CITY OF WINDSOR MINUTES 02/14/2022

City Council Meeting

Date: Monday, February 14, 2022
Time: 1:30 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: The Mayor and all members of Council participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 1:31 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 January 31, 2022

Moved by: Councillor Gignac
Seconded by: Councillor Gill

That the minutes of the meeting of Council held January 31, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 50/2022

5. NOTICE OF PROCLAMATIONS

Flag Raising Ceremony

"International Mother Language Day" – Tuesday, February 22, 2022

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Holt
Seconded by: Councillor Kaschak

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 34-2022 through 46-2022 (inclusive).
Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence for February 14, 2022

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR56/2022
That the following Communication Items 7.1.1 through 7.1.12 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1.	Public Health Agency of Canada	Response to letter regarding vaccinations and the Windsor-Essex County Isolation and Recovery Centre (IRC) Commissioner, Human & Health Services Fire Chief MH/13786 Note & File
7.1.2.	Ministry of Municipal Affairs and Housing AND Regional Planning Commissioners of Ontario	Letters regarding Regional Planning Commissioners of Ontario's support for proposals to delegate certain planning decisions to staff and for Bill 70, the proposed *Registered Professional Planners Act, 2019* Commissioner, Legal & Legislative Services City Planner GP2022 Note & File

No.	Sender	Subject
7.1.3.	Member of Parliament (MP) – Windsor West	Letter regarding traffic disruptions along the road corridor to the Ambassador Bridge Commissioner, Infrastructure Services Chief of Police Fire Chief GF2022 Note & File
7.1.4.	County of Essex	Letters supporting the Windsor Police Services request for resources regarding the Ambassador Bridge demonstration Commissioner, Infrastructure Services Chief of Police Fire Chief GM2022 Note & File
7.1.5.	Town of Tecumseh	The Town of Tecumseh will hold a virtual/electronic public meeting on Tuesday, February 22, 2022 at 6:00 p.m. to consider a proposed Zoning By-law Amendment pursuant to the provisions of the *Planning Act, R.S.O. 1990* City Planner Commissioner, Legal & Legislative Services Deputy City Solicitor Development Applications Clerk Z2022 Note & File
7.1.6.	Committee of Adjustment/ Consent Authority	Applications to be heard by the Committee of Adjustment / Consent Authority, Thursday, February 17, 2022 at, 3:30 p.m., through Electronic Meeting Participation Z2022 Note & File
7.1.7.	City Planner/ Executive Director	Application for Zoning Amendment, 1933923 Ontario Ltd., 0 & 817 Elinor Street and 0 Wyandotte Street East, Application to amend Zoning By-law 8600 to allow three multiple dwellings with 5 or more dwelling units each Z/14296 Note & File

No.	Sender	Subject
7.1.8.	City Planner/ Executive Director	Application for Zoning Amendment, Wyandotte Developments Inc., 0 Wyandotte Street East, Application to amend Zoning By-law 8600 to allow a site specific reconfiguration for a multi-residential use to allow an increase in density for the minimum suite area Z/14298 Note & File
7.1.9.	City Planner/ Executive Director	Application for Draft Plan of Subdivision/ Condominium, 531 Pelissier Inc., 531 Pelissier Street, Application to approve a Plan of Condominium for a 24-unit residential development consisting of multiple dwellings with commercial use on main floor and basement Z/14297 Note & File
7.1.10.	City Planner/ Executive Director	Application for Zoning Amendment, St. Clair Rhodes Development Corporation, 1247 Riverside Drive East, Application to amend Zoning By-law 8600 to allow the addition of multiple dwelling units as a permitted use Z/14294 Note & File
7.1.11.	City Planner/ Executive Director	Application for Draft Plan of Subdivision/ Condominium, Farhi Holding Corporation, 1600 Lauzon Road, Application to approve a Plan of Condominium for a 232-unit residential development consisting of multiple dwellings Z/14295 Note & File
7.1.12.	City Planner/ Executive Director	Application for Zoning Amendment, Lankor Horizons Development Inc., 10835 Riverside Drive East, Application to amend Zoning By-law 8600 to add a Holding Zone to this portion of the subject property Z/14300 Note & File

Carried.

