and the risks presented by your third parties will help respond today and improve them for tomorrow.
- **Understand and prepare:** Accessing critical supply chain data across all tiers to properly assess the potential risk and opportunities to enable the business to take advantage. Where applicable, prepare to set up a temporary inventory recovery and evaluation process and pursue alternative sourcing strategies.
- **Project included in proposed plan**
- **Review arrangements with third party service providers:** Assess risks associated with outsourced arrangements and the robustness of third party controls (e.g. third party business continuity, integrity of reporting, service delivery KPIs, etc). Where organisations are significantly dependent on third parties to deliver core services, consider a 'fit-for-purpose' assurance program over key risks and controls associated with the delivery of services by a third party.
- **Project health checks:** Review of projects to assess the impact of COVID-19, checking contingency arrangements on the critical path for project delivery and assessing the ability of third parties to deliver as per their contract. Internal Audit could also assist in project prioritisation linked to strategy and value creation.
- **Check-point audits throughout the M&A lifecycle:** Assess process & procedures at a point in time and provide recommendations for improvement in areas such as controls over return impacts and timing of public funding cash flows.
- **Favorable tax implications:** Support business through process & controls implemented in order to meet criteria of any provisions including, among other things; delay of payment of employer payroll taxes, (NOL) changes; postponement or delay of required filings/reporting; partial above-the-line" deduction for charitable contributions and modification of limitation on charitable contributions

Risks and Related Projects Not Covered in the Proposed Plan

IT Risks

Risk



Remote administration & IT Support Capacity
Increased use of remote working arrangements



New or elevated cyber security risks
Potential exposure due to new tools and increased use



Privacy & Data Protection
Potential exposure of customer personal information



Managing rapid infrastructure change
Pressure to implement major infrastructure changes in a short period.

Internal Audit response

- **Remote worker readiness assessment:** Review organisational readiness for staff and other workers to continue operations from locations outside of office sites. Consider clarity and consistency of technology protocols and communications to staff.
- **Access and communication readiness:** Consider suitable capacity of remote technology, IT support and self-service arrangements, secure remote access via VPN, communications and capacity.
- **Cyber hygiene assessment:** Review organisation's general cyber hygiene such as vulnerability management, patching, security awareness, anti-phishing and DLP
- **Incident monitoring and response:** Support ongoing governance arrangements remain in place (security monitoring) with appropriate investigation and action performed as issues are identified.
- **Revisiting data breach policy and practices:** Restricting teams (incl third parties) with remote access to personal information on an 'as needs' basis and reiterating privacy obligations for employees, especially during business continuity invocation.
- **Revisiting policies impacts by Crisis Management:** Internal Audit should consider the interplay between accelerated change processes while ensuring system integrity and security. Auditors will need to determine the acceptability and effectiveness of any temporary or emergency changes to approvals.

Risks and Related Projects Not Covered in the Proposed Plan

Compliance Risks

Risk



Regulatory/government enforced changes due to COVID-19

Maintain compliance and plan for potential interim changes



Changes to the control environment

Management and governance structures



Financial Reporting

Resiliency over finance & accounting processes to provide financial reporting information and public disclosure

Internal Audit response

- **Interpretation and implementation of regulation:** Continue open lines of communication with relevant regulators and ensure that where changes are required. Internal Audit could play a role by providing its resources and skills to the business or are involved in a consultative manner during the implementation.
- **Compliance with deadlines:** Assess process and controls to manage compliance with legislative and contractual timeframes and/or client service KPIs for regulatory reporting, and legislated customer service obligations.
- **Process and control mapping of business critical functions:** Map key processes and controls of affected areas and understand the impact of potential changes to these controls under various contingency scenarios. For example, this could consider: impact of changes to management roles and structures on delegations of authority; changes to system access and change controls to enable flexible work arrangements.
- **Continue to meet compliance/regulatory requirements:** Ensure the business is meeting regulatory obligations. Regulatory and/or compliance-related reviews should continue to be prioritised within the plan where applicable, unless clear direction is provided by regulatory bodies.
- **Ability to meet regulatory and related requirement filings:** Ensure the City has prepared a comprehensive summary of its required regulatory and related requirements, including annual and applicable tax/ministry filings and payments, respective payroll, statutory audit requirements globally, and any debt required filings.
- **Evaluate audit impact with external auditor:** Liaise with external auditor to determine if the completion of audit or review procedures has been impacted by the COVID-19 outbreak.
- **Significant and unusual transactions:** Support the City through risk assessments and process & controls implemented related to any significant and unusual transactions.
- **Disclosure requirements:** As events continue to unfold, should support the business through decisions regarding required disclosures in areas such as, risk factors, and management's discussion and analysis of results, liquidity, and capital resources.

Risks and Related Projects Not Covered in the Proposed Plan

New or elevated workplace health and safety project #1: Public Works

Risks Impacted by Proposed Project



New or elevated workplace health and safety
Incident response risks associated with increased use of remote working



Transparency & Employee management
Protect employees during uncertainty



Risk Culture
Consider impact on risk culture across the organisation



Public Safety
Providing essential services and protecting the public and personnel in a time of pandemic.



Third Party
Continuity of supply from third party service providers



Regulatory/government enforced changes due to COVID-19
Maintain compliance and plan for potential interim changes

Internal Audit response

Enhanced workplace safety protocols - Public Works

Focusing specifically on workplace health and safety practices and protocols which need to adapt to the current and medium (3-6 mos) realities of the pandemic response and return to normal. Emphasis will be focused on Public Works.

Perspective:

- When the curve begins to flatten, businesses and society must consider what 'returning to normal' may look like. Although organizations have settled into new ways of working and allowing public access to their premises, the implications of COVID-19 on businesses, especially as they relate to the workforce, will remain long lasting.
- The question of when and how to gradually bring employees back to the workplace and how to let the public access to municipal facilities represents one of the most critical challenges the City will need to solve.
- As it relates to Public Work, this is important as they currently continue to provide essential services and will continue to do so in the future.

Project Focus:

Consideration will be given to current operating practices supporting the Public Works workplace and safety protocols focused on mitigating personal health risks related to Covid-19 while considering the short-run timeframe of future work/requirements (3-6 months).

Approach:

We recognize that such operations are in a state of flux and our input may be best served in current state analysis and conversations with management to identify potential considerations as to how to proactively identify risks and mitigate risks. There will be limited to no testing as part of this project but more focus on working with management to proactively identify the risks and potential controls from our perspective for management consideration. This should enable management to have a more comprehensive solution.

Reporting:

Our report will differ from the traditional format and be a memo reporting a summary of what we did and key areas of focus we recommended to management for consideration. By the time the formal memo is issued management will have likely acted on our input.

Risks and Related Projects Not Covered in the Proposed Plan

New or elevated workplace health and safety project #2: Huron Lodge

Risks Impacted by Proposed Project



New or elevated workplace health and safety
Incident response risks associated with increased use of remote working



Transparency & Employee management
Protect employees during uncertainty



Risk Culture
Consider impact on risk culture across the organisation



Public Safety
Providing essential services and protecting the public and personnel in a time of pandemic.



Third Party
Continuity of supply from third party service providers



Regulatory/government enforced changes due to COVID-19
Maintain compliance and plan for potential interim changes

Internal Audit response

Enhanced workplace safety protocols - Huron Lodge

Focusing specifically on workplace health and safety practices and protocols which need to adapt to the current and medium (3-6 mos) realities of the pandemic response and return to normal. Emphasis will be focused on Huron Lodge.

Perspective:

- Huron Lodge provides an essential service with areas identified as high risk potential in the current pandemic environment.
- Current and short term health and safety considerations are imperative to the operation of the service and facilities.

Project Focus:

Consideration will be given to current operating practices supporting the Huron Lodge workplace and safety protocols focused on mitigating personal health risks related to Covid-19 while considering the short-run timeframe of future work and public/visitor access /requirements (3-6 months).

Approach:

We recognize that such operations are in a state of flux and our input may be best served in current state analysis and conversations with management to identify potential considerations as to how to proactively identify risks and mitigate risks. There will be limited to no testing as part of this project but more focus on working with management to proactively identify the risks and potential controls from our perspective for management consideration. This should enable management to have a more comprehensive solution.

Reporting:

Our report will differ from the traditional format and be a memo reporting a summary of what we did and key areas of focus we recommended to management for consideration. By the time the formal memo is issued management will have likely acted on our input.

Risks and Related Projects Not Covered in the Proposed Plan

New or elevated workplace health and safety project #3: Transit

Risks Impacted by Proposed Project



New or elevated workplace health and safety
Incident response risks associated with increased use of remote working



Transparency & Employee management
Protect employees during uncertainty



Risk Culture
Consider impact on risk culture across the organisation



Public Safety
Providing essential services and protecting the public and personnel in a time of pandemic.



Third Party
Continuity of supply from third party service providers



Regulatory/government enforced changes due to COVID-19
Maintain compliance and plan for potential interim changes

Internal Audit response

Enhanced workplace safety protocols - Transit: Focusing specifically on workplace health and safety practices and protocols which need to adapt to the current and medium (3-6 mos) realities of the pandemic response and return to normal. Emphasis will be focused on Transit.

Perspective:

- Transit provides an essential service to a large base of the public in the current pandemic environment.
- Current and short term health and safety considerations are imperative to the operation of the service and facilities.
- Protection of the public and personnel is paramount in this circumstance.
- New and enhanced controls practices are required and need to be adhered to for public and personnel safety.

Project Focus:

Consideration will be given to current operating practices supporting the Transit workplace, operations and safety protocols focused on mitigating personal health risks related to Covid-19 while considering the short-run timeframe of future work and public/rider/requirements (3-6 months).

Approach:

We recognize that such operations are in a state of flux and our input may be best served in current state analysis and conversations with management to identify potential considerations as to how to proactively identify risks and mitigate risks. There will be limited to no testing as part of this project but more focus on working with management to proactively identify the risks and potential controls from our perspective for management consideration. This should enable management to have a more comprehensive solution.

Reporting:

Our report will differ from the traditional format and be a memo reporting a summary of what we did and key areas of focus we recommended to management for consideration. By the time the formal memo is issued management will have likely acted on our input.

Risks and Related Projects Not Covered in the Proposed Plan

New or elevated workplace health and safety project #4: Community Housing

Risks Impacted by Proposed Project



New or elevated workplace health and safety
Incident response risks associated with increased use of remote working



Transparency & Employee management
Protect employees during uncertainty



Risk Culture
Consider impact on risk culture across the organisation



Public Safety
Providing essential services and protecting the public and personnel in a time of pandemic.



Third Party
Continuity of supply from third party service providers



Regulatory/government enforced changes due to COVID-19
Maintain compliance and plan for potential interim changes

Internal Audit response

Enhanced workplace safety protocols - Community Housing

Focusing specifically on workplace health and safety practices and protocols which need to adapt to the current and medium (3-6 mos) realities of the pandemic response and return to normal. Emphasis will be focused on Community Housing.

Perspective:

- Community Housing provides an essential service to many members of the public in the current pandemic environment.
- Current and short term health and safety considerations are imperative to the operation of the service and facilities.

Project Focus:

Consideration will be given to current operating practices supporting the Community Housing operations, workplace and safety protocols focused on mitigating personal health risks related to Covid-19 while considering the short-run timeframe of future work and public/visitor access /requirements (3-6 months).

Approach:

We recognize that such operations are in a state of flux and our input may be best served in current state analysis and conversations with management to identify potential considerations as to how to proactively identify risks and mitigate risks. There will be limited to no testing as part of this project but more focus on working with management to proactively identify the risks and potential controls from our perspective for management consideration. This should enable management to have a more comprehensive solution.

Reporting:

Our report will differ from the traditional format and be a memo reporting a summary of what we did and key areas of focus we recommended to management for consideration. By the time the formal memo is issued management will have likely acted on our input.

Risks and Related Projects Not Covered in the Proposed Plan

New or elevated workplace health and safety project #5: General Employee Base & Public Access

Risks Impacted by Proposed Project

	New or elevated workplace health and safety Incident response risks associated with increased use of remote working
	Transparency & Employee management Protect employees during uncertainty
	Risk Culture Consider impact on risk culture across the organisation
	Public Safety Providing essential services and protecting the public and personnel in a time of pandemic.
	Third Party Continuity of supply from third party service providers
	Regulatory/government enforced changes due to COVID-19 Maintain compliance and plan for potential interim changes

Internal Audit response

Enhanced workplace safety protocols - General Employee Base & Public Access

Focusing specifically on workplace health and safety practices and protocols which need to adapt to the current and medium (3-6 mos) realities of the pandemic response and return to normal. Emphasis will be focused on the general employee base and public access to municipal facilities.

Perspective:

- Employees need to be protected in their work circumstances now and in the future
- The public will need some level of access to municipal facilities as well, and to be safe in that access.

Project Focus:

Consideration will be given to current operating practices supporting the general operations, workplace and safety protocols focused on mitigating personal health risks related to Covid-19 while considering the short-run timeframe of future work and public/visitor access /requirements (3-6 months).

Approach:

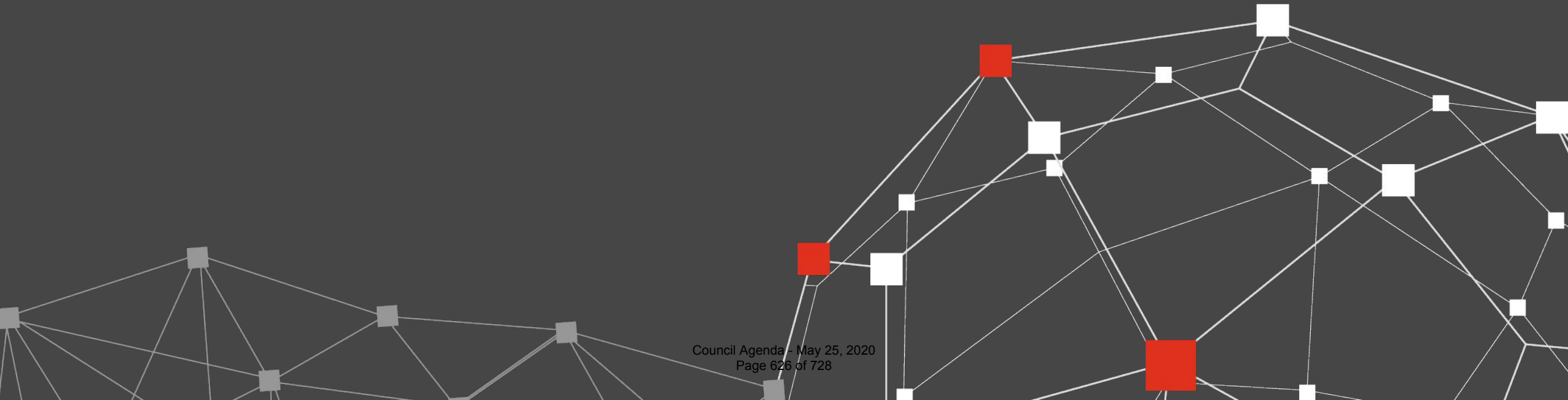
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Reporting:

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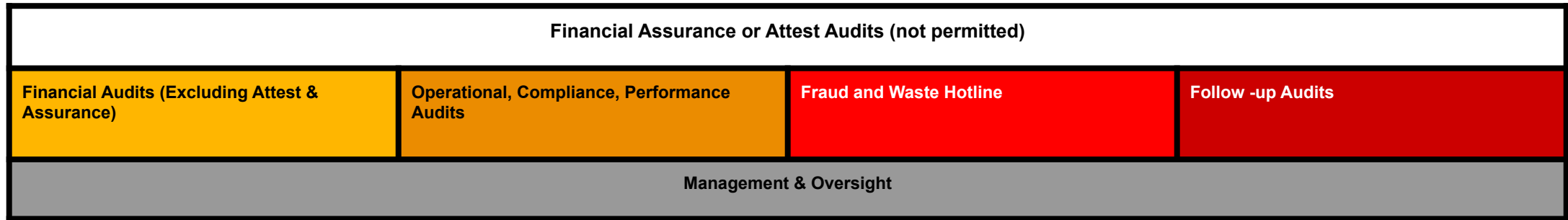
Appendix C

Summary of audit types



Categorization of Audit Types

As part of updating this year's plan we have used category labels which align to those published by the Auditor General for the City of Toronto. All of our predecessor projects align to the framework with the bulk of the project conducted in the past 7 years fitting into the category of "Operational, Compliance, Performance Audits". Below, and on the following page, you will find a description of each audit type and then a summary 5 year perspective of the past and planned projects.



Financial Assurance or Attest Audits

The Municipal Act specifically precludes the Auditor General from being the Financial Statement Auditor of the Municipality. As such we are precluded from annually auditing the accounts and transactions of the City and its agencies and corporations. The external auditor expresses an opinion on the financial statements of these bodies based on the audit in a report which is considered by the then City Council.

The Auditor General co-operates with the work of the external auditor and exchanges relevant information therewith. Currently, KPMG LLP has been engaged to conduct audits of financial statements of the City and its major agencies and corporations. The City's external audit contract establishes KPMG as the auditor for all entities except for EWSWA. The audit of EWSWA is contracted by the County of Essex, however KPMG is also the auditor for the County.

Categorization of Audit Types

Financial Audits (Excluding Attest & Assurance)

Financial-related audits include determining whether:

- (a) financial information is presented in accordance with established or stated criteria,
- (b) the entity has adhered to specific financial compliance requirements, or
- (c) the entity's internal control structure over financial reporting and/or safeguarding assets is suitably designed and implemented to achieve control objectives.

Operational, Compliance, Performance Audits

These audits may include any or all of:

- (a) determining the extent to which the desired results or benefits established by the legislature or other authorizing body are being achieved,
- (b) the effectiveness of organizations, programs, activities, or functions,
- (c) whether the City division is acquiring, protecting, and using its resources (such as personnel, property, and space) economically and efficiently, and
- (d) whether the City division has complied with laws and regulations applicable to the program.

Fraud and Waste Hotline

Manages the Concerned Citizen and Employee hotline referring issues to senior management or the City's Internal Audit team as defined by the Council approved mandate.

Follow -up Audits

On an annual basis, the Auditor General notifies the City of outstanding recommendations. Management staff will report back to the Auditor General on recommendations that have been implemented. The Auditor General then verifies that the recommendations have in fact been implemented.

The results of the follow-up of recommendations are reported to the Audit Committee annually and cover findings raised across the City, agencies, boards or commissions.

Management & Oversight

This involves regular Auditor General efforts.

It further includes the oversight of project activities, meetings, interacting with complainants, review/observation/attendance at Council meetings, status reporting, report writing, and Committee reporting.

Time is also set aside to deal with requests as they arise (ad hoc).

Thank you

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Subject: Lane Closures for Physical Distancing - Wyandotte BIAs - Wards 5 & 6

Reference:

Date to Council: May 25, 2020
Author: Jeff Hagan
Transportation Planning Senior Engineer
519-255-6267 ext 6003
jhagan@citywindsor.ca
Planning & Building Services
Report Date: May 5, 2020
Clerk's File #: MH/13786

To: Mayor and Members of City Council

Recommendation:

1. That Administration **BE DIRECTED** to refer requests from Business Improvement Areas for Temporary Parking Pick-up Zones and Curb Lane Pedestrian Zones to the Special Events Resource Team (SERT); and,
2. That, in cases where these zones are supported by SERT, that the requests **BE REFERRED** to the Chief of Police to approve appropriate temporary parking restrictions as necessary to be in effect for the duration of the declared COVID-19 emergency; and
3. That, where the requested zones are supported by SERT and the appropriate temporary parking restrictions have been approved by the Chief of Police, Administration **BE DIRECTED** to implement these zones through appropriate signage and temporary traffic controls.

Executive Summary:

N/A

Background:

At its May 4, 2020 meeting, Council passed the following resolution:

CR168/2020—That administration **BE DIRECTED** to contact and work with both the Riverside and Pillette Village BIA's to investigate lane closures in those BIA's to accommodate social distancing and **REPORT BACK** to Council at the May 25, 2020 meeting; and further,

That administration **INCLUDE IN THAT REPORT** a more robust section on social distancing including possible statements from BIA's or individuals and any type of empirical evidence that includes evidence that social distancing is not in effect there.

This report responds to the resolution as directed.

COVID-19 Emergency

The Province of Ontario declared a state of emergency on March 17, 2020 in response to the COVID-19 crisis. Since that time, restrictions have been placed on the activities businesses and agencies, including the closure of most retail stores.

On May 6, 2020, the Province announced that any business with a street entrance may begin offering sales by curbside pickup, beginning May 11.

