



## CITY OF WINDSOR MINUTES 05/09/2022

### City Council Meeting

Date: Monday, May 09, 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 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Councillor Gill

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

##### **Councillor Regrets**

Ward 4 - Councillor Holt

**Clerk's Note:** 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.

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### 1. ORDER OF BUSINESS

### 2. CALL TO ORDER

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls meeting to order at 4:00 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 April 25, 2022

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

That the minutes of the meeting of Council held April 25, 2022 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 140/2022

### 5. NOTICE OF PROCLAMATIONS

#### Illuminations

“Polish Heritage Month” – Monday, May 9 to Friday, May 13, 2022

“World Lupus Day” – Tuesday, May 10, 2022

“Light it up for Huntington Disease” – Monday, May 16 to Friday, May 20, 2022

### 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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;

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- (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 75-2022 through 76-2022 (inclusive).
- Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence for May 9, 2022

Moved by: Councillor Francis  
Seconded by: Councillor Gignac

Decision Number: CR194/2022

That the following Communication Items 7.1.1 through 7.1.3 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted:

| No.    | Sender  | Subject  |
|--------|---|--|
| 7.1.1. | Ministry of the Environment Conservation and Parks  | Letter regarding Phase 2 of Conservation Authority (CA) Operations under the <i>Conservation Authority Act</i><br><br>Commissioner, Community Services<br>Commissioner, Infrastructure Services<br>Commissioner, Legal & Legislative Services<br>City Planner<br>Deputy City Solicitor<br>Senior Manager, Pollution Control/Deputy City Engineer<br>Supervisor, Environmental Sustainability & Climate Change<br>GP2022<br>Note & File |
| 7.1.2. | Manager of Environmental Quality, City of Windsor<br><br>AND<br>Soil & Materials Engineering Inc. | Notice of intention to apply non-potable groundwater site condition standards record of site condition (11646 Tecumseh Road East). The City of Windsor has no objection to the application.<br><br>Commissioner, Infrastructure Services<br>EI/11165<br>Note & File  |

| No.    | Sender                  | Subject   |
|--------|-------------------------|---|
| 7.1.3. | Committee of Adjustment | Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, May 19, 2022 at, 3:30 p.m., through Electronic Meeting Participation<br><br>Z2022<br>Note & File |

Carried.

Report Number: CMC 7/2022

**7.2. Response to CQ13-2021 - Basement Flood Risk Reduction Update - Ward 7**

Moved by: Councillor Gill  
 Seconded by: Councillor Francis

Decision Number: CR195/2022

That the report of the Engineer II dated January 5, 2022 entitled “Response to CQ13-2021 – Basement Flood Risk Reduction Update – Ward 7” **BE RECEIVED** for information; and further,

That administration **BE DIRECTED** to report back to Council on what effective monitoring program can be put in place to give early warning in order to mitigate future flooding events and make proper adjustments to the system as needed.

Carried.

Report Number: C 1/2022  
 Clerk’s File: SW2022

**7.3. Your Quick Gateway (Windsor) Inc. Year-End 2021 Financial Statements - City Wide**

Moved by: Councillor Francis  
 Seconded by: Councillor Gignac

Decision Number: CR196/2022

That City Council **RECEIVE** for information, the Your Quick Gateway (Windsor) Inc. 2021 Year-End Financial Statements.

Carried.

Report Number: C 74/2022  
 Clerk’s File: APM/9795

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### 7.4. Update on Poet Laureate & Storytellers Program - End of Term for Windsor's Second Poet Laureate, Mary Ann Mulhern (2019-2022) - City Wide

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR197/2022

That the report of the Cultural Development Coordinator dated April 22, 2022 entitled "Update on Poet Laureate & Storytellers Program - End of Term for Windsor's Second Poet Laureate, Mary Ann Mulhern (2019-2022) - City Wide" **BE RECEIVED** for information.

Carried.

Report Number: C 75/2022

Clerk's File: SR2022

## 8. CONSENT AGENDA

### 8.2. Local Roadway Speed Humps Procedure - Traffic Calming Policy Amendment

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR199/2022

1. That the report of the Policy Analyst dated March 28, 2022 entitled "Local Roadway Speed Humps Procedure - Traffic Calming Policy Amendment—City Wide" **BE RECEIVED** for information; and,
2. That the Traffic Calming Policy **BE AMENDED** to include the Speed Humps Procedure and associated changes as appended in report C 56/2022.

Carried.

Report Number: C 56/2022

Clerk's File: ST/13863

### 8.3. 2021 Annual Report - Building Permit Fee Reserve Fund

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR200/2022

That the report of the Financial Planning Administrator dated April 21, 2022 entitled "2021 Annual Report - Building Permit Fee Reserve Fund-City Wide" **BE ACCEPTED**.

Carried.

