

February 13, 2023

TO THE MAYOR AND MEMBERS OF COUNCIL:

A special meeting of Council will be held on **Monday, February 13, 2023, at 3:30 p.m., in Room 139, 350 City Hall Square.** Council will at the special meeting adopt a resolution to authorize Council to meet in closed session, and the resolution shall contain the general nature of the matters to be considered in the closed session. The resolution must be adopted by a majority of Council present during the open special meeting before the meeting may be closed. An agenda for this meeting is enclosed under separate cover.

A meeting of the **Striking Committee** will be held on **Monday, February 13, 2023, immediately following the in-camera meeting of Council, in Room 139, 350 City Hall Square.** An agenda is enclosed under separate cover for this meeting.

The **regular meeting** of Council will be held on **Monday, February 13, 2023 at 4:00 o'clock p.m., in the Council Chambers, 350 City Hall Square.**

BY ORDER OF THE MAYOR.

Yours very truly,



Steve Vlachodimos

City Clerk

/bm

c.c. Chief Administrative Officer

Consolidated City Council Meeting Agenda

Date: Monday, February 13, 2023

Time: 4:00 o'clock p.m.

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

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item # Item Description
1. **ORDER OF BUSINESS**

2. **CALL TO ORDER** - Playing of the National Anthem

LAND ACKNOWLEDGEMENT STATEMENT

We [I] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomie. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

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

4. **ADOPTION OF THE MINUTES**

4.1 Adoption of the Windsor City Council meeting minutes held January 30, 2023
(SCM 37/2023) (attached)

4.2 Adoption of the Minutes of the Integrity Commissioner Accountability and Transparency
Councillor Orientation Session held January 30, 2023 **(SCM 36/2023) (attached)**

5. **NOTICE OF PROCLAMATIONS**

Proclamation

“World Peace and Understanding Week” – February 19, 2023 – February 25, 2023

Flag Raising Ceremony

“International Mother Language Day” – February 21, 2023

6. **COMMITTEE OF THE WHOLE**

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

7.1 Correspondence 7.1.1 through 7.1.11 **(CMC 2/2023) (attached)**

7.2. Engineering/Architectural Consultants Engaged via Roster – July 1 2022 to December 31, 2022 - CITY WIDE **(CM 2/2023)**

8. **CONSENT AGENDA**

CONSENT COMMITTEE REPORTS

8.1. Minutes of the Windsor Licensing Commission of its meeting held November 23, 2022 **(SCM 27/2023) & (SCM 316/2022)**

8.2. Transit Windsor Advisory Committee 2022 Annual Report **(SCM 28/2023) & (SCM 333/2022)**

8.3. Report No. 75 of the Windsor Bicycling Committee - Updated report on the Bird E-Scooter Pilot Project **(SCM 29/2023) & (SCM 4/2023)**

8.4. Global Covenant of Mayors for Climate and Energy and Carbon Disclosure Project 2022 - City Wide **(SCM 30/2023) & (S 145/2022)**

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

10. **PRESENTATIONS AND DELEGATIONS**

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

11.1. Green and Inclusive Buildings Funding Opportunity - City Wide **(C 13/2023)**

11.2. Proposed Expropriation for Riverside Vista Project - Project Phase 2A Plan E – Ward 6 **(C 15/2023)**

Clerk's Note: This item must remain as a regular business item

11.3. Disaster Mitigation & Adaptation Fund (DMAF) 1 Program Update - City Wide **(C 17/2023) (attached)**

12. **CONSIDERATION OF COMMITTEE REPORTS**
- 12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)
- 12.2. Report of the Striking Committee of its meeting held January 30, 2023 (**SCM 38/2023**) (*attached*)
13. **BY-LAWS** (First and Second Reading) (*attached*)
- 13.1. **By-law 11-2023** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR10/2023 dated January 16, 2023 and January 30, 2023
- 13.2. **By-law 12-2023** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR11/2023 dated January 16, 2023 and January 30, 2023
- 13.3. **By-law 13-2023** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR493/2022 dated November 28, 2022
- 13.4. **By-law 14-2023** A BY-LAW TO ESTABLISH A LICENSING PROGRAM FOR THE REGULATION OF RESIDENTIAL RENTAL HOUSING IN THE CITY OF WINDSOR, authorized by CR171/2022 dated April 25, 2022
- 13.5. **By-law 15-2023** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 13th DAY OF FEBRUARY, 2023
14. **MOVE BACK INTO FORMAL SESSION**
15. **NOTICES OF MOTION**
Clerk's Note: Councillor Agostino, at the meeting of Council held January 30, 2023 had indicated he would be bringing a notice of motion for Council's consideration regarding the safe injection site. As new information has developed on this matter the Councillor has indicated he will no longer be bringing forward that particular motion.
16. **THIRD AND FINAL READING OF THE BY-LAWS**

By-laws 11-2023 through 15-2023 (inclusive)
17. **PETITIONS**

18. **QUESTION PERIOD**

18.1 Outstanding Council Questions as of February 13, 2023 **(SCM 39/2023)** *(attached)*

18.2 Outstanding Council Directives as of February 13, 2023 **(SCM 7/2023)** *(attached)*
(SCM 35/2023)

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

Committee of Revision - Tentative

Tuesday, February 21, 2023

2:00 p.m., Suite 203, 350 City Hall Square West

Environment, Transportation & Public Safety Standing Committee

Wednesday, February 22, 2023

4:30 p.m., Council Chambers, 350 City Hall Square West

21. **ADJOURNMENT**



Committee Matters: SCM 37/2023

Subject: Adoption of the Windsor City Council meeting minutes held January 30, 2023



City Council Meeting

Date: Monday, January 30, 2023

Time: 4:00 o'clock p.m.

Members Present:

Mayor

Mayor Drew Dilkens

Councillors

Ward 1 - Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 – Councillor Jim Morrison

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 the meeting to order at 4:00 o'clock p.m.

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3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. ADOPTION OF THE MINUTES

4.1. Minutes of the 2022-2026 Windsor City Council Finance Orientation Session held January 16, 2023

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

That the minutes of the 2022-2026 Windsor City Council Finance Orientation Session held January 16, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 23/2023

4.2. Adoption of the Windsor City Council meeting minutes held January 16, 2023

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

That the minutes of the meeting of Council held January 16, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 24/2023

5. NOTICE OF PROCLAMATIONS

Proclamations

“Naval Reserve Centennial” – January 31, 2023

“Eating Disorders Awareness Week” – February 1, 2023-February 7, 2023

“World Thinking Day” – February 22, 2023

Flag Raisings

“Naval Reserve Centennial” – January 31, 2023

Illumination

“Eating Disorders Awareness Week” – February 1, 2023-February 7, 2023
“World Thinking Day” – February 22, 2023

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Gary 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-law 10-2023
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, January 30, 2023

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Kieran McKenzie

Decision Number: CR34/2023

That the following Communication Items 7.1.1 to 7.1.3 set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.4 be dealt with as follows:

7.1.4 Copy of presentation and supporting documents to assist in advocating that the Federal Government invest \$1 billion in a strengthened Freshwater Action Plan

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Gary Kashack

Decision Number: CR35/2023

WHEREAS the City of Windsor, as a member of the Great Lakes and St. Lawrence Cities Initiative, supports: protecting source water, planning for climate change impacts and shoreline resilience, ensuring safe and affordable water services for all our residents, and building up a sustainable blue economy in the Great Lakes and St. Lawrence River Basin; and,

WHEREAS ensuring healthy communities and a strong economy for Canadians depend on securing Canada's source water, which includes addressing water quality issues, contaminants and pollution, supporting biodiversity and reversing wetland and fish and wildlife habitat loss and improving community knowledge to empower citizens to safeguard this essential resource; and,

WHEREAS a Freshwater Action Plan and the Great Lakes Protection Initiative it supported were first announced in the 2017 Canadian federal budget with a \$44.84 million investment over five years; and,

WHEREAS the Freshwater Action Plan has combined science and action to address priorities in the Great Lakes such as preventing toxic and nuisance algae, enhancing the resilience of coastal wetlands in the Great Lakes, restoring Great Lakes Areas of Concern and supporting Canada's commitments under the Great Lakes Water Quality Agreement, among other priorities; and,

WHEREAS a commitment was made by the Liberal Party of Canada in the 2021 federal election to strengthen the Freshwater Action Plan with an historic investment of \$1 billion over ten years to restore and protect large lakes and river systems starting with the Great Lakes and St. Lawrence River Basin; and,

WHEREAS the federal government only committed \$19.6 million in funding in the 2022 Budget for the Freshwater Action Plan, falling short of the aforementioned commitment; and,

WHEREAS the United States has invested \$1.8 billion in the Great Lakes Restoration Initiative (GLRI) since 2017 and will see accelerated funding with the *Infrastructure Investment and Jobs Act*; and,

WHEREAS a 2018 University of Michigan study shows that for every dollar of federal spending on GLRI projects between 2010 and 2016, yielded \$3.35 in additional economic activity; and,

WHEREAS nearly half of Canada's population lives in the Great Lakes and St. Lawrence River Basin, a region that will continue to see accelerated growth, resulting in greater land and resource use pressures that will further contribute to water availability and quality issues; and,

WHEREAS the Stockholm Resilience Centre recently identified the importance of wetlands as carbon sinks and fresh water's role in climate mitigation; and,

WHEREAS the Great Lakes-St. Lawrence Collaborative outlined 30 recommendations to Environment and Climate Change Canada as part of a ten-year, \$2.2 billion *Action Plan 2020-2030 to protect the Great Lakes and St. Lawrence* (Action Plan 2020-2030), addressing shoreline erosion, outdated infrastructure, invasive species, exposure to toxins and beach contamination, following an 18-month consultation with First Nations, NGOs, academics and other experts; and,

WHEREAS the recommendations outlined in Action Plan 2020-2030 should serve as the basis of programming for strengthened federal action in the Great Lakes and St. Lawrence River Basin through its strengthened Freshwater Action Plan; and,

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WHEREAS the newly established Canada Water Agency should play a role in accelerating the rollout of funding made available through a strengthened Freshwater Action Plan; and,

WHEREAS Freshwater Action Plan funding should largely be directed to community groups, local governments and First Nations to ensure that investments made will have the biggest local impact and empower action at the local level, rather than being held back for federal administration and operations; and,

WHEREAS it is critical to implement a strengthened Freshwater Action Plan, including accelerating a \$1 billion over five years, and to creating a Canada Water Agency to consolidate and coordinate federal water efforts and support provinces and territories in addressing systemic issues impacting the viability of the Great Lakes and St. Lawrence River Basin and the communities dependent upon the region's source water; and,

NOW THEREFORE BE IT RESOLVED that the City of Windsor calls on the federal government to commit \$1 billion in funding over five years for a strengthened Freshwater Action Plan in Budget 2023; and,

BE IT FURTHER RESEOLVED that the City of Windsor calls on the federal government to guide its Freshwater Action Plan funding to implement recommendations in the Action Plan 2020-2030; and,

BE IT FURTHER RESEOLVED that the City of Windsor calls on the federal government to direct priority funding under the strengthened Freshwater Action Plan to projects in the Great Lakes and St. Lawrence River Basin; and,

BE IT FURTHER RESEOLVED that the City of Windsor calls on the federal government to make municipalities eligible for future funding in programs announced under the strengthened Freshwater Action Plan; and,

BE IT FINALLY RESOLVED that the City of Windsor directs its staff to submit this resolution to the federal Deputy Prime-Minister and Minister of Finance; the Minister of Environment and Climate Change; the Parliamentary Secretary to the Minister of Environment and Climate Change (responsible for the Canada Water Agency), and local Members of Parliament.
Carried.

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No.	Sender	Subject
7.1.1	Ministry of Municipal Affairs and Housing	<p>Letter informing that the provincial government has extended the Streamline Development Approval Fund (SDAF) project completion deadline from February 28, 2023 to November 1, 2023</p> <p style="text-align: right;">City Planner/Executive Director of Planning & Building Commissioner, Corporate Services CFO/City Treasurer Commissioner, Infrastructure Services Commissioner, Community Services Commissioner, Economic Development & Innovation Chief Building Official GP2023 Note & File</p>
7.1.2	Ukrainian Canadian Congress Ontario Provincial Council AND Consulate General of Ukraine in Toronto	<p>Letter of gratitude for the City of Windsor's continued support of Ukraine and the Ukrainian people since the Russian invasion which occurred on February 24, 2022</p> <p style="text-align: right;">APR2023 Note & File</p>
7.1.3	Essex Region Conservation Authority	<p>Notice of study completion for the Upper Little River Watershed Drainage and Stormwater Management Master Plan in accordance with Phases 1 and 2 of the Municipal Class Environmental Assessment Process</p> <p style="text-align: right;">Commissioner, Infrastructure Services Executive Director, Engineering/ Deputy City Engineer Executive Director, Pollution Control/ Deputy City Engineer Development Project Manager SW2023 Note & File</p>
7.1.4	Great Lakes and St. Lawrence Cities Initiative	<p>Copy of presentation and supporting documents to assist in advocating that the Federal Government invest \$1 billion in a strengthened Freshwater Action Plan</p>

		<p style="text-align: center;">Manager Environmental and Pollution Control Supervisor Environmental Sustainability & Climate Change Commissioner, Infrastructure Services Commissioner, Human & Health Services EI2023 COUNCIL DIRECTION REQUESTED otherwise, Note & File</p>	
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Carried.

Report Number: CMC 1/2023

7.2. Response to CQ 11-2022 Regarding the Feasibility of Establishing a By-law that Prohibits Panhandling - City Wide

Moved by: Councillor Fred Francis
 Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR36/2023

That the report of the City Solicitor/Commissioner, Legal and Legislative Services dated January 13, 2023, entitled “Response to CQ 11-2022 Regarding the Feasibility of Establishing a By-law that Prohibits Panhandling - City Wide” **BE RECEIVED**; and further,

That administration **BE DIRECTED** to bring forward a by-law for Council’s consideration to reduce aggressive, intimidating, and dangerous panhandling practices.

Carried.

Councillor Kieran McKenzie voting nay.

Report Number: C 10/2023
 Clerk’s File: ACL2023

7.3. Provincial Statute Amendments and “Strong Mayor Powers” - City Wide

Moved by: Councillor Kieran McKenzie
 Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR37/2023

That the report of the Commissioner, Legal & Legislative Services dated January 16, 2023, entitled “Provincial Statute Amendments and “Strong Mayor Powers” - City Wide” **BE RECEIVED**; and further,

That Administration **BE DIRECTED** to request that the Association of Municipalities of Ontario (AMO) provide an analysis of the strong mayor powers, what their priorities will be, and their view and interpretation of how these power would affect governance of municipalities moving forward.

Carried.

Report Number: C 11/2023
Clerk's File: GM2023

7.4. Response to CQ 20-2022: Process for Acquiring Former Abars Property - Ward 6

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Fred Francis

Decision Number: CR38/2023

That report of the Coordinator of Real Estate Services dated January 16, 2023, entitled "Response to CQ 20-2022: Process for Acquiring Former Abars Property - Ward 6" **BE RECEIVED**; and further,

The administration **BE DIRECTED** to send a letter to Member of Parliament, Windsor West –Brian Masse requesting information related to his inquiry to the Ministry about the Abars property potential acquisition; and further,

That City Council **ENDORSE** a letter being sent to the Federal Government requesting a review related to the potential acquisition of the Abars property located at Riverside Drive East and Lauzon Road.

Carried.

Report Number: C 12/2023
Clerk's File: APM2023

8. CONSENT AGENDA

8.1. Payment Card Industry Compliance Update - City Wide

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

Decision Number: CR39/2023

That the information contained in this report dated January 11, 2023 titled "Payment Card Industry Compliance Update" **BE RECEIVED** for information; and,

That the CAO and City Clerk **BE AUTHORIZED** to sign all applicable Payment Card Industry Data Security Standard (PCI DSS) Self Assessment Questionnaires and any other related documents, as required as a condition of initial and ongoing PCI DSS Compliance, satisfactory in technical content to the CIO/Executive Director of Information Technology, in financial content to the Commissioner of Corporate Services, CFO/City Treasurer, and in form to the Commissioner of Legal & Legislative Services.

Carried.

Report Number: C 9/2023
Clerk's File: AF/14307

8.2. Appointment of a Drainage Engineer - Delegation of Authority - City Wide

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

Decision Number: CR40/2023

- I. That City Council **DELEGATE** to the Chief Administrative Officer, in accordance with S.23.2(4) of the *Municipal Act*, the authority to approve the appointment of a Drainage Engineer pursuant to Section 8 of the *Drainage Act*, subject to the services proposal being below \$100,000 in value and satisfactory in technical content to the Commissioner of Infrastructure Services, and that the Delegation of Authority By-law 208-2008 **BE AMENDED** accordingly.

Carried.

Report Number: C 6/2023
Clerk's File: SW2023

8.3. Zoning By-law Amendment Application for property known as 1247 -1271 Riverside Dr. E., at the S/W corner of Hall and Riverside Dr. E; Applicant: St. Clair Rhodes Development Corporation; File No. Z-044/21, ZNG/6633; Ward 4.