Previous Reports

Report S 55/2017, "CQ56-2016 Wyandotte Street East Windsor Loop Connection," was brought before Council at its June 17, 2017 meeting. This report recommended that a functional design study be carried out for Wyandotte Street East cycling infrastructure. Council directed that this recommendation be referred to Administration to await the completion of the Active Transportation Master Plan.

Report C 85/2020, "CQ 9-2020 City-Wide Procedure for Lane or Road Closures during COVID-19 / Riverside Drive Temporary Road Diet," was brought before Council at its May 4, 2020 meeting. This report dealt with the following issues:

- A potential City-wide framework for COVID-19-related lane closures, and
- A review of potential temporary lane closures on Riverside Drive specifically.

This report was received for information.

Related Council Direction

At its November 18, 2019 meeting, Council passed the following resolution:

CR563/2019 DHSC 103

That Report No. 20 of the Windsor BIA Advisory Committee - Lane reduction on Wyandotte indicating:

That Administration BE REQUESTED to report back on the feasibility of lane reduction on Wyandotte Street East from St. Luke to Lauzon Road in light of the passing of the Active Transportation Master Plan by City Council.

BE APPROVED.

The portion of Wyandotte Street East referred to in resolution CR563/2019 goes through the Riverside and Pillette Village BIAs (as well as the Ford City BIA, not referred to in the May 4, 2020 resolution). A map of the area referred to in this resolution is provided as Figure 1.

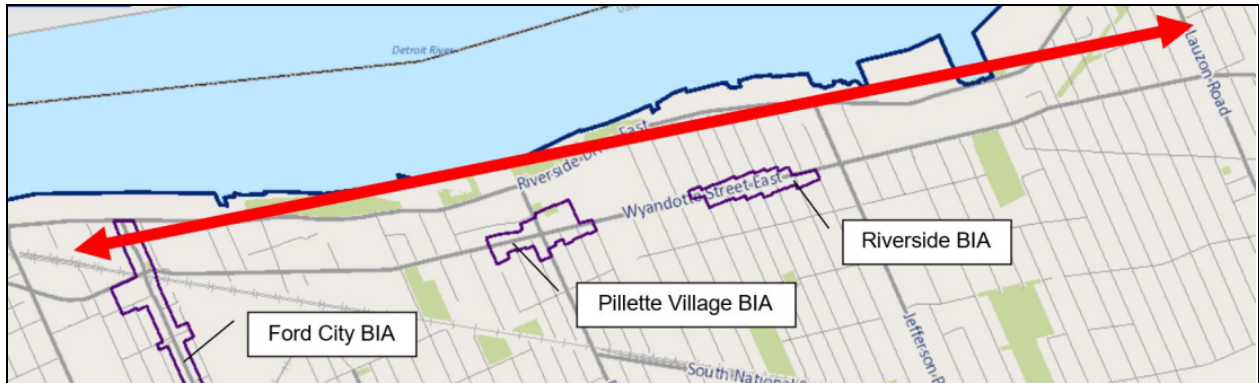


Figure 1: Wyandotte Street East (St. Luke Ave. To Lauzon Rd.)

Walk Wheel Windsor (Active Transportation Master Plan)

The Active Transportation Master Plan, *Walk Wheel Windsor*, identifies Wyandotte Street East as a Regional Spine in the cycling network. Except for a short section at St. Luke Road, Wyandotte Street East between St. Luke Road and Lauzon Road is identified as low to medium priority for cycling infrastructure, as shown in Figure 2.



Figure 2: Bicycle Priority Network Map Excerpt (Red: High Priority, Yellow: Medium Priority, Green: Low Priority)

As shown in Figure 3, bicycle lanes are provided along certain segments of Wyandotte Street East in the area of interest, but not through either the Pillette Village BIA or the Riverside BIA.



Figure 3: Existing Bicycle Lanes – Wyandotte Street East (Red)

Sidewalks are provided on both sides of Wyandotte Street East along the entire length from St. Luke Road to Lauzon Road. The minimum sidewalk width in the Riverside and Pillette Village BIAs is 1.5 m; however, the typical sidewalk width in these BIAs is typically much wider, and a hard-surfaced “furniture zone” is often provided next to the sidewalk.

Discussion:

Two contexts were considered for lane closures on Wyandotte Street East in the Pillette Village BIA and Riverside BIA:

1. Temporary lane closures that would be removed when physical distancing restrictions for the COVID-19 emergency are lifted, and
2. Permanent lane closures or road space reallocations that would assist with physical distancing during the COVID-19 emergency, but would remain in place for the long term.

These two contexts are discussed separately below.

Temporary Lane Closures

The Province of Ontario recently announced that retail businesses with a street entrance can begin offering sales by curbside pickup beginning on May 11. This will allow many businesses in Windsor to re-open. In areas where retail businesses are dependent on on-street or off-site parking – including many BIAs – businesses may experience significant challenges in offering curbside pickup.

The City of Toronto has recently launched CurbTO, its program for temporary lane closures to assist with physical distancing in response to COVID-19. If Council so directs, this program could be adapted for use in the Pillette Village and Riverside BIAs, as well as other BIAs with similar street environments.

The CurbTO program allows essential businesses and agencies to request that the on-street parking in front of their business/agency to be converted to either:

- **A Temporary Parking Pickup Zone:** the on-street parking is temporarily changed to 10-minute time-limited parking to facilitate customer pick-up appointments.
- **A Curb Lane Pedestrian Zone:** the on-street parking lane is temporarily closed and converted to extra space to accommodate physical distancing at locations where customers/clients have to queue on the sidewalk.

The two options in the CurbTO program are shown in Figures 4 and 5.

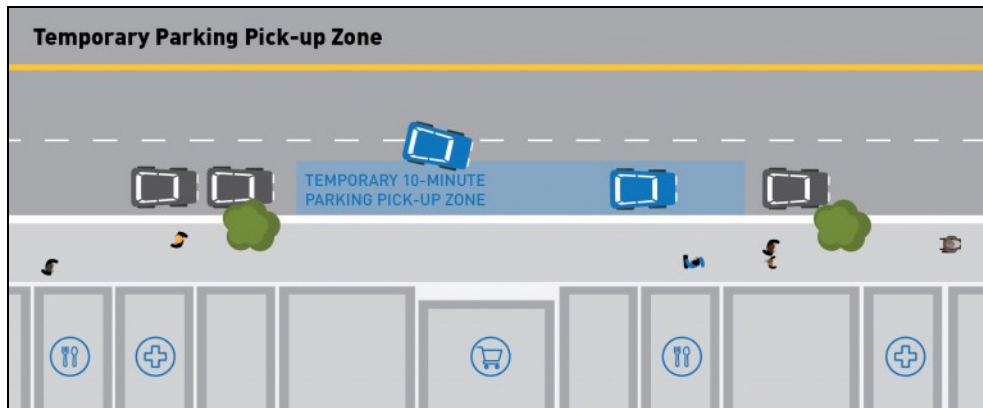


Figure 4: Temporary Parking Pick-up Zone (Source: City of Toronto)

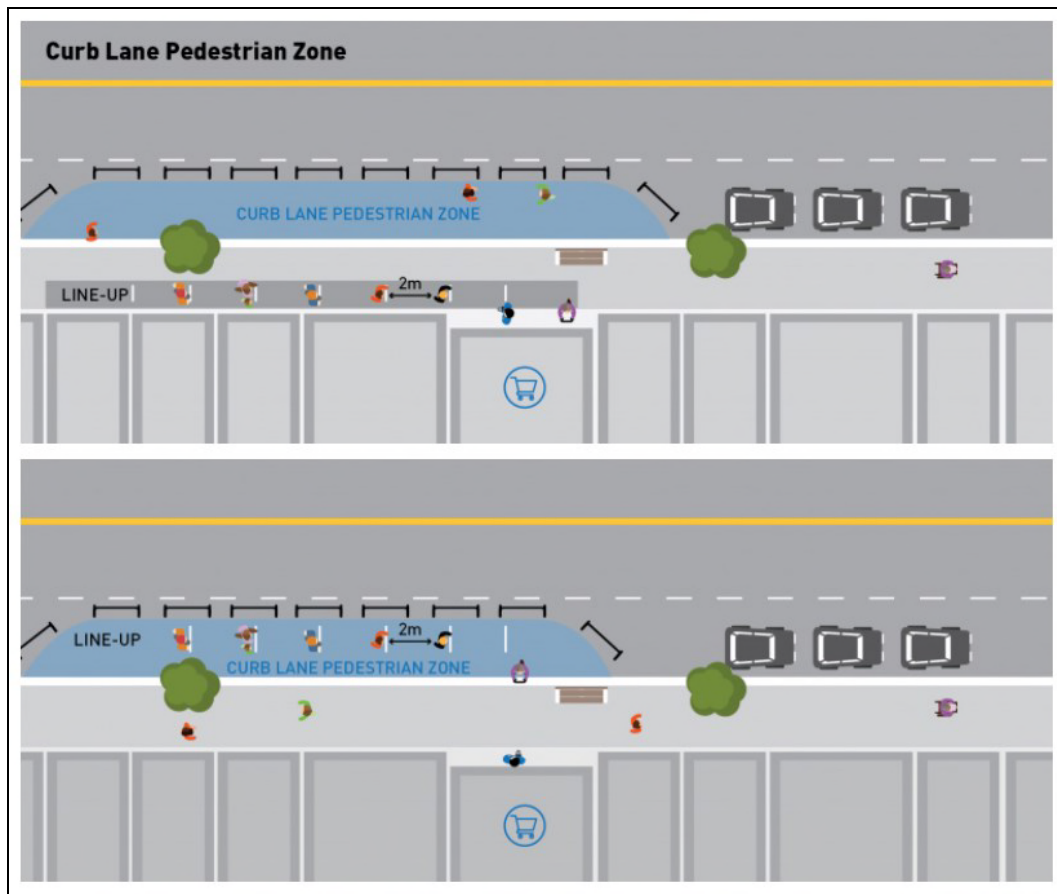


Figure 5: Curb Lane Pedestrian Zone (Source: City of Toronto)

Toronto's curb lane pedestrian zone concept was discussed in report C 85/2020 as a potential option City-wide; comments received from SERT expressed concerns with potentially implementing this approach City-wide, primarily with respect to emergency response with through lanes closed or difficulty accessing Transit Windsor stops.

Refining the CurbTO approach for the Pillette Village BIA and/or Riverside BIA would allow SERT's concerns to be addressed. In both BIAs, on-street parking is already provided in the curb lanes. By limiting temporary parking pick-up zones and curb lane pedestrian zones to existing parking spaces:

- The lane closures would not impact emergency response, since driving lanes would not be affected.
- Transit Windsor buses would still be able to pick up and drop off at the curb, since Transit Windsor stops would not be blocked off.
- Costs for lane closures would be reduced, since the Ontario Traffic Manual requirements to close a parking lane are less onerous and complex than the requirements to close a driving lane.

Comments from SERT on this approach are provided in Appendix 1. In general, the following key issues were raised:

- Access to Transit Windsor stops should be maintained.
- Closing of parking lanes to create pedestrian zones will create fewer issues than with the closure of driving lanes.
 - However, concerns remain regarding protection of pedestrians from traffic and with providing temporary curb ramps for accessibility.
- No concerns were noted with converting existing on-street parking spaces to temporary time-limited parking for customer order pickup.

The Executive Director of the Pillette Village and Riverside BIAs was consulted for feedback. Formal comments from the two BIAs were not available for this report; comments from the BIAs have been requested for Council's consideration at the May 25 meeting. Informal verbal comments from the Executive Director are summarized as follows:

- Reducing Wyandotte Street East to one lane in each direction to reduce speeds in the two BIAs is an especially high priority.
- Removal of parking to provide curb lane pedestrian zones would likely not be supported by the BIA members.
- Conversion of on-street parking to temporary parking pick-up zones may be of interest, but no members of either BIA who have responded to date have indicated that they would use this program if it were available.

Based on the feedback from SERT and the preliminary feedback to date from the BIAs, Administration recommends implementing a Temporary Parking Pick-up Zone Program, but not a Curb Lane Pedestrian Zone Program.

The following process is suggested for Council's consideration:

- Requests for temporary parking pick-up zones may be submitted by interested BIAs and reviewed by SERT.
- Only existing on-street parking spaces and commercial loading zones would be eligible to be converted into temporary parking pick-up zones.
- If SERT recommends that the temporary parking pick-up zone be approved, the recommendation would be provided to the Chief of Police for approval (under the Chief of Police's authority under Parking By-law 9023 to make orders regarding parking in an emergency).
- On approval by the Chief of Police, City staff would install the appropriate signs to identify the temporary parking pick-up zone.
- Temporary parking pick-up zone signage would be removed when the Corporation's declared emergency ends, or earlier at the request of the BIA.

Permanent Lane Reallocation

Certain other municipalities in Ontario have either installed temporary cycling infrastructure or accelerated the construction of permanent cycling infrastructure in response to COVID-19. These projects generally have a number of goals:

- To provide opportunities for physical activity that are compatible with physical distancing;
- To allow improved options for essential travel, and for commuting by essential workers; and
- To encourage physical distancing by providing alternatives to sidewalk cycling.

The cost to provide temporary cycling infrastructure typically exceeds the cost to install permanent cycling infrastructure after a few months. Because of this, the City of Brampton is expediting the installation of permanent bicycle lanes to replace its 3.5 km temporary bikeway project on Vodden Street and Howden Avenue.

Council Resolution CR563/2019 directed Administration to review the feasibility of lane closures on Wyandotte Street East between St. Luke Road and Lauzon Road. The overall findings of the review to date are as follows:

- In the 4-lane undivided sections, which make up the majority of both BIAs, a "4-to-3" road diet may be feasible, as shown in Figure 6. This option provides similar capacity to the existing lane configuration. With the two-way left turn lane, through vehicles are not impeded by vehicles waiting to turn left.

- This option would likely allow on-street parking to be preserved where it currently exists in these sections.
- At some locations in these sections, further detailed review is needed to determine whether traffic signal poles would need to be moved for the road reallocation.
- In the sections with a median and on-street parking, replacing the combined wide parking/driving lane with a parking lane, bicycle lane, and buffer may be accommodated with negligible change to the capacity of the roadway for motor vehicles.
- In the sections with a median and no on-street parking, removing one lane would reduce the capacity of Wyandotte Street East.
 - This reduction in capacity on Wyandotte Street East may reduce the ability of Wyandotte Street East to carry traffic diverted from Riverside Drive East, as envisioned in the Riverside Drive Vista Improvement Environmental Assessment.
- Special consideration is needed at certain key points, including the intersections at Drouillard Road and at George Avenue, and the connection to the Clairview Greenway/Ganatchio Trail near Vernon Crescent.

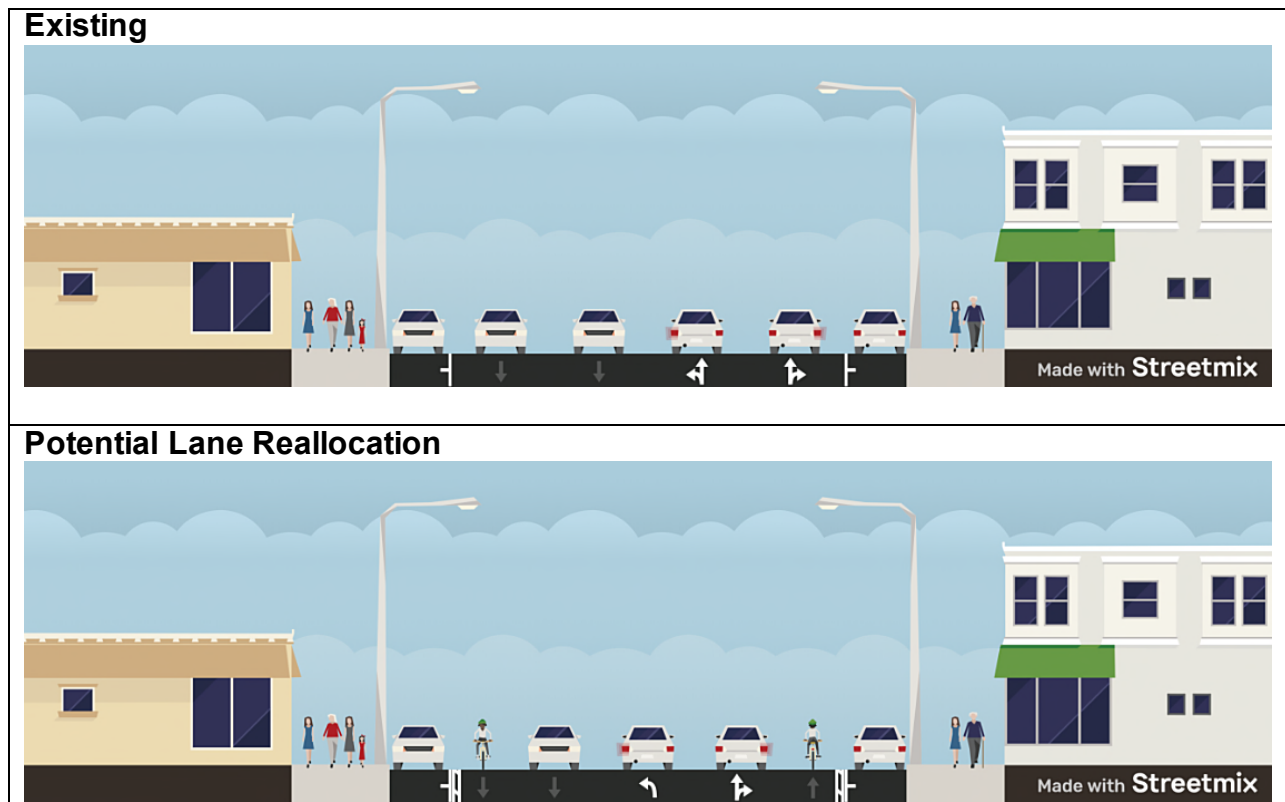


Figure 6: Example Existing and Potential Cross-section in BIA "Main Street" Areas (Wyandotte St. E., East of Pillette Road Looking West)

If Council so directs, it may be feasible to implement a lane reallocation with pavement markings to provide bicycle lanes in the Pillette Village and Riverside BIAs to assist with physical distancing during the COVID-19 crisis. However, there would be benefit in delaying this work until after the Riverside Drive Vista Improvement project is complete in this area and the diversion volumes onto Wyandotte Street East due to this project are known.

Outside of the two BIAs, the review to date suggests that there are issues that will need time to develop and analyze solutions for Wyandotte Street East, or that significant physical changes to the roadway will be required in order to provide bicycle infrastructure.

Risk Analysis:

Risks for temporary lane closures were identified in report C 85/2020.

There are moderate timing risks associated with the installation of temporary parking pick-up zones. Some of the factors that affect how quickly a zone is installed after a request is received are outside of Administration’s control (e.g. utility locates, if a new stanchion is required for signage). These timing risks are inherent to the type of work required; it is recommended that they be tolerated.

Financial Matters:

Costs to implement a pedestrian curb lane zone were provided in report C 85/2020. These costs are given in Table 1. These costs are for a zone 200 m in length; a zone of this length would serve several businesses. Shorter pedestrian curb lane zones would have lower cost overall, but higher cost per metre.

Table 1: Pedestrian Curb Lane Costs

Item	Cost for 200 m lane closure	
	Purchase Barrels	Rent Barrels
Total (Approximate) Initial Set Up & First Month Cost	\$5,786	\$4,883
Ongoing Monthly Cost (Approximate)	\$1,800	\$2,335

The cost to implement a temporary parking pick-up zone is \$500 per space. Costs per space may be lower for a zone that is several spaces long, since multiple spaces could be served by the same set of signs.

This expenditure is not included in any approved capital project or operating budget item. If approved, the one-time implementation costs for this initiative would increase the unbudgeted COVID related financial impacts to the City that will need to be mitigated.

In BIAs with metered parking, the replacement of metered spaces with a temporary parking pick-up zone would cause a decrease in revenue from parking fees. The impact of this decrease in revenue would depend on the number and location of the metered

parking spaces that were impacted. The Pillette Village and Riverside BIAs do not have on-street metered parking spaces.

The implementation of bike lanes on Wyandotte is feasible and if directed by council, as recommended by the Active Transportation Master Plan, a phased approach to the implementation of bike lanes on Wyandotte St from St Luke to Lauzon including costs, traffic implications, phasing, maintenance, etc. can be brought to council for consideration.

Consultations:

Special Event Resource Team (comments in Appendix 1)

Bridget Scheuerman, Executive Director, Pillette Village BIA and Riverside BIA

Shawna Boakes, Traffic Operations

Conclusion:

To support Windsor retail businesses during the COVID-19 emergency, Administration recommends that, where requested by the appropriate BIA and approved by the Special Event Resource Team and the Chief of Police, on-street parking be converted to temporary parking pick-up zones.