Report Number: C 70/2022

Clerk's File: SB2022

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### 8.4. 2022 Business Improvement Area Budget & Levy Approvals - Wards 2, 3, 4, 5 & 6

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR201/2022

That City Council **APPROVE** the 2022 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, Pillette Village, Wyandotte Town Centre and Ford City Business Improvement Areas included as Appendices A through I and as summarized in Table 1; and,

That City Council **APPROVE** the 2022 Business Improvement Area Rates as presented in Table 1; and,

That the City Solicitor **BE AUTHORIZED** to prepare the necessary by-law.

Carried.

Report Number: C 46/2022

Clerk's File: AF/14148

### 8.5. 2022 Tax Policy Decisions and Establishment of the 2022 Final Property Tax Rates - City Wide

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR202/2022

That City Council **RECEIVE** the information contained in the 2022 Tax Policy Report; and,

That City Council **APPROVE** the following Tax Policy Principles which will be used to calculate the 2022 Final Property Tax Rates:

1. That the Optional Tax Classes of office building, shopping center, parking lot/vacant commercial land, and large industrial **CONTINUE** to be used in the establishment of annual property tax rates.
2. That Administration **CONTINUE TO MONITOR** the application of a Small Business Class and **REPORT BACK** to City Council for further direction as part of the 2023 Tax Policy report.
3. That tax reductions for the first sub-classes of farmland awaiting development (FAD 1) **BE REDUCED ANNUALLY** by the allowed 10% starting in taxation year 2022 through to taxation year 2025.
4. That tax reductions for the second sub-classes of farmland awaiting development (FAD 2) **BE ELIMINATED.**

- 
5. That the Municipality **CONFIRM** the threshold on the tax level for eligible new construction at 100%.

That City Council **APPROVE** the 2022 Tax Ratios and Municipal Tax Rates as presented in Table 1; and,

That City Council **APPROVE** the 2022 Final Property 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.

Carried.

Councillor Bortolin voting nay.

Report Number: C 69/2022  
Clerk's File: AF/14148

## **8.7. Town and Gown 2021 Annual Report**

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR205/2022 ETPS 889

That the Town and Gown Committee 2021 Annual Report **BE APPROVED**.

Carried.

Report Number: SCM 117/2022 & SCM 78/2022  
Clerk's File: MB2021

## **8.8. Transit Windsor Advisory Committee 2021 Annual Report**

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR206/2022 ETPS 890

That the Transit Windsor Advisory Committee 2021 Annual Report **BE APPROVED**.

Carried.

Report Number: SCM 118/2022 & SCM 87/2022  
Clerk's File: MB2021

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### 8.9. Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes - March 1, 2022

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR207/2022 ETPS 891

That the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) of its meeting held March 1, 2022 **BE RECEIVED**.

Carried.

Report Number: SCM 119/2022 & SCM 94/2022

Clerk's File: MB2022

### 8.11. Science Based Targets for GHG Reduction – City Wide

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR209/2022 ETPS 893

That the report of the Community Energy Plan Administrator dated April 8, 2022 entitled “Science Based Targets for GHG Reduction – City Wide” **BE RECEIVED** for information; and,

That City Council **APPROVE IN PRINCIPLE** Windsor’s Science Based Targets of a 68% reduction in city-wide emissions (scope 1 and 2) and a 55% reduction in corporate-wide emissions (scope 1 and 2) below 2005 baseline by 2030; and,

That City Council **APPROVE IN PRINCIPLE** a NET ZERO Target for 2050; and.

That Administration **BE DIRECTED** to report back with an updated strategy to reach these targets by November 2023 that considers implementation timelines, resourcing and financial impacts of meeting science-based targets; and further,

That Administration **BE DIRECTED** to send a letter to the County of Essex and City of Detroit requesting their support of Windsor’s Science Based Targets for GHG Reduction.

Carried.

Report Number: SCM 121/2022 & S 42/2022

Clerk's File: EI/10822

### 8.12. Transit Windsor Master Plan - Implementation Plan Project Update - City Wide

Moved by: Councillor Gill

Seconded by: Councillor Francis



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Decision Number: CR210/2022 ETPS 894

That the report of the Project Administrator dated April 8, 2022 entitled "Transit Windsor Master Plan – Implementation Plan Project Update, City Wide" **BE RECEIVED** for information.

Carried.

Report Number: SCM 122/2022 & C 64/2022

Clerk's File: MT/13708

**11.2. Award of Tenders: 27-22 - Dougall Avenue Rehabilitation - Ouellette Place to Eugenie Street West (Ward 10) and 60-22 - Jos St Louis Avenue Rehabilitation - Rose Street to Tecumseh Road East (Ward 8)**

Moved by: Councillor Gill

Seconded by: Councillor Francis

Decision Number: CR214/2022

- I. That the following low tender **BE ACCEPTED**:

**TENDERER:** Sherway Contracting (Windsor) Limited  
**TENDER NO:** 27-22  
**TOTAL TENDER PRICE:** \$2,754,427.00 (excluding HST)  
**ACCOUNT CHARGED:** 007-5410-9998-02942-7203004

and,

That the CAO and City Clerk **EXECUTE** an agreement with the low bidder, Sherway Contracting (Windsor) Limited, in the amount of \$2,754,427.00 plus tax, with said contract being satisfactory in form to the Commissioner of Legal & Legislative Services, satisfactory in technical content to the Commissioner of Infrastructure Services, and in financial content to the Commissioner of Corporate Services CFO/City Treasurer; and,