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

Decision Number: CR41/2023 DHSC 453 DHSC 431CR457

- I. That Zoning By-law 8600 **BE AMENDED** for the lands located on the southwest corner of Riverside Drive East and Hall Avenue, described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], by amending the existing site specific provision s.20(1)310 to include a "*Multiple Dwelling* with five or more *dwelling units*" as an additional permitted use, subject to the provisions noted in Recommendation II below;
- II. That special provision **S.20(1)310** for the lands located on the southwest corner of Riverside Drive East and Hall Avenue, described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], **BE DELETED** and **BE REPLACED** with the following:
"310. SOUTHWEST CORNER OF RIVERSIDE DRIVE EAST AND HALL AVENUE
For the lands comprising part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], the following shall apply:

ADDITIONAL PERMITTED USES:

Multiple Dwelling with five or more *dwelling units* (New use)

Business Office

Business Office in a *Combined Use Building* with any of the uses permitted in Section 11.2.1, provided that all dwelling units, not including entrances thereto, are located entirely above a *business office*;

ADDITIONAL PROVISIONS FOR *BUSINESS OFFICE & BUSINESS OFFICE IN A COMBINED USE BUILDING*:

- .3 Lot Coverage - Total - maximum - 30.0%
- .4 Building Height – maximum - 14.0 m
- .8 Landscape Open Space Yard – minimum - 15% of *lot* area
- .20 Building Setback – minimum:
 - a) From the *exterior lot line* along Hall Avenue – 1.20 m; and 3.20 m for any part of the *building* above 8.0 m in height;
 - b) From the *exterior lot line* along Riverside Drive - 6.0 m; and 8.0 m for any part of the *building* above 8.0 m in height;
 - c) From an *interior lot line* – 15.0 m, for the area within 30.0 m from the Riverside Drive right-of-way; and 1.50 m for the remainder of the area;
 - d) From the *rear lot line* – 50.0 m;
- .50 *Parking spaces* shall be setback a minimum of 12.0 m from the south limit of Riverside Drive East right-of-way, and shall be screened from Riverside Drive East and adjacent dwellings.
- .55 The minimum parking area separation from the abutting north-south alley shall be 1.10 m.
- .90 A *parking space* is prohibited in any required *front* yard.
- .95 Vehicular access is prohibited along the Riverside Drive frontage and along the east-west alley abutting Hall Avenue situated at the most southerly limit of the subject land.

ADDITIONAL PROVISIONS FOR *MULTIPLE DWELLING WITH FIVE OR MORE DWELLING UNITS*:

(New provisions)

- 1. The provisions in Section 20(1)310 that apply to a *Business Office* and a *Combined Use Building* shall also apply to a *multiple dwelling* with five or more *dwelling units*, save and except for s.20(1)310.3, s.20(1)310.4, s.20(1)310.8 and 20(1)310.20(d); and
- 2. The following additional provisions shall apply to a *multiple dwelling* with five or more *dwelling units*:
 - .2 Lot Area – minimum - 93.0 m² per unit
 - .3 Lot Coverage – maximum - 45%
 - .4 Main Building Height – maximum - 18.0 m
 - .8 Landscape Open Space Yard – minimum - 35% of *lot* area

.20 Building setback from rear lot line - minimum - 7.50 m

3. A scenery loft shall be an additional permitted facility on a *multiple dwelling* with five or more *dwelling units*, subject to the following:
 - a. The “*Exceptions To Maximum Building Height Provisions*” shall not apply to a scenery loft on the subject land; and
 - b. The Scenery Loft Provisions in section 5.35.5 of by-law 8600 shall not apply, save and except the requirement for a maximum height of 4.0 metres.
[ZDM 6; ZNG/4153; ZNG/5270; ZNG/6633]”

III. That the applicant’s request for site-specific provision to allow for a reduction in the required minimum building setback from 1.5m to 0.2m from an interior lot line, **BE DENIED**, for reasons noted in this report;

IV. That the parcel described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], located on the southwest corner of Riverside Drive East and Hall Avenue, **BE EXEMPT** from the provisions of section 45(1.3) of the *Planning Act*, provided the subject exemption excludes minor variance application(s) with the intent to achieve any of the following:

- a. Reduction in the required minimum building setbacks; and,

IV. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following requirements and other requirements found in Appendix B of this Report, in the Site Plan Approval process and the Site Plan Agreement for the proposed development on the subject land:

- 1) 4.6m x 4.6m corner cut-off at the corner of Hall Avenue and Riverside Dr. E.
- 2) Storm Detention
- 3) Sanitary Sampling Manhole
- 4) Oil & Grit Separator
- 5) Encroachment of existing concrete retaining wall (and footings) fronting Riverside Dr. E.
- 6) Parkland dedication;
- 7) A Record of Site Condition registered on file with the Ministry; and
- 8) Canada Post requirements and guidelines for the proposed multi-unit development.

Carried.

Report Number: SCM 12/2022 & S 116/2022
Clerk’s File: Z/14294

8.6. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 731 Goyeau Ltd. and 785 Goyeau Ltd. for property located at 0 and 785 Goyeau Street (Ward 3)

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

Decision Number: CR44/2023 DHSC 456

- I. That the request made by 731 Goyeau Ltd. and 785 Goyeau Ltd. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 0 & 785 Goyeau Street for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. That, Administration **BE DIRECTED** to prepare an agreement between 731 Goyeau Ltd., 785 Goyeau Ltd., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. That the approval to participate in the Brownfield Rehabilitation Grant Program **EXPIRE** if the agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: SCM 14/2023 & S 141/2022
Clerk's File: SPL2023

8.7. Economic Revitalization Community Improvement Plan (CIP) application submitted by DS C&K Inc. for a Manufacturing Facility located at 3475 Wheelton Drive (Ward 9)

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

Decision Number: CR45/2023 DHSC 457

- I. That the request made by DS C&K Inc. to participate in the Business Development Grant Program **BE APPROVED** for the property located at 3475 Wheelton Drive (shown in Appendix 1) for a period that ends the earlier of 10 years or when 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. That, Administration **BE DIRECTED** to prepare an agreement between the City and DS C&K Inc. to implement the Business Development Grant Program in accordance with applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan, and applicable lease terms for the subject property to the satisfaction of the City Planner for content, the Commissioner of Legal Services as to legal form, and the CFO/City

Treasurer as to financial implications; and,

- III. That, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Development Grant Agreement.

Carried.

Report Number: SCM 15/2023 & S 144/2022
Clerk's File: SPL2022

8.8. Main Street CIP/Ford City CIP Application for 1367 Drouillard Rd. Owner: HEIMAT LTD (C/O Ryan Stiller) – Ward 5

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR46/2023 DHSC 458

- I. That subject to completion and review satisfactory to the City Planner, the request made by HEIMAT LTD., (c/o Ryan Stiller and Wayne Stiller), owner of the property located at 1367 Drouillard Road **BE APPROVED** for grants totalling a maximum of \$30,000 in principle under the *Main Streets Community Improvement Plan(CIP)*;
- II. That subject to completion and review satisfactory to the City Planner, the request for incentives under the *Ford City Community Improvement Plan (CIP) Financial Incentive Programs* made by HEIMAT LTD., (c/o Ryan Stiller and Wayne Stiller), owner of the property located at 1367 Drouillard Road **BE APPROVED**, for the *Municipal Development Fees Grant Program* in the amount of +/--\$1,182.85;
- III. That funds in the amount of \$30,000 under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund to the *Main Streets CIP* Fund (Project #7219018) upon completion of the work;
- IV. That funds in the amount of +/--\$1,182.85 for the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund to the *Ford City CIP* Fund (Project #7181046) upon completion of the work;
- V. That grants **BE PAID** to HEIMAT LTD., (c/o Ryan Stiller and Wayne Stiller), upon completion of improvements to the Facade(s) of the property located at 1367 Drouillard Road from the *Main Streets CIP* Fund (Project #7219018) and *Ford City CIP* Fund (Project #7181046) to the satisfaction of the City Planner and Chief Building Official; and
- VI. That grants approved **SHALL LAPSE** and be **UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Carried.

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Report Number: SCM 18/2023 & S 148/2022

Clerk's File: SPL2023

8.9. Closure of N/S Alley b/w Melbourne Road & Closed E/W Alley and Part of N/S Alley b/w Melbourne Road & 3605 Matchett Road, Ward 2, SAA-5925

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR47/2023 DHSC 459

- I. That the 4.88 metre wide north/south alley located between Melbourne Road and the north limit of the closed east/west alley shown on Registered Plan 1344, and shown as Part 1 on Drawing No. CC-1765 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the 4.88 metre wide north/south alley located between Melbourne Road and the north limit of the closed east/west alley shown on Registered Plan 1344, and shown as Part 1 on Drawing No. CC-1765 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the owner of the abutting property known municipally as 3557 Melbourne Road (legally described as Lots 2071 to 2099, 2105 to 2108 & Part of Lot 2109, Plan 1344; Lots 1264 to 1266 & Part of Alley, Plan 1059; and Lots 183 to 190, Plan 673) and as necessary, in a manner deemed appropriate by the City Planner;
- III. That Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned ID1.1, \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. That the portion of the 4.88 metre wide north/south alley located between the south lot line of the property known municipally as 3559 Matchett Road (legally described as Lots 2031 & 2032, Plan 1344) and the north lot line of the property known municipally as 3605 Matchett Road (legally described as Lots 2041 & 2042, Part of Closed Alley and Part of Closed Virginia Avenue, Plan 1344; Parts 13, 15 & 17, RP 12R-18697), and shown as Part 2 on Drawing No. CC-1765 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- V. That the portion of the 4.88 metre wide north/south alley located between the south lot line of the property known municipally as 3559 Matchett Road (legally described as Lots 2031 & 2032, Plan 1344) and the north lot line of the property known municipally as 3605 Matchett Road (legally described as Lots 2041 & 2042, Part of Closed Alley and Part of Closed Virginia Avenue, Plan 1344; Parts 13, 15 & 17, RP 12R-18697), and shown as Part 2 on Drawing No. CC-1765 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

- a. Easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice and EnWin Utilities Ltd. Aboveground Hydro Easement Diagram *attached* hereto as Appendix "F", **BE GRANTED** to:
 - i. Bell Canada for access to service and maintain existing aerial plant;
 - ii. Cogeco for access to service and maintain existing infrastructure;
 - iii. EnWin Utilities Ltd to accommodate and for access to service and maintain existing overhead 120/240 volt hydro distribution, poles and down guy wires; and
 - iv. MNSi for access to service and maintain existing aerial infrastructure;
- VI. That Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - b. For alley conveyed to abutting lands zoned ID1.1, \$5.00 per square foot without easements and \$2.50 per square foot with easements.
- VII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1765, *attached* hereto as Appendix "A".
- VIII. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- IX. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- X. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003 Carried.

Report Number: SCM 19/2023 & S125/2022
Clerk's File: SAA2023

8.10. Closure of north/south alley between Guy Street & 1980 Meldrum Road; east/west alley between north/south alley & Larkin Road, Ward 5, SAA-6689

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

Decision Number: CR48/2023 DHSC 460

- I. That the 4.27 metre wide north/south alley located between Guy Street and the property known municipally as 1980 Meldrum Road (legally described as Lots 250 to 255 & Part of Closed Alley, Plan 1098) and shown on Drawing No. CC-1809 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the 4.27 metre wide north/south alley located between Guy Street and the property known municipally as 1980 Meldrum Road (legally described as Lots 250 to 255 & Part of

Closed Alley, Plan 1098) and shown on Drawing No. CC-1809 *attached* hereto as Appendix “A”, **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

- a. Easement, subject to there being accepted in the City’s standard form and in accordance with the City’s standard practice and EnWin Utilities Ltd. Aboveground Hydro Easement Diagram attached hereto as Appendix “F”, **BE GRANTED** to:
 - i. Bell Canada to protect existing aerial facilities;
 - ii. EnWin Utilities Ltd to accommodate the pole, anchors and existing overhead plant; and
 - iii. MNSi for access to service and maintain existing aerial infrastructure;

- III. That the 5.49 metre wide east/west alley located between the aforesaid north/south alley and Larkin Road and shown on Drawing No. CC-1809 *attached* hereto as Appendix “A”, **BE ASSUMED** for subsequent closure;
- IV. That the 5.49 metre wide east/west alley located between the aforesaid north/south alley and Larkin Road and shown on Drawing No. CC-1809 *attached* hereto as Appendix “A”, **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner:
- V. Type That Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - b. For alley conveyed to abutting lands zoned ID1.1, \$5.00 per square foot without easements and \$2.50 per square foot with easements.
- VI. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1809, *attached* hereto as Appendix “A”.
- VII. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- IX. That administration **BE REQUESTED** to undertake further discussion with the proponent regarding some of the issues brought forward; and,
- X. That this information **BE BROUGHT FORWARD** when this report proceeds to Council Carried.

Report Number: SCM 17/2023 & S 135/2022
Clerk’s File: SAA2023

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8.11. Amendment to CR305/2021 for closure of part of n/s alley b/w north limit of 1216 Tourangeau Rd & closed part of said n/s alley; e/w alley west of Rossini Blvd & south of Via Rail corridor; and e/w alley b/w Rossini Blvd & said n/s alley, Ward 9, SAA-6317

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR49/2023 DHSC 461

- I. That CR305/2021, adopted on July 5, 2021, **BE AMENDED** as follows:
By **DELETING** the following wording from Recommendation V:

That the portion of the 4.88 metre wide east/west alley between Franklin St and the VIA Rail corridor, east of Tourangeau Rd and west of Rossini Blvd, and shown as Part 3 on Drawing No. CC-1787 *attached* as Appendix "A", **BE RETAINED FOR MUNICIPAL PURPOSES**;

And **INSERTING**:

That the east/west alley located between Rossini Boulevard and the properties known municipally as 0 Tourangeau Road (legally described as Lot 147, Plan 796) and 1210 Tourangeau Road (legally described as Lot 146, Plan 796), and shown as Part 3 on Drawing No. CC-1787 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

That the east/west alley located between Rossini Boulevard and the properties known municipally as 0 Tourangeau Road (legally described as Lot 147, Plan 796) and 1210 Tourangeau Road (legally described as Lot 146, Plan 796), and shown as Part 3 on Drawing No. CC-1787 *attached* hereto as Appendix "A", **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor.

Carried.

Report Number: SCM 20/2023 & S 137/2022

Clerk's File: SAA2023

11.3. Little River Pollution Control Plant (LRPCP) Bypass Improvements at Pontiac Pumping Station- Schedule C Municipal Class Environmental Assessment- Filing the Notice of Study Completion- CITY WIDE

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR53/2023

1. That Council **ENDORSE** the Environmental Study Report (ESR) for LRPCP Bypass Improvements at the Pontiac Pumping Station-Schedule C Municipal Class Environmental

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Assessment, with recommendations supporting the preferred solution and preferred design (Alternative #2) identified by Stantec Consulting Ltd.; and further,

2. That Administration **BE DIRECTED** to finalize the ESR for LRPCP Bypass Improvements at the Pontiac Pumping Station -Schedule C Municipal Class Environmental Assessment and issue the Notice of Study Completion in accordance with the Municipal Class Environmental Assessment Planning Process to commence the 30-day review period immediately following finalizing the Environmental Assessment.

Carried.

Report Number: C 228/2022
Clerk's File: SW2023

11.4. Exemption to Noise By-law 6716 for Nighttime Construction Work – Lauzon Parkway from Cantelon Drive to Forest Glade Drive - Ward: 8

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

Decision Number: CR54/2023

- 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 April 17, 2023 and continuous through October 31, 2023.

Carried.

Report Number: C 1/2023
Clerk's File: SW2023

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

8.4. Zoning Bylaw Amendment –Z 022-22 [ZNG-6787] & OPA 161 [OPA-6788] Passa Assoc 3821 King St - Ward 2

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Fabio Costante

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Decision Number: CR42/2023 DHSC 454

That the report of the Development and Heritage Standing Committee of its meeting held January 9, 2023 regarding, "Zoning Bylaw Amendment –Z 022-22 [ZNG-6787] & OPA 161 [OPA-6788] Passa Assoc 3821 King St - Ward 2" **BE DEFFERED** as requested by the applicant to the February 13, 2023 meeting of Council to allow for further consultation with administration.

Carried.

Report Number: SCM 13/2023 & S 124/2022

Clerk's File: Z/14428

11.1. Streamlining Right-of-Way Division Approvals to Enable Rapid Execution of Council's Vision and Incorporating Heritage Features into the Encroachment Policy - City Wide

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Fred Francis

Decision Number: CR51/2023

That the report of the Technologist III dated November 23, 2022, entitled "Streamlining Right-of-Way Division Approvals to Enable Rapid Execution of Council's Vision and Incorporating Heritage Features into the Encroachment Policy - City Wide" **BE REFERRED** back to administration to provide further information on best practices from other municipalities.

Carried.