Additionally, to promote physical distancing along Wyandotte Street East, the installation of bicycle lanes in the Pillette Village and Riverside Drive BIAs may be possible; however, further review of this option is recommended before proceeding.

Planning Act Matters:

N/A

Approvals:

Name	Title
John Revell	Chief Building Official
Don Nantais	Financial Planning Administrator
Dwayne Dawson	Executive Director of Operations
Mark Winterton	City Engineer
Shelby Askin-Hager	City Solicitor
Joe Mancina	City Treasurer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Windsor BIA Advisory Committee		
Bridget Scheuerman, Executive Director Pillette Village BIA Riverside BIA		bscheuerman@cogeco.ca

Name	Address	Email
Ford City BIA		
Windsor Bicycling Committee		
Special Event Resource Team		
Chief Pam Mizuno Windsor Police Service		

Appendices:

- 1 Special Event Resource Team Comments

Comments Received from the Special Event Resource Team

PILLETTE VILLAGE AND RIVERSIDE BIA – Partial Lane Closure

Windsor Police Service – Inspector Jill Lawrence –

jlawrence@windsorpolice.ca

I am responding to the request of partial lane closures on Wyandotte St. E. in the Riverside BIA and/or Pillette Village BIA. On behalf of the WPS, understand that public safety is paramount for those pedestrians and others who would be utilizing the designated area as well as the vehicles approaching the partial lane closure. There is concern on the type of barrier (plastic or cement) that would be used, as the below diagram does not indicate the specific composition of the barrier. The chosen barrier must have be properly lit so approaching vehicles can easily navigate the lane restriction. Consideration should also be made for road markings or portable speed bumps in addition to signage for approaching vehicles. The barrier must be robust enough to safeguard large gatherings (albeit taking into account social distancing) if a vehicle were to lose control and crash into the designated space. Partial lane closures must optimize the maintenance of public safety for both daytime and night time usage.

As an emergency responder, we ask that there must be considerations for Emergency Response calls for service that is a means for Emergency Services to enter/exit the roadway safely while also protecting those utilizing the closed laneway.

As far as selection of the partial closure in Riverside and Pillette Village, would the selection be based on narrowness of sidewalk, high pedestrian volume, vehicular traffic volume and a nearby roadway that could potentially divert traffic from the closed laneway? Realize too that a partial lane closure, depending on the selection process, may cause a significant traffic congestion or roadway safety issues at certain times of the day hence the reason why a vehicle count per hour may be necessity in the selection process.

Inspector Jill Lawrence

Windsor Police Service

Patrol Support Unit

Work: (519)255-6700 ext 4121

Cell: (519)982-3153

jlawrence@windsorpolice.ca

PARKING SERVICES – BILL KRALOVENSKY

Same concerns apply to this area as well. These 2 particular stretches have some curb side parking spaces, so there would be a loss of parking for the duration of the closure in these areas.

Bill Kralovensky

Coordinator, Parking Services

City of Windsor

519-255-6247 ext.-6103

519-566-6567 cell

bkralovensky@citywindsor.ca

LEGAL/RISK – DANA PALADINO

I think this could be facilitated with less risk than the road diet proposed for Riverside, only for the purpose of allowing social distancing on waiting to get into a business, and the road was properly barricaded in accordance with the Ontario Traffic Manual. I think if limited for this purposes, it creates less of an attraction, and takes on a functional purpose. I do still have some reservations about cars whipping by while people are standing on the road. During construction this happens, and hence why fines are doubled when speeding in a construction zone. There are no similar type of protections for non-workers that I'm aware of. We'd probably need a mix of reflective barricades and some type of physical separation between them for that extra safety precaution. Also, would the parking spots be opened just in front of specific businesses requesting it, or would it span a whole length of a street? If spanning the length of a street, then you start running into more of the issues we had with Riverside.

TRAFFIC – OPERATIONS – MIKE SPAGNUOLO

I think the 10 minute 'curb side' pickup idea is a great idea. I think it will be a great idea when businesses first open, but may cause some issues once all businesses are open, and parking spots become more sought after.

As far as the pedestrian pickup area, there are many concerns. Primarily with the fact that we are trying to cost out the cheapest alternative, where we should be looking at what is acceptable. Barrels should not replace physical barriers. We should not deviate from Book 7. Even with council approval, Ministry of Labor may have concerns.

Book 7 also states - For Sidewalk Closures of Long Duration (long duration is defined as greater than 24 hours), a Boardwalk & Railing should be provided instead of Pedestrian Barricades.

Also if only using barrels or devices with spacings, we may be inviting a lot more mid block crossings. We will be inviting people to a specific spot, and removing parking spaces for social distancing.

Locations should be looked at specifically. IE distance to alleys or other major driveway exits, bus stops etc.

Ideal locations would be in locations where bump outs exist.

TRANSIT – Stephan Habrun

Transit would have the same concerns regarding bus stops along that stretch of Wyandotte and how those would be accommodated.



Council Report: C 44/2020

Subject: 2020 Tax Policy Decisions and the Establishment of the 2020 Final Property Tax Rates – City Wide

Reference:

Date to Council: May 25, 2020
Author: Janice Guthrie
Deputy Treasurer, Taxation & Financial Projects
519-255-6100 Ext 6271
jguthrie@citywindsor.ca
Taxation & Financial Projects
Report Date: March 10, 2020
Clerk's File #: MH/13786 AFB/13467

To: Mayor and Members of City Council

Recommendation:

THAT City Council **RECEIVE** the information contained in the 2020 Tax Policy Report; and,

THAT City Council **APPROVE** the following Tax Policy Principles which have been used to calculate the 2020 Final property tax rates:

1. THAT the Optional Tax Classes of office building, shopping center, parking lot/vacant land, and large industrial **CONTINUE** to be used in the establishment of annual property tax rates.
2. THAT tax reductions for the first and second sub-classes of farmland awaiting development **BE RECONFIRMED** at their present level of 65% and 30% respectively.
3. THAT Administration **RETAIN** a blended rate of 30% as the discount on excess commercial and vacant and excess industrial land.
4. THAT the Municipality **SET** the threshold on the tax level for eligible new construction at 100%; and,

THAT City Council **APPROVE** the 2020 Total Tax Rates as presented in Table 1; and,

THAT City Council **APPROVE** the tax collection dates as presented in Table 2; and,

THAT City Council **MAINTAIN** the prescribed maximum rate for late payment charges as follows:

- 1 ¼% of the amount of tax due and unpaid as a penalty for non-payment on the first day of default; and,
- 1 ¼% of the amount of tax due and unpaid as interest for non-payment on the first day of each month; and,

THAT the City Solicitor **BE AUTHORIZED** to prepare the necessary by-laws.

Executive Summary:

On January 27, 2020 City Council approved the 2020 municipal budget that resulted in a total levy requirement of \$426.6 million. Included in this levy was \$2.3 million which will come from property assessment growth (new development/new taxpayers) and the collection of education taxes of \$63.7 million. The remaining \$361.5 million was anticipated to be collected from existing taxpayers representing an expected 2.12% increase in property taxes. Consistent with prior year and to ensure adequate cash resources until such time as the budget was approved and final tax rates could be established, Administration prepared and issued Interim Property Tax Bills which equated to \$208 million or 50% of the total 2019 property tax levy.

On March 12, 2020, the province announced the closing of schools to combat the spread of Covid-19. This was soon followed by the closing of many City facilities and non-essential businesses. On March 25, 2020, City Council approved interim measures that would assist taxpayers on a short-term basis with the payment of the 3rd instalment of interim property taxes, C127/2020. Taxpayers were given the option to defer this final tax instalment to June 30, 2020 without penalty or interest.

To date, the City has been utilizing cash from payments received and existing cash reserves to fund municipal operations and will continue to do so for the first half of the year. However, in order to continue to support ongoing operations and to avoid the depletion of cash reserves, Administration will be required to prepare and issue Final Property Tax bills.

The setting of property tax rates requires certain decisions and directives to be provided from City Council on an annual basis. As such, a comprehensive tax policy report and process is undertaken each year wherein each decision and directive can be fully vetted and approved. In light of recent events, Administration is providing Council with recommendations on the methodology upon which the 2020 tax rates have been determined, inclusive of the Education tax rates which were set by the Province, as well as to provide City Council with information with regard to the final billing process including the setting of instalment dates and late payment charges. Within the Discussion Section, Administration has provided much of the same background information as reported in past years to City Council with regards to the setting of property tax rates. It is acknowledge that many taxpayers will be seeking some form of property tax relief as a result of business closures and loss of employment during this period. At a later date and as a separate matter, Administration will be bring forward options for City Council to consider as it relates to potential opportunities to consider further targeted tax relief.

As noted in the Financial Matters, all of the recommended 2020 Final Tax rates have decreased from 2019. The reason for the decrease is due to 1) increases in assessment as a result of the four-year phase-in program and 2) decrease in Education rates. For the average taxpayer that has had no change in property assessment that taxpayer will have a decrease in overall property taxes when compared with their 2019 property tax bill. For the average taxpayer that have experienced an increase in property assessment as a result of the four-year phase-in program, property taxes will increase, on average, between 0.91% and 7.55%. For the average residential homeowner the increase in property assessment was 2.94% resulting in an overall average change in property taxes of 2.15% or approximately \$57.73.

Given the impacts of the COVID 10 pandemic, Administration is recommending that the process for preparation and mailing of the final tax bills for 2020 be deferred by one month in order to ensure that all payments remitted by June 30, 2020 (based on the deferred deadline for interim tax payments) can be posted to taxpayer accounts prior to the issuance of the final tax bills. Preparing and printing tax bills prior to this date would result in some taxpayers receiving a tax bills that reflect an outstanding "arrears" balance in the overall tax balance due while such amount may have been paid by the June 30th deadline. Administration is also recommending amended final tax installment dates for 2020 as compared to prior years which would provide added financial relief to taxpayers however, would ensure that all property tax payments are received by December 31, 2020.

With regards to the matter of late payment charges, for various reasons as stated in this report, Administration is not recommending that there be any change to the penalty and interest rate which is applied to those payments which are not made on time. Again, Administration will be looking at options for the provision of financial relief for taxpayers as a separate matter which may or may not include relief from late payment charges. It is noted that any type of financial relief will need to be funded by way of the redirection of funds from other projects and initiatives or from the tax base as a whole.

Background:

On January 27, 2020 City Council approved the 2020 municipal budget that resulted in a total levy requirement of \$426.6 million. Included in this levy was \$2.3 million which will come from property assessment growth (new development/new taxpayers) and the collection of education taxes of \$63.7 million. The remaining \$361.5 million was anticipated to be collected from existing taxpayers representing an expected 2.12% increase in property taxes. Consistent with prior year and to ensure adequate cash resources until such time as the budget was approved and final tax rates could be established, Administration prepared and issued Interim Property Tax Bills which equated to \$208 million or 50% of the total 2019 property tax levy.

On March 12, 2020, the province first announced the closing of schools to combat the spread of Covid-19. This was soon followed by the closing of many City facilities and non-essential businesses. On March 25, 2020, City Council approved interim measures that would assist taxpayers on a short-term basis with the payment of the 3rd instalment of property taxes, CR127/2020. To date, the City has been utilizing cash payments received and existing cash reserves to fund municipal operations and will continue to do so for the first half of the year. However, in order to continue to support ongoing operations and to avoid the depletion of cash reserves, Administration will be required to prepare and issue Final Property Tax bills.

It is clearly acknowledged that the events of March 2020 has created a tremendous financial burden for all taxpayers. It is also recognized that financial relief will be sought by taxpayers from all levels of government. Administration, in conjunction with other municipalities and municipal associations, have started the process of looking at the development of programs that could potentially assist taxpayers. Unfortunately, it is too early at this time to have a full understanding of the financial impact on taxpayers in order to develop and make recommendations for a tax relief program. Many programs at the Federal and Provincial level which provide subsidy for employment income at the business and individual level continue to be forthcoming. The risk of setting up property tax relief programs too early is that they are ineffective at achieving the desired targeted outcomes.

This report seeks City Council's approval on property tax related policy and administrative matters necessary to allocate the approved total tax levy amongst 1) property classes and 2) property owners. Typically this report would present to City Council each of the factors to be considered in making tax policy decisions and seek from Council direction in terms of Guiding Principles. For various reasons mentioned in this report and as a result of the recent events which have impacted the City, Administration has chosen to finalize the tax policy process which includes formalization of the 2020 tax rates on the basis of status quo. This means that the recommended final 2020 tax rates would be calculated consistent with the decisions and directions used in 2019. This report also provides City Council with information as to the billing process, due dates and late payment charges.

Discussion:

Tax Policy Decisions

Property Tax Classes and Use of Optional Tax Classes

All properties in Ontario are placed into **seven** main property classifications being:

- | | |
|---|--------------------|
| 1. Residential | 5. Farmland |
| 2. Multi-residential /New Multi-Residential | 6. Pipeline |
| 3. Commercial | 7. Managed Forest* |
| 4. Industrial | |

* the City does not have taxable assessment in this property class

In addition, municipalities have the ability to use Optional property classes which can be considered a sub-component of the main classes of commercial and industrial noted above.

Commercial (Main Class)



Commercial – residual
Office Building
Shopping Centre
Parking lot/Vacant land

Industrial (Main Class)



Industrial - residual
Large Industrial

The use of optional tax classes is not new and came from the application of a business occupancy tax, which existed prior to 1998. The original decision to continue to use optional tax classes was required to be made in 1998 when the entire property tax system as we know it today was adopted and legislated by the Province. To date, the City of Windsor has continued to maintain all optional commercial and industrial tax classes although the differential in tax rate has been diminishing over time.

The choice to opt out of any or all of the optional classes does exist on an annual basis. By eliminating one or more of the optional classes, there is the possibility that there will be tax shifts as the class(es) eliminated essentially become one. In this regard, depending upon the magnitude of the tax shifts, Ministerial consent may be required. Once a decision to combine

or eliminate the optional class(es) is made, municipalities cannot go back to using the optional classes.

Administration has in the past modelled for City Council the impacts that would result from a collapse of the optional classes. When done for the purposes of lowering the tax burden of one or more class(es) Administration has consistently recommended against this course of action due to significant and immediate impacts within the main class. It is likely that Ministerial consent would also be withheld given the very significant shifts. Alternatively, should Council want to provide tax relief to one or more tax class(es) it could be done by way of the tax ratio movement which can be completed over a period of time and therefore lessens the tax shifting impacts. Ministerial consent in this case will still need to be received however can be supported by way of a business case.

In past years, Administration has modelled the impact of both a full collapse and moderate tax ratio movement with regards to optional classes. As of 2017, there is no longer a different rate applied to the optional classes of shopping centre and office building.

Approval for the continued use of the optional classes is required on an annual basis.

THAT the use of Optional Tax Classes of office building, shopping center, parking lot/vacant land, and large industrial CONTINUE to be used in the establishment of annual property tax rates.

Tax Reductions for Certain Sub-Classes of Property

There are two situations in which City Council has, in the past, provided direction in terms of tax reductions. Confirmation as to those reductions is required on an annual basis.

1. Farmland Awaiting Development (FAD)

Farmland property, used for farming operations, is taxed at a rate that is 25% of the residential rate (i.e. a 75% discount is applied). Properties in this noted category recognize that farming operations no longer exist however attract a discount factor to take into consideration that development has not yet occurred. There are two subclasses of farmland awaiting development; those that have a registered plan in place and those that have development occurring but not complete.

Municipalities are required annually to establish a discount rate for the tax treatment of each sub-class. For the first subclass, where a registered plan in place, City Council has previously adopted a discount rate of 65%. This effectively reduces the tax rate for this class to 35% of the residential class rate.

For the second sub-class, where building permits have been registered against the property and development may be in progress in various stages, City Council has previously adopted

a discount of 30%. This effectively reduces the occupied tax rate of a property in any class to 70% of the tax rate that would otherwise apply.

Annually City Council may choose to maintain the existing discount percentages, or alter the percentage discount applied to one or both subclasses of FAD by 10%. Although there can be a change to the reduction rates of 10% per year, there is no identified need at this time to alter the present rates of reduction.

THAT tax reductions for the first and second sub-classes of farmland awaiting development BE RECONFIRMED at their present level of 65% and 30% respectively.

2. Excess Commercial and Industrial Excess and Vacant Land

Excess land is generally attached to and included with occupied lands. The excess land component is defined as areas that exceed that which would typically be required for the occupied operations. For example, a commercial plaza needs, and is expected to, extend over a minimum amount of land for purposes of a building and parking to conduct operations. Should there be land "in excess" of what is required, that land is valued and classified as excess land. The property owner received a tax bill that reflects both the occupied and excess land classifications

Prior to 2017, Municipalities were required to establish a policy to reduce the tax burden on vacant/excess commercial and industrial land. The requirement was put into place to maintain the tax differences between occupied and non-occupied land, which existed prior to 1998. Residential and multi residential properties are not eligible for a vacancy rebate. The Municipal Act, set out default reductions rates of 30% for the commercial classes and 35% for the industrial classes, however, a municipality may adopt a uniform rate at any level between 30% and 35%. For the 2017 tax year, Council elected the uniform rate of 30%. In other words, tax rates applied to unoccupied commercial and industrial vacant and excess land is 30% less than the rate applied to fully occupied commercial and industrial properties.

In 2017, the Province announced changes to legislation that would allow municipalities to make requests for changes to this program as part of the vacancy program rebate review. Council therefore has the ability to phase out or eliminate reductions granted to vacant and excess commercial and industrial land. Those municipalities who have made the decision to phase out or eliminated reductions were identified to Council as part of Administration's report C32/2019. Any change for Windsor would require Ministerial consent and therefore would not be able to be implemented until 2021 or later. For reasons outline within the report Administration is not recommending that any changes to the discounts rates be made this year.

For Windsor, the optional class of parking lot/vacant commercial land has been maintained and a separate rate (approximately 50% of the commercial occupied rate) is set for this class each year. Therefore for purposes of this section, the discount factor is applied only to the following sub-classes:

- Excess commercial land
- Vacant industrial/large industrial land
- Excess industrial/large industrial land

For clarity, the foregoing discussion relates to vacant **land** not vacant buildings. The related policy issue of vacancy rebates for vacant buildings was presented to City Council on April 1, 2019 (C32/12019) for direction. Administration is currently working on a submission to the Minister of Finance with regards to the full elimination of the vacancy rebate within Business Improvement Areas. That submission is currently on hold as a result of recent events.

THAT Administration retain a blended rate of 30% as the discount on excess commercial and vacant and excess industrial land.

New Construction

Historically, newly constructed properties in the business classes (not residential) were afforded a discount in terms of the rate of tax that would be applied. In 2005, City Council established a minimum tax level for comparable property of 70% and that threshold has been increased by 10% per annum for each year thereafter until 2008 when it reached 100%. City Council must reconfirm annually its intent to maintain this threshold at 100% to ensure that all new construction taxes are calculated on the property's full value.

THAT the Municipality SET the threshold on the tax level for eligible new construction at 100%.

Establishment of Tax Ratios and 2020 Tax Rates

Tax Ratios

Tax ratios are one of the most complex and significant decisions in the process for establishing tax rates. Tax ratios reflect the relationship that the tax rate, for each of the seven main property classes and optional classes, bears to the residential property class. Tax ratios, when applied to the tax class assessment, results in a weighted assessment. It is

this weighted assessment that is then used within a mathematical formula to calculate the tax rates for each class. Tax ratios therefore assist in the determination as to how much of the municipal levy will be paid by each tax class.

The changing of tax ratios will affect the percentage of the overall levy that is collected from each tax class.

While there may be a tendency to equate or compare tax ratios to other municipalities, strong caution should be used to not assume that a higher ratio automatically results in higher taxes. As indicated earlier in this report, total taxes result from both the impact of property assessment and property tax rates. According to the 2019 BMA Study, Windsor's tax ratios and rates were higher than our peer municipalities (populations over 100,000) however the overall tax burden as paid by taxpayers was at or lower than our peers in **9 out of 12** categories (Appendix A).

Starting Ratios & Ratio Movement

Starting ratios reflect the results of policy decisions made in the prior year and form the "status quo" or "baseline" scenario for further ratio movements. Tax ratios were introduced in 1998 and were a reflection of the tax distribution amongst property classes immediately prior to the new legislation. At that time, the Province established "Ranges of Fairness" which were to be used as a guideline for the setting of tax ratios (Appendix B). The expectation by the Province was that municipalities would lower tax ratios over time to fall within the ranges of fairness. However this goal, as established by the Province, has been unachievable largely due to constant fluctuations in property assessment values and valuation methods/programs, fluctuating economic conditions (recessionary periods) which preclude an ability for any one class of property owner to absorb significant tax increases that may result, and other Provincial policy announcements which mandate certain tax policy for select property classes and establishment of new property classes.