- II. That the following low tender **BE ACCEPTED**:

**TENDERER:** D'Amore Construction (2000) Limited  
**TENDER NO:** 60-22  
**TOTAL TENDER PRICE:** \$2,597,000.00 (excluding HST)  
**ACCOUNT CHARGED:** 007-5410-9998-02942-7181008

and,

That the CAO and City Clerk **EXECUTE** an agreement with the low bidder, D'Amore Construction (2000) Limited, in the amount of \$2,597,000.00 plus tax, with said contract being satisfactory in form to the Commissioner of Legal & Legislative Services, satisfactory in technical content to the Commissioner of Infrastructure Services, and in financial content to the Commissioner of Corporate Services CFO/City Treasurer; and,

- III. That City Council **APPROVE** a transfer of \$1,594,429.00 in funding from the Sunset/Wyandotte W/CuldeSac project (ID 7171003) to ICIP Dougall Bikelane/Sidewalk

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project (ID 7203004) and Jos St Louis – Tecumseh / Rose Ave project (ID 7181008) as detailed in the financial matters section.

Carried.

Report Number: C 79/2022

Clerk's File: SW/14377

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

### 8.10. Ward 9 Ditch Survey and Inspection of Private Culverts and Private Catch Basins - Ward 9

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

Decision Number: CR208/2022 ETPS 892

That the report of the Environment, Transportation & Public Safety Standing Committee of its meeting held April 27, 2022 entitled "Ward 9 Ditch Survey and Inspection of Private Culverts and Private Catch Basins ---Ward 9" **BE DEFERRED** to a future meeting of Council to allow for affected residents to meet with Administration regarding their specific issues.

Carried.

Report Number: SCM 120/2022 & S 14/2022

Clerk's File: SW2022

## 10. PRESENTATIONS AND DELEGATIONS

### 2022 Update on Poet Laureate and Storyteller Program

Mayor Dilkens and Councillor Gignac conduct a presentation regarding the Poet Laureate and Storyteller Program, with the following delegates appearing before Council regarding the Poet Laureate and Storyteller Program: Mary Ann Mulhern, Current Poet Laureate; Marty Gervais, Poet Laureate Emeritus; Vanessa Shields, Poet Laureate; Alexei Ungurenaşu, Youth Poet Laureate; Theresa Sims, Indigenous Storyteller; and Teajai Travis, Multicultural Community Storyteller. Mayor Dilkens provides a brief highlight of the delegates' accomplishments and an overview of the program and introduces each new member and provides some feedback provided by the selection committee; each member of the group provide details related to their attributes and experiences that they will bring to their respective positions; Councillor Gignac commends Ms. Mulhern for her work with the City, expanding the program; and provides a brief history about the Poet Laureate Program and how it was established; Ms. Mulhern thanks the Mayor and Members of Council as well as administration and reads some of her works; Mr. Gervais expresses his gratitude to the Mayor and Council for their continued support, welcomes the incoming group and provides comments related to the new group moving forward.

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Moved by: Councillor Gignac

Seconded by: Councillor Costante

Decision Number: CR211/2022

That the presentation by Mayor Dilkens and Councillor Gignac providing an update on the 2022 Poet Laureate and Storyteller Program **BE RECEIVED** for information.

Carried.

Clerk's File: SR2022

### **10.1. Tourism Windsor Essex Pelee Island (TWEPI) – Unveiling of new 2022/2023 Official Visitor Guide**

**Gordon Orr, CEO; Lynnette Bain, VP, Destination Development; and Jason Toner, Director of Marketing and Communications; Tourism Windsor Essex Pelee Island**

Gordon Orr, CEO; Lynnette Bain, VP, Destination Development; and Jason Toner, Director of Marketing and Communications; Tourism Windsor Essex Pelee Island (TWEPI) appear before Council to make a presentation regarding "Tourism Windsor Essex Pelee Island – unveiling of new 2022/2023 Official Visitor Guide" and provide a brief highlight of their plans moving forward; their mission; board members; where they are now and their path to reopening; social media; hotel occupancy; website traffic; digital traffic; 7<sup>th</sup> annual Best of Windsor Essex Awards; overview of the Destination Development Guide; areas of focus; historic sites; Canadian Gay and Lesbian Chamber of Commerce Destination Audit; 2022 Birding and Fishing Guides; Paddling Guide; Barrels Bottles and Brews Flight Log Tasting Passport; Barrel Trail Events; Epic Wine Tasting Pass; Wine Route Wayfinding Signage; Market Intelligence; U.S. Drive Campaign- It's Your Neighbour; Destination Ontario Campaign; Summer of the Staycation; highlights of the 2022-2023 Official Visitor Guide; Enhancements to the Official Website; Ontario Staycation Tax Credit; Support Local Campaigns; and details are provided regarding the Tourism Windsor Essex Pelee Island Annual General Meeting.