Report Number: C 204/2022

Clerk's File: SW2023

11.2. Response to CQ 13-2022 – Process to allow Memorial Signs within the right-of-way and the feasibility of allowing the placement of mulch in the right-of-way without a permit - City Wide

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Fred Francis

Decision Number: CR52/2023

That the report of the Technologist III dated November 23, 2022, entitled "Response to CQ 13-2022 – Process to allow Memorial Signs within the right-of-way and the feasibility of allowing the placement of mulch in the right-of-way without a permit - City Wide" **BE REFERRED** back to administration to provide further information on best practices from other municipalities.

Carried.

Report Number: C 205/2022

Clerk's File: SE2022

10. PRESENTATIONS AND DELEGATIONS

8.5. Request for Heritage Permit – Art Windsor-Essex temporary public artwork, various Sandwich Heritage Conservation District locations (Ward 2)

Terry Kennedy, Ward 2 Resident

Terry Kennedy, Ward 2 Resident, appears before Council and expresses concern with the recommendation in the administrative report entitled “Request for Heritage Permit – Art Windsor-Essex temporary public artwork, various Sandwich Heritage Conservation District locations (Ward 2)” and indicates that the request for the permit does nothing to culturally improve the character of Sandwich town; and concludes by suggesting that Council not approve this request until such time that a formal public consultation can take place at different venues throughout the Sandwich community.

Nadja Pelkey, Art Windsor-Essex

Nadja Pelkey, Art Windsor-Essex, appears before Council regarding the administrative report entitled “Request for Heritage Permit – Art Windsor-Essex temporary public artwork, various Sandwich Heritage Conservation District locations (Ward 2)” and is available for questions.

Moved by: Councillor Fred Francis

Seconded by: Councillor Fabio Costante

Decision Number: CR43/2023 DHSC 455

- I. That a Heritage Permit requested by Art Windsor-Essex (legal name ‘The Art Gallery of Windsor’) **BE APPROVED** for the temporary installation (up to 24 months) of framed reproduction artwork displayed at five locations within the Sandwich Heritage Conservation District in accordance with Appendix A- Heritage Permit Application, subject to the following condition(s):
 - a. Submission of satisfactory product details and samples to the City Planner or designate;
 - b. Final locational clearance with City Administration (such as Engineering & Parks departments, etc.);
 - c. Technical and legal conditions associated with its installation and removal on City property in accordance with the Council Decision on the larger city-wide report (C 207/2022); and
- II. That the City Planner or designate **BE DELEGATED** the authority to approve any further changes including location changes to the heritage permit associated with the proposal.

Carried.

Report Number: SCM 11/2023 & S 146/2022
Clerk's File: SR/13926

8.12. Closure of portion of north/south alley between Seneca Street & Essex Terminal Railway corridor, and all of east/west alley between Lincoln Road & north/south alley, Ward 4, SAA-6740

Karoly Biro, Area Resident

Karoly Biro, Area Resident, appears before Council and expresses concern regarding the administrative recommendation in the report entitled "Closure of portion of north/south alley between Seneca Street & Essex Terminal Railway corridor, and all of east/west alley between Lincoln Road & north/south alley, Ward 4, SAA-6740" and indicates that he requires the alley to access his garage; and concludes by suggesting that this requested closure would not benefit any of the neighbourhood and will also limit direct access to the park.

Zeena Biro, Area Resident

Zeena Biro, Area Resident, appears before Council and express concern with the administrative recommendation in the report entitled "Closure of portion of north/south alley between Seneca Street & Essex Terminal Railway corridor, and all of east/west alley between Lincoln Road & north/south alley, Ward 4, SAA-6740" and indicates that parking on the street is at a premium and the alley is used for parking, dropping off purchases, and deliveries; and concludes by suggesting that this closure would not benefit the neighbours at all and will cause a negative impact to the residents quality of life.

Haris Radoncic, Area Resident

Haris Radoncic, Area Resident, appears before Council regarding the administrative report entitled "Closure of portion of north/south alley between Seneca Street & Essex Terminal Railway corridor, and all of east/west alley between Lincoln Road & north/south alley, Ward 4, SAA-6740" and provides some background information related to his requested application; and concludes by referring to the clean-up he continues to undertake due to vandalism and dumping that would be alleviated if the alley closure is permitted.

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Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

Decision Number: CR50/2023 DHSC 462

That the closure of portion of north/south alley between Seneca Street & Essex Terminal Railway corridor, and all of east/west alley between Lincoln Road & north/south alley, Ward 4, SAA-6740 **BE DENIED.**

Carried.

Aye votes: Councillors Mark McKenzie, Fred Francis, Jim Morrison, Jo-Anne Gignac, Angelo Marignani, and Mayor Drew Dilkens

Nay votes: Councillors Fabio Costante, Renaldo Agostino, Gary Kaschak, Kieran McKenzie, Ed Slieman.

Report Number: SCM 16/2023 &S 142/2022
Clerk's File: SAA2023

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None presented.

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. Report of the Special In-Camera meeting held January 30, 2023

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: CR55/2023

That the report of the Special In Camera meeting held January 30, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 25/2023
Clerk's File: ACO2023

12.2. Report of the Striking Committee of its meeting held January 16, 2023

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: CR56/2023

That the report of the Striking Committee of its meeting held January 16, 2023 **BE ADOPTED** as presented.

Carried.

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Gary Kaschak

That the following By-law No. 10-2023 be introduced and read a first and second time:

10-2023 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 30th DAY OF JANUARY, 2023
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Kieran McKenzie

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-law given first and second readings as presented

Carried.

15. NOTICES OF MOTION

Councillor Agostino gives notice that the motion he was bringing forward for consideration at the January 30, 2023 meeting regarding the Safe Injection Site, will now occur at the February 13, 2023 meeting of Council.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Jim Morrison

That the By-law No. 10-2023 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 3-2023

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: CR57/2023

That the following Council Question by Councillor Angelo Marignani **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 3-2023:

Assigned to Commissioner, Infrastructure Services:

Asks that administration report back on best practices from other cities regarding snow removal and to provide feasibilities and cost to implementing and implementing the bylaw looking into localized streets snow removal due to drifts and blowing winds.

Carried.

Clerk's File: ACOQ2023

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21. ADJOURNMENT

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Gary 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 5:11 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held January 30, 2023 (CR55/2023)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
January 30, 2023

Meeting called to order at: 2:30 p.m.

Members in Attendance:

Mayor Drew Dilkens
Councillor Renaldo Agostino
Councillor Fabio Costante
Councillor Fred Francis
Councillor Jo-Anne Gignac
Councillor Gary Kaschak
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Mark McKenzie
Councillor Jim Morrison
Councillor Ed Sleiman

Also in attendance:

Onorio Colucci, Acting Chief Administrative Officer
Andrew Daher, Acting Commissioner, Human and Health Services
Chris Nepsy, Commissioner, Infrastructure Services
Joe Mancina, Commissioner, Corporate Services CFO/City Treasurer
Shelby Askin-Hager, Commissioner, Legal and Legislative Services
Ray Mensour, Commissioner, Community Services
Jelena Payne, Commissioner Economic Development and Innovation
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk

Verbal Motion is presented by Councillor Angelo Marignani, seconded by Councillor Kieran McKenzie, 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)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

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

Motion Carried.

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Mark McKenzie, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held January 30, 2023 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, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a legal matter – expropriation settlement **BE APPROVED.**

Motion Carried.

Moved by Councillor Gary Kaschak, seconded by Councillor Fabio Costante, That the special meeting of council held January 30, 2023 BE ADJOURNED. (Time: 2:33 p.m.)

Motion Carried.



Committee Matters: SCM 36/2023

Subject: Minutes of the Integrity Commissioner Accountability and Transparency

Councillor Orientation Session held January 30, 2023

**Integrity Commissioner Accountability and Transparency Councillor Orientation
Session**

Date: Monday, January 30, 2023

Time: 11:00 o'clock a.m.

Room 204-350 City Hall Square West

Members Present:

Mayor

Mayor Drew Dilkens

Councillors

Ward 1 - Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

1. Call to Order

Mayor Dilkens calls the meeting to order at 11:01 o'clock a.m.

2. Welcoming Remarks from the Chief Administrative Officer

Onorio Colucci, Chief Administrative Officer

The Acting Chief Administrative Officer-Onorio Colucci welcomes Jeffrey A. Abrams the Integrity Commissioner to the Orientation session. Mr. Colucci indicates that this session will be a benefit to all members of Council to understand how important accountability and transparency is to the organization and to the community.

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Integrity Commissioner Accountability and Transparency Councillor Orientation Session January 30, 2023

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3. Presentation by Jeffrey A. Abrams, Integrity Commissioner

Jeffrey A. Abrams, Integrity Commissioner

Jeffrey A. Abrams, Integrity Commissioner appears before Council and provides a brief overview of information related to key roles of an Integrity Commissioner including Consulting, Advisory, Educational, Municipal *Conflict of Interest Act* Complaints, Code Complaints and Governance Advice; the overarching objective of appointing an Integrity Commissioner; *Municipal Act* Functions; *Municipal Conflict of Interest Act* Functions; Legislative Framework; Duty of Confidentiality; Binding Advice; Criminal Code and other acts; Solutions Orientation; Advisory/Education Functions; Investigation/Course Correction Function; Avoidance of Conflict of Interest; Windsor Code of Conduct, Key Principles; Collingwood Judicial Inquiry and Recommendations.

The meeting recesses at 12:07 o'clock p.m.

The meeting reconvenes at 12:32 o'clock p.m.

Mr. Abrams provides information regarding Broader Concepts of Conflict of Interest; Disqualifying Interests including Direct, Deemed or Indirect Pecuniary Interest; Common Law, Reasonable Person, Apparent or Perceived Interest; *Municipal Conflict of Interest Act* Key Elements; Member's Duty; Possible Sanctions; Transparency Disclosures; Roles and Council/Staff Relations; Council-Staff Protocol; Roles and Responsibilities; Code of Conduct for Council; Ethical Guidepost; Behavioural Guidepost; Guidepost to Fair Treatment; Windsor Code of Conduct; Future Workplan; Model Code of Conduct; General Introduction, Framework and Interpretation; Key Principles; Gifts, Benefits and Hospitality; Role in Funding Charitable/Community Events; Confidential Information; Use of City Resources; Improper use of Influence; Business Relations; Election Campaigns; Member Conduct; Respectful Workplace; Conduct Respecting Staff; Workplace Incivility; Interpersonal Relations; Media Communications; Transparency and Openness in Decision Making; Reprisals and Obstruction; Not Undermining, Working Against Council's Decisions; Acting on Advice of Integrity Commissioner; Investigation Protocol and contact information is provided.

Moved by Councillor Fred Francis

Seconded by Councillor Kieran McKenzie

That the presentation to City Council by Jeffrey A. Abrams, Integrity Commissioner, as part of the „Integrity Commissioner Accountability and Transparency Councillor Orientation Session“ held January 30, 2023 **BE RECEIVED** for information.
Carried.

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Integrity Commissioner Accountability and Transparency Councillor Orientation Session January 30, 2023

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4. Adjournment

Moved by Councillor Jo-Anne Gignac
Seconded by Councillor Fred Francis

That the Accountability and Transparency Integrity Commissioner Council Orientation Session **BE
ADJOURNED.**
Carried.

The meeting is adjourned at 1:41 o'clock p.m.

Mayor

City Clerk



Correspondence Report: CMC 2/2023

ATTACHMENTS

Subject: Correspondence Monday, February 13, 2023

No.	Sender	Subject
7.1.1	Member of Parliament (MP), Windsor West	<p>Copy of a letter to the Minister of Infrastructure and Communities and to the Minister of Environment and Climate Change dated November 5, 2021, regarding the need to address shoreline erosion, flood prevention, preserve greenspace and expand habitat for species protection as part of climate change impact mitigation and amelioration</p> <p style="text-align: right;">EI2023 Note & File</p>
7.1.2	Treasury Board Secretariat, Office of the President	<p>Letter announcing the release of Ontario's Provincial Emergency Management Strategy and Action Plan</p> <p style="text-align: right;">Fire Chief GP2023 Note & File</p>
7.1.3	Municipality of Lakeshore	<p>Notice of Electronic (Virtual) Public Meeting/Complete Application taking place on Tuesday, February 14, 2023 at 6:00 o'clock p.m. regarding an amendment to Lakeshore Official Plan and Lakeshore Zoning By-law 2-2023 under Section 17 and 34 of the <i>Planning Act</i>, R.S.O. 1990, c.P.13</p> <p style="text-align: right;">Commissioner, Economic Development & Innovation Commissioner, Legal & Legislative Services Deputy City Solicitor City Planner Chief Building Official Development Applications Clerk GM2023 Note & File</p>

No.	Sender	Subject
7.1.4	Town of Tecumseh	<p>Notice of the Passing of a Zoning By-law Amendment 2023-007, pertaining to a 0.35 hectare parcel of land located on the north side of Tecumseh Road, at its intersection with Poisson Street</p> <p style="text-align: right;">Commissioner, Legal & Legislative Services Commissioner, Economic Development & Innovation Deputy City Solicitor City Planner Chief Building Official Development Applications Clerk Z2023 Note & File</p>
7.1.5	ENWIN Utilities Ltd	<p>Annual Drinking Water Report for the 2022 calendar year</p> <p style="text-align: right;">E/10108 Note & File</p>
7.1.6	Windsor Essex County Health Unit	<p>Resolution regarding the location of SafePoint Consumption Services (Urgent Public Health Needs and Consumption and Treatment Services Site) passed on February 3, 2023</p> <p style="text-align: right;">Commissioner, Human & Health Services MH/14274 Note & File</p>
7.1.7	<p>Walkerville-Walker Developments;</p> <p>AND</p> <p>Senior Planner, City of Windsor</p>	<p>Letter requesting that City Council make an exception to the retroactivity rules governing the Brownfield Community Improvement Plan in relation to their residential development project taking place on the lands at 1031 Walker Road</p> <p>Clerk's Note: Original memo plus revised memo from City Planner attached</p> <p style="text-align: right;">City Planner Commissioner, Economic Development & Innovation Commissioner, Corporate Services CFO/City Treasurer Deputy City Solicitor Chief Building Official SPL2022 COUNCIL DIRECTION REQUESTED, otherwise</p>

No.	Sender	Subject
		Note & File
7.1.8	Committee of Adjustment	<p>Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, February 23, 2023 at 3:30 p.m., through Electronic Meeting Participation</p> <p style="text-align: right;">Commissioner, Economic Development & Innovation City Planner Z2023 Note & File</p>
7.1.9	City Planner/Executive Director	<p>Application for Zoning Amendment, 691 Ouellette Avenue & 0 Pelissier Street, Application to amend Zoning By-law 8600 to allow for a mixed use building</p> <p style="text-align: right;">Z/14528 Note & File</p>
7.1.10	City Planner/Executive Director	<p>Application for Official Plan Amendment, 691 Ouellette Avenue & 0 Pelissier Street, Application to amend Zoning By-law 8600 to allow for a mixed use building</p> <p style="text-align: right;">Z/14529 Note & File</p>
7.1.11	City Planner/Executive Director	<p>Application for Zoning Amendment, 3565 Forest Glade Drive, Application to amend Zoning By-law 8600 to allow for a multi-unit residential development with 9 stories and 172 units</p> <p style="text-align: right;">Z/14530 Note & File</p>

Brian Masse

Member of Parliament
(Windsor West)



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Windsor

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Windsor ON, N8X 1J8
Tel: (519) 255-1631
Fax: (519) 255-7913
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Ottawa

Room 1000 The Valour Bldg.
House of Commons
Ottawa ON, K1A 0A6
Tel: (613) 996-1541
Fax: (613) 992-5397
brian.masse@parl.gc.ca

November 5, 2021

Honourable Dominic LeBlanc, MP
Minister of Infrastructure and Communities
Suite 1100-180 Kent Street
Ottawa, ON K1A 0B6

Honourable Steven Guilbeault, MP
Minister of Environment and Climate Change
Fontaine Building 12th floor
200 Sacré-Coeur Blvd
Gatineau, QC K1A 0H3

Dear Ministers,

I am writing you today regarding the need to assist municipalities to address shoreline erosion, flood prevention, preserve greenspace, and expand habitat for species protection as part of climate change impact mitigation and amelioration.

The Essex Regional Conservation Authority has documented that the March 2020 water levels in Lake St. Clair are 20 centimetres above the previous record high and this is before the spring melt of the superior basin takes place. As you are aware Windsor is part of Essex County which is a peninsula surrounded by Lake St. Clair, the Detroit River and Lake Erie. Rising water levels has put many shoreline residences and businesses at risk. Over the last decade there have been numerous flooding events that have significantly impacted residents throughout the city.

While there are several properties in the City of Windsor that should be acquired and adapted to prevent further erosion and reduce flooding risk, the Detroit International Bridge Company's waterfront property located at Lauzon Road and Riverside Drive on the Detroit River is vacant and has no structures on it. This property would be potential natural infrastructure that can be used to build resilience to extreme weather events and to address the record high water levels in Lake St. Clair and the Detroit River which is causing intermittent shoreline flooding in East Windsor and puts many neighbourhoods at risk for overland flooding.