When assessment value fluctuations have been factored into tax ratio equations, the ability to reach the ranges of fairness has been severely compromised. Administration has demonstrated in past reports through tax scenario modelling that the negative consequences due to the shifting of property taxes from one class outweighed the benefits of the lower tax ratio. In other words, Administration has shown that a downward movement of a tax ratio for one class does cause a shift of the relative share of taxes being paid by that class onto the other tax classes. Conversely, as a result of significant assessment value decreases, taxes may be shifted from one class onto another. In this case tax ratios may need to be moved upwards in order to maintain the distribution of property taxes amongst the classes. Caution must always be used when moving tax ratios upwards or downwards as there is the possibility of unintended consequences.

Further to this, Provincial Thresholds were also put into place that set a ceiling on where tax ratios should be. In other words, municipalities were generally precluded from increasing tax

ratios. However where an increase was allowed, if a tax ratio were to exceed the threshold, the class would be considered “*levy restricted*” (discussed below)

Levy Restrictions

Levy restrictions only apply where the tax ratio is set above the Provincial threshold. To be levy restricted means that the class will not have to share, in full or in part, any increase as a result of a municipal tax levy increase. The levy restriction was intended to act a deterrent from moving ratios upwards.

Previously, if levy restricted, only 50% of any municipal tax levy increase is passed onto the class. With changes in regulations relating to the multi-residential tax class, the levy restriction for the class is set at 100%. This means that no municipal levy increase can be passed onto this class until the ratio is 2.0 or less.

When a class becomes levy restricted, City Council has the option to either:

- a) Leave the ratio as is and accept the restriction in place. In doing so, the affected class will continue to pay the same proportionate share of taxes as paid in prior year however any budget levy increase will be paid by all other non-restricted classes; or
- b) Make changes to the tax ratio for the class affected by the levy restriction, either as a one-time adjustment or as an adjustment over time, so as to achieve a ratio that is lower than the threshold. In doing so, the restricted class will then share in any future year budget levy increases.

In some cases, due to the levy restriction, the tax ratio will automatically lower each year. In this situation, City Council may choose to allow the class to fall below the threshold without any additional intervention.

Currently, all business classes are at the provincial threshold and therefore not considered to be levy restricted. No further downward changes are required in the setting of the 2020 tax rates.

Tax Ratio Movement

In previous years, Council has strategically chosen to reduce ratios of the business classes (multi-residential, commercial and industrial) downward towards the provincial thresholds. This decision was based upon preserving the interests of the business sector, who have generally been in favour of lower tax ratios and who argued that reducing ratios would stimulate economic development in the community and facilitate competitiveness and tax parity with other municipal jurisdictions. Historic data would suggest that lowering the tax ratios for business classes during periods of good economic conditions supports long-term

financial stability in years where the business tax base is compromised. The ability to move ratios downwards was also facilitated by relatively stable assessment changes.

Establishment of 2020 Tax Rates

As indicated previously, annual property tax rates are derived from the setting of tax ratios. In this regard there is an unlimited combination of movements that can be modelled either individually or in combination. Each scenario will result in a shifting of taxes amongst the property classes in varying degrees.

Administration begins the process with the first model, or Baseline model. It uses the 2020 Start Ratios which are calculated from the tax distribution resulting from the prior year tax rates and illustrates the tax rates that would apply for 2020 without any further adjustments. This year, Administration has chosen to not model any further tax ratio movements for reasons that follow:

- 2020 tax rates are based upon the final property assessment values resulting from the previous four-year assessment cycle wherein properties were valued as at January 1, 2016. Prior to recent events, all properties in Ontario were to be subject to new property values as determined on or around January 1, 2019 beginning with the 2021 tax year through to 2024. Unlike previous reassessment cycles, the outcomes were expected to **significantly** impact property assessment values particularly in the residential property class due to the rise in home resale values over the past four years. Given the emergency declaration and COVID-19 circumstance this reassessment update has been placed on hold for the 2021 taxation year. In other words, the 2020 assessment values will continue to be used for purposes of the 2021 taxation year. No further information has been provided with regards to whether the market value date of January 1, 2019 will continue to be used going forward or if another valuation date will be set. Due to the fact that fluctuations in assessment values can negatively impact the starting point for future tax rate decisions no change is being recommended.
- In the past two years, Administration has modelled in particular, a reduction of the multi-residential ratio to align with the new multi-residential ratio both as a one-time adjustment and as an adjustment over time. Windsor current ratio is at 2.0 which is at the threshold where there are no restrictions imposed on the tax class. As part of the 2019 tax policy, Administration undertook to monitor further changes to the multi-residential tax ratio in other municipalities and to report those changes to Council. According to the 2019 BMA study, the average tax ratio for the multi-residential tax class was 1.78 as compared to 1.79 in 2018. While there were some municipalities who continue to reduce their tax ratio for the multi-residential tax class towards 1.0, the decrease in the average can be attributed to a lowering of the ratios in those municipalities that were or remain above the 2.0 Provincial threshold and are therefore subject to further restrictions. As indicated in the report, Administration would not recommend any further changes in ratio for this property class this year. It is further noted that while the proposed tax ratio is recommended to remain at 2.0 that

comparatively based on the most recent BMA study Windsor still remains (Appendix A).

- In previous years, Administration has modelled the lowering and/or the collapse of the optional tax classes within the commercial and industrial broad class. Where reductions were recommended it was done so as to leverage additional education tax reductions for the class. There is no such ability to leverage the amount levied for education purposes on any tax class. Any further reductions in tax ratio for these classes would have a spill over effect onto other tax class, largely residential. Once ratios for a tax class are lowered, there is limited ability to increase the ratio in future years. Given the uncertainty of the changes in assessment value next year, a change to the tax ratios this year is not recommended.
- Given the factors noted above which support a status quo position for 2020 tax policy setting and since tax ratio modelling is very complex and requires the use of external consultants. It is administration's view that incurring such costs at this time to develop various tax scenarios is not warranted.

As a result of using the 2020 Starting Ratios, the following chart illustrates the resulting 2020 Municipal Tax Rates. It is this rate, when combined with the 2020 Education tax rate that forms the Final 2020 Property Tax Rate for each class.

2020 Municipal Tax Rates

Tax Class	2020 Ratio	2020 Tax Rate
Residential	1.000000	0.01622679
Farmland	0.250000	0.00405670
New Multi-Residential	1.000000	0.01622679
Multi-Residential	2.000000	0.03245358
Commercial	2.017813	0.03274263
Office Building	2.017813	0.03274263
Shopping Centre	2.017813	0.03274263
Parking Lot	1.016719	0.01649809

Industrial	2.320000	0.03764615
Large Industrial	2.938100	0.04767593
Pipeline	1.928249	0.03128929

Education Tax Rates

The total tax levy is a combination of both municipal and provincial education taxes. Municipalities have **no** control over the education tax rates that apply to property classes within their jurisdiction as they are set by the Ministry of Finance. The rate applied to both residential and multi-residential is set equally across the Province. The business class education rates are set for each municipality individually.

2020 Education Rates

Tax Class	2020 Rates
Residential/Multi-Residential	0.00153000
Commercial/Office Building/Shopping Centre	0.01250000
Parking Lot	0.00822145
Industrial Residual	0.01250000
Large Industrial	0.01250000
New Construction (rate applies to both commercial or industrial new construction assessment)	0.00980000

Based upon the 2020 rates indicated above a total of \$62.8 million would be collected and remitted for education taxes. As part of recent Provincial announcements, to assist municipalities with cash flow planning, the requirement remit the June quarterly payment for the education portion of the taxes has been deferred to September. The September payment will be required at the same time as the December payment.

Regular Tax Billing and Instalment Due Dates

On March 25, 2020, City Council approved interim measures that would assist taxpayers on a short-term basis with the payment of the 3rd instalment of the interim 2020 property taxes, CR127/2020. As part of this resolution City Council requested that Administration report back regarding options related to property tax late charges and due dates for Council's consideration.

Administration is recommending that the process for preparation and mailing of the final 2020 tax bills be deferred by one month in order to ensure that all payments remitted by June 30, 2020 can be posted to taxpayer accounts prior to the issuance of the final tax bills. Preparing and printing tax bills prior to this date would result in some taxpayers receiving a tax bills that reflect an outstanding “arrears” balance in the overall tax balance due which may not be the case if those amounts were paid by June 30th. Administration is also recommending that City Council establish due dates which would ensure that all property tax payments are received by December 31, 2020.

Following approval of this report, Administration will finalize the billing process with a mailing date on or around July 20, 2020. As indicated, this is one month later than would otherwise be the case and is the latest that Administration can delay the preparation of the bills while still maintaining each of the 10 month pre-authorized payment plans.

Council is required to set the due dates upon which tax payments must be made. Property owners are able to make payments on their own or utilize one of our pre-authorized payment plans (PAP). It should be noted that in the past, the due dates for the final tax billing installments were set in the months of July, September and November to allow for a longer period between due dates for those taxpayers who chose to make payment on their own. Given the proposed delay in the issuance of the bills, Administration is recommending a change to the 1st instalment date being August as opposed to July. The remaining two due dates for September and November would remain consistent with prior years. The withdrawal dates for the monthly pre-authorized payment plans would be set so as to receive all tax payments prior to the end of the year.

In Person	Pre-Authorized Payment Plans		
Due Date/Instalment	Due Date/Instalment	Mid-Month	End of Month
		August 17, 2020	August 31, 2020
August 19, 2020	August 19, 2020	September 15, 2020	September 30, 2020
September 16, 2020	September 16, 2020	October 15, 2020	October 30, 2020
November 18, 2020	November 18, 2020	November 16, 2020	November 30, 2020
		December 15,	December 31,

		2020	2020
--	--	------	------

Pre-Authorized Payment Plan dates indicated are for those property owners who are current with their property taxes (non-arrears). A separate PAP plan is available to those taxpayers who have fallen into arrears and require assistance in getting current. Taxpayers in this situation are encouraged to contact Administration who will assist on a case-by-case basis.

Supplemental and Omitted Tax Bills

Following the completion of the final billing process, Administration is required to complete up to seven (7) additional billing cycles which reflect updated assessment information received from MPAC. These are known as supplemental and omitted assessments and reflect changes to property assessment values since the return of the roll in December 2019. Changes can include additions, demolitions, property severances and/or consolidations and new construction and can be retroactive applied to two previous tax years. The due dates set for these billings typically fall in line with one of the scheduled dates above with the last date no later than December 31, 2020.

Late Payment Charges

Council, by way of by-law, must resolve the rate to be used where there is non-payment of property taxes. The topic of late payment charges has been heavily debated in past years and can be contentious in terms of balancing the request to assist property owners who have fallen behind in their taxes against the need for the municipality to exercise prudent fiscal management. Administration has previously and consistently recommended to Council the retention of the existing rates for late payment charges as such charges represent a fundamental component of a strong collection system and secure the ongoing and continued timely payment of property taxes which thereby safeguards the ability of the Corporation to fund municipal services. No changes to the existing rates have been recommended for 2020.

Financial Assistance through Property Tax Relief

It is acknowledge that many taxpayers will be seeking some form of property tax relief as a result of business closures and loss of employment experienced during this recent period. Administration in conjunction with various municipal associations are looking at this topic. At this time it is too early to determine what the financial impact will be for taxpayers and what if any financial assistance will be available from the Federal and Provincial levels of government. Early indications are that any type of financial assistance program should not be included with existing property tax rebate and relief programs as allowed under the Ontario Municipal Act. As Council is aware, some of those programs, such as the vacancy rebate program, have been eliminated at the Provincial level and many municipalities are in the process of complete

elimination or phasing out the program. In addition, those programs were established without the knowledge of recent events and may or may not provide for the intended outcome. As such it is the general view of municipal finance professionals that any tax relief should be very carefully considered at such time as we have a full understanding of the impacts of this challenging economic period so as to ensure it achieves the desired results and targets those sectors that are in most need. As such, at a later date and as a separate matter, Administration will be bringing forward further information and possible options for City Council to consider as it relates to potential financial assistance through property tax relief.

Risk Analysis:

The establishment of tax policy is complex. It is not sufficient to only look at one determining factor such as tax rates or property value for purposes of meaningful comparison. The proper comparison of tax burdens across municipalities needs to be based on similar sized properties within municipalities that provide similar services. As always, City Council is also cautioned to carefully weigh the impacts of any decisions to change existing tax policy to ensure that any short-term outcomes are not outweighed in terms of longer term implications which could be much harder to reverse. Administration is recommending that there be no change to the tax ratios which will form the determination of the 2020 tax rates. Should City Council request that additional information be provided prior to accepting this recommendation, direction would need to be very clear in terms of what changes should be presented. Administration will be commencing the process for the preparation of the 2020 Final Tax bills. A delay in the setting of the 2020 property tax rates could impact the timing for the release and mailing of the tax bills.

Financial Matters:

Based upon the information contained in this report, Administration will begin the process to prepare and mail the 2020 Final Property tax bills which will levy a total of \$426.6 million based upon a total tax rate as identified in the following chart.

Tax Class	2020 Municipal Rate	2020 Education Rate	2020 Total Rate	2019 Total Rate	% Change in the Rate
Residential	0.01622679	0.00153000	0.01775679	0.01789394	-0.77%
Farmland	0.00405670	0.00038250	0.00443920	0.00447349	-0.77%
New Multi-Residential	0.01622679	0.00153000	0.01775679	0.01789394	-0.77%

Multi-Residential	0.03245358	0.00153000	0.03398358	0.03417788	-0.57%
Commercial	0.03274263	0.01250000	0.04524263	0.04577237	-1.16%
Office Building	0.03274263	0.01250000	0.04524263	0.04577237	-1.16%
Shopping Centre	0.03274263	0.01250000	0.04524263	0.04577237	-1.16%
Parking Lot	0.01649809	0.00822145	0.02471954	0.02508694	-1.46%
Industrial	0.03764615	0.01250000	0.05014615	0.05067874	-1.05%
Large Industrial	0.04767593	0.01250000	0.06017593	0.06074384	-0.93%
Pipeline	0.03128929	0.01250000	0.04378929	0.04429949	-1.15%

It should be noted that all of the final 2020 Tax rates for each property class are lower than the 2019 Final Tax rates. This is primarily due to the increase in property assessment values for all property classes and lower education tax rates. For the property owner that has no change in assessment from the prior year, there will be a property tax decrease. For property owners that have an increase in assessment there will likely be a property tax increase. The degree to which the property tax will increase will depend upon the degree to which the increase compares to the average increase within the property class. The following chart illustrates the overall impact on \$150,000 of property assessment when the lower tax rate is applied to the higher property assessment.

Tax Class	% Change in Assessment Value	\$ Increase in Total Tax	% Change from 2019
Residential	2.94%	\$57.73	2.15%
Farmland	3.55%	\$18.50	2.76%
New Multi-Residential	8.40%	\$203.16	7.57%
Multi-Residential	8.16%	\$386.81	7.55%
Commercial	1.94%	\$52.20	0.76%
Office Building	2.29%	\$75.95	1.11%
Shopping Centre	2.83%	\$112.59	1.40%
Parking Lot	4.05%	\$95.06	2.53%
Industrial	1.91%	\$63.78	0.84%

Large Industrial	1.21%	\$24.03	0.26%
Pipeline	2.09%	\$60.75	0.91%

In other words, for the average residential homeowner who had a property assessment increase equal to the average increase of 2.94%, the property tax bill will be higher by approximately 2.15% or \$57.73. It should be noted that the approved budget estimated the impact to the existing taxpayers to be 2.12%. Included in this increase was an amount to be used towards the City's Asset Management Plan. At the time of budget approval, consideration to showing the incremental contribution to the asset management plan separately on the property tax bill was discussed. Unfortunately, due to significant property tax system limitations, the ability to show this levy is not currently available. Significant programming changes would need to be made within the current system which is no longer supported by the vendor. Administration is in the process of seeking alternatives for a new property tax system as has been presented to City Council in recent Capital Budgets. As such, efforts in regards have been deferred as a result of current events however the ability to identify separate amounts on a property tax bill have been included specifically in the system requirements document for the new system.

As previously mentioned, the issuance of the final property tax bills is based upon the total approved budget of \$426.6 million inclusive of education property taxes levied on behalf of the Province. The timing for the mailing and the payment dates have been set back from what has typically been followed in past years so as to assist taxpayers by deferring the payment to some extent however such dates cannot extend beyond December 31, 2020. It is acknowledged that there is a cost associated with the extension of the first due date in terms of lost interest revenue from the payments that would have otherwise been received. This cost is difficult to measure in isolation as it can be influenced by factors such as increased use of pre-authorized payment plans by taxpayers now wanting to spread their tax payments over a longer period of time and cost mitigation measures and expenditures deferrals such as the payment of the school board remittances. This cost would be in addition to the foregone revenues from the previously approved deferrals for the interim tax payments.

At this time, the development of potential property tax relief programs which may serve to assist taxpayer with the payment of property taxes is underway in consultation with other municipalities and municipal associations. Any recommendations coming from this review will be brought forward to City Council at a later date.

Consultations:

Municipal Tax Equity Consultants (MTE) Ltd.

Conclusion:

Direction with regards to tax policy decisions as well as assessment changes determine how the total tax levy is apportioned among classes and amongst individual property owners. Following Councils direction, Administration will finalize the 2020 tax rates and begin the process for the production and mailing of the 2020 Final property tax bills.

Planning Act Matters:

N/A

Approvals:

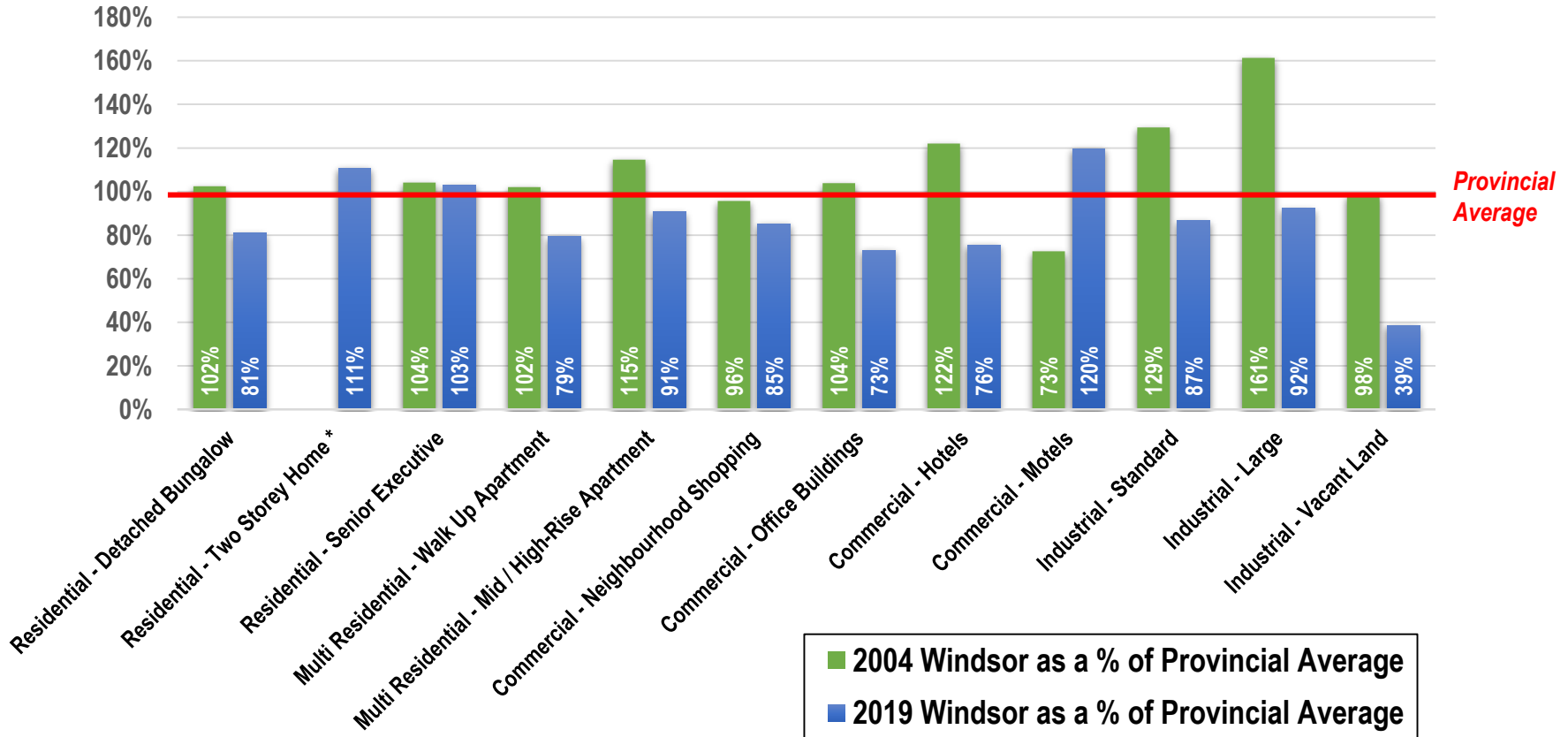
Name	Title
Joe Mancina	CFO & City Treasurer
Onorio Colucci	CAO

Notifications:

Name	Address	Email

Appendices:

2004 vs 2019 Property Taxes Comparison by Category



* Category did not exist in 2004.

