CITY OF WINDSOR MINUTES 04/11/2022

City Council Meeting

Date: Monday, April 11, 2022
Time: 4:00 o'clock p.m.

Members Present:

Mayor
Mayor Dilkens

Councillors
Ward 1 - Councillor Francis
Ward 2 - Councillor Costante
Ward 3 - Councillor Bortolin
Ward 4 - Councillor Holt
Ward 5 - Councillor Sleiman
Ward 6 - Councillor Gignac
Ward 7 - Councillor Gill
Ward 8 - Councillor Kaschak
Ward 9 - Councillor McKenzie
Ward 10 - Councillor Morrison

Clerk's Note: Councillor Morrison, several members of Administration, and members of the public participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation.

1. ORDER OF BUSINESS

2. CALL TO ORDER - Playing of the National Anthem

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls meeting to order at 4:01 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held March 21, 2022

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

That the minutes of the meeting of Council held March 21, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 91/2022

5. NOTICE OF PROCLAMATIONS

Proclamations
"Run for Rocky Day" – Saturday, April 9, 2022

Flag Raising Ceremony
"Run for Rocky Day" – Friday, April 8 to Wednesday, April 13, 2022

Illumination
"World Parkinson's Day" – Monday, April 11, 2022

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:
(a) communication items;
(b) consent agenda;
(c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
(d) hearing presentations and delegations;
(e) consideration of business items;
(f) consideration of Committee reports:
(g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and
(h) consideration of by-laws 60-2022 through 70-2022 (inclusive).
Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence for April 11, 2022

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR133/2022
That the following Communication Items 7.1.1 through 7.1.4 and 7.1.6 through 7.1.9 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.5 be dealt with as follows:

7.1.5. Letter requesting support of the petition to upgrade The Star of Military Valour to the Victoria Cross for Pte. Jess Larochelle

Moved by: Councillor Kaschak
Seconded by: Councillor Costante

Decision Number: CR134/2022
That the correspondence from the Royal Canadian Legion, Leslie Sutherland Branch 447 requesting support of the petition to upgrade The Star of Military Valour to the Victoria Cross for Pte. Jess Larochelle **BE RECEIVED** for information; and further,

That the City of Windsor **ENDORSE** and **PETITION** the Government of Canada for the upgrade of The Star of Military Valour to the Victoria Cross for Pte. Jess Larochelle.
Carried.

Clerk's File: APR2022

No.	Sender	Subject
7.1.1.	Ministry of Finance AND Minister responsible for the Federal Economic Development Agency for Southern Ontario	Letter regarding federal government support for the recent traffic disruptions at the Ambassador Bridge border crossing Commissioner, Infrastructure Services Commissioner, Corporate Services CFO/City Treasurer Commissioner, Human & Health Services GM2022 Note & File
7.1.2.	Ministry of Municipal Affairs and Housing (MMAH)	Minister's Letter to Heads of Council regarding MMAH Orders under the *Reopening Ontario Act* Chief Administrative Officer Commissioner, Legal & Legislative Services City Clerk Executive Director, Human Resources Chief Building Official City Planner MH/13786 Note & File
7.1.3.	Office of the Premier AND Ministry of Children, Community and Social Services	News release announcing Province helping Ukrainians find jobs in Ontario AND Email regarding information on emergency assistance for Ukrainian migrants Commissioner, Human & Health Services Commissioner, Corporate Services CFO/City Treasurer GP2022 Note & File
7.1.4.	Windsor Utilities Commission	2021 Annual Summary Report Commissioner, Infrastructure Services Commissioner, Corporate Services CFO/City Treasurer MU2022 Note & File

No.	Sender	Subject
7.1.5.	Royal Canadian Legion, Leslie Sutherland Branch 447	Letter requesting support of the petition to upgrade The Star of Military Valour to the Victoria Cross for Pte. Jess Larochelle APR2022 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.6.	City Planner/ Executive Director	Application for Zoning Amendment, Matt Zhao, 521, 523, & 525 Sandison Street, Application to amend Zoning By-law 8600 to permit the construction of multiple dwelling units Z/14345 Note & File
7.1.7.	City Planner/ Executive Director	Application for Zoning Amendment, Andi Shallvari, 716 Josephine Avenue, Application to amend Zoning By-law 8600 to allow for the construction of a semi-detached dwelling Z/14336 Note & File
7.1.8.	City Planner/ Executive Director	Application for Zoning Amendment, Riverside Horizons Inc., 3251 Riverside Drive East & 222 Belleview Avenue, Application to amend Zoning By-law 8600 to allow the construction of a 40m high multi-unit residential building with 77 units and associated parking area Z/14347 Note & File
7.1.9.	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, April 21, 2022 at, 3:30 p.m., through Electronic Meeting Participation Z2022 Note & File

Carried.