There are many methods for the federal government to take control of this property. An example of one pathway is the Disaster Mitigation and Adaptation Fund (DMAF), initiated by your government in 2018, with \$2 billion over 10 years to invest in structural and natural

infrastructure that prevent, mitigate, or protect against the effects of climate change, disasters triggered by natural hazards, and extreme weather such as erosion and flooding. The DIBC property fits this criterion. This is also a unique opportunity to preserve more habitat for species protection in the Great Lakes basin while ensuring additional greenspace.

I am requesting that the federal government engage with the City of Windsor and other local non-profits focused on the environment, in developing a proposal to acquire and adapt this property using any method or process available.

The COVID-19 crisis is one of the most significant and challenging situations a government can face. This public health emergency requires all levels of government to work together and to engage in extraordinary endeavours to protect all Canadians. Unfortunately, City of Windsor faces another emergency with high water levels and the serious risk of flooding. The opportunity to address it needs to be seized upon.

I appreciate your time and attention to this request. I look forward to your response.

Yours truly,

Brian Masse, MP

Windsor West

NDP Innovation, Economic Development, and Great Lakes Critic

Cc: City of Windsor



FOR IMMEDIATE RELEASE

November 5, 2021

Masse advocates the Feds acquire waterfront property to prevent shoreline erosion and flooding due to climate change and protect greenspace

(WINDSOR) – Today, Brian Masse M.P. (Windsor West), NDP Innovation, Economic Development, and Great Lakes Critic advocated for the federal government to acquire and adapt a vacant waterfront property to mitigate the impacts of climate change by preventing shoreline erosion, reducing flood risk, and protecting greenspaces in Windsor.

“As COP26 has come to its conclusion, the need to act instead of talk is more apparent than ever. Here in Windsor, we have a precarious situation with regards to shoreline erosion and flooding due to being surrounded by water. Climate change has exacerbated the risks and impacts as residents of this community know all too well. Billions of dollars have been allocated to this specific problem. We don’t need more symbolism, pronouncements, and ministerial visits. We need action now,” Masse stated.

The property is located at Riverside Drive and Lauzon Road on the Detroit river. It is vacant and has no structures on the site. It is owned by the Detroit International Bridge Corporation.

The Essex Regional Conservation Authority has documented the that the March 2020 water levels in Lake St. Clair are 20 centimetres above the previous record high and this is before the spring melt of the superior basin takes place. As you are aware Windsor is part of Essex County which is a peninsula surrounded by Lake St. Clair, the Detroit River and Lake Erie. Rising water levels has put many shoreline residencies and businesses at risk. Over the past decade numerous flooding events have impacted residents throughout Windsor.

There are many methods for the federal government to take control of this property. An example of one pathway is the Disaster Mitigation and Adaptation Fund (DMAF), initiated by the federal government in 2018, with \$2 billion over 10 years to invest in structural and natural infrastructure projects to increase the resilience of communities that are impacted by natural disasters triggered by climate change. In Budget 2021 an additional \$1.375 billion in federal funding over 12 years was announced to renew the DMAF. Eligible projects must be aimed at reducing the socio-economic, environmental, and cultural impacts triggered by climate change in communities and infrastructure at high risk. This includes natural infrastructure that prevent, mitigate, or protect against the effects of climate change, disasters triggered by natural hazards, and extreme weather such as erosion and flooding. The DIBC property fits this criterion. It is also a unique opportunity to preserve more habitat for species protection in the Great Lakes basin.

“While there a several properties in the City of Windsor that should be acquired and adapted to prevent further erosion, reduce flood risk, and preserve more greenspaces, the Detroit international Bridge Company’s waterfront property is vacant and can acquired and adapted quickly. The federal government needs to engage with the City and possibly other non-profits using any available process to take this needed step immediately. The time to act is now. No one needs more excuses and empty promises,” Masse stated.

-30-

For additional information please contact Mohummed Peer (519) 982-8816

Ottawa Office: Rm. 1000 The Valour Bldg., House of Commons, Ottawa ON K1A 0A6

t (613) 996-1541 f (613) 992-5397 e-mail: masse.b@parl.gc.ca

Community Office: 1398 Ouellette Ave. Windsor ON N8X 1J8

t (519) 255-1631 f (519) 255-7913

Treasury Board Secretariat

Office of the President
Room 4320, Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Tel.: 416-327-2333

Secrétariat du Conseil du Trésor

Bureau du président
Édifce Whitney, bureau 4320
99, rue Wellesley Ouest
Toronto (Ontario) M7A 1W3
Tél. : 416 327-2333



February 3, 2023

Dear Head of Council:

As minister responsible for emergency management, I am proud to release Ontario's first-ever [Provincial Emergency Management Strategy and Action Plan](#).

This comprehensive plan and approach for emergency management is the first in Canada to require annual and public reporting on progress. This plan will ensure Ontarians are safe, practiced and prepared before, during and after emergencies.

The plan is the result of productive and ongoing engagement with municipal and First Nations partners, and other critical emergency management partners. Cooperation, collaboration and communication is the strong foundation upon which this plan was built. This plan reinforces our continued partnership with municipalities and will be further strengthened through ongoing engagement to achieve our collective vision of a safe, practiced and prepared Ontario.

This plan identifies three goals and concrete actions designed to keep Ontario in a state of constant readiness and preparedness—both now and into the future:

- **One Window for All Ontarians** which positions [Emergency Management Ontario](#) to proactively coordinate and facilitate across emergency management partners.
- **Proactive Planning and Monitoring** that is grounded in data, analytics and knowledge.
- **Practiced and Prepared Emergency Response** through strengthened local capabilities, emergency management training and public education.

Thank you for your valued partnership as we work together to ensure Ontario is safe, practiced and prepared.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke that curves upwards at the end.

Prabmeet Singh Sarkaria
President of the Treasury Board and Minister Responsible for Emergency
Management

c: Bernie Derible, Deputy Minister and Commissioner of Emergency Management,
Treasury Board Secretariat

Municipality Of Lakeshore
Notice of Electronic (Virtual) Public Meeting/
Complete Application



JA 30 2023

RECEIVED

Official Plan Amendment & Zoning By-law Amendment

- File Number:** OPA-18 & ZBA-01-2023
- Subject Lands:** A location map is not provided with this notice, as these Official Plan and Zoning By-law Amendments apply to all lands within the limits of the Municipality of Lakeshore
- Purpose:** The purpose of the Official Plan Amendment is to provide criteria for the development of Large Scale Greenhouse Farms ("LSGF") as an Agricultural Use and provide policy direction within the Agricultural Designation. The purpose of the Zoning By-law amendment is to include a definition of Large Scale Greenhouse Farms ("LSGF") and require a site-specific Zoning By-law amendment along with a site plan agreement to establish a LSGF.
- Council Meeting:** Tuesday February 14th, 2023, at 6:00 PM, or as practical thereafter
- Meeting Location:** This will be a hybrid meeting with limited in person attendance at Town Hall. To participate in the meeting virtually or in person, please complete the 'Delegation Request Form' on our website. To watch the meeting live go to www.lakeshore.ca/tv. If you wish to provide your comments on the matter, it is strongly encouraged to write an email or written correspondence, prior to a decision being made.

Take Notice that Council will consider an amendment to Lakeshore Official Plan and Lakeshore Zoning By-law 2-2012, as amended (File: OPA-18 & ZBA-01-2023), under Section 17 and 34 of the Planning Act, R.S.O.1990, c.P.13.

Additional Information relating to this matter can be obtained through our website at www.lakeshore.ca/GreenhouseStudy or can be obtained at our Municipal Office during regular office hours.

Any Person may make written representation in support of or in opposition to the proposed amendment. Written submission regarding the proposed application can be made through our website at www.lakeshore.ca/GreenhouseStudy or submit a written submission to the attention of Aaron Hair, MCIP, RRP, Municipality of Lakeshore, Community Planning Office, 419 Notre Dame Street, Belle River, Ontario, NOR 1A0, or email planning@lakeshore.ca. Any person looking to make a verbal submission must register to speak at Lakeshore.ca/Delegations.

If you wish to be notified of the decision of the Municipality of Lakeshore on the proposed Official Plan Amendment (OPA-18) and Zoning By-law amendment (ZBA-01-2023), you must make a request through our website at www.lakeshore.ca/GreenhouseStudy or make a written request to the attention of Aaron Hair, MCIP, RRP, Municipality of Lakeshore, 419 Notre Dame Street, Belle River, Ontario, NOR 1A0, or email planning@lakeshore.ca.

If A Person Or Public Body would otherwise have an ability to appeal the decision of the Municipality of Lakeshore to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipal Clerk of the Municipality of Lakeshore before the proposed Official Plan and Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision.

If A Person Or Public Body does not make oral submissions at a public meeting or make written submissions to the Municipal Clerk of the Municipality of Lakeshore before the proposed Official Plan and Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Dated At the Municipality of Lakeshore this January 25th, 2023.

FORM 1

THE PLANNING ACT, R.S.O. 1990

NOTICE OF THE PASSING OF A ZONING BY-LAW AMENDMENT BY
THE CORPORATION OF THE TOWN OF TECUMSEH

TAKE NOTICE that the Council of the Town of Tecumseh has passed By-law 2023-007 on the 25th day of January, 2023 under Section 34 of the *Planning Act, R.S.O. 1990*;

AND TAKE NOTICE that only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf;

AND TAKE NOTICE that no person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party;

AND TAKE NOTICE that to file an appeal to the Ontario Land Tribunal, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection must be filed with the Clerk of the Corporation of the Town of Tecumseh not later than the 16th day of February, 2023.

Any appeal must be accompanied by a fee of \$1,100 made payable to the Minister of Finance. The Ontario Land Tribunal requires that the payment be in the form of a certified cheque or money order and be accompanied by a completed *Zoning By-law Amendment Appellant Form (A1)* found on-line at:

<https://olt.gov.on.ca/appeals-process/forms/#head2>

or available through the Planning and Building Services Department at Tecumseh Town Hall, 917 Lesperance Road. An Appellant may request a reduction of the filing fee to \$400 if the Appellant is a private citizen or eligible community group. The request for a reduction in the fee must be made at the time of filing the appeal. The Appeal Fee Reduction Request Form can be found on-line at:

https://olt.gov.on.ca/wp-content/uploads/2021/06/OLT-Fee-Reduction-Request-Form-June-2021_EN.html

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, an explanation of the effect of any public input received, and a key map showing the location of the lands to which the by-law applies, are attached. The complete by-law and any associated information are available for inspection in my office during regular office hours.

DATED at the Town of Tecumseh this 27th day of January, 2023.

CITY OF WINDSOR
COUNCIL SERVICES

FE 01 2023

RECEIVED

Robert Auger
Director Legislative Services & Clerk
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario
N8N 1W9

OPTIONAL ANNUAL REPORT TEMPLATE

Drinking Water System Number:	220003421
Drinking Water System Name:	City of Windsor Drinking Water System
Drinking Water System Owner:	The Windsor Utilities Commission
Drinking Water System Category:	Large Municipal Residential
Period being reported:	Calendar Year 2022

<p><u>Complete if your Category is Large Municipal Residential or Small Municipal Residential</u></p> <p>Does your Drinking Water System serve more than 10,000 people? Yes [X] No []</p> <p>Is your annual report available to the public at no charge on a web site on the Internet? Yes [X] No []</p> <p>Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Windsor Utilities Commission 4545 Rhodes Dr. Windsor ON N9A 5T7</p> </div>	<p><u>Complete for all other Categories</u></p> <p>Number of Designated Facilities served: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div> </p> <p>Did you provide a copy of your annual report to all Designated Facilities you serve? Yes [] No []</p> <p>Number of Interested Authorities you report to: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div> </p> <p>Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility? Yes [] No []</p>
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List all Drinking Water Systems (if any), which receive all their drinking water from your system:

Drinking Water System Name	Drinking Water System Number
Town of Lasalle, ON	220004402
Town of Tecumseh, ON	260004969

Did you provide a copy of your annual report to all Drinking Water System owners that are connected to you and to whom you provide all drinking water? Yes [X] No []

Indicate how you notified system users that your annual report is available and is free of charge.

- [X] Public access/notice via the web
- [X] Public access/notice via Government Office
- [] Public access/notice via a newspaper
- [X] Public access/notice via Public Request
- [] Public access/notice via a Public Library
- [] Public access/notice via other method _____

Description of the Drinking Water System

The Windsor Utilities Commission water treatment facility employs screening, pre-chlorination (on an as needed basis), pH adjustment (utilizing CO₂), disinfection (utilizing ozone), coagulation, flocculation, sedimentation, dual-media filtration (6 filters) and multi-media filtration (2 filters) with post chlorination, fluoridation and corrosion control adjustment (utilizing phosphoric acid) to treat raw water obtained from the Detroit River.

The water treatment plant pumps sedimentation sludge and backwash water to the sanitary sewer. Treated water from the plant is routed to an on-site reservoir and other reservoir co-located nearby the water treatment facility. Subsequently the treated water is pumped into the distribution system from two pumping stations co-located nearby the water treatment facilities as well. Water from the pumping stations satisfies demand for the greater Windsor area including the Towns of Tecumseh and LaSalle. A remote reservoir and pumping station provides a re-chlorination facility (using sodium hypochlorite) to provide system pressure and flow to the southwest portion of the system, while a centrally located water tower provides pressure and flow control to the downtown core.

The drinking water system is monitored at various locations, both at the water treatment and pumping stations as well as throughout the transmission system via a Supervisory Control and Data Acquisition (SCADA) system.

List all water treatment chemicals used over this reporting period

Chlorine gas, Sodium Hypochlorite, Carbon Dioxide (CO₂), Ozone (generated on-site using liquid oxygen), Calcium Thiosulfate (ozone quench agent), Polyaluminum Chloride (PaCl), Filter Aid Cationic Polymer, Phosphoric Acid (corrosion control agent) and Fluorosilicic Acid.

Were any significant expenses incurred to?

- Install required equipment
- Repair required equipment
- Replace required equipment

Please provide a brief description and a breakdown of monetary expenses incurred:

Through Capital Projects in the Distribution System Windsor Utilities Commission has:

- Installed 16.7 KM of Watermain (<400 mm)
- Installed 1616 New Water Services in the public ROW
- Installed 340 New Valves in the public ROW
- Installed 124 New Fire Hydrants in the public ROW
- Removed 113 Old Fire Hydrants in the public ROW
- Removed 640 Old Lead Water Services in the public ROW

Capital Projects in the Treatment System encompasses:

Filter Bed Rehabilitation – Phase 4

ENWIN continues rehabilitation of our eight (8) dual media filters at the A H Weeks WTP including removal of the existing plastic underdrain system, waterproof coating of the filter beds and walls, installation of new stainless-steel underdrains and installation of new anthracite and sand filter media. The new underdrain system and media will increase the overall filter performance. As of January 2023, ENWIN has completed 6 out of 8 filters rehabilitations. Approximate capital expenditure for phase 4 of the rehabilitations is \$4.2M.

Fluoride Implementation

As part of the overall fluoride implementation project, ENWIN continued the fluoride pipe loop study utilizing the existing pipe loop at A H Weeks WTP with the goal of studying possible interference, if any, with the effectiveness of the existing corrosion control plan. The study will continue after fluoride is introduced into the distribution system for approximately 10 months for monitoring purposes. In early 2021, ENWIN contracted Jacobs Engineering for the detailed design of the permanent fluoride dosing system which is still underway. ENWIN also opted to construct a temporary dosing system to begin the dosing of fluoride into the distribution system ahead of completion of the permanent dosing system. The temporary dosing system was commissioned in January 2022. Construction of the permanent system was tendered and awarded in July 2022 and has been on-going throughout the 2nd half of 2022. The system is schedule for completion in February 2023. Approximate cost to date for the overall project is \$1.2M.

SCADA Network Upgrade

ENWIN engaged the service of Rockwell for the design and implementation of an upgraded SCADA Network at the A.H. Weeks WTP. The project will update and improve the current SCADA network infrastructure adding increased security measures in line with current industry best practice. Installation and commissioning of the new network was completed in November 2022. Approximate capital expenditure \$820,000.

Ozone Power Supply Unit (PSU) Upgrades

ENWIN procured the services of Suez Water Technologies to begin the refurbishment of two of the Ozone Generator Power Supply Units (PSU). The current PSU components for Ozone Gen. #1 and #2 are at end of life and in need of replacement. ENWIN tendered the work for the PSU upgrades in summer 2022 and following receipt of the replacement equipment in October 2022 began work on the PSU upgrades. The project is expected to be completed in early February 2023. Approximate capital expenditure of \$588,000 in 2022.

Provide details on the notices submitted in accordance with subsection 18 (1) of the Safe Drinking Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre.

Incident Date	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
2022/04/21	Lead	84.1	µg/L	Flush and Re-sample	2022/04/21
2022/06/04	Total Coliform (TC) and Escherichia Coli (EC) – Treated Water	TC = 3 EC = 1	CFU/100 mL	Flush and Re-sample	2022/06/04

2022/07/08	Total Coliform – S.S. D04	TC = 1	CFU/100 mL	Flush and Re-sample	2022/07/08
2022/07/22	Fluoride	F = 1.8	mg/L	Flush and Re-sample Laboratory Investigation – Laboratory error	2022/07/22
2022/08/17	Total Coliform – George Ave PS	TC = 1	CFU/100 mL	Flush and Re-sample	2022/08/17
2022/08/18	Total Coliform – Treated Water	TC = 1	CFU/100 mL	Flush and Re-sample. A Laboratory investigation indicates potential cross contamination at the Lab	2022/08/18
2022/08/25	Lead	92.1	µg/L	Flush and Re-sample	2022/08/25

Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.