7.2. Response to CQ 24-2021 - By-law to Require All Property Owners to Maintain Their Properties Free from Rodents and Further Researching Best Practices from Other Municipalities - City Wide

Moved by: Councillor Costante
Seconded by: Councillor Sleiman

Decision Number: CR57/2022
That the report of the Commissioner of Legal & Legislative Services dated January 31, 2022 entitled "Response to CQ 24-2021 - By-law to Require All Property Owners to Maintain Their Properties Free from Rodents and Further Researching Best Practices from Other Municipalities - City Wide" **BE RECEIVED** for information; and further,

That administration **BE DIRECTED** to report back at a future date on the data collected and potential strategies to target the issue of rodents in our community; and further,

That Administration **BE DIRECTED** to initiate an education and awareness campaign so residents are more aware of the existing Rodent Extermination Program.
Carried.

Report Number: C 18/2022
Clerk's File: AB2022

7.3. Placement of Question on the October Municipal Ballot

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR58/2022
That the report from the City Clerk regarding the placement of a question on the municipal ballot for the October 24, 2022 citywide election **BE RECEIVED** for information.
Carried.

Report Number: CM 2/2022
Clerk's File: ACEE/14248

10. PRESENTATION

10.1. Update Regarding the On-Going Security Situation Involving the Ambassador Bridge

Police Chief Pam Mizuno and Deputy Chief Jason Bellaire, Windsor Police Service

Police Chief Pam Mizuno and Deputy Chief Jason Bellaire, Windsor Police Service, appear before Council to provide the Mayor and Members of Council with an update regarding the ongoing

security situation involving the Ambassador Bridge and begin by thanking City Council for its support, indicating that with the support of all levels of government, several police agencies, other law enforcement and community partners, including the community itself, Huron Church Road and the Ambassador Bridge are now open; a temporary traffic strategy is currently in place that takes into consideration the risk of further protests and includes traffic interruptions for motorists travelling east/west; and conclude by stating that all steps are being taken to ensure that an appropriate and safe full reopening of the roadway is possible while still protecting the integrity of the international border.

Moved by: Councillor McKenzie
Seconded by: Councillor Gill

Decision Number: CR76/2022
That Rule 13.9 of the Procedure By-law **BE WAIVED** to introduce a motion for consideration without prior notice regarding the security and protection of the international crossing in Windsor.
Carried.

Clerk's File: GF2022

Moved by: Councillor Francis
Seconded by: Councillor Gill

Decision Number: CR77/2022
That Council **DIRECT** Administration to request that the Federal and Provincial governments partner on a long-term sustainable model, including funding, to ensure the security and protection of the international crossings in Windsor, including the Ambassador Bridge; as well as request for funding of all costs incurred to date by the City relative to security and protection measures already undertaken and underway; and

That Council **DIRECT** Administration to review the staffing models, including training programs, for City enforcement and security personnel, to ensure the City's readiness to manage the potential of ongoing protests.
Carried.

Clerk's File: GF2022

8. CONSENT AGENDA

8.1. Acquisition of Firefighter Protective Ensembles (Bunker Gear) - City Wide

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR59/2022
That City Council **APPROVE** the award of RFP 124-21, Firefighting Protective Ensembles (Bunker Gear), to A.J. Stone Company Ltd. as the successful proponent, for a term of five (5) years, to an upset limit of $633,940 (excluding HST); and,

That the CAO and City Clerk **BE AUTHORIZED** to execute the agreement with A.J. Stone Company Ltd., satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Fire Chief.
Carried.

Report Number: C 7/2022
Clerk's File: SF/14283

8.2. Approval to create a By-Law required for Audit and Accountability Fund grant agreements

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR60/2022
That City Council **PASS** a by-law authorizing the execution of Audit & Accountability Fund grant agreements and any other agreements required by Her Majesty the Queen in Right of Ontario for funding by the Audit & Accountability Fund program; and further,

That three readings of the respective by-law **BE CONSIDERED** and **APPROVED** at the February 14, 2022 meeting of City Council.
Carried.

Report Number: C 19/2022
Clerk's File: GPG2022

8.3. Application to demolish residential dwelling located at 653 Bridge Avenue, which is subject to Demolition Control By-law 131-2017 (Ward 2)

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR61/2022

I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for the residential dwelling located at 653 Bridge Avenue to facilitate redevelopment of the property; and,

II. That the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit, that:

    1. Redevelopment be substantially complete within two years of demolition permit issuance; and,

2. If redevelopment, including construction of a new building, is not substantially complete within two years of the commencement of demolition the maximum penalty ($20,000) shall be entered on the collectors roll of the property; and,

III. That the City Solicitor **BE DIRECTED** to register a notice of condition # 2 in the land registry office against the property.