Report Number: CMC 5/2022

7.2. Summary of Ministry of Labour (MOL) and Labour Canada visits from July to December 2021 - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR135/2022
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) and Labour Canada to the Corporation of the City of Windsor (Corporation) from the timeframe of July 1st to December 31st 2021.
Carried.

Report Number: CM 5/2022
Clerk's File: AS2022

7.3. YQG - 3rd Quarter 2021 Financial Statements - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR136/2022
That City Council **RECEIVE** for information, the Your Quick Gateway (Windsor) Inc. 3rd Quarter 2021 Financial Statements.
Carried.

Report Number: C 49/2022
Clerk's File: APM/9795

7.4. 2021 Year End Risk Management Report - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR137/2022
That the report of the Deputy City Solicitor – Purchasing, Risk Management & Provincial Offences dated March 9, 2022 entitled "2021 Year End Risk Management Report - City Wide" **BE RECEIVED** for information.
Carried.

Report Number: C 42/2022
Clerk's File: AL2022

7.5. Engineering/Architectural Consultants Engaged via Roster – July 1 2021 to December 31 2021 "City Wide"

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR138/2022
That the report of the Purchasing Manager dated February 18, 2022 entitled "Engineering/Architectural Consultants Engaged via Roster – July 1 2021 to December 31 2021 "City Wide"" report **BE RECEIVED** by Council for information in compliance with section 163 of Bylaw 93-2012 (the "Purchasing Bylaw").
Carried.

Report Number: CM 3/2022
Clerk's File: SW/13041

8. CONSENT AGENDA

8.1. Cost of Adding the BIAs as Community Safety Zones

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR139/2022
1. That the report of the Policy Analyst dated February 1, 2022 entitled "Cost of Adding the BIAs as Community Safety Zones" **BE RECEIVED** for information; and,

2. That Traffic By-law 9148 **BE AMENDED** to implement Community Safety Zones in all of the Business Improvement Areas (BIAs); and, that the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by-law; and further,

3. That the required ongoing annual maintenance costs associated with the signs installed for Community Safety Zones in the BIAs **BE REFERRED** to the 2023 Operating Budget, and that the $48,000 in capital costs **BE FUNDED** in the manner detailed in the Financial Matters section of the report.

Carried.

Report Number: C 20/2022
Clerk's File: MI2022

8.2. Renewal of Radio System Tripartite Agreement: City of Windsor, CBSA & WPS

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR140/2022
That City Council **AUTHORIZE** the Chief Administrative Officer and the City Clerk to sign a renewed five year tripartite agreement between a) The Corporation of the City of Windsor, b) The Windsor Police Service Board, and c) Her Majesty the Queen, in Right of Canada as Represented by the Minister responsible for the Canada Border Services Agency (CBSA), which will provide CBSA use of the corporate radio system for a fee, as defined within this report, with the agreement being approved as to form by the City Solicitor, as to technical content by the Chief Information Officer /Executive Director of Information Technology and as to financial content by the Chief Financial Officer/City Treasurer; and,

That City Council **DIRECT** that the City of Windsor revenues generated via this agreement be credited to the Pay-As-You-Go Radios Reserve Fund 198 to offset any future funding requirements

that may be necessary from the City's operating budget to ensure the continued sustainability of the Reserve Fund; and,

That City Council **AUTHORIZE** the continued provision of radio services by the City to the CBSA under the terms of the previous agreement past its March 31, 2022 expiry date until such time as the renewed agreement is finalized.
Carried.

Report Number: C 45/2022
Clerk's File: MC/9936

8.3. Status of the Corporation's Unpaid and Paid Student and Work Agency Programs in 2021 - City Wide

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR141/2022
That City Council **RECEIVE FOR INFORMATION** the report of the Human Resources Department dated March 25, 2022 entitled "Status of the Corporation's participation in Unpaid and Paid Student and Work Placement Agency Programs in 2021"; and further,

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.
Carried.

Report Number: C 50/2022
Clerk's File: AS2022

8.4. RFP 134-21 Acquisition of Three Fire Trucks Engines - City Wide

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR142/2022
That City Council **APPROVE** the purchase of Three Fire Truck Engines at a total cost of $2,800,086 CAD (including non-recoverable HST) comprised of $2,647,446 CAD (including non-recoverable HST) for the three engines and $152,640 CAD (including non-recoverable HST) for the additional equipment to be funded from 2022 Fire Fleet Replacement project 7221000; and,

That City Council **APPROVE** a transfer of $106,586 from the Fire Major Equipment Reserve (Fund 163) to the 2022 Fire Fleet Replacement Project 7221000 to provide additional funding required for this purchase; and,

That the CAO and City Clerk **BE AUTHORIZED** to execute an agreement with ResQTech Systems Inc. for the purchase of Three Fire Truck Engines, to an upset limit of $2,601,657 CAD (excluding HST), satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Fire Chief.
Carried.