	Number of Samples	Range of E.Coli (min#)-(max#) CFU/100 mL	Range of Total Coliform (min#)-(max#) CFU/100 mL	Number of HPC Samples	Range of HPC (min#)-(max#) CFU/1 mL Spread Plate
Raw	253	0 - 600	0 - 2900	253	5 – 1450⁽¹⁾
Treated	2007	0 - 0	0 - 0	2002	<10 - 190⁽¹⁾
Distribution	1963	0 - 0	0 - 0	967	<10 - 30⁽¹⁾

(1) < 500 – Internal Target as Best Management Practice

Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.

	Number of Samples	Range of Results (min#)-(max#)	Unit of Measure
Turbidity	365	0.02 - 0.43	NTU
Chlorine	365	1.44 - 1.64	mg/L

Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.

Date of legal instrument issued	Parameter	MAC or IMAC	Date Sampled	Running Annual Average Result	Unit of Measure
MDWL 025-101	Bromate - Treated	0.010	1-Jan-22 to 31-Dec-22	0.004	mg/L
MDWL 025-101	Bromate - Distribution	0.010	1-Jan-22 to 31-Dec-22	0.003	mg/L

Summary of Inorganic parameters tested during this reporting period or the most recent sample results.

Parameter	MAC or IMAC	Sample Date	Result Value	Unit of Measure	Exceedence
Antimony	0.006	October 26, 2022	0.0001	mg/L	NO
Arsenic	0.01	October 26, 2022	0.0003	mg/L	NO
Barium	1	October 26, 2022	0.0161	mg/L	NO
Boron	5	October 26, 2022	0.015	mg/L	NO
Cadmium	0.005	October 26, 2022	0.00001	mg/L	NO
Chromium	0.05	October 26, 2022	0.0005 <MDL	mg/L	NO
*Lead	0.01	October 26, 2022	0.0005 <MDL	mg/L	NO
Mercury	0.001	October 26, 2022	0.00010 <MDL	mg/L	NO
Selenium	0.05	October 26, 2022	0.00009	mg/L	NO
Sodium	20	January 12, 2022	6.21	mg/L	NO
Uranium	0.02	October 26, 2022	0.00007	mg/L	NO
Fluoride	1.5	January 12, 2022	0.44	mg/L	NO
Nitrite	1	October 26, 2022	0.010 <MDL	mg/L	NO
Nitrate	10	October 26, 2022	0.24	mg/L	NO

Summary of Organic parameters sampled during this reporting period or the most recent sample results.

Parameter	MAC or IMAC	Sample Date	Result Value	Unit of Measure	Exceedence
Alachlor	0.005	October 26, 2022	0.00050 <MDL	mg/L	NO
Atrazine + N-dealkylated metabolites	0.005	October 26, 2022	0.001 <MDL	mg/L	NO
Azinphos-methyl	0.02	October 26, 2022	0.0020 <MDL	mg/L	NO
Benzene	0.001	October 26, 2022	0.0001 <MDL	mg/L	NO
Benzo(a)pyrene	0.00001	October 26, 2022	0.0000050 <MDL	mg/L	NO
Bromoxynil	0.005	October 26, 2022	0.00050 <MDL	mg/L	NO
Carbaryl	0.09	October 26, 2022	0.005 <MDL	mg/L	NO
Carbofuran	0.09	October 26, 2022	0.005 <MDL	mg/L	NO
Carbon Tetrachloride	0.002	October 26, 2022	0.00010 <MDL	mg/L	NO
Chlorpyrifos	0.09	October 26, 2022	0.001 <MDL	mg/L	NO
Diazinon	0.02	October 26, 2022	0.001 <MDL	mg/L	NO
Dicamba	0.12	October 26, 2022	0.001 <MDL	mg/L	NO
1,2-Dichlorobenzene	0.2	October 26, 2022	0.00020 <MDL	mg/L	NO
1,4Dichlorobenzene	0.005	October 26, 2022	0.00020 <MDL	mg/L	NO
1,2-Dichloroethane	0.005	October 26, 2022	0.00020 <MDL	mg/L	NO
1,1-Dichloroethylene (vinylidene chloride)	0.014	October 26, 2022	0.00010 <MDL	mg/L	NO
Dichloromethane	0.05	October 26, 2022	0.00050 <MDL	mg/L	NO

2,4-Dichlorophenol	0.9	October 26, 2022	0.00025 <MDL	mg/L	NO
2,4-Dichlorophenoxy acetic acid (2,4-D)	0.1	October 26, 2022	0.001 <MDL	mg/L	NO
Diclofop-methyl	0.009	October 26, 2022	0.00090 <MDL	mg/L	NO
Dimethoate	0.02	October 26, 2022	0.0025 <MDL	mg/L	NO
Diquat	0.07	October 26, 2022	0.007 <MDL	mg/L	NO
Diuron	0.15	October 26, 2022	0.010 <MDL	mg/L	NO
Glyphosate	0.28	October 26, 2022	0.010 <MDL	mg/L	NO
Haloacetic Acids (HAA5) (Note: show latest running annual average)	0.080	Running Annual average	Avg.	mg/L	NO
Q1 2022 = <0.0053 mg/L			<0.0050		
Q2 2022 = <0.0050 mg/L					
Q3 2022 = <0.0050 mg/L					
Q4 2022 = <0.0050 mg/L					
Malathion	0.19	October 26, 2022	0.0050 <MDL	mg/L	NO
MCPA	0.1	October 26, 2022	0.010 <MDL	mg/L	NO
Metolachlor	0.05	October 26, 2022	0.00050 <MDL	mg/L	NO
Metribuzin	0.08	October 26, 2022	0.0050 <MDL	mg/L	NO
Monochlorobenzene	0.08	October 26, 2022	0.00010 <MDL	mg/L	NO
Paraquat	0.01	October 26, 2022	0.001 <MDL	mg/L	NO
Pentachlorophenol	0.06	October 26, 2022	0.00050 <MDL	mg/L	NO
Phorate	0.002	October 26, 2022	0.00050 <MDL	mg/L	NO
Picloram	0.19	October 26, 2022	0.0050 <MDL	mg/L	NO
Polychlorinated Biphenyls (PCB)	0.003	October 26, 2022	0.00005 <MDL	mg/L	NO
Prometryne	0.001	October 26, 2022	0.00025 <MDL	mg/L	NO
Simazine	0.01	October 26, 2022	0.0010 <MDL	mg/L	NO
THM (Note: show latest running annual average)	0.100	Running Annual average	Avg.	mg/L	NO
Q1 2022 = 0.0038 mg/L			0.0085		
Q2 2022 = 0.00953 mg/L					
Q3 2022 = 0.0154 mg/L					
Q4 2022 = 0.00532 mg/L					
Terbofos	0.001	October 26, 2022	0.00050 <MDL	mg/L	NO
Tetrachlorethylene	0.01	October 26, 2022	0.00010 <MDL	mg/L	NO
2,3,4,6-Tetrachlorophenol	0.1	October 26, 2022	0.00050 <MDL	mg/L	NO
Triallate	0.23	October 26, 2022	0.0010 <MDL	mg/L	NO
Trichloroethylene	0.05	October 26, 2022	0.00010 <MDL	mg/L	NO
2,4,6-Trichlorophenol	0.005	October 26, 2022	0.00050 <MDL	mg/L	NO
Trifluralin	0.045	October 26, 2022	0.00007	mg/L	NO

Vinyl Chloride	0.001	October 26, 2022	0.00020 <MDL	mg/L	NO
----------------	-------	------------------	--------------	------	----

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

Location	Sample Date	Bromate	Unit of Measure
WP-AHW-LBRTR-SPL-TREATEDWTR-1A	22May10_09-01	0.007	mg/L
WP-AHW-LBRTR-SPL-TREATEDWTR-1A	22Jul05_02-01	0.006	mg/L
WP-AHW-LBRTR-SPL-TREATEDWTR-1A	22Aug02_02-01	0.008	mg/L

February 9, 2023

Delivered via email: clerks@citywindsor.ca

Attention: Mr. Steve Vlachodimos
City Clerk & Senior Manager of Council Services
Corporation of the City of Windsor
350 City Hall Square West
Windsor, ON N9A 6S1

Dear Mayor Dilkens and Members of Windsor City Council:

On February 3, 2023, the Windsor-Essex County Board of Health passed the following Resolution regarding the **location of SafePoint Consumption Services (Urgent Public Health Needs and Consumption and Treatment Services Site)**:

Windsor-Essex County Health Unit Board of Health
RECOMMENDATION/RESOLUTION REPORT
SafePoint Consumption Services at 101 Wyandotte St. East
February 3, 2023

RESOLUTION

Whereas Councillor Agostino from the City of Windsor brought forward the current motion:

***Whereas** a previous City Council approved a location for a safe injection site at 101 Wyandotte Street East;*

***Whereas** the approved site was put forward quickly after the Windsor Essex County Health Unit failed to secure a lease at another location - 628 Goyeau Street;*

***Whereas** consultation for the Wyandotte Street location was considered problematic by many affected residents and businesses in the surrounding area;*

***Whereas** there is ongoing and significant concern about the impact of a safe injection site at the Wyandotte Street location;*

***Whereas** the Wyandotte Street location is directly across the street from a McDonald's Restaurant, and a major hotel and other businesses, AND the entrance/exit of the Windsor-Detroit Tunnel;*

***Whereas** many other options exist to provide safe injection services in the city that will better balance the needs of users, business owners, and residents;*

***Therefore be it resolved** that City Council rescind its support for the past Council decision to approve a safe injection site at 101 Wyandotte Street East and that notification be sent immediately to the Windsor Essex County Health Unit, Government of Canada and Government of Ontario.*

Therefore be it also resolved, the City Council request Administration work with the Windsor Essex County Health Unit and report back on alternative short-term and long-term options including **mobile service delivery** and inclusion in the permanent Housing and Homeless Help Hub.

Whereas the motion from Councillor Agostino was rescinded based on a compromise requiring WECHU board of health approval.

Therefore be it resolved that the WECHU Board of Health move forward with the opening and operation of the current Safepoint site at 101 Wyandotte Street East once federal approval has been granted, and further that the WECHU transition operations without disruption once provincial approval is received.

Therefore be it resolved that the WECHU will provide the funding required through its operational budget, potential grants and philanthropic means to fully operate Safepoint at 101 Wyandotte Street East until provincial approval is received in which such time it becomes fully funded under the provincial model to operate.

Therefore be it resolved that in preparation for a condition in which the provincial approval is delayed beyond the anticipated timeline of summer 2023, the WECHU will endeavor to further explore and obtain additional funds through grants and philanthropic means that will reduce municipal monetary requirements beyond what has already been approved in the 2023 WECHU budget.

Therefore be it resolved that the WECHU will support City of Windsor Councillor, Renaldo Agostino, as the appointed Chair of the Site Selection Committee with the purpose of determining the location of a new CTS site. The support will remain for the duration of the project until such time a new location is decided and approved by the committee, WECHU's BOH and the City of Windsor under the process decided on below.

Therefore be it resolved that the hosting municipality and the WECHU will establish a process for recommendations of approval of the new site with both parties having equal involvement. For greater clarity, administration from both the WECHU and the hosting municipality will work in good-faith to establish an equal weighing scale and process to recommend a preferred site among a short list of future sites recommended by the Site Selection Committee.

Therefore be it resolved that the WECHU will close the current Safepoint site at 101 Wyandotte St. E. once a new location has been selected by the site selection committee, WECHU BOH and the City of Windsor in accordance with the process set out above; and that senior level government application processes have been completed and approved; as well as all construction of such new site has been completed in full in order to mitigate any disruption of services to its clients and patients. For further clarity, the WECHU is committed to only one CTS site in the City of Windsor.

Therefore be it resolved that the WECHU request that City and County Council advocate to upper-level government for application approvals and funding.

We would be pleased to discuss this resolution with you and look forward to working with the City of Windsor in this regard.

Sincerely,



Fabio Costante
Chair, Board of Health



Dr. Ken Blanchette
Chief Executive Officer

WALKERVILLE-WALKER DEVELOPMENTS

December 8, 2022

City Council of Windsor
350 City Hall Square West
Windsor, ON N9A 6S1

Dear Council,

We are writing concerning our new residential development project on Walker Road. This project is divided into two phases, each phase involving the development of a new, twelve-unit townhouse complex (24 units in total). While we have successfully completed the first phase of the project on 933-955 Walker Road, phase two of the project, taking place on the lands at 1031 Walker Road, has been halted by the retroactivity rules governing the Brownfield Community Improvement Plan.

While applying for the Brownfield Rehabilitation Program and the Brownfield Tax Assistance Programs, Mr. Greg Atkinson, Senior Planner – Economic Development at the City of Windsor, informed us that the second phase would not qualify for any CIP assistance from the City due to the retroactivity rules. This project was started in January 2020, and we were unforeseeably affected by the COVID-19 pandemic in March of that year. As we were occupied with the planning required to deal with the changes the pandemic brought, we were unable to submit our application before following through with the clean-up at the 1031 Walker Road Property. As per the retroactivity rules, this disqualifies us from the Brownfield Community Improvement Plan.

It is important to note that this project is aligned with the core idea behind the City of Windsor's Community Improvement Program as it seeks to better utilize "underutilized, derelict or vacant property and buildings". In addition to this, the creation of aesthetically pleasing, high-quality housing would lead to gentrification of this part of the city, incentivizing new investment. Our talks with owners of surrounding markets, restaurants, and lounges also conclude that they believe this project would greatly benefit their businesses as well after the extremely tough circumstances they have faced.

We have successfully completed similar Brown Field projects at 850 Division Road, 933 Walker Road (Phase 1 of the mentioned project) as well as clean-ups on five parcels of land spanning across St. Luke Road and Edna Street. These projects are testament to our ability to comply with the best practices for the completion of such projects and shows that the delayed filing with respect to the 1031 Walker Rd. project was a one-off instance due to the challenges brought on by the pandemic.

Taking into account the severity of the harsh economic conditions faced by small businesses during the pandemic, and the positive impact this project would have on the area, we would like to request the City Council to make an exception to the retroactivity rule for the period following the pandemic, that is the period following March 2020.

WALKERVILLE-WALKER DEVELOPMENTS

We are ready to cooperate with all procedures to take this change forward, including providing the city with any required internal files relevant to the project, sharing information regarding the specifics of the clean-up that took place, and letters and recommendations made by our consultant.

Regards,



Ashok Sood
President

TO: Mayor and Members of City Council

FROM: Greg Atkinson, Senior Planner

DATE: January 5, 2023

SUBJECT: December 8, 2022 letter from Walkerville-Walker Developments — 1019-1041 Walker Road (Ward 4)

Planning staff received an Environmental Site Assessment Grant application for incentives under the Brownfield Redevelopment Community Improvement Plan (CIP) on April 8, 2021. The application related to Phase 2 Environmental Site Assessment work that had been completed at 1019-1041 Walker Road (formerly 1031 Walker Road) prior to submission of the application. A location map is attached as Appendix 1.

The applicant was advised that Planning staff could not accept an application for costs that were incurred prior to its submission given the Council approved wording of the CIP. Through discussion with the applicant it was determined that environmental remediation work that would have been eligible under a different grant program had also been completed (i.e. Brownfields Tax Assistance and Rehabilitation Grant Program). No application was submitted under this program however the December 8, 2022 letter from Walkerville-Walker Developments indicates that consideration of a retroactive approval is being sought.

CIP grant programs are intended to encourage investment that would not otherwise occur without financial assistance. The prohibition of retroactive grants, which is consistent across all of the City's CIPs, does allow for eligible costs to be incurred prior to Council approval provided a complete application package is submitted prior to the costs being incurred. Notably, the applicant has previously applied for and received Council approval for five (5) Brownfield CIP applications related to other projects.

The applicant was advised that the Brownfield CIP would have to be amended prior to Council's consideration of a retroactive grant request. There is no application form or process for a resident, corporation, or public body to request an amendment to a CIP. CIPs are created, approved, and modified at the direction/request of Council. Should Council wish to amend the CIP to permit the retroactive grant applications, the City Planner would bring a report to Council with further context, analysis and recommendations. However, Administration does not recommend introducing retroactivity into the CIP regime since the investment would have been made in any event.

A severance was approved by the Committee of Adjustment on October 20, 2022 creating 12 new townhome lots at the subject site. The development has been granted site plan approval, conditional building permits were issued on August 16, 2022 and construction has commenced. Development proposals that require financial incentives to be economically viable typically wait for Council approval of incentives prior to proceeding with construction.

A similar letter appeared on the March 21, 2022 Council agenda. No discussion or action was taken related to the March, 2022 correspondence.

Below are excerpts from the Brownfield Redevelopment CIP relating to retroactive grant requests:

5.1 General Program Requirements

The general and program specific requirements are not necessarily exhaustive and the City reserves the right to include other requirements and conditions as deemed necessary on a property specific basis. All of the financial incentive programs contained in this CIP are subject to the following general requirements as well as the individual requirements specified under each program.