**Clerk's Note:** Joe Mancina, (Acting) Chief Administrative Officer, provides an update to City Council related to the Chevrolet Detroit Grand Prix, whereby Covid restrictions required the cancellation of the 2020 and 2021 Belle Isle Detroit Grand Prix event, and subsequently, the City of Windsor's annual contribution of \$50,000 was re-directed during this Covid period, and that the Grand Prix is now proceeding as planned for 2022, and therefore, the City's annual contribution will resume.

Moved by: Councillor Costante

Seconded by: Councillor McKenzie

Decision Number: CR212/2022

That the presentation by Gordon Orr, CEO; Lynnette Bain, VP, Destination Development; and Jason Toner, Director of Marketing and Communications; Tourism Windsor Essex Pelee Island

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(TWEPI), regarding "Tourism Windsor Essex Pelee Island – unveiling of new 2022/2023 Official Visitor Guide" **BE RECEIVED** for information.

Carried.

Clerk's File: AT2022

### **8.1. University Avenue & Victoria Street Environmental Assessment - Wards 2 & 3**

#### **Jaime Garcia, Associate Partner, CIMA+**

Jaime Garcia, Associate Partner, CIMA+, appears before Council regarding the report "University Avenue & Victoria Street Environmental Assessment - Wards 2 & 3" and is available for questions.

#### **Allison Mistakidis, co-owner of Whiskeyjack Boutique**

Allison Mistakidis, co-owner of Whiskeyjack Boutique, appears before Council regarding the report "University Avenue & Victoria Street Environmental Assessment - Wards 2 & 3," and provides a brief description of her previous business location on Maiden Lane and indicates that the lack of parking/street closure did not have a negative impact on her business and increased foot traffic in the area; and concludes by suggesting active transportation should be highlighted in the proposed plan.

#### **David Bezarevic, Booster Juice Owner**

David Bezarevic, Booster Juice owner, appears before Council regarding the report "University Avenue & Victoria Street Environmental Assessment - Wards 2 & 3," and expresses concern related to removing the parking in front of his business in the proposed plan and replacing the parking with bike lanes; and concludes by suggesting that customers will not be able to easily access their store which will result in decreased sales; and asks that Council reconsider the location of the parking in the proposed plan.

#### **Brian Yeomans, Chair; and Debi Croucher, Executive Director, DWBIA**

Brian Yeomans, Chair; and Debi Croucher, Executive Director, DWBIA, appear before Council regarding the report "University Avenue & Victoria Street Environmental Assessment - Wards 2 & 3" and are available for questions.

#### **Jerry Ferrari, Owner, G & G Jewellery**

Jerry Ferrari, Owner, G & G Jewellery, appears before Council regarding the report "University Avenue & Victoria Street Environmental Assessment - Wards 2 & 3," and expresses concern related to the removal of parking; and concludes by suggesting that the proposal incorporate parking in his area along with the bike lanes, as removing the parking in this area will result in a negative impact to his business and a possible relocation.

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**Caroline Taylor, Resident of Ward 2**

Caroline Taylor, resident of Ward 2, appears before Council regarding the report “University Avenue & Victoria Street Environmental Assessment - Wards 2 & 3” in support of the proposed plan and provides details of positive attributes within the plan including the active transportation network along the route; and concludes by suggesting that the City benches should be facing the road to encourage safety; bike theft is a concern in Windsor and bike racks should be located close to the front of buildings to promote safety.

Moved by: Councillor Bortolin  
Seconded by: Councillor Costante

Decision Number: CR198/2022

1. That the recommended design for University Avenue and Victoria Avenue, attached as Appendices A, B & C, **BE ENDORSED**; and,
2. That Administration **BE DIRECTED** to post the Environmental Study Report and Notice of Study Completion for the University Avenue and Victoria Avenue Environmental Assessment for their 30-day review period, as required by the Municipal Class Environmental Assessment; and further,
3. That, when the detailed design moves forward, Administration **BE DIRECTED** to engage with stakeholders/business owners block by block in the area for their input and to mitigate concerns.

Carried.

Report Number: C 55/2022  
Clerk’s File: MT2022

## **8.6. 2023 Proposed Budget Process & Timeline - City Wide**

### **Jessica Macasaet-Bondy, Organizer with Activate Transit Windsor Essex**

Jessica Macasaet-Bondy, organizer with Activate Transit Windsor Essex, appears before Council regarding the report “2023 Proposed Budget Process & Timeline – City Wide” and provides details regarding her organization, including a brief overview of an event her organization hosted to encourage public engagement during policy making to ensure everyone’s voices are heard; and concludes by suggesting that the budget process include more public input and provides examples of several municipalities that have included extensive public engagement opportunities that have been conducted during their budget setting processes; and requests that these municipalities be surveyed to determine whether the City of Windsor can include some of these types of public engagement tools when deliberating the 2023 Budget.