Report Number: C 41/2022
Clerk's File: SF/14337

8.5. Vendor Relationship Management Policy - City Wide

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR143/2022
That this report **BE RECEIVED** by Council for information in response to PWC Audit Finding #159 which recommended that the City develop a procedure around the use of the Vendor Management System in accordance with the Purchasing By-Law 93-2012; and,

That the Vendor Relationship Management Policy attached **BE APPROVED** for implementation Corporate-wide.
Carried.

Report Number: C 47/2022
Clerk's File: AL2022 & AF/14041

8.6. By-Law to Amend By-Law 161-2008 - Municipal Capital Facility Agreement - Ward 6

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR144/2022
I. That Council **PASS** By-Law 60-2022 (Municipal Capital Facility Agreement), being a By-Law to Amend By-Law 161-2008.
Carried.

Report Number: C 52/2022
Clerk's File: AB2022

8.7. 2022 Municipally Significant Event Status, Wards 2,3,4,6,7

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR145/2022
That the request from; 1214631 Ontario Inc.; 1933900 Ontario Ltd; 11845217 Canada Corp.; 2502014 Ontario Inc.; 365 Sports Inc.; Changing Lives Together Foundation; Northern Heat Rib Series; Rotary Club of Windsor (1918); Poutine Feast Ontario Inc.; Windsor Eats Inc.; and Windsor-Essex Pride Fest; for approval of designation as 'municipally significant' for the purpose of applying for their Special Occasions Permit – Public Event **BE APPROVED** by Council subject to the terms and conditions of the Special Event Agreement with the City.

Thursday May 19, 2022

- Caesars Fest Private (Private Location) hosted by 2502014 Ontario Inc.

Friday May 20, 2022

- Street Food Fair (Lanspeary Park and Outdoor Rink) hosted by Windsor Eats Inc.

Saturday May 28, 2022

- Heart Breaker Challenge (Malden Park) hosted by Changing Lives Together Foundation

Friday June 3, 2022 through Sunday June 5, 2022

- Windsor Rib Fest (Riverfront Festival Plaza and Riverfront Civic Terrace) hosted by Northern Heat Rib Series
- Art in the Park (Willistead Park) hosted by Rotary Club of Windsor (1918)

Thursday June 9, 2022 through Sunday June 12, 2022

- Poutine Feast (Riverfront Festival Plaza and Riverfront Civic Terrace) hosted by Poutine Feast Ontario Inc.

Friday July 15, 2022 and Saturday July 16, 2022

- Urban Wine Fest (Lanspeary Park and Outdoor Rink) hosted by Windsor Eats Inc.

Saturday July 16, 2022

- Summer Festival Celebration (Private Location) hosted by 2502014 Ontario Inc.

Thursday July 21, 2022

- Dinner on the Pier (Assumption Park) hosted by Windsor Eats Inc.

Friday July 22, 2022 and Saturday July 23, 2022

- Celtic Music Fest (Lanspeary Park and Outdoor Rink) hosted by 1214631 Ontario Inc.

Friday July 22, 2022 through Sunday July 24, 2022

- Tequila Expo and Taco Fest (Riverfront Festival Plaza and Riverfront Civic Terrace) hosted by 11845217 Canada Corp.

Friday August 5, 2022 through Sunday August 7, 2022

- Pride Fest (Lanspeary Park and Outdoor Rink) hosted by Windsor-Essex Pride Fest

Saturday August 6, 2022

- Whiskey Fest (Private Location) hosted by Windsor Eats Inc.

Friday August 12-13, 2022

- Street Food Fair (Lanspeary Park and Outdoor Rink) hosted by Windsor Eats Inc.

Saturday August 27, 2022

- Foam Fest (Malden Park) hosted by 365 Sports Inc.

Friday October 14, 2022 and Saturday October 15, 2022

- Windsor Eats Craft Beer Fest (Willistead Park) hosted by 1933900 Ontario Ltd.

Carried.