- e) None of the incentive programs contained in this Plan will be offered on a retroactive basis, i.e., an application for any financial incentive program contained in this CIP must be submitted to the City prior to the commencement of any study or works to which the financial incentive program will apply and prior to application for building permit;*

5.3 Environmental Site Assessment (ESA) Grant Program

5.3.3 Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by City Council:

- a) An application must be submitted to the City prior to the start of any environmental study to which the grant will apply;*

5.4 Brownfields Property Tax Assistance Program

5.4.3 Requirements

Only owners of property within the community improvement project area are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to availability of funding as approved by City Council and the Minister of Finance:

- a) An application must be submitted to the City prior to the start of any remediation works to which the tax assistance will apply;*

5.5 Brownfields Rehabilitation Grant Program

5.5.3 Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by City Council:

- a) A grant application must be submitted to the City prior to the start of any rehabilitation works to which the grant will apply;*

Approved via Email

Michael Cooke
Manager of Planning Policy / Deputy City Planner

Approved via email

Wira Vendrasco
Deputy City Solicitor, Legal Services & Real Estate

Onorio Colucci
Chief Administrative Officer

Approved via Email

Thom Hunt
City Planner / Executive Director
Planning & Building

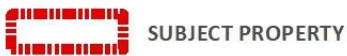
Approved via Email

Jelena Payne
Commissioner, Economic Development &
Innovation

Appendix 1: Location Map



LOCATION MAP : 0 WALKER ROAD



TO: Mayor and Members of City Council

FROM: Greg Atkinson, Senior Planner

DATE: January 5, 2023 (Updated February 7, 2023)

SUBJECT: December 8, 2022 letter from Walkerville-Walker Developments — 1019-1041 Walker Road (Ward 4)

BACKGROUND

Communications item 7.1.3 was deferred at the January 16, 2023 meeting via Council Resolution CR2/2023:

That the letter dated December 8, 2022 from Walkerville-Walker Developments requesting that City Council make an exception to the retroactivity rules governing the Brownfield Community Improvement Plan in relation to their residential development project taking place on the lands at 1031 Walker Road BE DEFERRED to a future meeting of Council to allow for further clarification.

Carried.

ADDITIONAL INFORMATION

Administration has received documentation that the Environmental Site Assessment (ESA) Grant application submitted to the City on April 8, 2021 was filled out as of March 3, 2020. The application estimates a total cost of \$27,800 for the Phase 2 ESA work, which would have resulted in a grant value of \$13,900—subject to verification of invoices (see email from environmental consultant and copy of application form in Appendix 2).

While the ESA Grant application was filled out in March 2020, it was not submitted to the City until April 8, 2021—after the Phase 2 ESA work was completed and the Record of Site Condition (RSC) was filed with the Ministry of the Environment, Conservation and Parks. Filing a RSC is the final step in the brownfield remediation process. No similar documentation has been received in relation to the Tax Assistance and Rehabilitation Grant Program, which (if it was approved) would have offset some or all of the remediation and site servicing costs.

OPTIONS FOR CONSIDERATION

1. Receive the December 8, 2022 letter for information and take no action.
2. Deem the Environmental Site Assessment Grant application to have been submitted as of March 3, 2020. This option recognizes the extraordinary circumstances brought on by the Covid-19 pandemic and is supported by documentation contained within Appendix 2. This option would not require an amendment to the CIP. The application would still require consideration by the Development & Heritage Standing Committee and Council approval.
3. Allow the owner to submit an application under the Tax Assistance and Rehabilitation Grant Program and deem the application to have been submitted as of March 3, 2020. This option recognizes the extraordinary circumstances brought on by the Covid-19 pandemic however there is no documentation to support the March 3, 2020 application date. This option would not require an amendment to the CIP. The application would still require consideration by the Development & Heritage Standing Committee and Council approval.

JANUARY 5, 2023 MEMO

Planning staff received an Environmental Site Assessment Grant application for incentives under the Brownfield Redevelopment Community Improvement Plan (CIP) on April 8, 2021. The application related to Phase 2 Environmental Site Assessment work that had been completed at 1019-1041 Walker Road (formerly 1031 Walker Road) prior to submission of the application. A location map is attached as Appendix 1.

The applicant was advised that Planning staff could not accept an application for costs that were incurred prior to its submission given the Council approved wording of the CIP. Through discussion with the applicant it was determined that environmental remediation work that would have been eligible under a different grant program had also been completed (i.e. Brownfields Tax Assistance and Rehabilitation Grant Program). No application was submitted under this program however the December 8, 2022 letter from Walkerville-Walker Developments indicates that consideration of a retroactive approval is being sought.

CIP grant programs are intended to encourage investment that would not otherwise occur without financial assistance. The prohibition of retroactive grants, which is consistent across all of the City's CIPs, does allow for eligible costs to be incurred prior to Council approval provided a complete application package is submitted prior to the costs being incurred. Notably, the applicant has previously applied for and received Council approval for five (5) Brownfield CIP applications related to other projects.

The applicant was advised that the Brownfield CIP would have to be amended prior to Council's consideration of a retroactive grant request. There is no application form or process for a resident, corporation, or public body to request an amendment to a CIP. CIPs are created, approved, and modified at the direction/request of Council. Should Council wish to amend the CIP to permit the retroactive grant applications, the City Planner would bring a report to Council with further context, analysis and recommendations. However, Administration does not recommend introducing retroactivity into the CIP regime since the investment would have been made in any event.

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- e) *None of the incentive programs contained in this Plan will be offered on a retroactive basis, i.e., an application for any financial incentive program contained in this CIP must be submitted to the City prior to the commencement of any study or works to which the financial incentive program will apply and prior to application for building permit;*

5.3 Environmental Site Assessment (ESA) Grant Program

5.3.3 Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by City Council:

- a) *An application must be submitted to the City prior to the start of any environmental study to which the grant will apply;*

5.4 Brownfields Property Tax Assistance Program

5.4.3 Requirements

Only owners of property within the community improvement project area are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to availability of funding as approved by City Council and the Minister of Finance:

- a) *An application must be submitted to the City prior to the start of any remediation works to which the tax assistance will apply;*

5.5 Brownfields Rehabilitation Grant Program

5.5.3 Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by City Council:

- a) *A grant application must be submitted to the City prior to the start of any rehabilitation works to which the grant will apply;*

Approved via email

Michael Cooke
Manager of Planning Policy / Deputy City Planner

Approved via email

Thom Hunt
City Planner / Executive Director
Planning & Building

Approved via email

Wira Vendrasco
Deputy City Solicitor, Legal Services & Real Estate

Approved via email

Jelena Payne
Commissioner, Economic Development &
Innovation

Approved via email

Onorio Colucci
Chief Administrative Officer

Appendix 1: Location Map



LOCATION MAP : 0 WALKER ROAD



Appendix 2: March 3, 2020 email documenting Environmental Site Assessment Grant Application submitted to the City on April 8, 2021.

From: McKee, Cindy <[REDACTED]>
Sent: Tuesday, March 03, 2020 9:44 AM
To: Anuj Sood
Subject: 1031 Walker - Brownfield Application Form
Attachments: ESA Grant Form - 1031 Walker Road.pdf

Hi Anuj,

Attached is the Brownfield application form for 1031 Walker Road. I'll send out the updated Waste Characterization form shortly to the ESWA for their approval.

Let me know if the City of Windsor has any questions or concerns.
Thank you and have a good day.

Cindy McKee, B.Sc., P.Geo.
Senior Environmental Geoscientist
11865 County Road 42
Tecumseh, ON., N8N 2M1
Direct: [REDACTED]
Mobile: [REDACTED]
www.woodplc.com





ENVIRONMENTAL SITE ASSESSMENT GRANT APPLICATION FORM

A. General Information and Instructions

1. Before filling out this application form, **please read the attached Program Guide** and arrange for a pre-application meeting or consultation with staff. The Program Guide describes the purpose and basic terms and conditions of the **Environmental Site Assessment Grant Program**.
2. If the applicant is not the property owner, please ensure that written authorization from the property owner to make application for, conduct the environmental site assessment, and receive the grant is attached to the application form.
3. If an agent is acting for the property owner, please ensure that the required authorization is completed and signed by the owner as provided in Section C below.
4. If you find insufficient space on this form to respond to questions, please provide additional information on a separate page and attach to your completed application form.
5. **Please attach to the application the required supporting documents as requested by City staff, including:**
 - a) **a Phase I ESA; and,**
 - b) **a detailed work plan and cost estimate (excluding G.S.T) for the specified environmental site assessment, prepared by a “qualified person” as defined by the Environmental Protection Act and Ontario Regulation 153/04.**

An application will not be considered complete until all required documents have been submitted.

6. Please ensure that the application form is complete and that all required signatures have been supplied.
7. Please print (black or blue ink) or type the information requested on the application form.
8. You may deliver your application in person or send it by mail to:

City of Windsor
Planning Department
400 City Hall Square East, Suite 404B
Windsor, ON.
N9A 7K6

Attention: Greg Atkinson

9. **For further information on this program, please contact Greg Atkinson, Senior Planner, at (519) 255-6543 ext. 6582 or via e-mail at gatkinson@citywindsor.ca**



ENVIRONMENTAL SITE ASSESSMENT GRANT APPLICATION FORM

-- PLEASE PRINT --

Application No. _____
(Office Use Only)

Sections B, C (if applicable), D and F to be completed by the owner/applicant/agent.
Section E to be completed by the environmental consultant (qualified person).

B. Owner/Applicant Information

Name of Registered Property Owner

Walkerville Walker Developments INC

Mailing Address of Property Owner

2601 Wyandotte Street E.
WINDSOR ON N8Y 0A5

Phone: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

If the person/corporation applying for this grant is not the legally registered owner of the property for which the application is being made, please fill in the section below and attach written consent from the property owner to make this application, conduct the environmental site assessment and receive the grant.

Name of Applicant if different from Registered Property Owner

Mailing Address of Applicant if different from Registered Property Owner

Phone: _____

Fax: _____

Email: _____



**ENVIRONMENTAL SITE ASSESSMENT GRANT
APPLICATION FORM**

C. Agent Authorization and Information

If the property owner/applicant is authorizing an agent to act on his/her behalf in making this application, please complete and sign this section. If an agent is authorized, all correspondence will be sent to the authorized agent. If no agent is authorized, all correspondence will be sent to the property owner/applicant.

I, _____ am the owner of the land that is subject of this application,
and I hereby authorize my agent _____ to make this application and to
act on my behalf in regard to this application.

Dated at the _____, this _____ of _____,
(City/Town of...) Day Month Year

Name of Owner/Applicant Signature of Owner/Applicant

Agent Information (if any)

Name of Agent _____

Mailing Address of Agent _____

Phone: _____ Fax: _____

Email: _____



ENVIRONMENTAL SITE ASSESSMENT GRANT APPLICATION FORM

D. Property Information

Municipal Address(es) of Property for which this Application is being submitted

1031 Walker Road, Windsor ON N8Y 2N6

× Assessment Roll Number(s) 020-100-02800-0000

× Legal Description of Property (Lot and Plan Numbers)

0 WALKER RD
PLAN 490 LOTS 61 63 65 67 69; PT LOT 71: 0.77 AC / 235.00 FR 143.00P

Existing Property Use

Vacant land.

Size of Property 0.77 acres

Existing Buildings on Property? Yes No (If yes, specify building size below)

Building 1 sq. ft.

Building 2 sq. ft.

Building 3 sq. ft.

(Please list all additional buildings on a separate sheet)



**ENVIRONMENTAL SITE ASSESSMENT GRANT
APPLICATION FORM**

Is this property in tax arrears? Yes No

If yes, specify value of tax arrears \$ _____

Have tax arrears been cancelled (in whole or in part) on this property under any City program? Yes No

Has or will this property receive grants/loans or other financial assistance from the City under any other City program? Yes No

If yes, please specify program and amount of financial assistance received from the City

Specify reason for conducting the above-noted environmental study on this property, including a description of the planned redevelopment/rehabilitation of the property being contemplated at this time, and any planning applications that have been submitted/approved.

The Phase One ESA and Phase Two ESA were completed to support the RSC filing for the property, based on the proposed redevelopment of the Site for residential use.



ENVIRONMENTAL SITE ASSESSMENT GRANT APPLICATION FORM

E. Environmental Information (this section to be completed by a Qualified Person as defined by the Environmental Protection Act and Ontario Regulation 153/04)

Name of Qualified Person Cindy McKee

Company Wood Environment & Infrastructure Solutions

Mailing Address of Qualified Person 11865 County Road 42, Tecumseh, ON, N8N 2M1

Phone: [REDACTED] Fax: [REDACTED]

Email: [REDACTED]

Has a Phase I Environmental Site Assessment (ESA) been conducted on the property? Yes No

If yes, please attach to this application.

Has a Phase II ESA ever been conducted on the property? Yes No

If yes, please attach to this application.

Has a Designated Substances Survey/ Hazardous Materials Survey ever conducted on the property? Yes No

If yes, please attach to this application.

Has a Remedial Work Plan ever been conducted on the property? Yes No

If yes, please attach to this application.

Prepared, not completed

Has a Risk Assessment/Risk Management Plan ever been conducted on the property? Yes No

If yes, please attach to this application.



ENVIRONMENTAL SITE ASSESSMENT GRANT APPLICATION FORM

This application for an Environmental Site Assessment Grant is for a:

- Phase II ESA
- Designated Substances and Hazardous Materials Survey
- Remedial Work Plan
- Risk Assessment/ Risk Management Plan

Describe any known or suspected environmental contamination issues (soil, groundwater) affecting the property in Section D, including:

- a) type of contaminants;
- b) extent of contamination;
- c) causes of contamination (include brief site use history);
- d) underground storage tanks and current/previous contents;
- e) above-ground storage tanks, and current/previous contents; and,
- f) other details.

Site was formerly a bread bakery (1925-1985). The on-site buildings were demolished between 1985 and 1987, and the property was used as a parking lot for off-site operations until present. Shallow soil contamination was identified by the Phase Two ESA; but no deep soil or ground water contamination is present on-site. The shallow soil contamination is barium (above Table 3 SCS, RPI) in soil from surface to approx. 0.8 m on the southern portion of the property. The barium contamination is likely associated with the mixed fill material present at surface. The estimated area is 1,125 sq. m. and the depth ranges from 0.3 m (BH/MW1) to 0.5 m (BH3) and 0.8 m (BH5). The estimated volumen would range from 395 cubic metres (at 0.35 m depth) to 1,015 cubic metres (at 0.8 m depth).

Estimated Cost of Phase II ESA (excluding GST)	\$ 20,500
Estimated Cost of Designated Substances and Hazardous Materials Survey (excl. GST)	\$ n/a
Estimated Cost of Remedial Work Plan (excluding GST)	\$ 7,300 (consulting fees)
Estimated Cost of Risk Assessment/Risk Management Plan (excluding GST)	\$ n/a

(Please attach a detailed work plan and cost estimate prepared by a qualified person for each environmental site assessment being applied for).



ENVIRONMENTAL SITE ASSESSMENT GRANT APPLICATION FORM

F. Sworn Declaration

I/WE HEREBY APPLY for a grant under this program.

I/WE HEREBY AGREE to abide by the terms and conditions of the grant program.

I/WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and may be verified by the City by such inquiry as it deems appropriate, including inspection of the property for which this application is being made.

I/WE HEREBY AGREE that if any statements or information in this application or submitted in support of this application are untrue, misleading or there is a material omission, the application may be rejected or not approved, or the grant may be delayed, reduced, cancelled or repayment of the grant may be required.

I/WE HEREBY AGREE that the grant may be delayed, reduced or cancelled if the environmental site assessment is not completed, not completed as approved, or if the qualified person conducting the study is not paid.

I/WE HEREBY AGREE that any environmental assessment work carried out prior to written receipt from the City of grant approval is not eligible for the grant.

I/WE HEREBY AGREE to provide the City with one (1) electronic copy and one (1) hard copy of the completed study to which this application applies.

I/WE HEREBY AGREE that should I/WE chose not to proceed with environmental remediation/risk management of the property, the City may notify subsequent property owners and project proponents of the existence of the environmental site assessment(s) for which this application is being made.

I/WE HEREBY GRANT PERMISSION to the City or its agents to inspect the property to which this application applies.

I/WE HEREBY AGREE that the program(s) for which application has been made herein is/are subject to cancellation and/or change at any time by the City in its sole discretion, subject to the terms and conditions specified in the program.


I/WE HEREBY AGREE that all environmental site assessments grants will be calculated and awarded in the sole discretion of the City. Notwithstanding any representation by or on behalf of the City, or any statement contained in the program, no right to any grant arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the program. The City is not responsible for any costs incurred by the Owner/Applicant in any way relating to the program, including, without limitation, costs incurred in anticipation of a grant.