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#### Kiemia Rezagian, Resident of Ward 1

Kiemia Rezagian, resident of Ward 1, appears before Council regarding the report “2023 Proposed Budget Process & Timeline – City Wide” and requests that the City of Windsor introduce a more public education and participatory based Budget Process, and provides details regarding her experiences related to youth engagement opportunities; and concludes by providing details of the events organized by her organization; details a number of groups that participated in the event to encourage a participatory budget process; and suggests that the City make an active effort to engage the public in the budget process, including improving the budget tool that was used during the last budget deliberation process.

Moved by: Councillor Francis  
Seconded by: Councillor Gignac

Decision Number: CR203/2022

That the report of the Chief Financial Officer & City Treasurer dated May 9, 2022 regarding the 2023 Proposed Budget Process & Timeline **BE RECEIVED** for information; and,

That Council **APPROVE** the Operating & Capital Budget timelines for the development of the 2023 Operating & Capital budgets as outlined in Table A (Operating & Capital Budget Timeline) of this report; and,

That Administration **BE DIRECTED** to bring forward a 2023 Operating Budget that provides options to meet Council’s fiscal targets status quo from the 2022 Budget Deliberation process with a 0% tax increase option along with 5% departmental reduction targets being brought forward for each department and that this also apply to all City Agencies, Boards, and Commissions (ABCs); and,

That City Council **CONFIRMS** that Administration is to develop the 2023 10-year Capital Budget based on current funding level projections, inclusive of the operational (tax levy based) transfers to capital being maintained at current 2022 levels; and further,

That City Council **APPROVE** the transfer of up to \$10,000 from the Budget Stabilization Reserve (BSR) for costs associated with the upgrade of the corporate budget development software (Questica); and further,

That Administration **BE DIRECTED** to continuously review best practices related to public engagement and provide those findings to Council in 2023.

Carried.

At the request of Councillor Francis, a recorded vote is taken on this matter.

Aye votes: Councillors Francis, Sleiman, Gignac, Gill, Kaschak, and Mayor Dilkens.

Nay votes: Councillors Costante, Bortolin, McKenzie, and Morrison.

Abstain: None.

Absent: Councillor Holt.

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Moved by: Councillor McKenzie  
Seconded by: Councillor Bortolin

Decision Number: CR204/2022

That Administration **BE REQUESTED** to bring back recommendations for budget engagement tools for the 2023 Budget Deliberation process for Council's consideration.

Carried.

Report Number: C 72/2022  
Clerk's File: AF/14372

**11.4. Zoning Bylaw Amendment – Wyandotte Developments Inc - 0 Wyandotte St E. S/S Wyandotte Street E, between Watson Ave and Isack Drive- Z 025-21 [ZNG-6499] to permit a Multiple Dwelling Development - Ward 6**

**Amy Farkas, Dillon Consulting**

Amy Farkas, Dillon Consulting, appears before Council regarding the report "Zoning Bylaw Amendment – Wyandotte Developments Inc. - 0 Wyandotte St E. S/S Wyandotte Street E, between Watson Ave and Isack Drive- Z 025-21 [ZNG-6499] to permit a Multiple Dwelling Development - Ward 6" and is available for questions.

**Steve Berrill, ADA Architect**

Steve Berrill, ADA Architect, appears before Council regarding the report "Zoning Bylaw Amendment – Wyandotte Developments Inc. - 0 Wyandotte St E. S/S Wyandotte Street E, between Watson Ave and Isack Drive- Z 025-21 [ZNG-6499] to permit a Multiple Dwelling Development - Ward 6" and is available for questions.

**Randy Saccucci, Applicant**

Randy Saccucci, applicant, appears before Council regarding the report "Zoning Bylaw Amendment – Wyandotte Developments Inc. - 0 Wyandotte St E. S/S Wyandotte Street E, between Watson Ave and Isack Drive- Z 025-21 [ZNG-6499] to permit a Multiple Dwelling Development - Ward 6" and is available for questions.

**Arthur Trebbne, Area Resident**

Arthur Trebbne, area resident, appears before Council and expresses concern regarding the administrative recommendation in the report "Zoning Bylaw Amendment – Wyandotte Developments Inc. - 0 Wyandotte St E. S/S Wyandotte Street E, between Watson Ave and Isack Drive- Z 025-21 [ZNG-6499] to permit a Multiple Dwelling Development - Ward 6" and indicates that the traffic and proposed parking poses a concern to the area residents and requests that a traffic study be conducted prior to the approval of this application; the height of the building at six storeys poses a concern and will set a negative precedent in the area; and concludes by

suggesting Council conduct a complete overview of the area prior to any project approvals in the area.

**Heather Hansen, Area Resident**

Heather Hansen, area resident, appears before Council and expresses concern regarding the administrative recommendation in the report “Zoning Bylaw Amendment – Wyandotte Developments Inc. - 0 Wyandotte St E. S/S Wyandotte Street E, between Watson Ave and Isack Drive- Z 025-21 [ZNG-6499] to permit a Multiple Dwelling Development - Ward 6” and provides details related to the proposed pickle ball courts that are to be installed above the parking lot in the proposed application, which will result in light and noise concerns to the neighbours in the area.