Report Number: S 38/2022
Clerk's File: SR/14344

8.8. Exemption to Noise By-law 6716 for Nighttime Construction Work – Lauzon Parkway from Cantelon Drive to Forest Glade Drive and EC Row Expressway from Dougall Avenue to Dominion Boulevard - Wards: 8 and 10

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR146/2022

I) That the following exemption requests to the provisions of the Noise By-law 6716 (as amended), **BE GRANTED**:

a. ***Specific exemption request*****:**
The Public Works Department of the City of Windsor is requesting a noise by-law exemption for the time periods for the operation of construction equipment as dictated by the City of Windsor **By-Law No. 6716** in order to allow 24/7 construction work.

b. ***Scope of Exemption*****:**
The project limits are located in the City of Windsor at Lauzon Parkway from Cantelon Drive to Forest Glade Drive.

c. ***Duration of Exemption*****:**
This Noise By-Law Exemption is requested for the dates commencing on May 2, 2022 and continuous through November 4, 2022.

II) That the following exemption requests to the provisions of the Noise By-law 6716 (as amended), **BE GRANTED**:

d. ***Specific exemption request*****:**
The Public Works Department of the City of Windsor is requesting a noise by-law exemption for the time periods for the operation of construction equipment as dictated by the City of Windsor **By-Law No. 6716** in order to allow 24/7 construction work.

e. ***Scope of Exemption*****:**
The project limits are located in the City of Windsor at EC Row Expressway from Dougall Avenue to Dominion Boulevard.

f. ***Duration of Exemption*****:**
This Noise By-Law Exemption is requested for the dates commencing on April 12, 2022 and continuous through September 30, 2022.

Carried.

Report Number: C 48/2022
Clerk's File: AB2022

8.9. Consent for Breakwall Encroachment - 10976 Riverside Drive East - Ward 7

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR147/2022
That the request by Mr. Martin Shkreli, of 10976 Riverside Drive East, for the consent of the Corporation of the City of Windsor to cross the municipal shore wall in order to install a dock and affix to the wall, **BE APPROVED**; and,

That the CAO and Clerk **BE AUTHORIZED** to sign a consent:

- in form satisfactory to the City Solicitor and City Engineer,
- subject to the applicant indemnifying the Corporation of the City of Windsor against all claims which may arise by reason of occupation and use of the City's lands,

subject to providing proof of General Liability insurance with limits of not less than $2,000,000.00 per occurrence, naming The Corporation of the City of Windsor as an additional insured, including a cross-liability clause and a 30 day notice of material change or cancellation provision, in form satisfactory to the City Solicitor.
Carried.

Report Number: C 39/2022
Clerk's File: SE/14338

8.10. Approval of Tender #96-21 - Lou Romano Water Reclamation Plant (LRWRP) Raw Sewage Pump Control System Upgrade - CITY WIDE

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR148/2022
I. That the following tender **BE ACCEPTED**:

TENDERER:	Rorison Electric Limited 825 Foster Avenue, Windsor, ON N9X 4W3
TENDER NO:	96-21
TOTAL TENDER PRICE:	$917,500 excluding HST
ACCOUNT CHARGED:	007 5410 9998 02942 7189005

and,

II. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with Rorison Electric Limited in the amount of $917,500 (plus HST), satisfactory in technical

content to the Commissioner of Infrastructure Services, in financial content to the Commissioner of Corporate Services/ Chief Financial Officer/ City Treasurer, and in form to the Commissioner of Legal and Legislative Services; and,

III. That the additional funds required to complete the project **BE FUNDED** through a transfer of $170,000 from the Pollution Control Reserve (Fund 208).

Carried.

Report Number: C 32/2022
Clerk's File: SW/14339

8.11. Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes of Meeting Held January 12, 2022

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR149/2022 ETPS 886
That the minutes of the Essex-Windsor Solid Waste Authority of its Regular Board Meeting held January 12, 2022 **BE RECEIVED**.
Carried.

Report Number: SCM 84/2022 & SCM 75/2022
Clerk's File: MB2022

8.12. Home Flood Protection Program - City-Wide

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR150/2022 ETPS 887
That Administration **BE AUTHORIZED** to initiate a Home Flood Protection Program on a pilot basis; and further,

That Administration **REPORT BACK** to City Council on completion of the pilot program.
Carried.

Report Number: SCM 85/2022 & S 29/2022
Clerk's File: SW/12983

8.13. Zero Emission Transit Fund Application for an Electrification Road Map Planning Study - City Wide

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR151/2022 ETPS 888
That City Council **DIRECTS** Administration to submit the Expression of Interest (stage 1) and if invited, subsequent Full Application (stage 2) to the Infrastructure Canada Zero Emission Transit Fund; and,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign and execute any documents required to submit the applications to the Grant noted above, subject to all documentation being satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer; and in technical content to the Commissioner of Infrastructure Services, or designates; and,

That City Council **APPROVE** the following recommendations upon the City receiving written confirmation from the grant provider that the City's grant application is awarded the requested funding:

a) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, and in technical content to the Commissioner of Infrastructure Services, or designates;

b) That the Chief Administrative Officer **DELEGATE** signing of all claims, applicable schedules and other such documents required as part of the request for payment to the Commissioner of Infrastructure Services or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager;

c) That City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the grant awarded projects, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, and in technical content to the Commissioner of Infrastructure Services, or designates;

d) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted above and sign any required documentation/agreement(s) for the grant awarded projects, satisfactory in legal form to the Commissioner of Legal & Legislative Services, in technical content to the Commissioner of Infrastructure Services and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates;

e) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in

technical content to the Commissioner of Infrastructure Services and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates;

f) That City Council **APPROVE** City funding in the amount of up to $40,000 for the City's grant matching and ineligible costs from the 2020 Transit Windsor Master Plan Project, 7201016.