**ENVIRONMENTAL SITE ASSESSMENT GRANT
APPLICATION FORM**

Dated at the _____, this _____ of _____,
(City/Town of...) Day Month Year

Name of Owner/Applicant or Authorized Agent

X 
Signature of Owner/Applicant or
Authorized Agent

COMMITTEE OF ADJUSTMENT/CONSENT AUTHORITY AGENDA RECORD

The following applications are scheduled to be heard by the Committee of Adjustment/Consent Authority in the afternoon of Thursday, February 23, 2023 at the following location and in the order stated below. LOCATION: Via Electronic Participation

ITEM	TIME	ROLL #	FILE #	APPLICANT	LOCATION	REQUEST	RESULT
1	3:30 PM	3739080080046000000	B-001/23	ALLAN KENNETH LEWIS	4325 CASGRAIN DR	CONSENT: Create a new Lot.	
2	3:30 PM	3739050450037000000	B-002/23	MUHAMET BAKIR BASTURK	2883 and 2891 TECUMSEH RD W	RELIEF: Create a new Lot	
3	3:30 PM	3739040350070000000	A-001/23	HOTEL DIEU HOSPITAL OF ST JOSEPH	1004 OUELLETTE AVE	RELIEF: Erection of a Ground Sign with a partial Electronic Sign Face with maximum sign height, face area and electronic change copy.	
4	3:30 PM	3739060130065000000	A-002/23	CONSEIL SCOLAIRE DE DISTRICT DES ECOLES CATHOLIQUES DU SUD-OUEST	6200 EDGAR ST	RELIEF: Erection of a Ground Sign with a partial Electronic Sign Face with minimum separation from residential.	
5	3:30 PM	3739020090109000000	A-003/23	VITO MAGGIO HOLDINGS INC.	677 ST LUKE RD	RELIEF: The creation of a warehouse with reduced side yards width.	
6	3:30 PM	3739030110055000000	B-003/23	YANGDONG SONG	968 WINDSOR AVE	CONSENT: Create a new Lot	
7	3:30 PM	3739030270090000000	A-004/23	JOHN RIBSON JRAD INVESTMENTS INC.	875 ERIE ST E	RELIEF: The creation of a rooftop patio for existing restaurant with minimum parking spaces.	
8	3:30 PM	3739030050091000000	A-005/23	SOURAYA CHAMI	507-527 MARENTETTE AVE	RELIEF: Creation of a 4 unit townhome dwelling with reduced corner lot separation and side yard width.	
9	3:30 PM	3739060450114010000	B-004/23	CALVARY BAPTIST CHURCH	525 ELINOR ST	CONSENT: Create a new Lot	
10	3:30 PM	3739060450114010000	B-005/23	CALVARY BAPTIST CHURCH	525 ELINOR ST	CONSENT: Create a new Lot	
11	3:30 PM	3739060450114010000	B-006/23	CALVARY BAPTIST CHURCH	525 ELINOR ST	CONSENT: Create a new Lot	

12	3:30 PM	3739040510052000000	A-006/23	CHRISTOS KOURTSIDIS, DESPINA KOURTSIDIS	1314 DUFFERIN PL	RELIEF: The creation of an addition with exceeding maximum lot coverage.	
13	3:30 PM	3739080830304000000	A-007/23	DARRELL ALAN CROW - TRUSTEE, KEVIN ROBERT CROW - TRUSTEE, ESTATE OF KATHLEEN MAY	1535 WENTWORTH ST	RELIEF: Construct detached garage exceeding maximum height.	
14	3:30 PM	3739010120015000000	A-008/23	DEAN THOMAS WATSON, SONYA FISTROVIC	1182 HENRY FORD CENTRE DR	RELIEF: Change of use legal-non conforming single dwelling to duplex.	
15	3:30 PM	3739070020057000000	A-009/23	HAIYAN JIN	778 HILDEGARDE ST	RELIEF: Creation of a new lot with a reduced side-yard depth	
16	3:30 PM	3739070020057000000	B-007/23	HAIYAN JIN	778 HILDEGARDE ST	CONSENT: Create a new Lot.	
17	3:30 PM	3739050320095000000	B-008/23	RONALD JAMES BEAUDOIN	1556, 1580, 1588 TECUMSEH RD W and 0 LEDUC ST	CONSENT: Create a new Lot.	
18	3:30 PM	3739010310003000000	A-010/23	1000282702 ONTARIO LTD.	2605 SEMINOLE ST	RELIEF: Change of use Legal Non-Conforming combined use to a multiple dwelling (3 units) with reduced minimum, lot coverage, front, rear and side-yard depth, and parking quantity	

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal. In addition, if you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed applications, you must make a written request to the Committee of Adjustment at the address shown below.

To access the Agenda Record and Comments for the upcoming meeting, as well as the Minutes from the previous meeting, please visit our website at: www.citywindsor.ca . Choose the Residents tab, then select Planning and click on Committee of Adjustment.



February 3, 2023

Lassaline Planning Consultants
ATTN: Jackie Lassaline
1632 County Rd. 31
St. Joachim, ON N0R 1S0

Dear Ms. Lassaline,

Re: REZONING APPLICATION
APPLICANT: 2836329 ONTARIO LIMITED
LOCATION: 691 OUELLETTE AVENUE & 0 PELISSIER STREET
FILE NO.: Z-044/22 [ZNG/6941] & OPA 165 [OPA/6942]

This is to acknowledge receipt of the applications for an official plan amendment and rezoning, which have been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on February 2, 2023 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at lstrahl@citywindsor.ca, if you have any questions.

Yours truly,

A handwritten signature in cursive script that reads 'Laura Strahl'.

Laura Strahl, MCIP, RPP
Planner III – Special Projects

LS/ap

PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk

From: City Planner/Executive Director

Date: February 6, 2023

Subject: TRANSMITTAL OF NEW FILE

**Our File Number: Z-044/22 [ZNG/6941]
& OPA 165 [OPA/6942]**

RE: Application For: (X) Zoning Amendment (X) Official Plan Amendment
() Part Lot Control () Draft Plan of Subdivision/Condominium

Applicant: 2836329 ONTARIO LIMITED

Location: 691 OUELLETTE AVENUE & 0 PELISSIER STREET

Description: Application to amend Zoning By-law 8600 to allow for a mixed use building.

The OFFICIAL PLAN AMENDMENT AND ZONING AMENDMENT applications submitted by 2836329 ONTARIO LIMITED for 691 OUELLETTE AVENUE & 0 PELISSIER STREET have been deemed as complete on FEBRUARY 2, 2023.

Enclosures:

- (X) 1 copy of Application Form
- () 1 copy of Drawings
- () 1 copy of Site Plan



Thom Hunt, MCIP, RPP

City Planner, Executive Director

/ap

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS-125-21 _____

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander
<input type="checkbox"/> Melissa Gasic	<input type="checkbox"/> Justina Nwaesei
<input type="checkbox"/> _____	<input type="checkbox"/> Greg Atkinson
	<input type="checkbox"/> Laura Diotte
	<input type="checkbox"/> Simona Simion
	<input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: 2836329 Ontario Limited Contact: Rhys Trenhaile
Name of Contact Person

Address: The VanGuard Team at Manor Realty

Address: 3276 Walker Rd., Windsor ON Postal Code: _____

Phone: cell: 519-991-6600 Fax: _____

Email: rhys@thevanguardteam.com

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Lassaline Planning Consultants Contact: Jackie Lassaline
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON N0R 1S0

Address: _____ Postal Code: _____

Phone: cell: 519-563-8814 Fax: _____

Email: jackie@lassalineplan.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 691 Ouellette Avenue

Legal Description 691 Oullette Ave (building): Part Lot 9, Block 2, Plan 256 as in R961847 T/W R409655; Windsor
691 Ouellette Ave (parking Lot): Part Lot 8, Block 2, Plan 256 as in R961848 S/T and T/W R961848; Windsor

Assessment Roll Number 691 Ouellette Ave Parking Lot - PIN: 011910266
691 Ouellette Ave Building Lot - PIN: 011910267

If known, the date the subject land was acquired by the current owner: _____
BLDG - 15.3 m BLDG - 520 m2
Frontage (m) PARKING - 21.1 m Depth (m) _____ Area (sq m) PARKING - 454 m2

Official Plan Designation 'Mixed-Use'

Current Zoning 'Commercial District 3.1 (CD3.1)'

Existing Uses Commercial units and Residential units

If known, the lengths of time that the existing uses have continued: 100 years

Previous Uses previous uses: commercial and residential

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: 'Commercial District 3.1 (CD3.1)'

to: 'Commercial District 3.1 Exception # (CD3.1-#)'

Proposed uses of subject land: live-work units (commercial and residential) and residential units

Describe the nature and extent of the amendment(s) being requested:

1) addition of definition for live-work unit;

2) inclusion of residential units on ground floor;

3) allowance for residential units in the basement;

4) no interior amenity space for residential units.

Why is this amendment or these amendments being requested?

To convert the existing vacant commercial building to a mixed use building with 2 Residential units in the basement; 2 live work units on the ground floor; 2 residential units in the second floor; and 2 residential apartment units in the attic/loft. In addition, there will be a glass enclosed cafe and seting area in the front of the building between the building and the city property line.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report _____

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report _____

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report See Official Plan Amendment

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

There will be interior changes for the residential use.

There will be the addition of a glass enclosed cafe as shown in attached pictures and as shown on attached site plan.

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other _____

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input checked="" type="checkbox"/> Minor Rezoning	<input type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$4,597.00	= \$6,187.40

OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40
Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block
Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00
An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House

Website

Other _____

14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Jackie Lassaline, Lassaline Planning Consultants, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Jackie Lassaline

Signature of Applicant

Sign in the presence of a Commissioner
For Taking Affidavits

December 9, 2022

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me

William Anthony Good
Signature of Commissioner

at the

Town of Lakeshore

Location of Commissioner

this

9th

day of

December, 20

day

month

year

PLACE AN IMPRINT OF YOUR STAMP BELOW

WILLIAM ANTHONY GOOD,
a Commissioner, etc.,
Province of Ontario,
while a Barrister and Solicitor.
LSO #698230

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, 28363629 Ontario Limited (c/o Rhys Trenhaile), am the registered owner of the land that is

Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Jackie Lassaline, Lassaline Planning Consultants to make this application on my behalf.

Name of Agent



Signature of Registered Owner

December 9, 2022

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, 28363629 Ontario Limited (c/o Rhys Trenhaile),

Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.



Signature of Registered Owner

December 9, 2022

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

December 9, 2022

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- Residential Industrial Commercial Institutional
 Agricultural Parkland Vacant Other _____

- a) If previous use of the property is Industrial or Commercial, specify use:

- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
 Yes No Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?
 Yes No Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?
 Yes No Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*
- Yes No Unknown
- * Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*
- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Rhys Wyn Trenhaile

Name of Applicant (print)



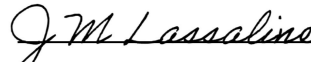
Signature of Applicant

December 9, 2022

Date

Jackie Lassaline, Lassaline Planning Consultants

Name of Agent (print)



Signature of Agent

December 9, 2022

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> Pablo Golob (GL) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW Zoning File No. ZNG/ _____ Z- _____

Previous Zoning File No. ZNG/ _____ Z- _____

Related OPA File No. OPA/ _____ OPA _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM

February 3, 2023

Lassaline Planning Consultants
ATTN: Jackie Lassaline
1632 County Rd. 31
St. Joachim, ON N0R 1S0

Dear Ms. Lassaline,

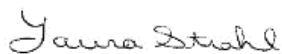
Re: REZONING APPLICATION
APPLICANT: 2836329 ONTARIO LIMITED
LOCATION: 691 OUELLETTE AVENUE & 0 PELISSIER STREET
FILE NO.: Z-044/22 [ZNG/6941] & OPA 165 [OPA/6942]

This is to acknowledge receipt of the applications for an official plan amendment and rezoning, which have been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on February 2, 2023 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at lstrahl@citywindsor.ca, if you have any questions.

Yours truly,



Laura Strahl, MCIP, RPP
Planner III – Special Projects

LS/ap

PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk

From: City Planner/Executive Director

Date: February 6, 2023

Subject: TRANSMITTAL OF NEW FILE

**Our File Number: Z-044/22 [ZNG/6941]
& OPA 165 [OPA/6942]**

RE: Application For: (X) Zoning Amendment (X) Official Plan Amendment
() Part Lot Control () Draft Plan of Subdivision/Condominium

Applicant: 2836329 ONTARIO LIMITED

Location: 691 OUELLETTE AVENUE & 0 PELISSIER STREET

Description: Application to amend Zoning By-law 8600 to allow for a mixed use building.

The OFFICIAL PLAN AMENDMENT AND ZONING AMENDMENT applications submitted by 2836329 ONTARIO LIMITED for 691 OUELLETTE AVENUE & 0 PELISSIER STREET have been deemed as complete on FEBRUARY 2, 2023.

Enclosures:

- (X) 1 copy of Application Form
- () 1 copy of Drawings
- () 1 copy of Site Plan



Thom Hunt, MCIP, RPP

City Planner, Executive Director

/ap

OFFICIAL PLAN AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS-125-21 _____

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Greg Atkinson
<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> Simona Simion
<input type="checkbox"/> _____	<input type="checkbox"/> Laura Diotte
	<input type="checkbox"/> Laura Strahl
	<input type="checkbox"/> Melissa Gasic
	<input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other documents shall be provided in Word and PDF format. All PDF documents shall be flattened with no layers.

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual	<input checked="" type="checkbox"/> Sketch of Subject Land
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

OFFICIAL PLAN AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: 28363629 Ontario Limited Contact: Rhys Trenhaile
Name of Contact Person

Address: The VanGuard Team at Manor Realty

Address: 3276 Walker Rd., Windsor ON Postal Code: _____

Phone: cell: 519-991-6600 Fax: _____

Email: rhys@thevanguardteam.com

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 of Schedule A)

Name: Lassaline Planning Consultants Contact: Jackie Lassaline
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON N0R 1S0

Address: _____ Postal Code: _____

Phone: cell: 519-563-8814 Fax: _____

Email: jackie@lassalineplan.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Rezoning application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control Application? NO YES

OFFICIAL PLAN AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 691 Ouellette Avenue

Legal Description 691 Ouellette Ave (building): Part Lot 9, Block 2, Plan 256 as in R961847 T/W R409655; Windsor
691 Ouellette Ave (parking lot): Part Lot 8, Block 2, Plan 256 as in R961848 S/T and T/W R961848; Windsor

Assessment Roll Number 691 Ouellette Parking Lot - PIN: 011910266
691 Ouellette Building Lot - PIN: 011910267

Frontage (m) BLDG - 15.3 m Depth (m) _____ Area (sq m) BLDG - 520 m2
PARKING - 21.1 M PARKING - 454 m2

Current Official Plan Designation 'Mixed-Use'

What land uses are permitted by the Official Plan Designation? Diverse mixture of businesses, cultural venues, major gov't offices, entertainment destinations, retail commercial, offices, institutional, and residential units.

6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA)

Name of Official Plan proposed to be amended: *The City of Windsor Official Plan*

Amendment to Official Plan from 'Mixed-Use' to 'Mixed-Use Special Policy'

Purpose of the proposed OPA: The OPA will add a site specific special policy that will allow for residential use within the entire building, including units below grade as an adaptive re-use of an existing mixed use building.

What land uses will the proposed official plan amendment (OPA) authorize? an adaptive re-use of an existing commercial building to allow for residential units above and below main floor and for a live work use of combined commercial use on the main floor.

Does the proposed OPA change, replace or delete a policy in the Official Plan? No Yes

If yes, the policy to be changed, replaced or deleted: _____

Does the proposed OPA add a policy to the Official Plan? No Yes

OFFICIAL PLAN AMENDMENT APPLICATION

6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA) - Continued

Does the proposed OPA change or replace a designation in the Official Plan? No Yes

If yes, the designation to be changed or replaced: _____

If a policy is being changed, replaced or deleted or if a policy is being added, the text of the proposed OPA:

Not Applicable See Planning Rationale Report See Attached

If the proposed OPA changes or replaces a schedule in the Official Plan, the requested schedule and the text that accompanies it:

Not Applicable See Planning Rationale Report See Attached

If the proposed OPA alters all or any part of the boundary of an area of a settlement or establishes a new area of settlement, the current official policies, if any, dealing with the alteration or establishment of an area of settlement:

Not Applicable See Planning Rationale Report See Attached

If the proposed OPA removes the subject land from an area of employment, the current Official Plan policies, if any, dealing with the removal of land from an area of employment:

Not Applicable See Planning Rationale Report See Attached

Explain how the proposed OPA is consistent with the Provincial Policy Statement:

See Planning Rationale Report See Attached

OFFICIAL PLAN AMENDMENT APPLICATION

7. OTHER APPLICATION INFORMATION

Is the subject land or land within 120 metres the subject of an application by the applicant under the Planning Act for:

A Minor Variance or Consent? No Yes

File number: _____ Status: _____

Approval authority: _____

Affected lands: _____

Purpose of Minor Variance or Consent: _____

Effect on the proposed OPA: _____

An amendment to an Official Plan, a Zoning By-law or a Minister's Zoning Order? No Yes ZBA

File number: _____ Status: concurrent

Approval authority: Council - City of Windsor

Affected lands: subject lands

Purpose of OP or ZBL amendment or Zoning Order: A minor ZBA to establish a definition of live-work also to allow for live-work apartments as an additional use in the building

Effect on the proposed OPA: authorizes the OPA and allows for full utilization of the building

Approval of a plan of subdivision or a site plan? No Yes

File number: _____ Status: _____

Approval authority: _____

Affected lands: _____

Purpose of plan of subdivision or site plan: _____

Effect on the proposed OPA: _____

OFFICIAL PLAN AMENDMENT APPLICATION

8. WATER & SANITARY SEWAGE DISPOSAL

WATER – Indicate whether water will be provided to the subject land by:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Publicly owned & operated piped water system | <input type="checkbox"/> A lake or other water body |
| <input type="checkbox"/> Privately owned & operated individual well | <input type="checkbox"/> Other means: _____ |
| <input type="checkbox"/> Privately owned & operated communal well | |

SANITARY - Indicate whether sanitary sewage disposal will be provided to the subject land by:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Publicly owned & operated sanitary sewage system | <input type="checkbox"/> A privy |
| <input type="checkbox"/> Privately owned & operated individual septic system | <input type="checkbox"/> Other means: _____ |
| <input type="checkbox"/> Privately owned & operated communal septic system | |

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed submit a Servicing Options Report and a Hydrogeological Report.