Carried.

Report Number: C 15/2022
Clerk's File: SB2022

8.4. Minutes of the Windsor Essex County Environment Committee of its meeting held November 18, 2021

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR62/2022 ETPS 876
That the minutes of the Windsor Essex County Environment Committee of its meeting held November 18, 2021 **BE RECEIVED**.
Carried.

Report Number: SCM 34/2022 & SCM 400/2021
Clerk's File: MB2021

8.5. Minutes of the Transit Windsor Advisory Committee of its meeting held November 30, 2021

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR63/2022 ETPS 877
That the minutes of the Transit Windsor Advisory Committee of its meeting held November 30, 2021 **BE RECEIVED**.
Carried.

Report Number: SCM 35/2022 & SCM 2/2022
Clerk's File: MB2021

8.6. Essex Region Conservation Authority 2022 Fee Schedule

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR64/2022 ETPS 878
That the Essex Region Conservation Authority 2022 Fee Schedule **BE RECEIVED**.
Carried.

Report Number: SCM 36/2022 & SCM 12/2022
Clerk's File: GP2022

8.7. Request for Funding | Sewer, Pavement, and Watermain Rehabilitation on Arthur Road from Ontario Street South to Via Rail Tracks

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR65/2022 ETPS 879

1. That Council **APPROVE** a total project budget in the amount of $1,135,745, (including applicable taxes) and estimated recoveries of $341,620 for sewer, watermain, and pavement rehabilitation on Arthur Road, from Ontario Street South to the Via Rail Tracks; and,

2. That Council **APPROVE** the transfer of funds to a new project, required to fund the City share estimated at $794,125, as follows:

    a. $684,125 from Project 7035119 (New Infrastructure Development)
    b. $110,000 from Project 7143003 (Ouellette Avenue Streetscape Phase 6) and to close this project; and,

3. That subject to the results of the tender falling within the approved budget, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low bidder satisfactory in form to the Commissioner of Legal & Legislative Services; in financial content to the Chief Financial Officer and City Treasurer; and in technical content to the Commissioner of Infrastructure; and,

4. That the CAO and City Clerk **BE AUTHORIZED** to execute a Servicing Agreement with 1318805 Ontario Limited for the proportionate share of infrastructure identified under Recommendation 1 needed to service MB #'s 909 to 957 Arthur Road, satisfactory in form to the Commissioner of Legal & Legislative Services and in content to the Commissioner of Infrastructure Services in accordance with the following terms:

    a. The relevant general servicing requirements as detailed by CR233/98;
    b. Cost Sharing – 1318805 Ontario Limited agrees to pay to the Corporation of the City of Windsor $187,020 (based on estimated construction costs, final payment to be based on actual progress certificate payments) representative of 1318805 Ontario Limited's share of sanitary sewer, storm sewer, and road rehabilitation costs on Arthur Road from Ontario Street South to the Via Rail Tracks (24% of mainline sanitary sewer, storm sewer, and road rehabilitation costs, and 100% of costs for individual sanitary laterals, storm laterals, and water services for MB #'s 909 to 957 Arthur Road). Timing for the payment to be as follows:

i. 50% upon the closing of the tender identified under Recommendation 3;
ii. Balance prior to the issuance of construction permits for 909, 915, 921, 927, 933, 939, 945, 951, and 957 Arthur Road.

Carried.

Report Number: SCM 37/2022 & S 159/2021
Clerk's File: SW2022

11.3. WFRS Next Generation 911 Telecommunications - Pre-Approval - City Wide

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR68/2022
That City Council **PRECOMMIT** a total of $1,900,000 in funding, as identified below, from the WFRS Next Generation 911 Telecommunications project (FRS-004-19):

a. $300,000 in 2024 and;
b. $1,600,000 in 2025 and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreement or applications necessary to achieve Next Generation 911 communication upgrade legislated by the Federal Government and it be subject to the cost within the approved budget, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer, and in technical content to the Fire Chief.
Carried.