Carried.

Report Number: SCM 86/2022 & S 30/2022
Clerk's File: MT/13708

11.2. Confirm and Ratify Report regarding Hybrid Work Policy - City Wide

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR154/2022
That the results of the email poll authorized by Mayor Drew Dilkens on Wednesday April 6, 2022 approving the following **BE CONFIRMED AND RATIFIED**:

> That Council **DIRECTS** Administration to **SUSPEND** the Hybrid Work Policy effective immediately, and to ensure all staff are working in-office no later than May 1, 2022 and for Administration to **NOTIFY** City Council once a structured and effective implementation plan has been developed such that the Policy is able to be rolled-out in a manner that benefits the Corporation.

Carried.
Clerk's Note: Councillors Bortolin, Holt, Costante, and McKenzie voted nay on the actual motion being polled.

Report Number: C 61/2022
Clerk's File: MH/13786

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

10.1. Essex Region Conservation Authority 2022 Draft Budget with 2021 Annual Report and Transition Plan

AND

10.2. Update on Changes to Conservation Authority Programs and Services

Tania Jobin, Chair; Tim Byrne, CAO/Secretary-Treasurer; and Shelley McMullen, CFO/Director of Finance & Corporate Services; Essex Region Conservation Authority (ERCA)

Tania Jobin, Chair; Tim Byrne, CAO/Secretary-Treasurer; and Shelley McMullen, CFO/Director of Finance & Corporate Services; Essex Region Conservation Authority (ERCA), appear before Council to make a presentation entitled "Essex Region Conservation Authority 2022 Draft Budget with 2021 Annual Report and Transition Plan" and provide Conservation highlights for 2021; details related to the transition plan; key deliverables already accomplished; detailed inventory of mandatory and non mandatory services included in the transition plan; budget highlights; emphasis on maintaining public areas for the public; increased internal demands; ways to streamline processes; upgrades to their data systems; total levy funding of over $3.5 million; municipal support will be required to support non-mandatory programs in the future; working together collaboratively to restore the natural environment for the community; 2021 Annual report details and highlight conservation programs that are available; and conclude by introducing a video featuring Conservation highlights.

Moved by: Councillor Gignac
Seconded by: Councillor McKenzie

Decision Number: CR152/2022 CR124/2022
That the presentation entitled “Essex Region Conservation Authority 2022 Draft Budget with 2021 Annual Report and Transition Plan” and “Update on Changes to Conservation Authority Programs and Services” **BE RECEIVED** for information; and further,

That the administrative memo of the Senior Counsel dated March 21, 2022 entitled "Update on Changes to Conservation Authority Programs and Services" **BE RECEIVED** for information.
Carried.

Report Number: SCM 77/2022 & SCM 88/2022
Clerk’s File: EI/10108 & GCE2022

11.1. Homelessness Prevention Program (HPP) - City Wide

Sarah Bondy, Area Resident

Sarah Bondy, area resident, appears before Council regarding the report entitled “Homelessness Prevention Program (HPP) – City Wide” and inquires whether the homeless initiative and the housing subsidy being a rebranding solution to the housing supplement crisis is a permanent solution to the rental subsidy crisis and if it is regional or municipal; and if not, inquires as to Council putting solutions in place to make it a permanent solution; and concludes by suggesting that the municipality petition the Federal Government to make accessible, affordable housing a human right.

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR153/2022

1. That the report from the Manager of Homelessness & Housing Support regarding the provincial Ministry of Municipal Affairs and Housing's Homelessness Prevention Program (HPP) **BE RECEIVED**.

2. That the Chief Administrative Officer and City Clerk or their designates **BE AUTHORIZED** to **EXECUTE** the Homelessness Prevention Program Multi-Program Ontario Transfer Payment Agreement(s) and any related amendments and extensions including any current or subsequent programs and program extensions, between the City of Windsor and the Ministry of Municipal Affairs and Housing, provided that the agreement and any related amendments and extensions are in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and technical content to the Executive Director of Housing and Children's Services and the Commissioner of Human & Health Services.