Source: Independent Municipal Study by BMA Consulting Inc. (2019)

Provincial Average Includes Municipalities Population > 100,000

2020 Start Ratios and Provincial Ranges of Fairness

Tax Class	2020 Start Ratios	Provincial Range of Fairness	Provincial Threshold	Subject to Levy Restriction
Residential	1.000000			
Farm	0.250000	0.0 – 0.25		N/A
Pipeline	1.928249	0.6 – 0.7		N/A
New Multi-Residential	1.000000			
Multi-Residential	2.000000	1.0 – 1.1	2.0**	No
*Commercial – Broad Class	1.979652	0.6 – 1.1	1.98	No
Commercial	2.017813			
Office Building	2.017813			
Shopping Centre	2.017813			
Vacant Land- Commercial/Parking Lot	1.016719			
*Industrial – Broad Class	2.621115	0.6 – 1.1	2.63	No
Industrial	2.320000			
Large Industrial	2.938100			

*it is the commercial and industrial broad class that is compared to the provincial threshold when determining if levy restrictions apply

** previous threshold was 2.74, changed implemented in 2017



Council Report: C 86/2020

**Subject: 2020 Business Improvement Area Budget and Levy Approvals
– Wards 2,3,4,5 & 6**

Reference:

Date to Council: May 25, 2020
Author: Janice Guthrie
Deputy Treasurer, Taxation & Financial Projects
(519) 255-6100 Ext 6271
jguthrie@citywindsor.ca
Taxation & Financial Projects
Report Date: April 28, 2020
Clerk's File #: AFB/13467

To: Mayor and Members of City Council

Recommendation:

THAT City Council **APPROVE** the 2020 Budget submissions and related levy requests for the Downtown Windsor, Via Italia (Erie Street), Olde Riverside Town Centre, Olde Sandwich Towne, Walkerville District, Ottawa Street, Pilette Village and Ford City BIAs (Appendices attached) as outlined in Table 1; and,

THAT City Council **APPROVE** the 2020 Business Improvement Area Rates as presented in Table 2; and,

THAT City Council **AUTHORIZE** that a Streetscaping reserve be established by the Pilette Village BIA under section 417 of the Ontario Municipal Act, 2001 for the purpose of supporting a proposed project; and,

THAT the City Solicitor **BE AUTHORIZED** to prepare the necessary by-laws.

Executive Summary:

N/A

Background:

Presently, there are nine BIA's within the municipality as follows:

1. Downtown Windsor (DWBIA)
2. Via Italia – Erie Street
3. Olde Riverside Town Centre
4. Olde Sandwich Towne

5. Walkerville District
6. Ottawa Street
7. Pillette Village
8. Wyandotte Town Centre
9. Ford City

Sections 204 – 215 of the Ontario *Municipal Act, 2001* (the Act) provide the regulatory framework for the establishment and operation of Business Improvement Areas (BIA's). In particular, Section 204(1) provides that local municipalities may designate an area as an improvement area and may establish a Board of Management:

- a) To oversee the improvement, beautification and maintenance of municipally owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- b) To promote the area as a business or shopping area

Annually, each BIA is required to prepare a budget for City Council's consideration. Council may approve the submissions **in whole or in part** but may not add expenditures to them. The budget submissions identify the funding sources from which the expenditures will be paid. Sources of funding can include the levy, which is collected from each of the BIA members, and other sources of revenues such as grants and sponsorships. BIA Boards cannot:

- a) Spend money unless it is included in the approved budget or in a reserve
- b) Incur any indebtedness extending beyond the current year without prior approval or
- c) Borrow money

Therefore, once the budget is approved, the BIA must expend funds in accordance with such approval. Any funds which are not spent must be placed into a reserve which can be used in future for BIA related activities.

Following the approval of the budget, Council must also approve the method by which funds will be raised from the members and the criteria upon which the funds collected are provided to each BIA for use.

Discussion:

2020 Budget Overview

As part of the 2019 BIA budget deliberations, the following resolutions were passed by City Council (CR290/2019).

"That Administration **BE DIRECTED** to draft guidelines for the business improvement associations (BIA's), that would outline in a clear way the reports that Council expects to receive at year-end with respect to annual expenditures,

and that these guidelines be drafted **IN CONSULTATION** with all the BIA's across the City of Windsor as well as the WBIAC advisory committee; and,

That Administration **UNDERTAKE** a review of other BIA's and best practices across Ontario; and further,

That Administration **BE DIRECTED** to develop for Council's consideration and approval, a more robust budget template for all BIA's so that Council has a clear understanding of BIA budgets and expenditures that are in a more transparent manner."

On November 26, 2019, Administration attended the meeting of the Windsor Business Improvement Area Advisory Committee (WBIAAC). At that meeting, financial reporting responsibilities and budget development matters were discussed. A revised budget template, which serves to provide an opportunity to identify expenditures in a more clear yet consistent basis as well as to incorporate a variance analysis component, has been put into use for the development of the 2020 budget submissions. All nine BIA's were asked to use the new budget and variance reporting template for the 2019 submissions. For the most part, the templates were completed in full however there were some instances where additional information and training will be required in order to meet the intended goals and objectives. Administration will continue to work with the BIA's to ensure that there is a complete understanding of the budget and variance reporting process.

2020 Budget Submissions

The 2020 BIA budgets, which are provided in full in the attached Appendices A through I, include identified expenses which are consistent with the mandate of BIA's such as advertising and promotion, newsletters, beautification items, flower baskets, administrative costs, etc. The budgets were materially submitted to Administration in the requested format and by the determined deadline. Administration has performed a review of each budget to ensure consistency with the prior year and clarify any items that considered to be new. Administration also ensured that any previously committed amounts as repayments to the City for capital projects were included in the annual budgets. The Act requires that each BIA budget be discussed and approved at a general meeting in which all members of the BIA are invited to attend. Administration confirms that these meetings have taken place and also reviews the minutes of the meeting for any discussion with regards to the budgeted expenditures.

The following summarizes the budgeted expenditures and resulting levy as submitted by each of the BIA's.

Downtown Windsor Business Improvement Area (DWBIA) – Appendix A

The requested total budget is for \$688,250, which is an increase of \$45,078 from 2019. The related levy, which will come from BIA members, is \$667,550 an increase from 2019 of \$24,378.

The DWBIA is the largest of the nine BIA's. As such, an analysis of significant changes (+/- \$10,000) in expenditures is as follows:

Administrative Expenses

- An increase in salary and wages of \$33,000 due to the addition of a part time Market Coordinator to assist with the planned Farmers Market and Night Market events
- An increase of \$55,000 for contracting a Business Development Consultant.
- A reduction of \$10,000 in legal expenditures
- An increase of \$10,000 for the development of a property standards incentive program which will offer members incentive to improve their storefront appearances

Capital Expenses

- A decrease of \$41,472 as it relates to capital payments to the City which were fully repaid in 2019.
- An increase of \$24,000 for flowers, plants and trees

Advertising, Promotion and Events

- A decrease of \$15,000 as it relates to branding/digital advertising
- A decrease of \$35,000 previously allocated for retail recruitment
- The elimination of \$22,500 in expenses related to the Canada Day Parade
- An increase of \$20,000 in support of the Farmer's Market
- An increase of \$10,000 for a Night Market
- A signature event for the Ouellette Car Cruise has been budgeted for at a cost of \$28,200. The BIA has estimated receiving \$20,500 in sponsorship revenue to assist in offsetting the costs associated with the event.

As at the end of 2018, the DWBIA had an accumulated surplus (reserve balance) of \$139,150.

Via Italia – Erie Street BIA– Appendix B

The requested budget and related levy due from BIA members is \$125,000, which is consistent with that of 2019. Expenditures are generally consistent with prior year with the exception of an increase in seasonal decorations of \$15,000. An expense of \$10,000 is planned for the Tour di Via Italia Bike Race event. The budget submission

proposes a shifting of approximately \$10,000 from capital items back to the marketing budget to offset additional promotions & events expenses.

As at the end of 2018, the Via Italia BIA had an accumulated surplus (reserve balance) of \$77,099. An additional \$25,000 was to be added from the approved 2019 budget for street lighting initiatives.

Olde Riverside Town Centre BIA – Appendix C

The requested budget and related levy due from BIA members is \$65,000, which remains the same as in 2019. Expenditures are generally consistent with prior year with the exception of an increase in advertising of \$4,500. The BIA is planning for one signature event, Wheels on Wyandotte, and has included a total cost of \$15,200 relating to the event which is funded from the BIA levy.

Administration confirms that the annual capital repayment of \$7,500 to the City, as per City Council's direction in M276-2013 for the beautification project, has been included in the 2020 budget submission. The balance of \$30,000, which remains outstanding to the City, will be repaid in equal instalments of \$7,500 for each of the years 2020 through to 2023.

As at the end of 2018, the BIA had an accumulated surplus (reserve balance) of \$1,662.

Olde Sandwich Towne BIA – Appendix D

The requested budget of \$68,100 is an increase from 2019 of \$1,000. The related levy due from BIA members remains the same at \$67,100. Expenditures are generally consistent with the approved 2019 budget with the exception of salaries and wages which have been removed. When required, the BIA will hire a consultant to assist with events. An increase in expenditures of \$8,500 will be dedicated towards decorative and seasonal lighting and an increase of \$16,000 will be directed towards website development and social media. There are two special events planned for this BIA, Open Streets and Miracle in Sandwich, each with a budget of approximately \$12,000 which will be funded from the BIA levy.

As at the end of 2018, the BIA had an accumulated surplus (reserve balance) of \$58,597.

Walkerville District BIA– Appendix E

The requested 2020 budget submission is \$52,500, an increase of \$1,740. The requested levy due from BIA members is \$45,000, which remains the same as in 2019. The additional revenue is comprised of sponsorships and vendor registrations. The submission is consistent with the approved 2019 budget on a category-by-category basis. The BIA has planned for two events, Art Walk and Holiday Walk, each with a budget of approximately \$16,000 which will be funded from the BIA levy.

As at the end of 2018, the BIA had an accumulated surplus (reserve balance) of \$45,741.

Ottawa Street BIA– Appendix F

The requested budget and related levy due from BIA members is \$71,965, which remains the same as in 2019. The proposed 2020 budget, although remaining the same overall, proposes a reallocation of \$5,000 from capital expenses to marketing for additional social media funding for rebranding and promotion of the area.

As at the end of 2018, the BIA had an accumulated surplus (reserve balance) of \$39,186.

Pillette Village BIA – Appendix G

The requested budget and related levy due from BIA members is \$40,000, which is an increase of \$14,050 from that of 2019. The BIA has requested that City Administration consider a partnership proposal for improved street furnishings and image rebranding. The proposal is currently being evaluated by City Administration. The expected total cost of the project is estimated at \$320,000 with the costs to be shared equally between the City and the BIA. In anticipation of the project, and to mitigate the annual impacts on its membership, the Board has included an amount of \$10,600 as part of the 2020 budget to be set aside in a reserve until such time as the project can be vetted by Administration and a recommendation be brought forward to City Council for discussion and direction. Should the project not go forward, the amount would be used to offset future operating budget items. All other planned expenditures are generally consistent with prior year approved amounts.

As at the end of 2018, the BIA had an accumulated surplus (reserve balance) of \$26,708.

Wyandotte Town Centre BIA – Appendix H

A request was received from the Wyandotte Town Centre BIA to forego the submission of a budget for the 2020 year as a result of recent events. The BIA indicated that any planned expenditures in 2020 would be made from reserves and therefore no levy was required from its membership. As at the end of 2017, the BIA has an accumulated surplus (reserve balance) of \$110,937.

Administration advised the BIA that in accordance with the Act, an annual budget must be submitted regardless if the budget results in an annual levy. To date, no submission has been made.

Ford City BIA– Appendix I

The requested budget and related levy due from BIA members is \$30,000, which is an increase of \$1,200 from 2019. The BIA is planning one event, Dropped on Drouillard, at an estimated cost of \$11,800 to be funded from the BIA levy.

As at the end of 2018, the BIA had an accumulated surplus (reserve balance) of \$29,036.

Risk Analysis:

There is little risk to the municipality in generally approving the budgets of the BIA's. All budgets are required to be presented and discussed within each BIA membership prior to being submitted to Administration.

Related levies are recovered through the charge to the BIA memberships which is added to final property tax bill. Property taxes are secured in that they are attached to the property and not the member. Therefore, should a property owner fail to make a payment of the annual charge, it can be recovered through subsequent property owner or tax collection action.

Financial Matters:

At its regular meeting on February 24, 2020, City Council was advised, in a communication item, that BIA's would be provided with an interim payment equal to not more than 50% of its 2019 approved budget. Until funds are provided to the BIA, most are not in a cash flow position to proceed with planned expenditures. The authorization of an interim payment allows BIA's to fund operations, which are required to be paid, until the 2020 rates and levies are finalized. BIA's are not allowed to expend funds on items that have not received Council approval. Following approval of the budgets and respective rates, Administration will prepare to release a 2nd payment to each of the BIA's. This 2nd payment represents the balance of the budget, less any amounts due for capital projects and other repayments as well as a minimal holdback for any unidentified items that may arise during the year. The release of the 2nd payment is subject to the receipt of a clean audit opinion with regards to their 2019 annual financial statements.

It should be noted that each of these budgets were prepared and presented to the membership prior to the recent COVID-19 events which have caused many businesses to close their operations. Each of the BIA's were provided with the opportunity to revise the budget submissions to take into account any impacts on planned events and expenditures. Any revisions would need to be presented and supported by the membership. No revised budgets were received and as such are being presented in full to City Council for approval. Any amounts budgeted for but not expended in 2020 would be taken into the BIA's reserve at the end of the year. As such, Administration has provided City Council with information as to the balance in each of the BIA reserves

as of the end of 2018. There are no legislative requirements for City Council to approve expenditures from accumulated reserves leaving discretion to the BIA Boards.

Table 1 outlines the amounts related levy that has been requested by each BIA, which will be billed and collected from property owners in each BIA boundary.

Table 1
Business Improvement Area
2020 Recommended Budget, Levy and Rates

Business Improvement Area	2020 Recommended Budget	2020 Recommended Levy	2020 Rate
Downtown Windsor Business Improvement Area	\$688,250	\$667,550	0.00320425
Via Italia – Erie Street BIA	\$125,000	\$125,000	0.00612988
Olde Riverside Town Centre BIA	\$65,000	\$65,000	0.00667866
Olde Sandwich Towne BIA	\$68,100	\$67,100	0.00858835
Walkerville District BIA	\$52,500	\$45,000	0.00281984
Ottawa Street BIA	\$71,965	\$71,965	0.00363118
Pillette Village BIA	\$40,000	\$40,000	0.00360133
Wyandotte Town Centre BIA	N/A	N/A	N/A
Ford City BIA	\$30,000	\$30,000	\$400 flat fee

With the exception of the Pillette Village BIA and Ford City, all of the 2020 rates have declined from the previous year as a result of assessment increases within each of the BIA's. The Pillette Village rate increase is a result of the increase in the levy in anticipation of a street furnishing and rebranding project. The Ford City rate remains the same as it is a flat fee allocation.

BIA's are required to submit annual audited financial statements which will be presented to City Council at a later date. Any final instalment will be subject to the BIA complying with this request.

Consultations:

DWBIA

Via Italia BIA

Ford City BIA

Olde Riverside Town Centre BIA

Olde Sandwich Towne BIA

Ottawa Street BIA

Pillette Village BIA

Walkerville District BIA

Wyandotte Towne Centre BIA

Conclusion:

By accepting Administration's recommendations, the issuance of the BIA levy bills will provide each respective BIA with the necessary working capital to support the annual operating budget expenditures

Planning Act Matters:

N/A

Approvals:

Name	Title
Joe Mancina	CFO & City Treasurer
Onorio Colucci	CAO

Notifications:

Name	Address	Email
DWBIA	419 Pelissier St., Windsor, Ontario, N9A 4L2	debi@downtownwindosr.ca
Via Italia BIA	836 Erie St., Windsor, Ontario, N9A 3Y4	viatalia@gmail.com dolcevita@cogeco.net filip@mezzo.ca
Ford City BIA	1076 Drouillard Rd., Windsor, Ontario, N8Y 2P8	bscheuerman@cogeco.ca info@fordcity.ca shane@spotvin.com
Olde Riverside Town Centre BIA	2334 Cypress Ave., Windsor, Ontario, N8P 0A7	bscheuerman@cogeco.ca
Olde Sandwich Towne BIA	3118 Sandwich St., Windsor, Ontario, N9C 1A6	macuderman@hotmail.com ghanaka@aol.com
Ottawa Street BIA	1346 Ottawa St., Windsor, Ontario, N8X 2E8	ettore@bellnet.ca ottawastreetwindsorbiam@gmail.com
Pillette Village BIA	2334 Cypress Ave., Windsor, Ontario, N8P 0A7	bscheuerman@cogeco.ca mid-way@live.ca
Walkerville District BIA	1145 Beals St., Windsor, Ontario N9E 4B7	monarchmattress@rogers.com chair.wbia@gmail.com
Wyandotte Town Centre BIA	1380 Wyandotte St. E., Windsor, Ontario N9A 3K7	wyandottetowncentrebiam@gmail.com wadegriffith@thepatiolounge.ca

Appendices:

Appendix A – DWBIA 2020 Budget

Appendix B – Via Italia BIA 2020 Budget

Appendix C – Olde Riverside Town Centre BIA

Appendix D – Olde Sandwich Towne BIA

Appendix E – Walkerville District BIA

Appendix F – Ottawa Street BIA

Appendix G – Pillette Village BIA

Appendix H – Wyandotte Towne Centre BIA

Appendix I – Ford City BIA

APPENDIX A

DOWNTOWN WINDSOR (DWBIA)

Downtown

	2019		2019		2020	
	Approved Budget		Projected Actual		Proposed Budget	
REVENUE						
BIA Levy	\$	643,172.00	\$	640,000.00	\$	667,550.00
<u>Government Grants</u>						
Federal or Provincial HRDC/CSJ				1,960.00		
Municipal						
<u>Other Revenue</u>						
Donations						
Sponsorships				32,074.00		20,700.00
Promotions & Events Revenue				22,773.34		
TOTAL REVENUE	\$	643,172.00	\$	696,807.34	\$	688,250.00
EXPENDITURES (includes non-recoverable HST)						
Total Administrative	\$	220,550.00	\$	257,428.82	\$	304,800.00
Total Capital	\$	167,172.00	\$	165,222.97	\$	149,500.00
Total Marketing	\$	255,450.00	\$	271,560.44	\$	233,950.00
TOTAL EXPENDITURES	\$	643,172.00	\$	694,212.23	\$	688,250.00
Surplus/Deficit			\$	2,595.11		

ACCUMULATED SURPLUS/(DEFICIT)		
Beginning Balance		102,879.54
Use of Reserve	\$	5,000.00
Ending Balance Dec 31 2019		97,879.54

BUDGET DECLARATION TO BE SIGNED AFTER AGM

Board of Management Approval	<u>11</u> <u>03</u> <u>2020</u> Date Month Year	25-Feb-20	General Membership Approval	<u>11</u> <u>03</u> <u>20</u> Date Month Year	15-Jan-20
	<u>11/03/2020</u> Date			<u>11/03/2020</u> Date	
If budget is prepared by someone other than the Treasurer, please provide the name of the contact person below.:					
Name: Phone Number: Email Address:					

APPENDIX A (CONT'D)