**Brian Owen, Area Resident**

Brian Owen, area resident, appears before Council and expresses concern regarding the administrative recommendation in the report “Zoning Bylaw Amendment – Wyandotte Developments Inc. - 0 Wyandotte St E. S/S Wyandotte Street E, between Watson Ave and Isack Drive- Z 025-21 [ZNG-6499] to permit a Multiple Dwelling Development - Ward 6,” stating he supports development in the City of Windsor in general but provides details related to the residents concerns with a proposed open pickle ball court and the lighting and noise which will be close to the residents balconies; and concludes by suggesting that there isn’t a retention pond being proposed, which may cause damage to his property and the proposed building development.

Moved by: Councillor Gignac  
Seconded by: Councillor Bortolin

Decision Number: CR216/2022 CR173/2022 DHSC 380

That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** for the lands at Part of Lots 72 to 78, Part of Lots 106 & 107, part of 30 foot Lane, part of Parkhill Gate, RP 1627, more particularly described as Part 3, 12R-13644 situated on the south side of Wyandotte Street East, east of Watson Avenue, by adding the following site specific provisions to s.20:

**“South Side Wyandotte Street East, between Watson Ave and Isack Drive**

For the lands Part of lots 72 to 78, part of lots 106 & 107, part of 30' Lane, part of Parkhill Gate, RP 1627, more particularly described as Part 3, 12R-13644 situated on the south side of Wyandotte Street East, east of Watson Avenue, the provisions of S 20 (1) 102 shall not apply, and the following provisions shall apply:

- a) Building Height – Maximum – 21.5 m
- b) Lot Coverage – Maximum – 40%
- c) A minimum separation of 12 metres shall be maintained between a multiple dwelling and an RD1.1 District. (ZDM 14; ZNG/6499)”



That the community **BE INVOLVED** in the site plan control process for this application; and further,

That Administration **BE DIRECTED** to assist in scheduling a meeting between the area residents and the developer prior to the site plan control meeting being held to discuss issues that have been brought forward.

Carried.

Report Number: SCM 98/2022, S 35/2022 & AI 7/2022  
Clerk's File: Z/14298

## **11. REGULAR BUSINESS ITEMS (Non-Consent Items)**

### **11.1. 2021 Year-End Operating Budget Variance Report - City Wide**

Moved by: Councillor Costante

Seconded by: Councillor Gill

√**CLERK'S CORRECTION\*\***

Decision Number: CR213/2022

1. That Council **RECEIVE FOR INFORMATION** the 2021 Year-End Operating Budget Variance Report.
2. That the final 2021 Property Tax Levy Operating Budget surplus of \$2,491,344 **BE TRANSFERRED** as follows: \$1,741,344 to the Budget Stabilization Reserve Fund, and \$750,000 to the Capital Improvement Plan (CIP) Grant Reserve Fund.
3. That in order to avoid the need to re-budget for various items, Council **APPROVE** \$4,382,077 in Budget Carry-Forwards as detailed in Appendix C.
4. That Council **APPROVE** the balancing of and transfers from Capital Project Closeouts as detailed in Appendix D.
5. That Council **APPROVE** the attached Development Charges 2021 Income Statement Schedule as detailed in Appendix E.
6. That Council **APPROVE** the attached Development Charge Reserve Fund Statement – Listing of Credits as detailed in Appendix F.
7. That Council **APPROVE** the following housekeeping items and various transfers to/(from) the various reserve accounts/funds:
  - a. \$7,950,270 to Fund 180 - Building Permit Reserve
  - b. \$2,681,208 to Account 1750 - Working Funds
  - c. \$2,279,779 to Fund 153 - Sanitary Sewer Surcharge
  - d. \$67,971 to Account 1756 - Reserve for Tree Planting

- 
- e. \$4,911 to Account 1755 - Reserve for Fire Education
  - f. (\$5,542) from Account 1785 - BIA Maint-PW Operations
  - g. (\$10,432) from Account 1762 - Municipal Elections Reserve
  - h. (\$71,837) from Fund 160 - Capital Expenditure Reserve
  - i. (\$87,613) from Account 1798 - Commodity Tax Reserve Account
  - j. (\$2,357,954) from Fund 107-128 - Development Charge Reserves
  - k. (\$7,413,769) from Fund 225 – Transit Safe Restart Reserve for Transit Windsor
  - l. (\$7,950,270) from Fund 194 - Building Permit Fee Contra Reserve
  - m. (\$14,463,000) from Fund 224 - Safe Restart-Municipal Operating
8. That Council **APPROVE** the creation of a National Urban Park Designation reserve fund in order to facilitate the contribution agreement between The Corporation of the City of Windsor and Parks Canada Agency for the National Urban Park Designation of Parklands within the City of Windsor, including the Ojibway Prairie Complex.
9. That Council **APPROVE** the closure of the Building Permit Fee Contra Reserve (Fund 194) and that the remaining funds are to be transferred to the Working Capital Reserve Account (Reserve Account #1750).
10. That City Council **APPROVE** an expenditure of \$950,000 from the remaining surplus balance to undertake the following work:
11. Whereas a portion of the surplus is being recommended for transfer to the CIP Grant Reserve Fund, therefore be it resolved that from the remaining balance that Council **APPROVE** \$950,000 to undertake the following work:
- 1) Sandwich Town Theming and Districting Report
  - 2) Downtown Theming and Districting Report
  - 3) Ford City Theming and Districting Report
  - 4) Riverside BIA Theming and Districting Report
  - 5) Wyandotte Town Centre Theming and Districting Report
  - 6) Study/Report on new multi-use path/trail around Roseland Golf Course
  - 7) Report on the design of a path/trail system along with design of future cricket pitch in Derwent Park
  - 8) Feasibility and Design of parking lot and sports field improvements at Walker Homesites
  - 9) Report on the design of a path/trail system for the South Cameron Woodlot