3. That the Commissioner of Human and Health Services **BE AUTHORIZED** to **EXECUTE** and **SUBMIT** applications and related submissions and amendments to the Ministry of Muncipal Affairs and Housing, or any other Ministry as required, to secure funding related to the Homelessness Prevention Program and any subsequent programs or program extensions, provided they are in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and technical content to the Executive Director of Housing and Children's Services.

4. That the Commissioner of Human and Health Services **BE AUTHORIZED** to **APPROVE** and **SUBMIT** annual Investment Plans, subsequent updates, or any other required reports to the Ministry of Municipal Affairs and Housing, or to any other Ministry as required outlining, among other things, how the Homelessness Prevention Program allocation will be utilized in Windsor-Essex, provided that any submission, amendment or reallocation does not exceed the funding provided by the provincial government or as allocated in the approved City budget in each respective year, in consultation with the Manager of Intergovernmental Funding.

5. That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to **APPROVE** and **SUBMIT** amendments to the Homelessness Prevention Program Investment Plans, subsequent updates, or any other required reports to the Ministry of Municipal Affairs and Housing over the program duration provided that any submission, amendment or reallocation does not exceed the funding provided by the provincial government or as allocated in the approved City budget in each respective year, in consultation with the Manager of Intergovernmental Funding.

6. That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to **APPROVE** and **SUBMIT** Quarterly Reports, Year End Reports, Project Information Forms(s), French Language Service Report(s), and any other documents/reports in a form and format required by the Ministry of Municipal Affairs and Housing over the program duration to remain in

compliance with mandatory reporting requirements under the Homelessness Prevention Program, in consultation with the Manager of Intergovernmental Funding for all financial reports.

7. That the Commissioner of Human and Health Services **BE AUTHORIZED** to **ALLOCATE** funding to supportive housing and/or emergency shelter service providers for acquisition, renovation and/or retrofit projects that adhere to the Homelessness Prevention Program guidelines, and to **EXECUTE**, sign, amend, and terminate agreements to provide such funding to other agencies provided such agreements comply with the Homelessness Prevention Program requirements and are in a form satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer and satisfactory in technical content to Executive Director of Housing and Children's Services, provided that projects do not exceed the funding allocation provided by the provincial government or as allocated in the approved City budget in each respective year. Recommendations for the City to acquire and retain ownership of any properties to be used as supportive housing and/or emergency shelters, will require Council approval.

8. That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to issue Request for Proposal(s), as required, consistent with the municipal purchasing by-law and requirements established by the Ministry of Municipal Affairs and Housing as required by the Homelessness Prevention Program to hire qualified consultants, acquire additional resources, and select partner or agency support to deliver program components to address needs in Windsor Essex at a cost not to exceed the funding allocation provided by the provincial government or as allocated in the approved City budget in each respective year, as confirmed by the Manager of Intergovernmental Funding.

9. That the Executive Director of Housing and Children's Services **BE AUTHORIZED,** throughout the duration of the Homelessness Prevention Program, to operationalize the program including approving projects, allocating funds, withdraw, negotiate and re-allocate program funds, including re-allocation between the different program components and program recipients, agencies and organizations to maintain and ensure compliance with program rules and criteria, and/or to enable full take-up of program funds, and/or to address housing and homelessness needs in Windsor-Essex provided that any submission, amendment or re-allocation does not exceed the funding allocation provided by the provincial government or as allocated in the approved City budget in each respective year, as confirmed by the Manager of Intergovernmental Funding.

10. That the Commissioner of Human and Health Services **BE AUTHORIZED** to execute, sign, amend, and terminate agreements with Purchase of Service agencies on behalf of the City in accordance with the existing criteria and any changed criteria established by the Ministry of Municipal Affairs and Housing, provided such agreements and documents comply with the Homelessness Prevention Program requirements and are in a form satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Executive Director of Housing and Children's Services.

11. That the Commissioner of Human and Health Services **BE AUTHORIZED** to execute, sign, amend, and terminate interim funding agreements with Purchase of Service agencies on behalf of the City to fund such services while awaiting approval from the Ministry of Municipal Affairs and Housing of the 2022 – 2023 Homelessness Prevention Program Investment Plan, provided such agreements and documents comply with the program requirements and are in a form satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Executive Director of Housing and Children's Services.

12. That for any Homelessness Prevention Program related agreements that exceed a $150,000 net City contribution or a $1,000,000 gross contribution, for which the Commissioner of Human and Health Services is authorized to execute, that in addition to the Commissioner of Human and Health Services, the Chief Administrative Officer and City Clerk or their designates **BE REQUIRED** to sign as a secondary authority.