Report Number: C 12/2022
Clerk's File: SF/14284

11.4. 2022 Construction Projects Pre-Commitment - Wards, 4, 7, 9 & 10

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR69/2022
I. That Council **PRE-COMMIT** for immediate use, the funding noted below from the 2022 10 year Capital Budget, to allow the construction of the Provincial / Division Corridor (Phase 3) (ECP-002-08) to proceed immediately:

a. Year 2025 - $3,000,000 in F028 - Sewer Surcharge, $500,000 in F117 - Development Charges – Storm & Drains, $6,611,000 in F169 - Pay-As-You-Go – Capital Reserve and $3,471,800 in F221 - Service Sustainability Investment;
b. Year 2026 - $4,500,000 in F028 - Sewer Surcharge, $3,700,000 in F169 - Pay-As-You-Go – Capital Reserve and $1,800,000 in F221 - Service Sustainability Investment.

II. That Council **PRE-COMMIT** for immediate use, the funding noted below from the 2022 10 Year Capital Budget, to allow construction the Banwell Road Improvements (ECP-002-10) to proceed immediately:

a. Year 2026 - $2,399,000 in F115 - Development Charges – Roads & Related.

III. That Council **PRE-COMMIT** for immediate use, the funding noted below from the 2022 10 Year Capital Budget, to allow for the construction of the Parent/McDougall Ave Storm Sewer Project (ECP-023-07) to proceed immediately:

a. Year 2024 - $139,000 in F028 - Sewer Surcharge;
b. Year 2025 - $500,000 in F028 - Sewer Surcharge;
c. Year 2026 - $561,000 in F028 - Sewer Surcharge.

IV. That Council **PRE-COMMIT** for immediate use, the funding identified below from the 2022 10 Year Capital Budget, to allow for the construction of the Dominion – Northwood to Ojibway Project (ENG-005-17) to proceed immediately:

a. Year 2024 - $1,925,000 in F169 - Pay-As-You-Go - Capital Reserve and $1,275,000 in F221 - Service Sustainability Investment;
b. Year 2025 - $225,000 in F169 - Pay-As-You-Go – Capital Reserve and $75,000 in F221 - Service Sustainability Investment;
c. Year 2026 - $375,000 in F169 - Pay-As-You-Go - Capital Reserve and $125,000 in F221 - Service Sustainability Investment.

V. That Council **PRE-APPROVE** and **AWARD** Tenders related to the projects listed in Recommendation I through IV, provided that the Tender amounts are within approved budget, 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.

VI. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any required agreements or contracts, related to the projects listed in Recommendation I through IV, with successful vendors/proponent/bidder 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,

VII. That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to affect the recommendations noted above, subject to all specification being satisfactory in technical content to the Commissioner of Legal and Legislative Services for legal content and in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer.

Carried.

11.6. Streamline Development Approval Fund Acknowledgement - City Wide

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR71/2022

I) That City Council **APPROVE** the following recommendations for the Streamline Development Approval Fund Transfer Payment Agreement (TPA):

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 projects, 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 Chief Administrative Officer, or designates; and,

b. That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents required as part of the request for payment to the City Planner/Executive Director Planning and Development Services or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,

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 Chief Administrative Officer, or designates; and,

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 fund awarded projects, satisfactory in legal form to the Commissioner of Legal & Legislative Services, in technical content to the Chief Administrative Officer and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates; and,

e. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign agreements with other third-party stakeholders for sharing and exchanging information, data, costs and services related to the development and maintenance of a digitized building permit system; and,

f. 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 Chief Administrative Officer and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates.

II) That City Council **DELEGATE** authority to the Chief Administrative Officer to approve the final list of projects selected for funding from this grant, subject to all submissions being satisfactory in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designate; and,

III) That City Council **APPROVE** total City funding in the amount of $140,000 to cover ineligible costs as well as providing for a contingency for any project costs which may come in over anticipated budgets to be funded from the Grant Matching Funding Project ID#7191009 for $50,000 and the Cloud Permitting project ID #7171028 for $90,000; and,

IV) That Council **APPROVE** the creation of a new reserve fund for monitoring financial activity and support any audit requirements as described in the Streamline Development Approval Fund Transfer Payment Agreement; and,

V) That City Council **CONSIDER** and **PASS** the corresponding by-law, being a by-law authorizing the execution of the Streamline Development Approval Fund agreement; and,

VI) That **THREE READINGS** of the corresponding by-law be held at the February 14, 2022 meeting of Council.