Carried.

√Councillor Bortolin voting nay.√

Report Number: C 73/2022  
Clerk's File: AF/14148

### **11.3. Land Aquisition and Proposed Financing Plan**

Moved by: Councillor Costante  
Seconded by: Councillor Bortolin

**Minutes**  
**City Council**  
**Monday, May 09, 2022**

Decision Number: CR215/2022

That City Council **AUTHORIZE** the capital works being the “Point East Development” in an amount estimated to be \$53 million allocated at \$45 million for land acquisition (“Land Acquisition”) and \$8 million in site servicing; and,

That City Council **AUTHORIZE** the Land Acquisition capital costs to be financed through the issuance of debentures to Ontario Infrastructure and Lands Corporation; and,

That City Council **AUTHORIZE** the creation of a capital account named “Point East Development – Land Acquisition” Project ID 7221053 be used to track and record capital expenditures related to the proposed Land Acquisition; and,

That City Council **ACKNOWLEDGE** the creation of a capital account named “Point East Development – Site Servicing” Project ID 7221006 to be used to track and record expenditures related to the site servicing and any other project related expenditures including staff and project management costs; and,

That City Council **AUTHORIZE** the use of current cash reserves to provide an interim financing source for the Land Acquisition until such time as permanent long-term financing through the issuance of debentures is obtained. Interest will be charged in accordance with the City’s capital borrowing policy; and,

That City Council **AUTHORIZE** the use of current cash reserves to provide an interim financing source for the site servicing expenditures until such time as funding is approved. Interest will be charged in accordance with the City’s capital borrowing policy; and,

That Council **DIRECT** the City Treasurer to prioritize and incorporate the estimated \$8 million in site servicing costs into the 2023 10-year Capital Plan; and,

That City Council **ACCEPT** the certification of the City Treasurer that the resulting debt and financial obligations resulting from such debenture issuance fall within the Annual Repayment Limits established for the City of Windsor as determined by the Ministry of Municipal Affairs and Housing in accordance with Ontario Regulation 403/02 of the *Municipal Act*; and,

That City Council **AUTHORIZE** the City Treasurer to submit and sign an application for long-term borrowing through Ontario Infrastructure and Lands Corporation for the issuance of debentures for the Land Acquisition capital costs to a maximum of 30 years; and further,

That, if required, the CAO and City Clerk **BE AUTHORIZED** to execute any agreements and or applications which are deemed necessary to undertake the capital work with said financing/funding agreements in legal form to the satisfaction of the City Solicitor and to technical and financial form to the satisfaction of the CFO/City Treasurer.

Carried.

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## 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 Morrison

Seconded by: Councillor Sleiman

Decision Number: CR217/2022 That the report of the In Camera meeting of Council held May 9, 2022 **BE ADOPTED** as presented.

Carried.

Clerk's File: ACO2022

### 12.2. Minutes of the Windsor Accessibility Advisory Committee of its meeting held February 22, 2022

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR218/2022

That the minutes of the Windsor Accessibility Advisory Committee of its meeting held February 22, 2022 **BE RECEIVED**.

Carried.

Report Number: SCM 89/2022

Clerk's File: MB2022

### 12.3. Housing and Homelessness Advisory Committee 2021 Annual Report

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR219/2022

That the Housing and Homelessness Advisory Committee 2021 Annual Report **BE APPROVED**.

Carried.

Report Number: SCM 90/2022

Clerk's File: MB2021

### 12.4. Minutes of the Committee of Management for Huron Lodge of its meeting held March 9, 2022

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR220/2022

That the minutes of the Committee of Management for Huron Lodge of its meeting held March 9, 2022 **BE RECEIVED**.

Carried.

Report Number: SCM 92/2022

Clerk's File: MB2022

### **12.5. Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held March 10, 2022**

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR221/2022

That the minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held March 10, 2022 **BE RECEIVED**.

Carried.