13. That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to acquire resources and partners to deliver the Homelessness Prevention Program and any affiliated programs, at a cost not to exceed the funding allocation provided by the provincial government or as allocated in the approved City budget in each respective year.

Carried.

Report Number: C 51/2022
Clerk's File: SS/13026

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None presented.

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

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR155/2022
That the report of the In Camera meeting of Council held April 11, 2022 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2022

12.2. Adoption of the Development & Heritage Standing Committee minutes of its *Planning Act* Training Session held March 3, 2022

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR156/2022
That the minutes the Development & Heritage Standing Committee of its *Planning Act* Training Session held March 3, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 83/2022
Clerk's File: MB2022

12.3. Special Meeting of Council - In-Camera, March 31, 2022

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR157/2022
That the report of the Special In Camera meeting of Council held March 31, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 93/2022
Clerk's File: ACO2022

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

That the following By-laws No. 60-2022 through 70-2022 (inclusive) be introduced and read a first and second time:

60-2022 A BY-LAW TO AMEND BY-LAW 161-2008 BEING A BYLAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT FOR SENIORS WINDSOR FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT 8787 MCHUGH STREET (**See Item No. 8.6., Report C 52/2022**).

61-2022 A BY-LAW TO AMEND BY-LAW NUMBER 208-2008, BEING A BY-LAW TO DELEGATE TO ADMINISTRATION THE AUTHORITY TO PROCESS, MAKE DECISIONS ON, AND TO EXECUTE AGREEMENTS FOR CERTAIN MATTERS authorized by CR103/2022 dated March 21, 2022.

62-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 0.20 METRE WIDE PORTION OF THE NORTH/SOUTH ALLEY LOCATED BETWEEN PARK STREET AND WYANDOTTE STREET WEST, BETWEEN PELISSIER STREET AND DOUGALL AVENUE, ABUTTING 531 PELISSIER STREET, CITY OF WINDSOR authorized by CR434/2021 dated October 4, 2021.

63-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 0.20 METRE WIDE PORTION OF THE NORTH/SOUTH ALLEY LOCATED BETWEEN PARK STREET AND WYANDOTTE STREET WEST, BETWEEN PELISSIER STREET AND DOUGALL AVENUE, ABUTTING 531 PELISSIER STREET, CITY OF WINDSOR authorized by CR434/2021 dated October 4, 2021.

64-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE WIDE PORTION OF THE NORTH/SOUTH ALLEY LOCATED BETWEEN MCKAY AVENUE AND DOMINION BOULEVARD, SOUTHERLY OF LABELLE STREET, CITY OF WINDSOR authorized by CR298/2021 dated July 5, 2021.

65-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE WIDE PORTION OF THE NORTH/SOUTH ALLEY LOCATED BETWEEN MCKAY AVENUE AND DOMINION BOULEVARD, SOUTHERLY OF LABELLE STREET, CITY OF WINDSOR authorized by CR298/2021 dated July 5, 2021.

66-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR749/1999 dated July 5, 1999

67-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR118/2022 dated March 21, 2022.

68-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR425/2021 dated October 4, 2021.

69-2022 A BY-LAW TO AMEND BY-LAW NUMBER 15-2010 BEING A BY-LAW TO APPOINT CHIEF BUILDING OFFICIAL, DEPUTY CHIEF BUILDING OFFICIALS AND INSPECTORS TO ENFORCE THE *BUILDING CODE ACT* AND REGULATIONS IN WINDSOR authorized by BL 98-2011 s.27.1(l), amended August 2020.

70-2022 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 11th DAY OF APRIL, 2022.
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

1) Communication Items (as amended)
2) Consent Agenda (as amended)
3) Items Deferred
   Items Referred
4) Consideration of the Balance of Business Items (as presented)
5) Committee Reports as presented
6) By-laws given first and second readings as presented

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Gignac
Seconded by: Councillor Kaschak

Decision Number: CR158/2022
That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding the ancillary uses of existing or planned cannabis retail locations.
Carried.

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR159/2022
That City Council **PETITION** the Province of Ontario to clarify that the required Provincial license to sell legal cannabis in Ontario only applies to the sale of approved products regulated directly by the Provincial government (through the OCS or licensed cannabis retail locations) as approved per the original agreements Municipalities debated before signing agreements to opt in or out; and,

That City Council **REQUEST** that any ancillary uses (such as consumption areas) beyond the retail sale must be subject to local zoning and licensing provisions of municipalities to allow for proper planning and public protection; and,

That City Council **FORWARD** this motion to AMO and ask for their assistance to ensure municipalities in Ontario are able to consult with the public and control any ancillary uses of existing or planned cannabis retail locations.
Carried.

Clerks File: GP/13047

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Francis
Seconded by: Councillor Gignac

That the By-laws No. 60-2022 through 70-2022 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.
Carried.