Carried.

Report Number: C 17/2022
Clerk's File: SS/14302

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

11.5. Streamlining Approvals to Enable Rapid Execution of Council's Vision and Direction

Moved by: Councillor Bortolin
Seconded by: Councillor Kaschak

Decision Number: CR70/2022 CR47/2022 CR542/2021
That the report of the (Acting) Executive Initiatives Coordinator dated October 29, 2021 entitled "Streamlining Approvals to Enable Rapid Execution of Council's Vision and Direction" **BE REFERRED** to a Strategic Planning Session of Council.
Carried.

Report Number: C 169/2021 & AI 2/2022
Clerk's File: AS/7748

10. PRESENTATIONS AND DELEGATIONS

11.2. Draft By-law for Municipal Licensing of Short Term Rentals - City Wide

Ray Quenneville, Airbnb Owner and Host

Ray Quenneville, Airbnb owner and host, appears before Council regarding the administrative report entitled "Draft By-law for Municipal Licensing of Short Term Rentals - City Wide" and expresses concern with the draft by-law, including the maximum stay requirements, the collection and remittance of the MAT, the manner in which inspections may be undertaken, and the frequency in which vulnerable sector checks must be submitted.

Justin Barker, ORHMA Windsor Region Board of Directors and GM of Comfort Inn South Windsor

Justin Barker, ORHMA Windsor Region Board of Directors and GM of Comfort Inn South Windsor, appears before Council regarding the administrative report entitled "Draft By-law for Municipal Licensing of Short Term Rentals - City Wide" and expresses concerns with short term rentals, in particular, hosts operating multiple properties as a business and concludes by suggesting that all short term rentals registrations be made available on the brokerage platform and that all regulations are upheld in order to level the playing field with the hotel industry, which is highly competitive, must meet standards, and follow govenment regulations.

Shannon Dumont, Resident of Ward 4

Shannon Dumont, resident of Ward 4, appears before Council regarding the administrative report entitled "Draft By-law for Municipal Licensing of Short Term Rentals - City Wide" and expresses concerns with the administrative requirements included in the draft by-law, including the licence application process, vulnerable person check, and submission of MAT.

Moved by: Councillor Bortolin
Seconded by: Councillor Francis

Decision Number: CR67/2022
That Council **RECEIVE** this report and attached draft by-law titled, “A By-law Respecting the Licensing of Short Term Rental (STR) Owners and to Regulate All Activities,” and,

That Council **DIRECT** Administration to implement a municipal licensing framework and fee schedule for regulation of the Short Term Rental Industry within the City of Windsor as described in this report and captured in the attached draft by-law.
Carried.

Report Number: C 16/2022
Clerk’s File: ACL/13142

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.7. Updates regarding the Operation of the Isolation and Recovery Centre serving Temporary Foreign Workers – City Wide.

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR72/2022
That the report from the Commissioner, Human and Health Services and Fire Chief/CEMC regarding the operation of the Isolation and Recovery Centre serving Temporary Foreign Workers **BE RECEIVED** for information; and further,

That City Council **APPROVE** the Commissioner of Human and Health Services and Fire Chief/CEMC to withdraw from the operation of the Isolation and Recovery Centre serving Temporary Foreign Workers, effective June 30, 2022 or sooner; and further,

That City Council **DIRECT** the Commissioner of Human and Health Services to advise the Windsor Essex County Health Unit and encourage the Health Unit to advocate and champion an alternative entity to operate the Isolation and Recovery Centre serving Temporary Foreign Workers if required; and further,

That City Council **DIRECT** the Chief Administrative Officer to make a formal written request to the County of Essex and/or Town of Kingsville, and/or Municipality of Leamington and/or key stakeholders (for example: Ontario Greenhouse Vegetable Growers) to operate the Isolation and Recovery Centre serving Temporary Foreign Workers, effective July 1, 2022 or sooner; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign, amend, and execute any agreements/documents/attestations/memoranda, and take any such further actions as required to bring effect to these resolutions, subject to approval in form by the City Solicitor, technical content by the Commissioner of Human and Health Services, and financial content by the City Treasurer; and further,
That City Council **AUTHORIZE** the Commissioner of Human and Health Services, or her designate, to sign all related financial and/or operational submissions/ documents/attestations/memoranda and reports, subject to approval of financial content by the City Treasurer as applicable.
Carried.