Report Number: SCM 105/2022

Clerk's File: MB2022

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

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

That the following By-laws No. 75-2022 through 76-2022 (inclusive) be introduced and read a first and second time:

**75-2022** A BY-LAW TO AMEND BY-LAW 131-2019 BEING A BY-LAW FOR THE USE, REGULATION, AND PROTECTION OF PARKS authorized by CR90/2022 dated February 28, 2022.

**76-2022** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 9th DAY OF MAY, 2022.

Carried.

### **14. MOVE BACK INTO FORMAL SESSION**

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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

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- 
- 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

**Clerk's Note:** Councillor Bortolin advises that the notice of motion originally set for consideration on May 9, 2022 will now be considered at the May 30, 2022 meeting of Council, related to the "Windsor-Essex County Health Unit's application for a Consumption and Treatment Site (CTS) at 101 Wyandotte St. E." to allow for all members of Council to be in attendance.

Moved by: Councillor Morrison

Seconded by: Councillor Kaschak

Decision Number: CR222/2022

That Administration **BE DIRECTED** to bring back a report before the next winter season, on possible ways that we can address the large gap between the demand for Snow Angels and the number of residents that are assisted. Options should include, but not be limited to improving our recruiting efforts of volunteers and/or providing the service with a set fee or no fee.

Carried.

Clerks File: SW2022

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

Moved by: Councillor Gill

Seconded by: Councillor Francis

That the By-laws No. 75-2022 through 76-2022 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.

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## 18. QUESTION PERIOD

### 18.3. CQ 8-2022

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR223/2022

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 8-2022:

#### **Assigned to Commissioner, Infrastructure Services:**

Asks Administration to review and report to Council if there is a current policy to prioritize "half width streets" to bring them up to current standard width. Also if there are Provincial regulations as to required standard widths for residential roads.

Carried.

Clerk's File: ACOQ2022 & ST2022

## 21. ADJOURNMENT

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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 6:44 o'clock p.m.

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Mayor

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City Clerk

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Adopted by Council at its meeting held May 9, 2022 (CR217/2022)  
SV/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**May 9, 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: 2:00 p.m.**

**Members in Attendance (in person):**

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

**Members in Attendance (electronically):**

Councillor F. Costante

**Members Absent:**

Councillor C. Holt

**Also in attendance:**

J. Mancina, Acting Chief Administrative Officer  
D. Cercone, Acting Commissioner, Human and Health Services  
C. Nepsy, Commissioner, Infrastructure Services  
J. Guthrie, Acting Commissioner, Corporate Services CFO/City Treasurer  
S. Askin-Hager, Commissioner, Legal and Legislative Services  
R. Mensour, Commissioner, Community Services  
J. Payne, Commissioner Economic Development and Innovation  
S. Vlachodimos, City Clerk  
A. Teliszewsky, Mayor's Chief of Staff  
W. Vendrasco, Deputy City Solicitor (Item 4)



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Verbal Motion is presented by Councillor Gill, seconded by Councillor Sleiman, to move in Camera for discussion of the following item(s):

| <u>Item No.</u> | <u>Subject</u>                          | Section – Pursuant to Municipal Act, 2001, as amended |
|-----------------|---|---|
| 1.              | Legal matter – expropriation settlement | 239(2)(e)(f)  |
| 2.              | Legal matter – expropriation settlement | 239(2)(e)(f)  |
| 3.              | Property matter – lease                 | 239(2)(c)   |
| 4.              | Property matter – acquisition of land   | 239(2)(c)   |

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None declared.

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

**Meeting recesses at 2:12 o'clock p.m.**

**Meeting reconvenes in open session at 3:59 o'clock p.m.**

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

**Motion Carried.**

**\*\*SEE NOTE BELOW**

Moved by Councillor Morrison, seconded by Councillor Gill, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 9, 2022 directly to Council for consideration at the next Regular Meeting.

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1. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner, Legal and Legislative Services and Acting Commissioner, Corporate Services CFO/City Treasurer respecting a legal matter – expropriation settlement **BE APPROVED**, and Administration **PROCEED** in accordance with the verbal instructions of Council.
2. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner, Legal and Legislative Services and Acting Commissioner, Corporate Services CFO/City Treasurer respecting a legal matter – expropriation settlement **BE APPROVED**.
3. That the recommendation contained in the in-camera report from the Lease Administrator, Manager of Real Estate Services, Commissioner, Legal and Legislative Services, Executive Director of Recreation and Culture, Executive Director of Parks and Facilities, Commissioner, Community Services and Acting Commissioner, Corporate Services CFO/City Treasurer respecting a property matter - lease **BE APPROVED**.
4. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Commissioner, Legal and Legislative Services and Acting Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – acquisition of land **BE APPROVED**.

**Motion Carried.**

**Moved by Councillor Francis, seconded by Councillor Kaschak,  
That the special meeting of council held May 9, 2022 BE ADJOURNED.  
(Time: 4:00 p.m.)**

**Motion Carried.**

**\*\*CLERK’S NOTE: The transmittal motion and final votes were held in the open session of Council on May 9, 2022**