17. PETITIONS

None presented.

18. QUESTION PERIOD

18.1. CQ 5-2022

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR160/2022
That the following Council Question by Councillor McKenzie **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 5-2022:
Assigned to Chief Building Official:

Asks Administration to report back to Council on the appropriateness of adding non-BIA commercial districts as Community Safety Zones in commercial shopping districts that generate similar levels of pedestrian and active transportation activity.

Carried.

Clerk's File: ACOQ2022 & MI2022

21. ADJOURNMENT

Moved by: Councillor Morrison
Seconded by: Councillor Gill

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.
Carried.

Accordingly, the meeting is adjourned at 4:39 o'clock p.m.

_____ _____

Mayor City Clerk

Adopted by Council at its meeting held April 11, 2022 (CR155/2022)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
April 11, 2022

Members have the option of participating in person or electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011, as amended.

Meeting called to order at: 12:08 p.m.

Members in Attendance (in person):

Mayor D. Dilkens
Councillor F. Francis
Councillor F. Costante
Councillor C. Holt
Councillor R. Bortolin
Councillor G. Kaschak
Councillor J. Gignac
Councillor K. McKenzie
Councillor E. Sleiman
Councillor J. Gill

Members in Attendance (electronically):

Councillor J. Morrison

Also in attendance:

J. Mancina, Acting Chief Administrative Officer
D. Cercone, Acting Commissioner, Human and Health Services
C. Nepsy, Commissioner, Infrastructure Services
T. Ardovini, Acting Commissioner, Corporate Services CFO/City Treasurer
S. Askin-Hager, Commissioner, Legal and Legislative Services (virtual)
R. Mensour, Commissioner, Community Services
J. Payne, Commissioner Economic Development and Innovation (virtual)
S. Vlachodimos, City Clerk
A. Teliszewsky, Mayor's Chief of Staff
M. Cooke, Deputy City Planner (virtual)
K. Whittal, Executive Director of Housing
A. Hartley, Senior Legal Counsel
S. Gebauer, Council Assistant
A. Ciacelli, Deputy Clerk

Verbal Motion is presented by Councillor Gignac, seconded by Councillor Bortolin, that Rule 3.3 (c) of the *Procedure By-law, 98-2011,* BE WAIVED to add the following Agenda items:

5. Legal matter – advice subject to solicitor-client privilege (verbal update)

Motion Carried.

Verbal Motion is presented by Councillor Gignac, seconded by Councillor Bortolin, to move in Camera for discussion of the following item(s), adding Item 5:

Item No.	Subject	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal/property matter – expropriation settlement	239(2)(e)(f)
2.	Property matter – lease termination	239(2)(c)
	Strategic Planning Session	239(3.1)
3.	Position/plan – negotiations	239(2)(k)
4.	Plan – negotiations – verbal report	239(2)(k)
5.	Legal matter – advice subject to solicitor-client privilege – verbal update – ADDED	239(2)(f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 1, 2, 3, 4 and 5)

Meeting recesses at 2:17 o'clock p.m.
Meeting reconvenes in open session at 4:00 o'clock p.m.

Verbal Motion is presented by Councillor Sleiman, seconded by Councillor Gignac, to move back into public session.
Motion Carried.

****SEE NOTE BELOW**
Moved by Councillor Francis, seconded by Councillor Kaschak,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held April 11, 2022 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a legal/property matter – expropriation settlement **BE APPROVED**.

2. That the recommendation contained in the in-camera report from Legal Counsel, Lease Administrator, Manager of Real Estate Services, Commissioner, Legal and Legislative Services and Acting Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – lease termination **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Acting Commissioner, Human and Health Services and Commissioner of Economic Development and Innovation respecting a position/plan - negotiations **BE APPROVED** and further, that Administration **BE DIRECTED TO PROCEED** in accordance with the verbal instructions of Council.

4. That the confidential verbal report from the Acting Chief Administrative Officer respecting a plan – negotiations **BE RECEIVED**, and further that Administration **BE AUTHORIZED TO PROCEED** on the verbal direction of Council.

Aye votes: Councillors Gignac, Gill, Sleiman, Francis, Kaschak and Mayor Dilkens
Nay votes: Councillors Costante, Morrison, McKenzie, Holt and Bortolin
Absent: none
Abstain: none

5. That the confidential verbal update from the Legal Department regarding a legal matter – advice subject to solicitor-client privilege **BE RECEIVED**.

Motion Carried.

Moved by Councillor Bortolin, seconded by Councillor Costante,
That the special meeting of council held April 11, 2022 BE ADJOURNED.
(Time: 4:01 p.m.)
Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on April 11, 2022**