Report Number: C 27/2022
Clerk's File: MH/13786

11.1. Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide

Moved by: Mayor Dilkens
Seconded by: Councillor Gignac

Decision Number: CR66/2022 CR46/2022 B33/2021
That the report of the Senior Manager of Engineering / Deputy City Engineer dated July 19, 2021 entitled "Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide" **BE REFERRED** back to the Windsor Public Library Board to allow the Board the opportunity to discuss and bring forward a clear submission and budget request for Council consideration.
Carried.
Councillors Bortolin, Holt, Kaschak, McKenzie, and Morrison voting nay.

Report Number: C 104/2021 & AI 3/2022
Clerk's File: ML/10013

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 Gignac
Seconded by: Councillor Gill

Decision Number: CR73/2022
That the report of the In Camera meeting held February 14, 2022 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2022

12.2. Special Meeting of Council - In Camera February 10, 2022

Moved by: Councillor Gignac
Seconded by: Councillor Gill

Decision Number: CR74/2022
That the report of the In Camera meeting held February 10, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 51/2022
Clerk's File: ACO2022

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Holt
Seconded by: Councillor Kaschak

That the following By-laws No. 34-2022 through 46-2022 (inclusive) be introduced and read a first and second time:

34-2022 A BY-LAW TO AUTHORIZE THE EXECUTION OF AGREEMENTS RELATED TO THE AUDIT & ACCOUNTABILTY FUND PROGRAM - BETWEEN THE CORPORATION OF THE CITY OF WINDSOR AND HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, REPRESENTED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING **(See Item No. 8.2., Report C 19/2022)**.

35-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR8/2022, dated January 17, 2022.

36-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR10/2022, dated January 17, 2022.

37-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR38/2022, dated January 31, 2022.

38-2022 A BY-LAW TO ADOPT AMENDMENT NO. 151 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR authorized by CR9/2022 dated January 17, 2022.

39-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR9/2022 dated January 17, 2022.

40-2022 A BY-LAW TO ASSUME CYPRESS AVENUE FROM PEPPERVINE STREET TO MCHUGH STREET BEING STREETS SHOWN ON PLAN OF SUBDIVISION 12M-622 KNOWN AS CYPRESS AVENUE FROM PEPPERVINE STREET TO MCHUGH STREET AND THE MUNICIPAL SERVICES LOCATED THEREIN, IN THE CITY OF WINDSOR authorized by M98-2012, dated February 21, 2012.

41-2022 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS CYPRESS AVENUE, IN THE CITY OF WINDSOR authorized by CR76/2011, dated February 28, 2011.

42-2022 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS GUY STREET, IN THE CITY OF WINDSOR authorized by CR76/2011, dated February 28, 2011.

43-2022 A BY-LAW TO ASSUME GUY STREET BEING STREETS SHOWN ON PART 7, PLAN 12R-2700 KNOWN AS GUY STREET AND THE MUNICIPAL SERVICES LOCATED THEREIN, IN THE CITY OF WINDSOR authorized by M98-2012, dated February 21, 2012.

44-2022 A BY-LAW TO ASSUME ETHAN COURT WEST OF WESTMINSTER AVENUE AND EAST OF PRINCESS AVENUE BEING STREETS SHOWN ON PLAN OF SUBDIVISION 12M-652 KNOWN AS ETHAN COURT WEST OF WESTMINSTER AVENUE AND EAST OF PRINCESS AND THE MUNICIPAL SERVICES LOCATED THEREIN, IN THE CITY OF WINDSOR authorized by M98-2012, dated February 21, 2012.

45-2022 A BY-LAW TO AUTHORIZE THE EXECUTION OF AGREEMENTS RELATED TO THE STREAMLINE DEVELOPMENT APPROVAL FUND PROGRAM - BETWEEN THE CORPORATION OF THE CITY OF WINDSOR AND HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, REPRESENTED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING **(See Item No. 11.6., Report C 17/2022)**.

46-2022 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 14th DAY OF February, 2022.
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

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 amended)
5) Committee Reports as presented
6) By-laws given first and second readings as presented

Carried.