DOWNTOWN WINDSOR (DWBIA) Administrative Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Staff	Salaries/Wages/Benefits	137,000.00	161,893.93	170,000.00
Other Admin.	Accounting			
	Audit	5,200.00	5,596.80	6,000.00
	AGM Expenses		23.74	
	Meeting Expenses (non AGM)	200.00	113.00	800.00
	Bank Charges	300.00	354.58	300.00
	Conferences/Seminars			
	Consultants (Business Development Contractor, Programming & Support)			55,000.00
	Donations			
	Strategic Plan	10,000.00	10,247.36	1,000.00
	Memberships			
	Subscriptions			
	Insurance	5,500.00	5,009.23	5,500.00
	Legal	20,000.00	23,124.84	10,000.00
	Telephone	1,900.00	3,162.59	2,100.00
	Postage & Courier	250.00	405.76	400.00
	Transportation & Travel			
	Office Supplies	2,700.00	5,533.75	3,000.00
	Office Equipment/Furniture/Maintenance	5,000.00	11,483.15	5,000.00
	Printing			
	Storage/Maintenance	2,500.00	2,394.33	2,700.00
	Rent/Lease	30,000.00	28,085.76	30,000.00
	Utilities			
	Other: Grant Writing			3,000.00
	Other: Property Standards Incentive			10,000.00
Total Administrative Expenses		\$ 220,550.00	\$ 257,428.82	\$ 304,800.00

APPENDIX A (CONT'D)

DOWNTOWN WINDSOR (DWBIA) Capital Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Capital				
(Only include BIA portion of any cost-share initiatives)	City of Windsor Loan Repayment	48,472.00	48,472.00	7,000.00
	Street Furniture			
	Benches			
	Alley Enhancements	8,000.00	1,225.84	5,000.00
	Signage			
	Decorative Lighting	20,000.00	31,250.36	20,000.00
	Decorations-Seasonal	25,000.00	25,565.54	27,000.00
	Decorations-Other (Lighting)			
	Banners			
	Murals			
	Planters	5,000.00	0.00	3,000.00
	Floral Beautification	3,000.00	4,475.74	
	Signage			
	Technical/Professional Services			
	St Clair College/Univ. of Windsor	5,000.00	2,055.68	5,000.00
General Maintenance				
	Flowers/Plants/Trees			24,000.00
	Snow Removal			
	Decorations			
	Hydro			
	Graffiti Removal			
	Power Washing	12,000.00	8,518.91	10,000.00
	Needle Collection	7,200.00	3,552.50	5,000.00
	Street Cleaning	30,000.00	29,530.74	38,000.00
	Broken Windows	3,000.00	10,247.36	3,000.00
	Cleanup - Window Cleaning			2,000.00
	Miscellaneous Repairs		73.90	
	Permit Fees			
	Security			
	Festival Tent Storage	500.00	254.40	500.00
Total Capital Expenses		\$ 167,172.00	\$ 165,222.97	\$ 149,500.00

APPENDIX A (CONT'D)

DOWNTOWN WINDSOR (DWBIA)		2019	2019	2020
Communications/Marketing/Promotions & Events		Approved Budget	Projected Actual	Proposed Budget
Communications				
	Memberships	2,800.00	4,158.91	3,500.00
	Subscriptions			
	Professional Development			
	Travel	400.00	378.60	500.00
	General Meeting Expense	2,000.00	113.00	3,000.00
	Board/Committee Meeting Expense	6,000.00	6,224.80	7,500.00
	Budget Meeting Expense	1,000.00	1,966.31	1,500.00
	Conference Expense	2,000.00	2,952.20	5,000.00
	Internet/Website	1,000.00	1,290.00	1,000.00
	Member Services (Parking Tokens)	1,500.00	102.50	1,000.00
	Public Relations/Liaison	3,500.00	6,133.86	3,500.00
	DWBRA	1,250.00	1,000.00	1,250.00
	Gift Card Expense		12,110.43	
Advertising and Marketing				
	Advertising	6,000.00	8,677.50	6,000.00
	Printing – (Flyers, Brochures, etc...)			
	Marketing/Graphic Design			5,000.00
	Branding/Digital Advertising	40,000.00	40,593.97	25,000.00
	Retail Recruitment	60,000.00	24,683.81	25,000.00
	Social Media			
	Signage			
	Newsletter			
	Website Development/Maintenance/CRM			5,000.00
	Wi-Fi	20,000.00	13,511.71	20,000.00
Promotions & Events				
	Canada Day Parade	22,500.00	21,934.69	
	Christmas			
	Easter			
	Spring Event (Terry Fox; Student Coupon)		4,350.31	2,000.00
	Farmers Market	30,000.00	25,342.89	50,000.00
	Summer Events (Open Streets; Halloween Trick 'n Treat, Street Walk; Jurassic Park)	18,000.00	9,209.13	15,000.00
	Fall Event (Oktoberfest)		2,850.00	
	WIFF365	15,000.00	16,514.99	15,000.00
	Winter Event (Please specify)			
	Winter Fest Parade	22,500.00	23,075.89	
	Night Market/Sidewalk Sale			10,000.00
	Signature Event 1 (complete tab)		27,850.21	28,200.00
	Signature Event 2 (complete tab)			
Total		\$ 255,450.00	\$ 271,560.44	\$ 233,950.00

APPENDIX A (CONT'D)

DOWNTOWN WINDSOR (DWBIA)		2019	2019	2020
Signature Event 1 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name: Ouellette Car Cruise				
Event Dates:				
Revenues				
Must be shown on Cover Page	BIA Contribution	0.00	0.00	0.00
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships		32,074.00	20,500.00
	Festival Revenue			
Total Revenues		0.00	32,074.00	20,500.00
Expenditures				
	Consultants			
	Entertainers		2,537.76	3,000.00
	Fees - EMS			
	Fees - Police		2,563.44	2,600.00
	Permits		4,795.00	4,800.00
	Signage		396.86	400.00
	Barricades			
	Advertising/Promotion		6,838.26	6,900.00
	Waste Handling/Removal			
	Porto-potties			
	Staging/Equipment Rentals		2,649.61	2,700.00
	Volunteers & Staffing		6,075.70	5,000.00
	Photography, Video & Website		1,321.05	1,400.00
	Vendors		350.00	
	Dash Plaques		1,322.53	1,400.00
Total Expenditures		0.00	28,850.21	28,200.00
Notes: Please provide description of the event				

APPENDIX A (CONT'D)
DOWNTOWN WINDSOR (DWBIA)
Commentary - 2019 Actual Expenditures

Explanation of Significant Variances (2019 Projected Actual vs. 2019 Approved Budget)

SUMMARY

(Include 2019 accomplishments; also indicate what was not accomplished in 2019 and why)

1. 2019 Accomplishments

See attached.

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

The DWBIA was able to secure significant sponsorship for the 2019 Ouellette Car Cruise.

Variance
\$ 32,074.00

3. Promotions, Events & Other Revenues

The Jurassic Park events generated significant revenues.

Variance
22,773.34

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

The DWBIA had budgeted to eliminate one full time staffing position in 2019. However, this did not occur until August, as such our salaries were higher than anticipated. Additionally, our telephone, office supplies and equipment and maintenance costs exceeded expectations; some of this was in part to on-boarding our new slate of directors.

Variance
17%

5. Capital & General Maintenance

No significant change.

Variance
-1%

7. Communications, Marketing, Promotions & Events

No significant change.

Variance
6%

8. Harmonized Sales Tax (HST) Rebates

\$14,088.16

Mandatory

APPENDIX A (CONT'D)
DOWNTOWN WINDSOR (DWBIA)
Commentary - 2020 Proposed Budget

Explanation of Significant Variances (2020 Proposed Budget vs. 2019 Approved Budget):

SUMMARY

(Include any other pertinent information)

1. 2020 Goals and Objectives

See attached.

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

The DWBIA is conservative estimating its fundraising abilities for the 2020 Ouellette Car Cruise.

Variance
-35%

3. Promotions, Events & Other Revenues

While the DWBIA may seek revenues for some of its events (e.g. Farmers Market & Night Market), we are unable to forecast what revenues may be generated as a result of our efforts.

Variance
-100%

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

Wages and expenses will increase in 2020 as the DWBIA will be contracting a business development consultant; a part-time Market Coordinator to assist with the Farmers Market and the Night Market. We are also planning to offer members incentives to spruce up their storefronts, in particular those projects not funded under the City's CIP.

Variance
38%

5. Capital & General Maintenance

We are engaging the services of a contractor to remove snow from downtown sidewalks following a heavy snowfall to ensure sidewalks are clear of snow, so we don't hinder people's mobility. We want to ensure that our community remains accessible and navigable. We are also increasing our powerwashing efforts during the spring/summer months and our sidewalk cleaning efforts to include alleyways.

Variance
-11%

7. Communications, Marketing, Promotions & Events

No significant variance.

Variance
-8%

APPENDIX B

ERIE ST/VIA ITALIA BIA

	2019		2019		2020	
	Approved Budget		Projected Actual		Proposed Budget	
REVENUE						
BIA Levy	\$	125,000.00	\$	126,491.56	\$	125,000.00
<u>Government Grants</u>						
Federal or Provincial						
Municipal						
<u>Other Revenue</u>						
Donations				2,800.00		
Sponsorships						
Promotions & Events Revenue						
Interest Income				158.27		
TOTAL REVENUE	\$	125,000.00	\$	129,449.83	\$	125,000.00
EXPENDITURES (includes non-recoverable HST)						
Total Administrative	\$	39,430.00	\$	33,996.00	\$	36,980.00
Total Capital	\$	34,000.00	\$	20,695.00	\$	23,000.00
Total Marketing	\$	51,570.00	\$	75,223.00	\$	65,020.00
TOTAL EXPENDITURES	\$	125,000.00	\$	129,914.00	\$	125,000.00
Surplus/Deficit			-\$	464.17		

ACCUMULATED SURPLUS/(DEFICIT)			
Beginning Balance			
Use of Reserve			
Ending Balance			

BUDGET DECLARATION TO BE SIGNED AFTER AGM

Board of Management Approval	14th	January	2020	General Membership Approval	4th	February	2020
	Date	Month	Year		Date	Month	Year
	FEB 27 / 20				FEB 27 / 20		
Signature of Chair	Date			Signature of Treasurer	Date		
If budget is prepared by someone other than the Treasurer, please provide the name of the contact person below.:							
Name:	Phone Number:	Email Address:					

APPENDIX B (CONT'D)

ERIE ST/VIA ITALIA BIA Administrative Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Staff	Salaries/Wages/Benefits	24,000.00	14,278.00	20,000.00
Other Admin.	Accounting	2,200.00	2,198.00	2,500.00
	Audit	1,800.00	1,035.00	1,200.00
	AGM Expenses			200.00
	Meeting Expenses (non AGM)			600.00
	Bank Charges	150.00	22.00	150.00
	Conferences/Seminars			
	Consultants			
	Donations		3,200.00	700.00
	Strategic Plan			
	Memberships			
	Subscriptions			
	Insurance	2,400.00	4,149.00	3,550.00
	Legal		509.00	
	Telephone			
	Postage & Courier		69.00	200.00
	Transportation & Travel			
	Office Supplies	800.00	818.00	300.00
	Office Equipment/Furniture/Maintenance			200.00
	Printing			
	Storage/Maintenance			
	Rent/Lease	6,780.00	6,106.00	6,780.00
	Utilities	800.00	426.00	600.00
	Other: (please specify)	500.00		
	Office Expense		1,186.00	
Total Administrative Expenses		\$ 39,430.00	\$ 33,996.00	\$ 36,980.00

APPENDIX B

(CONT'D)

ERIE ST/VIA ITALIA BIA Capital Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Capital				
(Only include BIA portion of any cost-share initiatives)	City of Windsor Loan Repayment			
	Street Furniture	2,000.00		
	Benches			
	Alley Enhancements			
	Signage			500.00
	Decorative Lighting			
	Decorations-Seasonal		13,737.00	15,000.00
	Decorations-Other			2,000.00
	Banners	25,000.00	1,933.00	2,000.00
	Murals			
	Planters	1,000.00		2,000.00
	Hanging Baskets			
	Signage			
	Technical/Professional Services			
	PLEASE SPECIFY	5,000.00		
	Streetscape Improvements		2,382.00	
	Memorial Clock		983.00	
General Maintenance				
	Flowers/Plants/Trees			1,000.00
	Snow Removal			
	Decorations			
	Hydro			
	Graffiti Removal			
	Power Washing			
	Needle Collection			
	Street Cleaning			
	Broken Windows			
	Cleanup - Other (please specify)			
	Miscellaneous Repairs	1,000.00	1,660.00	
	Permit Fees			500.00
	Security			
Total Capital Expenses		\$ 34,000.00	\$ 20,695.00	\$ 23,000.00

APPENDIX B (CONT'D)

ERIE ST/VIA ITALIA BIA		2019	2019	2020
Communications/Marketing/Promotions & Events		Approved Budget	Projected Actual	Proposed Budget
Communications				
	Memberships	70.00	60.00	150.00
	Subscriptions			
	Professional Development			
	Travel			
	General Meeting Expense			
	Board/Committee Meeting Expense			
	Budget Meeting Expense			
	Conference Expense			2,000.00
	Internet/Website			
	Member Services (Parking Tokens)			
	Public Relations/Liaison			
Advertising and Marketing				
	Advertising	19,000.00	23,828.00	15,000.00
	Printing – (Flyers, Brochures, etc...)	1,500.00		1,000.00
	Marketing Design			
	Branding			
	Retail Recruitment			
	Social Media			
	Signage			
	Sponsorships			
	Newsletter	1,000.00	235.00	870.00
	Website Development/Maintenance			
	Wi-Fi			
Promotions & Events				
	Canada Day			
	Christmas			
	Easter			
	Spring Event (Please specify)			
	Summer Event (Please specify)			
	Carrousel of Nations-Italian Village	30,000.00	40,540.00	32,000.00
	Fall Event (Please specify)			
	Tour di Via Italia Bike Races		10,560.00	10,000.00
	Winter Event (Please specify)			
	New Event			4,000.00
	Sidewalk Sale			
	Signature Event 1 (complete tab)			0.00
	Signature Event 2 (complete tab)			10,000.00
	Events PLEASE SPECIFY			
Total		\$ 51,570.00	\$ 75,223.00	\$ 75,020.00

APPENDIX B (CONT'D)

ERIE ST/VIA ITALIA BIA		2019	2019	2020
Signature Event 1 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name: Carrousel of Nations-Italian Village		30000	40540	32000
Event Dates: June 19th, 20th & 21st, 2020				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants		3,000.00	
	Entertainers		10,817.00	
	Fees - EMS			
	Fees - Police			
	Permits		1,331.00	
	Signage		4,678.00	
	Barricades		390.00	
	Advertising/Promotion		3,057.00	
	Waste Handling/Removal		870.00	
	Porto-potties		336.00	
	Staging		11,413.00	
	Security		3,189.00	
	Miscellaneous Expenses: Supplies			
	Meetings, Meals for Volunteers etc...		1,459.00	
Total Expenditures		0.00	40,540.00	0.00
Notes: Please provide description of the event				
Carrousel of Nations - Italian Village promotes the Italian culture and highlights the talents, foods and drinks of Italy.				
The Three day event includes: Miss Via Italia Beauty Contest, Fashion Show and Talent Show as well as Italian musical entertainers, dancers from various parts of Italy children's games and entertainment, various food stations serving traditional Italian foods and desserts.				

APPENDIX B (CONT'D)

ERIE ST/VIA ITALIA BIA		2019	2019	2020
Signature Event 2 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name: Tour di Via Italia - Bike Races		10000	10560	10000
Event Dates: Sunday August 23rd, 2020				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants			
	Entertainers			
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage			
	Barricades			
	Advertising/Promotion		560.00	
	Waste Handling/Removal			
	Porto-potties			
	Staging			
	Sponsorship		10,000.00	10,000.00
Total Expenditures		0.00	10,560.00	10,000.00
Notes: Please provide description of the event				
<p>Tour di Via Italia is a traditional bike race which has been taking place on Erie Street for the last 50 years. The Via Italia/Erie Street BIA sponsors this race every year in order to keep it viable and so it remains on Via Italia.</p>				

APPENDIX B (CONT'D)
 ERIE ST/VIA ITALIA BIA
 Commentary - 2019 Actual Expenditures

Explanation of Significant Variances (2019 Projected Actual vs. 2019 Approved Budget):

SUMMARY

(Include 2019 accomplishments; also indicate what was not accomplished in 2019 and why)

1. 2019 Accomplishments

Promoting Via Italia as a tourist destination. Promoting the Italian culture through community engagements and event. Beautifying the area to maintain a safe and clean neighbourhood, working with community supports to ensure safety of residents, business owners and patrons.	Mandatory
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REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

	Variance #DIV/0!
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3. Promotions, Events & Other Revenues

	Variance #DIV/0!
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EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

Administration expenses were \$5,434.00 less than budgetted amount due to unused wages for the event coordinator.	Variance -14%
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5. Capital & General Maintenance

Capital expenses came in \$13,305.00 lower than budgetted as new banners and murals were not purchased for this year as we recycled the old ones for this year.	Variance -39%
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7. Communications, Marketing, Promotions & Events

We spent more monies on events and advertising than was budgetted as more features were added to our Carrousel and costs were higher tha anticipated.	Variance 46%
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8. Harmonized Sales Tax (HST) Rebates

\$10,507.52	Mandatory
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APPENDIX B (CONT'D)
 ERIE ST/VIA ITALIA BIA
 Commentary - 2020 Proposed Budget

Explanation of Significant Variances (2020 Proposed Budget vs. 2019 Approved Budget):

SUMMARY

(Include any other pertinent information)

1. 2020 Goals and Objectives

To promote Via Italia as a Tourist destination, to promote the Italian culture, maintaining a clean and safe neighbourhood for all who patronize the area, provide better lighting to the area to avoid dark spots that attract crime, continue to enhance Holiday Decor.

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

none committed

Variance
#DIV/0!

3. Promotions, Events & Other Revenues

none committed

Variance
#DIV/0!

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

In line with 2019 Actuals, hiring a event coordinator to promote and organize our events and sub-committees

Variance
-6%

5. Capital & General Maintenance

In line with 2019 actuals, investing in better Holiday lighting in décor, maintaining streetscape

Variance
-32%

7. Communications, Marketing, Promotions & Events

Promoting the area through events and advertising in line with last years expenditures

Variance
45%

APPENDIX C

OLDE RIVERSIDE TOWN CENTRE BIA

	2019		2020	
	Approved Budget	Projected Actual	Proposed Budget	
REVENUE				
BIA Levy	\$ 65,000.00	\$ 71,575.00	\$ 65,000.00	
<u>Government Grants</u>				
Federal or Provincial				
Municipal				
<u>Other Revenue</u>				
Donations				
Sponsorships				
Promotions & Events Revenue				
TOTAL REVENUE	\$ 65,000.00	\$ 71,575.00	\$ 65,000.00	
EXPENDITURES (includes non-recoverable HST)				
Total Administrative	\$ 18,600.00		\$ 17,400.00	
Total Capital	\$ 24,900.00		\$ 21,850.00	
Total Marketing	\$ 28,075.00		\$ 25,750.00	
TOTAL EXPENDITURES	\$ 71,575.00		\$ 65,000.00	
Surplus/Deficit		\$ 71,575.00		

ACCUMULATED SURPLUS/(DEFICIT)			
Beginning Balance	1,662.00	1,662.00	69,913.00
Use of Reserve	-	71,575	65,000.00
Ending Balance	1,662.00	69,913.00	4,913.00

BUDGET DECLARATION TO BE SIGNED AFTER AGM

Board of Management Approval	13-Nov-19	General Membership Approval	14-Jan-20
	Date Month Year		Date Month Year
	MARCH 2, 2020		
Rick Martinello			
Signature of Chair	Date	Signature of Treasurer	Date
If budget is prepared by someone other than the Treasurer, please provide the name of the contact person below.:			
Bridget M. Scheuerman	519 962-6550	bscheuerman@coqeco.ca	
Name:	Phone Number:	Email Address:	

APPENDIX C (CONT'D)

OLDE RIVERSIDE TOWN CENTRE BIA Administrative Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Staff	Salaries/Wages/Benefits	9,500.00	7,800.00	9,500.00
Other Admin.	Accounting	400.00	395.50	400.00
	Audit	1,200.00	1,130.00	1,200.00
	AGM Expenses	700.00	314.68	500.00
	Meeting Expenses (non AGM)	800.00	694.61	500.00
	Bank Charges	-	-	-
	Conferences/Seminars	-	-	-
	Consultants	-	-	-
	Donations	3,000.00	3,700.00	2,500.00
	Strategic Plan	-	-	-
	Memberships	-	-	-
	Subscriptions	-	-	-
	Insurance	1,500.00	1,578.96	1,600.00
	Legal	-	-	-
	Telephone	1,200.00	1,202.02	750.00
	Postage & Courier	25.00	24.90	25.00
	Transportation & Travel	-	-	-
	Office Supplies	200.00	131.08	125.00
	Office Equipment/Furniture/Maintenance	-	-	-
	Printing	75.00	298.79	300.00
	Storage/Maintenance	-	-	-
	Rent/Lease	-	-	-
	Utilities	-	-	-
	Other: (please specify)	-	-	-
Total Administrative Expenses		\$ 18,600.00	\$ 17,270.54	\$ 17,400.00

APPENDIX C (CONT'D)

OLDE RIVERSIDE TOWN CENTRE BIA Capital Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Capital				
(Only include BIA portion of any cost-share initiatives)	City of Windsor Loan Repayment	7,500.00	7,500.00	7,500.00
	Street Furniture	0.00	0.00	0.00
	Benches	500.00	4,800.00	0.00
	Alley Enhancements	0.00	0.00	0.00
	Signage	0.00	0.00	0.00
	Decorative Lighting	0.00	0.00	0.00
	Decorations-Seasonal	0.00	0.00	0.00
	Decorations-Other	0.00	0.00	0.00
	Banners	500.00	0.00	0.00
	Murals	500.00	0.00	500.00
	Planters	10,800.00	11,503.40	11,000.00
	Hanging Baskets	0.00	0.00	0.00
	Signage	0.00	0.00	0.00
	Technical/Professional Services	0.00	0.00	0.00
	General Maintenance			
	Flowers/Plants/Trees	3,500.00	3,073.97	2,325.00
	Snow Removal	0.00	0.00	0.00
	Decorations	0.00	0.00	0.00
	Hydro	0.00	0.00	0.00
	Graffiti Removal	0.00	0.00	0.00
	Power Washing	400.00	339.00	400.00
	Needle Collection	0.00	0.00	0.00
	Street Cleaning	0.00	0.00	0.00
	Broken Windows	0.00	0.00	0.00
	Cleanup - Other (please specify)	0.00	0.00	0.00
	Miscellaneous Repairs	200.00	131.08	125.00
	Permit Fees	0.00	0.00	0.00
	Security	0.00	0.00	0.00
	Please Sp Business Development	1,000.00	0.00	0.00
	Total Capital Expenses		\$ 24,900.00	\$ 27,347.45

APPENDIX C (CONT'D)

OLDE RIVERSIDE TOWN CENTRE BIA		2019	2019	2020
Communications/Marketing/Promotions & Events		Approved Budget	Projected Actual	Proposed Budget
Communications				
	Memberships	0.00	0.00	0.00
	Subscriptions	0.00	0.00	0.00
	Professional Development	0.00	0.00	0.00
	Travel	0.00	0.00	0.00
	General Meeting Expense	1,000.00	694.61	0.00
	Board/Committee Meeting Expense	0.00	0.00	0.00
	Budget Meeting Expense	0.00	0.00	0.00
	Conference Expense	0.00	0.00	0.00
	Internet/Website	750.00	715.00	750.00
	Member Services (Parking Tokens)	0.00	0.00	0.00
	Public Relations/Liaison	0.00	0.00	0.00
Advertising and Marketing				
	Advertising	5,000.00	5,878.12	9,500.00
	Printing – (Flyers, Brochures, etc...)	75.00	290.99	300.00
	Marketing Design	0.00	0.00	0.00
	Branding	0.00	0.00	0.00
	Retail Recruitment	0.00	0.00	0.00
	Social Media	0.00	0.00	0.00
	Signage	0.00	0.00	0.00
	Sponsorships	0.00	0.00	0.00
	Newsletter	0.00	0.00	0.00
	Website Development/Maintenance	750.00	0.00	0.00
	Wi-Fi	0.00	0.00	0.00
	Please see recorded under donations)	3,000.00	0.00	0.00
Promotions & Events				
	Canada Day	0.00	0.00	0.00
	Christmas	1,250.00		
	Easter	0.00	0.00	0.00
	Spring Event (Please specify)	0.00	0.00	0.00
	Summer Event (Please specify)	0.00	0.00	0.00
	Fall Event (Please specify)	0.00	0.00	0.00
	Winter Event (Please specify)	0.00	0.00	0.00
	Sidewalk Sale	0.00	0.00	0.00
	Signature Event 1 (complete tab)			15,200.00
	Signature Event 2 (complete tab)			0.00
	Please specify	16,250.00		
Total		\$ 28,075.00	\$ 7,578.72	\$ 25,750.00

APPENDIX C (CONT'D)

OLDE RIVERSIDE TOWN CENTRE BIA		2019	2019	2020
Signature Event 1 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name:	Wheels on Wyandotte	15,000.00	15,823.90	15,200.00
Event Dates: September 7, 2019				
Revenues \$3,862.09				
Must be shown on Cover Page	BIA Contribution	15,000.00	15,823.90	15,250.00
	Federal/Provincial Grant		0.00	
	Municipal Grant		0.00	
	Donations		0.00	
	Sponsorships		0.00	
	Festival Revenue		0.00	
Total Revenues		15,000.00	15,823.90	15,250.00
Expenditures				
	Volunteer Meals	250.00	254.50	250.00
	Entertainers	2,400.00	2,314.33	2,400.00
	Fees - EMS	0.00	0.00	0.00
	Fees - Police	0.00	0.00	0.00
	Permits	175.00	458.25	475.00
	T-shirts	4,000.00	4,330.73	4,300.00
	Barricades	1,500.00	1,615.37	1,500.00
	Advertising/Promotion	1,600.00	1,559.63	1,500.00
	Two Way Radios	200.00	180.80	0.00
	Chairs/tables/Porta Potties	500.00	517.26	500.00
	Supplies	100.00	85.14	100.00
	Awards	450.00	454.92	450.00
	decorations	300.00	286.46	300.00
	DJ	650.00	1,250.00	1,250.00
	Printing	2,875.00	2,516.51	2,175.00
Total Expenditures		15,000.00	15,823.90	15,200.00
<p>Notes: Please provide description of the event Car and Motorcycle show with all proceeds going to Windsor Police Services Camp Brombal for Kids. The BIA covers all the costs of the show.</p>				

APPENDIX C (CONT'D)

OLDE RIVERSIDE TOWN CENTRE BIA		2019	2019	2020
Signature Event 2 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name:				
Event Dates:				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants			
	Entertainers			
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage			
	Barricades			
	Advertising/Promotion			
	Waste Handling/Removal			
	Porto-potties			
	Staging			
Total Expenditures		0.00	0.00	0.00
Notes: Please provide description of the event				

APPENDIX C (CONT'D)
OLDE RIVERSIDE TOWN CENTRE BIA
Commentary - 2019 Actual Expenditures

Explanation of Significant Variances (2019 Projected Actual vs. 2019 Approved Budget):

SUMMARY

(Include 2019 accomplishments; also indicate what was not accomplished in 2019 and why)

1. 2019 Accomplishments

successful car show and ongoing beautification of the BIA

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

Variance
#DIV/0!

3. Promotions, Events & Other Revenues

Variance
#DIV/0!

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

Variance
-7%

5. Capital & General Maintenance

had all of the benches in the BIA refinished by the City which cost us \$4,800

Variance
10%

7. Communications, Marketing, Promotions & Events

concentration on beautification did not allow for sufficient attention to be paid to Marketing. A more aggressive approach will be taken in 2020

Variance
-73%

8. Harmonized Sales Tax (HST) Rebates

\$3,327.60

Mandatory

APPENDIX I (CONT'D)
OLDE RIVERSIDE TOWN CENTRE BIA
Commentary - 2020 Proposed Budget

Explanation of Significant Variances (2020 Proposed Budget vs. 2019 Approved Budget):

SUMMARY

(Include any other pertinent information)

1. 2020 Goals and Objectives

--

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

--

Variance #DIV/0!

3. Promotions, Events & Other Revenues

--

Variance #DIV/0!

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

--

Variance -6%

5. Capital & General Maintenance

refinishing of benches within BIA

Variance -12%

7. Communications, Marketing, Promotions & Events

--

Variance -8%

APPENDIX D

OLDE SANDWICH TOWNE BIA

	2019		2019		2020	
	Approved Budget		Projected Actual		Proposed Budget	
REVENUE						
BIA Levy	\$	67,100.00	\$	66,208.34	\$	67,100.00
<u>Government Grants</u>						
Federal or Provincial		-		-		-
Municipal		-		-		-
<u>Other Revenue</u>						
Donations		-		-		-
Sponsorships		-		998.16		1,000.00
Promotions & Events Revenue		-		-		-
TOTAL REVENUE	\$	67,100.00	\$	67,206.50	\$	68,100.00
EXPENDITURES (includes non-recoverable HST)						
Total Administrative	\$	10,800.00	\$	6,807.03	\$	10,800.00
Total Capital	\$	14,000.00	\$	8,369.25	\$	14,000.00
Total Marketing	\$	42,300.00	\$	29,770.88	\$	41,325.00
TOTAL EXPENDITURES	\$	67,100.00	\$	44,947.16	\$	66,125.00
Surplus/Deficit			\$	22,259.34		

ACCUMULATED SURPLUS/(DEFICIT)			
Beginning Balance			
Use of Reserve			
Ending Balance			

BUDGET DECLARATION TO BE SIGNED AFTER AGM

Board of Management Approval	07-01-2020	General Membership Approval	14-01-2020
	Date Month Year		Date Month Year
	18 02 20		
<i>Maya Cuderman</i>		<i>[Signature]</i>	2020/02/18
Signature of Chair	Date	Signature of Treasurer	Date
If budget is prepared by someone other than the Treasurer, please provide the name of the contact person below.:			
Shelby Hudon	519-551-2208	shelbyhudon91@gmail.com	
Name:	Phone Number:	Email Address:	

APPENDIX D (CONT'D)

OLDE SANDWICH TOWNE BIA Administrative Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Staff	Salaries/Wages/Benefits	7,000.00		
Other Admin.	Accounting		770.00	1,200.00
	Audit	1,200.00	1,130.00	1,200.00
	AGM Expenses			
	Meeting Expenses (non AGM)			
	Bank Charges			
	Conferences/Seminars			
	Consultants			
	Donations		807.62	1,000.00
	Strategic Plan			
	Memberships			
	Subscriptions			
	Insurance	2,500.00	1,459.08	1,600.00
	Legal		316.40	500.00
	Telephone			
	Postage & Courier			
	Transportation & Travel			
	Office Supplies	100.00	165.99	250.00
	Office Equipment/Furniture/Maintenance			
	Printing			
	Storage/Maintenance		1,848.86	4,500.00
	Rent/Lease			
	Utilities		34.49	50.00
	Other: (please specify)			
	Welcome and/or Condolence Planters		274.59	500.00
Total Administrative Expenses		\$ 10,800.00	\$ 6,807.03	\$ 10,800.00

APPENDIX D (CONT'D)

OLDE SANDWICH TOWNE BIA Capital Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Capital				
(Only include BIA portion of any cost-share initiatives)	City of Windsor Loan Repayment			
	Street Furniture			
	Benches			
	Alley Enhancements			
	Signage			1,000.00
	Decorative Lighting		6,469.25	6,500.00
	Decorations-Seasonal		1,450.00	2,000.00
	Decorations-Other			
	Banners	3,500.00		500.00
	Murals			1,000.00
	Planters			1,000.00
	Hanging Baskets			
	Signage			
	Technical/Professional Services			
	General Maintenance			
	Flowers/Plants/Trees	2,000.00	450.00	2,000.00
	Snow Removal			
	Decorations			
	Hydro			
	Graffiti Removal			
	Power Washing			
	Needle Collection			
	Street Cleaning			
	Broken Windows			
	Cleanup - Other (please specify)			
	Miscellaneous Repairs	6,200.00		
	Permit Fees			
	Security			
	Please specify	2,300.00		
Total Capital Expenses		\$ 14,000.00	\$ 8,369.25	\$ 14,000.00

APPENDIX D (CONT'D)

OLDE SANDWICH TOWNE BIA		2019	2019	2020
Communications/Marketing/Promotions & Events		Approved Budget	Projected Actual	Proposed Budget
Communications				
	Memberships			
	Subscriptions			
	Professional Development			
	Travel			
	General Meeting Expense			
	Board/Committee Meeting Expense			
	Budget Meeting Expense			
	Conference Expense			
	Internet/Website			
	Member Services (Parking Tokens)			
	Public Relations/Liaison			
Advertising and Marketing				
	Advertising	9,000.00		
	Printing – (Flyers, Brochures, etc...)	1,000.00		1,000.00
	Marketing Design			
	Branding		75.00	
	Retail Recruitment			
	Social Media		3,380.00	8,000.00
	Signage		245.00	
	Sponsorships			
	Newsletter			
	Website Development/Maintenance		3,216.08	8,000.00
	Wi-Fi			
Promotions & Events				
	Canada Day			
	Christmas			
	Easter			
	Spring Event (Please specify)			
	Summer Event (Please specify)			
	Fall Event (Please specify)			
	Winter Event (Please specify)			
	Sidewalk Sale			
	Signature Event 1 (complete tab)		11,193.17	12,000.00
	Signature Event 2 (complete tab)		11,461.63	12,325.00
	"Jam Sessions" in Park		200.00	
	Please specify	32,000.00		
	Please specify	300.00		
Total		\$ 42,300.00	\$ 29,770.88	\$ 41,325.00

APPENDIX D (CONT'D)

OLDE SANDWICH TOWNE BIA		2019	2019	2020
Signature Event 1 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name: Open Streets				
Event Dates: September 22, 2019				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants		3,000.00	3,000.00
	Entertainers		7,631.35	7,500.00
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage		75.00	
	Barricades			
	Advertising/Promotion		486.82	1,500.00
	Waste Handling/Removal			
	Porto-potties			
	Staging			
Total Expenditures		0.00	11,193.17	12,000.00
Notes: Please provide description of the event				
Family-friendly summertime event that is part of a larger City-wide celebration. Features food, drinks, and entertainment.				

APPENDIX D (CONT'D)

OLDE SANDWICH TOWNE BIA		2019	2019	2020
Signature Event 2 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name: Miracle In Sandwich				
Event Dates: December 7, 2019				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations		998.16	1,000.00
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	998.16	1,000.00
Expenditures				
	Consultants		2,582.50	3,000.00
	Entertainers		1,513.11	1,500.00
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage			
	Barricades			
	Advertising/Promotion		4,490.19	5,000.00
	Waste Handling/Removal			
	Porto-potties			
	Staging			
	Donations to Participating Organizations		1,375.00	1,400.00
	Supplies		736.76	750.00
	Rental of Space		264.07	275.00
	Tree Decorating Day - Consultant		500.00	400.00
Total Expenditures		0.00	11,461.63	12,325.00
Notes: Please provide description of the event				
Family-friendly Christmas themed event that features food, crafts, a market and entertainment.				

APPENDIX D (CONT'D)
 OLDE SANDWICH TOWNE BIA
 Commentary - 2019 Actual Expenditures

Explanation of Significant Variances (2019 Projected Actual vs. 2019 Approved Budget):

SUMMARY

(Include 2019 accomplishments; also indicate what was not accomplished in 2019 and why)

1. 2019 Accomplishments

Increase in online activity i.e. updates to website and development of social media channels. Increased attendance at events, particularly Miracle in Sandwich.

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

Variance
#DIV/0!

3. Promotions, Events & Other Revenues

Variance
#DIV/0!

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

Salaries of consultants/contractors have been rolled into budget items for respective events and services; More emphasis placed on street maintenance and donations to community organizations/events; Funds used to emphasize community mindset by sending messages with planters (Welcome & Condolence).

Variance
-41%

5. Capital & General Maintenance

Funds were not used to pay for banners and miscellaneous repairs as anticipated; Emphasis placed on seasonal decorations and lighting to create more traffic during Holiday Season; Wreath re-stringing resulted in increased cost that will not be incurred yearly.

Variance
-40%

7. Communications, Marketing, Promotions & Events

Efforts to develop and maintain online channels did not start until several months into the year, resulting in reduced costs for 2019 which will increase in 2020; "Advertising" disbursements broken down into more specific categories i.e. Social Media & Website Development/Maintenance.

Variance
-30%

8. Harmonized Sales Tax (HST) Rebates

Not Applicable

Mandatory

APPENDIX D (CONT'D)
OLDE SANDWICH TOWNE BIA
Commentary - 2020 Proposed Budget

Explanation of Significant Variances (2020 Proposed Budget vs. 2019 Approved Budget):

SUMMARY

(Include any other pertinent information)

1. 2020 Goals and Objectives

To focus on beautifying the area, increasing safety, and growing event attendance. To explore the idea of a Farmer's Market and to increase BIA board membership.

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

Variance
#VALUE!

3. Promotions, Events & Other Revenues

Variance
#DIV/0!

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

Variance
0%

5. Capital & General Maintenance

Variance
0%

7. Communications, Marketing, Promotions & Events

Variance
-2%

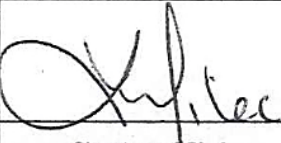
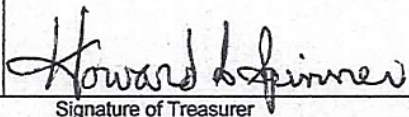
APPENDIX E

WALKERVILLE DISTRICT BIA

	2019		2019		2020	
	Approved Budget		Projected Actual		Proposed Budget	
REVENUE						
BIA Levy	\$	45,000.00	\$	45,000.00	\$	45,000.00
<u>Government Grants</u>						
Federal or Provincial						
Municipal						
<u>Other Revenue</u>						
Donations						
Sponsorships		5,000.00		3,535.00		3,500.00
Vendor Registrations Revenue				4,365.00		4,000.00
GIC Interest		760.00		760.00		
TOTAL REVENUE	\$	50,760.00	\$	53,660.00	\$	52,500.00
EXPENDITURES (includes non-recoverable HST)						
Total Administrative	\$	12,031.00	\$	12,158.66	\$	12,120.00
Total Capital	\$	5,463.00	\$	5,137.43	\$	5,500.00
Total Marketing	\$	33,266.00	\$	35,750.00	\$	34,880.00
TOTAL EXPENDITURES	\$	50,760.00	\$	53,046.09	\$	52,500.00
Surplus/Deficit			\$	613.91		

ACCUMULATED SURPLUS/(DEFICIT)			
Beginning Balance			45,741.00
Use of Reserve		\$	1,330.00
Ending Balance			44,411.00

BUDGET DECLARATION TO BE SIGNED AFTER AGM

Board of Management Approval	07—JANUARY—2020	General Membership Approval	21—JANUARY—2020
	Date Month Year		Date Month Year
			
Signature of Chair		Signature of Treasurer	
Date		Date	
If budget is prepared by someone other than the Treasurer, please provide the name of the contact person below.:			
Name: Phone Number: Email Address:			

APPENDIX E (CONT'D)

WALKERVILLE DISTRICT BIA Administrative Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Staff	Salaries/Wages/Benefits	9,000.00	8,991.16	9,000.00
Other Admin.	Accounting	1,000.00	1,000.00	1,000.00
	Audit			
	AGM Expenses		500.00	500.00
	Meeting Expenses (non AGM)	700.00		
	Bank Charges	60.00	58.00	60.00
	Conferences/Seminars			
	Consultants			
	Donations			
	Strategic Plan		157.50	
	Memberships			
	Subscriptions			
	Insurance	1,271.00	1,293.00	1,560.00
	Legal			
	Telephone			
	Postage & Courier		18.00	
	Transportation & Travel			
	Office Supplies		141.00	
	Office Equipment/Furniture/Maintenance			
	Printing			
	Storage/Maintenance			
	Rent/Lease			
	Utilities			
	Other: (please specify)			
Total Administrative Expenses		\$ 12,031.00	\$ 12,158.66	\$ 12,120.00

APPENDIX E (CONT'D)

WALKERVILLE DISTRICT BIA Capital Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Capital				
(Only include BIA portion of any cost-share initiatives)	City of Windsor Loan Repayment			
	Street Furniture			
	Benches			
	Alley Enhancements			
	Signage			
	Decorative Lighting			
	Decorations-Seasonal		1,327.43	1,500.00
	Decorations-Other			
	Banners			
	Murals			
	Planters		2,750.00	1,925.00
	Hanging Baskets			
	Signage			
	Technical/Professional Services			
General Maintenance				
	Flowers/Plants/Trees	1,000.00		1,000.00
	Snow Removal			
	Decorations	3,963.00		
	Hydro			
	Graffiti Removal			
	Power Washing			
	Needle Collection			
	Street Cleaning		560.00	575.00
	Broken Windows			
	Cleanup - Other (please specify)			
	Miscellaneous Repairs	500.00		500.00
	Permit Fees			
	Security			
	Parking Tokens		500.00	
Total Capital Expenses		\$ 5,463.00	\$ 5,137.43	\$ 5,500.00

APPENDIX E (CONT'D)