15. NOTICES OF MOTION

None presented.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

That the By-laws No. 34-2022 through 46-2022 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

Moved by: Councillor Gill
Seconded by: Councillor Sleiman

That the following Council Question by Councillor Gill 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:

Assigned to Licence Commissioner:

> Asks Administration to review the repeat offender fee, re-evaluate the purpose of the fee and revisit how it is being applied to property owners in violation while considering a manner to provide some discretion as well as sunset provision; and report back with reasonable options for Council's consideration.

The motion is **put** and is **lost**.

Aye votes: Councillor Gill.
Nay votes: Councillors Francis, Costante, Bortolin, Holt, Sleiman, Gignac, Kaschak, McKenzie, and Morrison.
Abstain: None.
Absent: None.

18.3. CQ 3-2022

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR75/2022
That the following Council Question by Councillor Gignac **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 3-2022:
Assigned to City Engineer:

> Asks Administration for a report outlining how deficient residential roads not in the 10 year Capital Budget will be addressed.

Carried.

Clerk's File: ACOQ2022

21. ADJOURNMENT

Moved by: Councillor Holt
Seconded by: Councillor Kaschak

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 4:03 o'clock p.m.

_____ _____

Mayor City Clerk

Adopted by Council at its meeting held February 14, 2022 (CR73/2022)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
February 14, 2022

Members participating via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency.

Meeting called to order at: 11:00 a.m.

Members in Attendance:

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

Also in attendance:

J. Reynar, Chief Administrative Officer
J. Payne, Commissioner, Human and Health Services (Items 1, 2, 3, 4 and 6)
C. Nepszy, Commissioner, Infrastructure Services (Items 1, 2, 3, 4 and 6)
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer (Items 1, 2, 3, 4 and 6)
S. Askin-Hager, Commissioner, Legal and Legislative Services (Items 1, 2, 3, 4 and 6)
S. Vlachodimos, City Clerk
A. Teliszewsky, Mayor's Chief of Staff (Items 1, 2, 3, 4 and 6)
A. Daher, Executive Director of Employment and Social Services (Item 3)
M. Galvin, Chief Executive Officer Windsor Airport (Item 5)
S. Laforet, Fire Chief (Item 4)
L. Higgins, Manager of Intergovernmental Funding (Item 3)
V. Mihalo, Executive Director of Human Resources (Item 5)

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

6. Security of the property/solicitor client privilege/plan

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 6:

Item No.	Subject	Section – Pursuant to Municipal Act, 2001, as amended
1.	Property matter – sale of land	239(2)(c)
2.	Property matter – sale of land	239(2)(c)
3.	Personal matter – about identifiable individual(s)	239(2)(b)
4.	Plan – verbal update	239(2)k)
5.	Personal matter – recruitment – verbal update	239(2)(b)
6.	Security of the property of the municipality/solicitor-client privilege/plan - ADDED	239(2)(a)(f)(k)

Motion Carried.

Declarations of Pecuniary Interest:

None declared

Discussion on the items of business. (Items 1, 2, 3, 4, 5 and 6)
Meeting recesses at 1:05 p.m.
Meeting reconvenes in open session at 1:30 p.m.

Verbal Motion is presented by Councillor Francis, seconded by Councillor Kaschak, to move back into public session.

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Gill, seconded by Councillor Holt,

THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 14, 2022, directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – sale of land **BE APPROVED**.

2. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – sale of land **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Executive Director of Employment and Social Services, Commissioner, Human and Health Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter about an identifiable individual(s) **BE APPROVED**.

4. That the confidential verbal update from the Commissioner, Human and Health Services as well as the Fire Chief/Incident Commander respecting a plan **BE RECEIVED FOR INFORMATION**.

5. That the confidential verbal update from the Chief Administrative Officer and Chief Executive Director of Windsor Airport respecting a recruitment **BE RECEIVED FOR INFORMATION**, and that Administration BE DIRECTED TO PROCEED in accordance with the verbal instructions of Council.

Councillors Bortolin, Holt and Gignac voting nay

6. That the confidential verbal report from the Mayor and Commissioner, Legal and Legislative Services respecting the security of the property of the municipality/solicitor-client privilege/plan **BE RECEIVED** and further that the Mayor and Administration **BE AUTHORIZED TO PROCEED** on the verbal direction of Council.

Motion Carried.

Moved by Councillor McKenzie, seconded by Councillor Sleiman,
That the special meeting of council held February 14, 2022 BE ADJOURNED.
(Time: 1:31 p.m.)
Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on February 14, 2022.**