WALKERVILLE DISTRICT BIA		2019	2019	2020
Communications/Marketing/Promotions & Events		Approved Budget	Projected Actual	Proposed Budget
Communications				
	Memberships		700.00	700.00
	Subscriptions			
	Professional Development			
	Travel			
	General Meeting Expense			
	Board/Committee Meeting Expense			125.00
	Budget Meeting Expense			
	Conference Expense			
	Internet/Website		650.00	1,230.00
	Member Services (Parking Tokens)			
	Public Relations/Liaison			
Advertising and Marketing				
	Advertising			
	Printing – (Flyers, Brochures, etc...)			
	Marketing Design			
	Branding			
	Retail Recruitment			
	Social Media			
	Signage			
	Sponsorships			
	Newsletter			
	Website Development/Maintenance			
	Wi-Fi			
	Please specify	3,000.00		
Promotions & Events				
	Canada Day			
	Christmas			
	Easter			
	Spring Event (Please specify)			
	Summer Event (ART WALK)		16,400.00	16,825.00
	Fall Event (HOLIDAY WALK)		18,000.00	16,000.00
	Winter Event (Please specify)			
	Sidewalk Sale			
	Signature Event 1 (complete tab)			0.00
	Signature Event 2 (complete tab)			0.00
	Please specify	30,266.00		
Total		\$ 33,266.00	\$ 35,750.00	\$ 34,880.00

APPENDIX E (CONT'D)
 WALKERVILLE DISTRICT BIA
 Commentary - 2019 Actual Expenditures

Explanation of Significant Variances (2019 Projected Actual vs. 2019 Approved Budget):

SUMMARY

(Include 2019 accomplishments; also indicate what was not accomplished in 2019 and why)

1. 2019 Accomplishments

--

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

--

Variance -29%

3. Promotions, Events & Other Revenues

--

Variance 574%

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

--

Variance 1%

5. Capital & General Maintenance

--

Variance -6%

7. Communications, Marketing, Promotions & Events

--

Variance 7%

8. Harmonized Sales Tax (HST) Rebates

--

Mandatory

APPENDIX E (CONT'D)
WALKERVILLE DISTRICT BIA
Commentary - 2020 Proposed Budget

Explanation of Significant Variances (2020 Proposed Budget vs. 2019 Approved Budget):

SUMMARY

(Include any other pertinent information)

1. 2020 Goals and Objectives

--

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

--

Variance -30%

3. Promotions, Events & Other Revenues

--

Variance 426%

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

--

Variance 1%

5. Capital & General Maintenance

--

Variance 1%

7. Communications, Marketing, Promotions & Events

--


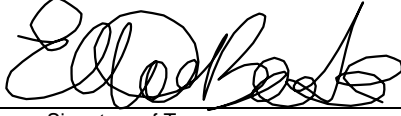
Variance 5%

**APPENDIX F
OTTAWA STREET BIA**

	2019		2019		2020	
	Approved Budget		Projected Actual		Proposed Budget	
REVENUE						
BIA Levy	\$	71,965.00	\$	43,990.00	\$	71,965.00
<u>Government Grants</u>						
Federal or Provincial						
Municipal						
<u>Other Revenue</u>						
Donations						
Sponsorships						
Promotions & Events Revenue						
TOTAL REVENUE	\$	71,965.00	\$	43,990.00	\$	71,965.00
EXPENDITURES (includes non-recoverable HST)						
Total Administrative	\$	19,965.00	\$	14,040.00	\$	19,365.00
Total Capital	\$	29,000.00	\$	10,500.00	\$	24,000.00
Total Marketing	\$	23,000.00	\$	19,450.00	\$	28,600.00
TOTAL EXPENDITURES	\$	71,965.00	\$	43,990.00	\$	71,965.00
Surplus/Deficit			\$	27,975.00	\$	-

ACCUMULATED SURPLUS/(DEFICIT)			
Beginning Balance			
Use of Reserve			
Ending Balance		-	-

BUDGET DECLARATION TO BE SIGNED AFTER AGM

Board of Management Approval	6-Nov-19	General Membership Approval	6-Nov-19
Date	Month	Year	Date
	6-Feb-20		6-Feb-20
Signature of Chair	Date	Signature of Treasurer	Date
<i>If budget is prepared by someone other than the Treasurer, please provide the name of the contact person below.:</i>			
Ettore Bonato	519-254-8447 (work)	ettore@bellnet.ca	
Name:	Phone Number:	Email Address:	

APPENDIX F (CONT'D)

OTTAWA STREET BIA Administrative Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Staff	Salaries/Wages/Benefits	11,000.00	7,000.00	9,000.00
Other Admin.	Accounting			
	Audit	1,350.00	1,100.00	1,350.00
	AGM Expenses		400.00	400.00
	Meeting Expenses (non AGM)			
	Bank Charges	150.00	90.00	150.00
	Conferences/Seminars			
	Consultants			
	Donations			
	Strategic Plan			
	Memberships			
	Subscriptions			
	Insurance	2,500.00	2,300.00	2,500.00
	Legal			
	Telephone			
	Postage & Courier		150.00	200.00
	Transportation & Travel			
	Office Supplies	1,865.00	500.00	1,265.00
	Office Equipment/Furniture/Maintenance		950.00	400.00
	Printing		350.00	2,000.00
	Storage/Maintenance			
	Rent/Lease			
	Utilities	2,100.00	1,200.00	2,100.00
	Other: (please specify)	1,000.00		
Total Administrative Expenses		\$ 19,965.00	\$ 14,040.00	\$ 19,365.00

APPENDIX F (CONT'D)

OTTAWA STREET BIA Capital Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Capital				
(Only include BIA portion of any cost-share initiatives)	City of Windsor Loan Repayment			
	Street Furniture	6,000.00		
	Benches			
	Alley Enhancements			
	Signage			
	Decorative Lighting		9,000.00	12,200.00
	Decorations-Seasonal		1,000.00	1,000.00
	Decorations-Other			
	Banners	14,400.00		
	Murals			
	Planters			
	Hanging Baskets			
	Signage	1,000.00		1,000.00
	Technical/Professional Services			
	Other: Please specify	4,000.00		
General Maintenance				
	Flowers/Plants/Trees			
	Snow Removal			
	Decorations			
	Hydro			
	Graffiti Removal			
	Power Washing			3,000.00
	Needle Collection			
	Street Cleaning			2,500.00
	Broken Windows			
	Cleanup - Other (please specify)			
	Miscellaneous Repairs	3,000.00	500.00	2,500.00
	Permit Fees			2,000.00
	Security			
	Please specify	600.00		
	Total Capital Expenses		\$ 29,000.00	\$ 10,500.00

APPENDIX F (CONT'D)

OTTAWA STREET BIA		2019	2019	2020
Communications/Marketing/Promotions & Events		Approved Budget	Projected Actual	Proposed Budget
Communications				
	Memberships			
	Subscriptions			
	Professional Development			3,000.00
	Travel			
	General Meeting Expense			
	Board/Committee Meeting Expense			
	Budget Meeting Expense			
	Conference Expense			
	Internet/Website			600.00
	Member Services (Parking Tokens)			
	Public Relations/Liaison			
Advertising and Marketing				
	Advertising	6,000.00	1,600.00	3,000.00
	Printing – (Flyers, Brochures, etc...)	2,000.00	600.00	2,000.00
	Marketing Design			
	Branding			
	Retail Recruitment			
	Social Media		11,500.00	15,000.00
	Signage			
	Sponsorships		5,000.00	
	Newsletter			
	Website Development/Maintenance		750.00	1,500.00
	Wi-Fi			
Promotions & Events				
	Canada Day			
	Christmas			
	Easter			
	Spring Event (Please specify)			
	Summer Event (Please specify)			
	Fall Event (Please specify)			500.00
	Winter Event (Please specify)			1,000.00
	Sidewalk Sale			2,000.00
	Signature Event 1 (complete tab)			0.00
	Signature Event 2 (complete tab)			0.00
	Please specify	15,000.00		
Total		\$ 23,000.00	\$ 19,450.00	\$ 28,600.00

APPENDIX F (CONT'D)

OTTAWA STREET BIA		2019	2019	2020
Signature Event 1 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name:				
Event Dates:				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants			
	Entertainers			
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage			
	Barricades			
	Advertising/Promotion			
	Waste Handling/Removal			
	Porto-potties			
	Staging			
Total Expenditures		0.00	0.00	0.00
Notes: Please provide description of the event				

APPENDIX F (CONT'D)

OTTAWA STREET BIA		2019	2019	2020
Signature Event 2 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name:				
Event Dates:				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants			
	Entertainers			
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage			
	Barricades			
	Advertising/Promotion			
	Waste Handling/Removal			
	Porto-potties			
	Staging			
Total Expenditures		0.00	0.00	0.00

Notes: Please provide description of the event

APPENDIX F (CONT'D)
OTTAWA STREET BIA
Commentary - 2019 Actual Expenditures

Explanation of Significant Variances (2019 Projected Actual vs. 2019 Approved Budget):

SUMMARY

(Include 2019 accomplishments; also indicate what was not accomplished in 2019 and why)

1. 2019 Accomplishments

The BIA was sucky to get discounts on administrative costs and diappointments to projects which were not achieved due to weather, timing and problems with past work done needing repair.

Mandatory

REVENUES

*Provide explanations for significant variances only, i.e. **plus or minus 10%** variance for each section below*

2. Grants, Donations & Sponsorships

None

Variance
#DIV/0!

3. Promotions, Events & Other Revenues

None

Variance
#DIV/0!

EXPENDITURES

*Provide explanations for significant variances only, i.e. **plus or minus 10%** variance for each category below*

4. Administration

Did not use as much so the BIA allocated monies to social media

Variance
-30%

5. Capital & General Maintenance

Some projects were not achieved and some monies were allocated to social media.

Variance
-64%

7. Communications, Marketing, Promotions & Events

The BIA did not realize how expensive social media was especially starting from scratch.

Variance
-15%

8. Harmonized Sales Tax (HST) Rebates

Any rebates will be put into our reserves and used towards beautification.

Mandatory

APPENDIX I (CONT'D)
OTTAWA STREET BIA
Commentary - 2020 Proposed Budget

Explanation of Significant Variances (2020 Proposed Budget vs. 2019 Approved Budget):

SUMMARY

(Include any other pertinent information)

1. 2020 Goals and Objectives

The surplus from 2018 & 2019 budget has been allocated (the BIA never had a chance to spend it, because quotes were late coming in) for murals, lighting and social media for Street Beautification and more people traffic.

Mandatory

REVENUES

*Provide explanations for significant variances only, i.e. **plus or minus 10%** variance for each section below*

2. Grants, Donations & Sponsorships

None

Variance
#DIV/0!

3. Promotions, Events & Other Revenues

None

Variance
#DIV/0!

EXPENDITURES

*Provide explanations for significant variances only, i.e. **plus or minus 10%** variance for each category below*

4. Administration

The BIA has become more precise on administrative spending needs.

Variance
-3%

5. Capital & General Maintenance

Beautifying Ottawa Street to attract more public traffic and getting previously proposed projects accomplished.

Variance
-17%

7. Communications, Marketing, Promotions & Events

Social media improvement - cost more than expected / Hallowe'en for Fall event / Holiday Santa Event for Winter holiday season.

Variance
24%

APPENDIX G

PILLETTE VILLAGE BIA

	2019		2020	
	Approved Budget	Projected Actual	Proposed Budget	
REVENUE				
BIA Levy	\$ 25,950.00	\$ -	\$ 40,000.00	
<u>Government Grants</u>				
Federal or Provincial				
Municipal				
<u>Other Revenue</u>				
Donations				
Sponsorships				
Promotions & Events Revenue				
TOTAL REVENUE	\$ 25,950.00	\$ -	\$ 40,000.00	
EXPENDITURES (includes non-recoverable HST)				
Total Administrative	\$ 7,800.00		\$ 9,975.00	
Total Capital	\$ 8,500.00		\$ 16,750.00	
Total Marketing	\$ 9,650.00		\$ 13,275.00	
TOTAL EXPENDITURES	\$ 25,950.00		\$ 40,000.00	
Surplus/Deficit		\$ -		

ACCUMULATED SURPLUS/(DEFICIT)			
Beginning Balance	26,708.00	25,745.48	7,894.48
Use of Reserve	-	17,851.00	40,000.00
Ending Balance	26,708.00	7,894.48	32,105.52

BUDGET DECLARATION TO BE SIGNED AFTER AGM

Board of Management Approval	6-Nov-19	General Membership Approval	8-Dec-19
	Date Month Year		Date Month Year
			
Terry Yald0	Mar 2, 2020		
Signature of Chair	Date	Signature of Treasurer	Date
<i>If budget is prepared by someone other than the Treasurer, please provide the name of the contact person below.:</i>			
Bridget M. Scheuerman	519 962-1852	bscheuerman@coqeco.ca	
Name:	Phone Number:	Email Address:	

APPENDIX G (CONT'D)

PILLETTE VILLAGE BIA Administrative Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Staff	Salaries/Wages/Benefits	4,000.00	4,278.00	4,250.00
Other Admin.	Accounting	400.00	395.50	400.00
	Audit	1,200.00	1,130.00	1,200.00
	AGM Expenses	225.00	540.74	700.00
	Meeting Expenses (non AGM)	-	-	-
	Bank Charges	-	-	-
	Conferences/Seminars	-	-	-
	Consultants	-	-	-
	Donations	-	-	-
	Strategic Plan	-	-	-
	Memberships	-	-	-
	Subscriptions	-	-	-
	Insurance	1,675.00	1,774.44	1,675.00
	Legal	-	-	-
	Telephone	-	-	-
	Postage & Courier	50.00	206.11	100.00
	Transportation & Travel	-	-	-
	Office Supplies	100.00	271.42	300.00
	Office Equipment/Furniture/Maintenance	-	-	-
	Printing	150.00	578.64	150.00
	Storage/Maintenance	-	-	1,200.00
	Rent/Lease	-	-	-
	Utilities	-	-	-
	Other: (please specify)	-	-	-
Total Administrative Expenses		\$ 7,800.00	\$ 9,174.85	\$ 9,975.00

APPENDIX G (CONT'D)

PILLETTE VILLAGE BIA Capital Expenses		2019	2019	2020
		Approved Budget	Projected Actual	Proposed Budget
Capital				
(Only include BIA portion of any cost-share initiatives)	City of Windsor Loan Repayment	0.00	0.00	10,600.00
	Street Furniture	0.00	0.00	0.00
	Benches	0.00	0.00	0.00
	Alley Enhancements	0.00	0.00	0.00
	Signage	0.00	0.00	0.00
	Decorative Lighting	0.00	0.00	0.00
	Decorations-Seasonal	3,000.00	4,520.00	3,000.00
	Decorations-Other	0.00	0.00	0.00
	Banners	0.00	0.00	0.00
	Murals	0.00	0.00	0.00
	Planters	500.00	1,445.48	500.00
	Hanging Baskets	0.00	0.00	0.00
	Signage	0.00	0.00	0.00
	Technical/Professional Services	0.00	0.00	0.00
	General Maintenance			
	Flowers/Plants/Trees	5,000.00	3,023.50	2,500.00
	Snow Removal	0.00	0.00	0.00
	Decorations	0.00	0.00	0.00
	Hydro	0.00	0.00	0.00
	Graffiti Removal	0.00	0.00	0.00
	Power Washing	0.00	0.00	0.00
	Needle Collection	0.00	0.00	0.00
	Street Cleaning	0.00	0.00	0.00
	Broken Windows	0.00	0.00	0.00
	Cleanup - Other (please specify)	0.00	0.00	0.00
	Miscellaneous Repairs	0.00	186.45	150.00
	Permit Fees	0.00	0.00	0.00
	Security	0.00	0.00	0.00
	PLEASE SPECIFY	0.00	0.00	0.00
	Total Capital Expenses		\$ 8,500.00	\$ 9,175.43

APPENDIX C (CONT'D)

PILLETTE VILLAGE BIA		2019	2019	2020
Communications/Marketing/Promotions & Events		Approved Budget	Projected Actual	Proposed Budget
Communications				
	Memberships	0.00	0.00	0.00
	Subscriptions	0.00	0.00	0.00
	Professional Development	0.00	0.00	0.00
	Travel	0.00	0.00	0.00
	General Meeting Expense	0.00	0.00	0.00
	Board/Committee Meeting Expense	0.00	0.00	0.00
	Budget Meeting Expense	0.00	0.00	0.00
	Conference Expense	0.00	0.00	0.00
	Internet/Website	650.00	924.00	775.00
	Member Services (Parking Tokens)			
	Public Relations/Liaison			
Advertising and Marketing				
	Advertising	500.00	0.00	4,000.00
	Printing – (Flyers, Brochures, etc...)	0.00	0.00	0.00
	Marketing Design	0.00	0.00	0.00
	Branding	0.00	0.00	0.00
	Retail Recruitment	0.00	0.00	0.00
	Social Media	0.00	0.00	0.00
	Signage	0.00	0.00	0.00
	Sponsorships	0.00	0.00	0.00
	Newsletter	0.00	0.00	0.00
	Website Development/Maintenance	0.00	0.00	0.00
	Wi-Fi	0.00	0.00	0.00
Promotions & Events				
	Canada Day	0.00	0.00	0.00
	Christmas	0.00	0.00	0.00
	Easter	0.00	0.00	0.00
	Spring Event (Please specify)	0.00	0.00	0.00
	Summer Event (Please specify)	8,500.00	0.00	8,500.00
	Fall Event (Please specify)	0.00	0.00	0.00
	Winter Event (Please specify)	0.00	0.00	0.00
	Sidewalk Sale	0.00	0.00	0.00
	Signature Event 1 (complete tab)	0.00	0.00	0.00
	Signature Event 2 (complete tab)			0.00
	Please Specify			
Total		\$ 9,650.00	\$ 924.00	\$ 13,275.00

APPENDIX G (CONT'D)

PILLETTE VILLAGE BIA		2019	2019	2020
Signature Event 1 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name:				
Event Dates:				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants			
	Entertainers			
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage			
	Barricades			
	Advertising/Promotion			
	Waste Handling/Removal			
	Porto-potties			
	Staging			
Total Expenditures		0.00	0.00	0.00
Notes: Please provide description of the event				

APPENDIX G (CONT'D)

PILLETTE VILLAGE BIA		2019	2019	2020
Signature Event 2 - Supporting Information		Approved Budget	Projected Actual	Proposed Budget
Event Name:				
Event Dates:				
Revenues				
Must be shown on Cover Page	BIA Contribution			
	Federal/Provincial Grant			
	Municipal Grant			
	Donations			
	Sponsorships			
	Festival Revenue			
Total Revenues		0.00	0.00	0.00
Expenditures				
	Consultants			
	Entertainers			
	Fees - EMS			
	Fees - Police			
	Permits			
	Signage			
	Barricades			
	Advertising/Promotion			
	Waste Handling/Removal			
	Porto-potties			
	Staging			
Total Expenditures		0.00	0.00	0.00
Notes: Please provide description of the event				

APPENDIX C (CONT'D)
PILLETTE VILLAGE BIA
Commentary - 2019 Actual Expenditures

Explanation of Significant Variances (2019 Projected Actual vs. 2019 Approved Budget):

SUMMARY

(Include 2019 accomplishments; also indicate what was not accomplished in 2019 and why)

1. 2019 Accomplishments

--

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

--

Variance #DIV/0!

3. Promotions, Events & Other Revenues

--

Variance #DIV/0!

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

--

Variance 18%

5. Capital & General Maintenance

--

Variance 8%

7. Communications, Marketing, Promotions & Events

--

Variance -90%

8. Harmonized Sales Tax (HST) Rebates

--

Mandatory

APPENDIX I (CONT'D)
PILLETTE VILLAGE BIA
Commentary - 2020 Proposed Budget

Explanation of Significant Variances (2020 Proposed Budget vs. 2019 Approved Budget):

SUMMARY

(Include any other pertinent information)

1. 2020 Goals and Objectives

Capital Works Project to enhance the area is with the Planning Department and hopefully will be going to Council in February or March 2020. Our concentration has been on the revitalization of the area.

Mandatory

REVENUES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each section below

2. Grants, Donations & Sponsorships

Variance
#DIV/0!

3. Promotions, Events & Other Revenues

Variance
#DIV/0!

EXPENDITURES

Provide explanations for significant variances only, i.e. plus or minus 10% variance for each category below

4. Administration

We are acquiring a storage unit this year and will be paying a monthly rental.

Variance
28%

5. Capital & General Maintenance

If the Capital Works Project is approved by Council, there will be pay back to the City of \$10,600.00. We have increased our Operating Budget by that amount in anticipation of that approval, which raises our Operating Budget to \$40,000 from \$25,950.00

Variance
97%

7. Communications, Marketing, Promotions & Events

increase in Advertising which has not been a high priority in the past.

Variance
38%