9. TYPE OF AMENDMENT, APPLICATION FEE & OTHER FEES

TYPE OF OFFICIAL PLAN AMENDMENT (OPA)

The type of amendment is determined by the City Planner or their designate.

Minor OPA: A minor revision to the text of the Official Plan or a Site Specific Policy direction.

Major OPA: A change from one land use designation to another land use designation, a change to any Schedule in the City of Windsor Official Plan, or any other amendment not described above.

APPLICATION FEE

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

	<i>Code</i>	<input checked="" type="checkbox"/> Minor OPA	<input type="checkbox"/> Major OPA
Base Fee	63003	\$2,258.40	\$8,112.35
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$2,508.40	= \$8,462.35

OTHER FEES

Re-Notification/Deferral Fee 53016 \$2,258.40

Required when an applicant requests a deferral after notice of a public meeting has been given.

Ontario Land Tribunal (OLT) Appeal Fee \$1,100.00

An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information.

OFFICIAL PLAN AMENDMENT APPLICATION

10. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House

Website

Other _____

Minor OPA and Minor ZBA

11. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Jackie Lassaline, Lassaline Planning Consultants, solemnly declare that the information required under Schedule 1 to Ontario Regulation 543/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

J M Lassaline

Signature of Applicant

*Sign in the presence of a Commissioner
For Taking Affidavits*

Municipality of Lakeshore

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me

[Signature]

Signature of Commissioner

at the

Town of Lakeshore

Location of Commissioner

this 9th day of December, 2022

day

month

year

PLACE AN IMPRINT OF YOUR STAMP BELOW

WILLIAM ANTHONY GOOD,
a Commissioner, etc.,
Province of Ontario,
while a Barrister and Solicitor.
LSO #698230

READ & COMPLETE SCHEDULE A IN FULL & SIGN

OFFICIAL PLAN AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgement

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, 28363629 Ontario Limited c/o Rhys Trenhaile, am the registered owner of the land that is
name of registered owner

subject of this application for an amendment to the City of Windsor Official Plan and I authorize

Jackie Lassaline, Lassaline Planning Consultants to make this application on my behalf.
name of agent



Signature of Registered Owner

December 9, 2022

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, Rhys Wyn Trenhaile, hereby authorize the Development and Heritage Standing Committee, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.



Signature of Registered Owner

December 9, 2022

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

OFFICIAL PLAN AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - Continued

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that once the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

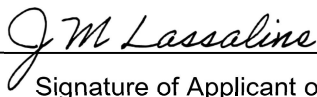
Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:


Signature of Applicant or Agent

December 9, 2022

Date

END OF SCHEDULE A

OFFICIAL PLAN AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> George Robinson (GR) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW File No. OPA/ _____

Previous OPA File No. OPA/ _____

Related Zoning File No. ZNG/ _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM



January 27, 2023

Dillon Consulting Limited
ATTN: Sydney Bailey
3200 Deziel Drive
Windsor ON N8W 5K8

Dear Ms. Bailey:

Re: REZONING APPLICATION
APPLICANT: FG RESIDENCES LTD.
LOCATION: 3565 FOREST GLADE DRIVE
FILE NO.: Z-045/22 [ZNG/6943]

This is to acknowledge receipt of the application for rezoning, which has been assigned the above-referenced file number. In accordance with the delegation authority as prescribed by By-Law 139-2013, the information and material required has been provided; therefore, the application was deemed COMPLETE on January 9, 2023 and processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of the Planning Department on the application and the dates of the public meetings.

Please email me at bnagata@citywindsor.ca, if you have any questions.

Yours truly,

A handwritten signature in black ink that reads 'Brian Nagata'.

Brian Nagata, MCIP RPP
Planner II, Development Review

BN/ap

PLANNING DEPARTMENT – DEVELOPMENT DIVISION

Memo

To: City Clerk
From: City Planner/Executive Director
Date: February 6, 2023
Subject: TRANSMITTAL OF NEW FILE **Our File Number: Z-045/22 [ZNG/6943]**
RE: Application For: Zoning Amendment Official Plan Amendment
 Part Lot Control Draft Plan of Subdivision/Condominium

Applicant: FG RESIDENCES INC.
Location: 3565 FOREST GLADE DRIVE
Description: Application to amend Zoning By-law 8600 to allow for a multi-unit residential development with 9 stories and 172 units.

The ZONING AMENDMENT application submitted by FG RESIDENCES INC. for 3565 FOREST GLADE DRIVE has been deemed as complete on January 9, 2023.

Enclosures:

- 1 copy of Application Form
- 1 copy of Drawings
- 1 copy of Site Plan



Thom Hunt, MCIP, RPP
City Planner, Executive Director

/ap

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Verify that you are using the current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E. Complete Credit Card Authorization if paying by credit card
- Submit application form, supporting information, and application fee / credit card authorization to Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or planningdept@citywindsor.ca

TYPE OF REZONING AMENDMENT

DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
 - Addition to the list of permitted uses
- Site already zoned
 - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
 - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
 - Site-specific zoning for a site with a lot area of less than 1,000.0 m²

Major Zoning Amendment

- Any other amendment not listed as minor.

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner makes a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by the City Clerk of the date, time, and location of the Council meeting. Call 311 or contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, the City Clerk will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through the City Clerk. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact the City Clerk at 519-255-6211 or clerks@citywindsor.ca.
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

CONTACT INFORMATION

Planning & Building Department – Planning Division
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Telephone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO YES File Number: PS-_____

Staff Use Only

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs <input type="checkbox"/> Melissa Gasic <input type="checkbox"/> _____	<input type="checkbox"/> Kevin Alexander <input type="checkbox"/> Justina Nwaesei <input type="checkbox"/> Greg Atkinson <input type="checkbox"/> Simona Simion <input type="checkbox"/> Laura Diotte <input type="checkbox"/> Adam Szymczak

2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

ZONING BY-LAW AMENDMENT APPLICATION

3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: FG Residences Inc. Contact: Mike Sassine
Name of Contact Person

Address: 3356 Gundy Park Crescent

Address: Windsor Ontario Postal Code: N9E 4R6

Phone: 519-791-1055 Fax: _____

Email: msass@sympatico.ca

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Dillon Consulting Limited Contact: Sydney Bailey
Name of Contact Person

Address: 3200 Deziel Drive, Suite 608

Address: Windsor, Ontario Postal Code: N8W 5K8

Phone: 515-571-9833 Fax: _____

Email: sbailey@dillon.ca

4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO YES

Are you submitting a companion Site Plan Control application? NO YES

ZONING BY-LAW AMENDMENT APPLICATION

5. SUBJECT LAND INFORMATION

Municipal Address 3565 Forest Glade Drive

Legal Description PART LOTS 125 & 126 CON 2; PARTS 15-28 12R-22621;

Assessment Roll Number 373907074000100

If known, the date the subject land was acquired by the current owner: _____

Frontage (m) 79.6m Depth (m) Irregular Area (sq m) 12,242 sq.m
(Meadowbrook Lane)

Official Plan Designation Commercial Corridor

Current Zoning Commercial District 2.1 (CD2.1) zone with Site Specific provision S.20(1) 67

Existing Uses Vacant

If known, the lengths of time that the existing uses have continued: _____

Previous Uses N/A

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

Are there any easements or restrictive covenants affecting the subject lands? NO YES

If yes, describe the easement or restrictive covenant and its effect:

Reciprocal access easement to enter the property from a shared driveway via Forest Glade Drive

If known, has the subject land ever been subject of: (leave blank if unknown)

An application for a Plan of Subdivision or Consent: NO YES File: _____

An application for an amendment to a Zoning By-law: NO YES File: _____

An application for approval of a Site Plan: NO YES SPC- _____

A Minister's Zoning Order (Ontario Regulation): NO YES OR#: _____

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: Commercial District 2.1 (CD2.1), S.20(1) 67

to: special provision to add use of multiple dwellings in existing CD2.1 zone

Proposed uses of subject land: Multi-unit Residential development with 9 stories of 29.7 metres in height with 172 units

Describe the nature and extent of the amendment(s) being requested:

A site-specific CD2.1 zone is requested to add "multiple dwelling" as a permitted use.

See attached Planning Justification Report

Why is this amendment or these amendments being requested?

The amendment is requested to allow for the construction of a 9-storey (29.7m) residential building.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report _____

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report _____

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report See Official Plan Amendment

N/A

ZONING BY-LAW AMENDMENT APPLICATION

7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
 - See attached Existing Plan or Sketch of Subject Land

8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
 - See attached Site Plan Conceptual

ZONING BY-LAW AMENDMENT APPLICATION

9. ACCESS TO SUBJECT LAND

Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road Provincial Highway Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

WATER – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other _____

SANITARY - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other _____

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

STORM DRAINAGE - Indicate whether storm drainage will be provided by:

- Sewers Ditches Swales Other _____

ZONING BY-LAW AMENDMENT APPLICATION

11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

12. APPLICATION FEE & OTHER FEES

The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

APPLICATION FEE

Amendment Type	Code	<input checked="" type="checkbox"/> Minor Rezoning	<input type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
Total Application Fee		= \$4,597.00	= \$6,187.40

OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40
Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block
Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00
An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

ZONING BY-LAW AMENDMENT APPLICATION

13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House

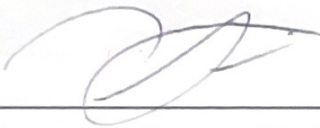
Website

Other _____

14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, MICHAEL SASSINE, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.



Signature of Applicant

*Sign in the presence of a Commissioner
For Taking Affidavits*

WINDSOR, ON. CANADA

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me  at the Dillon Consulting Limited in Windsor Ontario

Signature of Commissioner

Location of Commissioner

this 14 day of December, 20 22

day

month

year

PLACE AN IMPRINT OF YOUR STAMP BELOW

MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, MICHAEL SASSINE, am the registered owner of the land that is
Name of Registered Owner

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Dillon Consulting Limited to make this application on my behalf.
Name of Agent



Signature of Registered Owner

DEC 14/22

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, MICHAEL SASSINE
Name of Registered Owner

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.



Signature of Registered Owner

DEC 14/22

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE A – Authorizations & Acknowledgements - *Continued*

A3. Acknowledgements

Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

December 14, 2022

Date

**END OF SCHEDULE A
COMPLETE SCHEDULE E ON NEXT PAGE**

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E – Environmental Site Screening Questionnaire

Previous Use of Property

- Residential Industrial Commercial Institutional
 Agricultural Parkland Vacant Other _____

- a) If previous use of the property is Industrial or Commercial, specify use:

- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
 Yes No Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?
 Yes No Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?
 Yes No Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

** Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

SCHEDULE E CONTINUES ON NEXT PAGE

ZONING BY-LAW AMENDMENT APPLICATION

SCHEDULE E - CONTINUED

Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

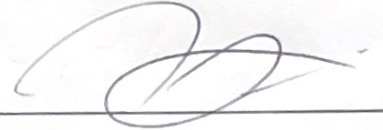
I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

FG RESIDENCE INC. c/o MICHAEL JASSME

Name of Applicant (print)



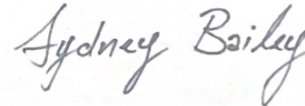
Signature of Applicant

DEC 14/22

Date

Dillon Consulting Limited c/o Sydney Bailey

Name of Agent (print)



Signature of Agent

December 14, 2022

Date

END OF SCHEDULE E

ZONING BY-LAW AMENDMENT APPLICATION

DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- | | |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS) | <input type="checkbox"/> Greg Atkinson (GA) |
| <input type="checkbox"/> Pablo Golob (GL) | <input type="checkbox"/> Jim Abbs (JA) |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD) | <input type="checkbox"/> Melissa Gasic (MG) |
| <input type="checkbox"/> Simona Simion (SS) | <input type="checkbox"/> _____ |

Complete Application

This application is deemed complete on _____
Date

Signature of Delegated Authority

- | | | |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP
Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP
Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP
City Planner & Executive Director |
|---|---|--|

Internal Information

Fee Paid: \$ _____ Receipt No: _____ Date: _____

Payment Type: Cash Certified Cheque Credit Card Personal Cheque

NEW Zoning File No. ZNG/ _____ Z- _____

Previous Zoning File No. ZNG/ _____ Z- _____

Related OPA File No. OPA/ _____ OPA _____

Other File Numbers: _____

Notes: _____

THIS IS THE LAST PAGE OF THE APPLICATION FORM



Council Report: C 17/2023

Subject: Disaster Mitigation & Adaptation Fund (DMAF) 1 Program Update - City Wide

Reference:

Date to Council: February 13, 2023

Author: Janelle Coombs

Project Administrator

(519) 255-6100 ext. 6004

jcoombs@citywindsor.ca

Corporate Projects -

Engineering

Report Date: February 6, 2023

Clerk's File #: SW/13822

To: Mayor and Members of City Council

Recommendation:

- I. THAT City Council **RECEIVE** for information this report as an overall status update on the progress of the Disaster Mitigation & Adaptation Fund (DMAF) 1 Program, including an update on the challenges surrounding recent economic conditions and the resulting inflationary pressures; and,
- II. THAT Administration **BE DIRECTED** to hold DMAF 1 construction tenders as outlined in Appendix C, pending discussions with Infrastructure Canada (INFC) to further investigate and consider strategies to address the increasing impacts of inflationary pressures on the DMAF 1 Program; and,
- III. THAT Administration **BE DIRECTED** to request Infrastructure Canada (INFC) for an extension to the completion date for the DMAF 1 Program, from March 31, 2028 to March 31, 2032; and,
- IV. THAT Administration **BE DIRECTED** to advise Infrastructure Canada (INFC) that discussions with respect to the development of a Contribution Agreement for the award of funding under DMAF 4 will be placed on hold pending further review of the strategies developed to address DMAF 1 and our commitments under that Agreement; and,
- V. THAT Council **SEND** a letter to the Federal Government (Minister of Intergovernmental Affairs, Infrastructure and Communities) and to our local Federal Members of Parliament to request that the federal government provide additional funding to avoid the downloading of inflation-adjusted construction costs to municipal ratepayers.

Executive Summary: N/A

Background:

At its meeting of July 23, 2018, City Council approved application to the Disaster Mitigation & Adaptation Fund (DMAF) 1 Program by CR380/2018 (attached in Appendix A). Further, a Program update report (C 135/2020) was received by City Council on July 27, 2020 (CR377/2020, attached in Appendix B).

On March 22, 2019, the City of Windsor received a letter from the Minister of Infrastructure and Communities announcing that the application to the DMAF 1 was successful. Federal funding of the Program from the DMAF 1 will be 40 percent of the total eligible project costs, based on 2018 financial figures submitted, this resulted in an anticipated contribution amount of approximately \$32.1M. The City of Windsor's intended share would be \$55.3M, which represents the remaining 60%, along with ineligible expenses. The Transfer Payment Agreement with INFC for DMAF 1 was fully executed on February 28, 2020.

Per the current Agreement with INFC, the Program is to be completed by **March 31, 2028**.

The DMAF 1 Program involves a series of projects, including studies; environmental assessments; road works; sewer works; stormwater management works; and pumping station works to address areas in the City prone to flooding, drainage complications and overall storm sewer capacity issues.

A list of the individual projects that make up the DMAF 1 Program is below. Overall, based on the expenditures made to-date, the DMAF Program is approximately 20% complete.

The following projects have been **completed / on maintenance**:

- Greenhouse Gas Mitigation Assessment & Climate Change Study
- Matthew Brady Blvd, Phase 2
- Belle Isle View, Phases 1 & 2
- Tranby Park Stormwater Management
- Tranby Avenue Reconstruction
- Eastlawn Blvd

The following projects are **underway**:

- Flow Monitoring Program
- Matthew Brady Blvd, Phase 3
- Riverside/Vista Relief Storage, Phase 2A
- St Paul Pumping Station Expansion
- East Marsh Pumping Station Improvements
- Little River Overflow at Pontiac Pumping Station Improvements

- Belleperche Trunk Sewer (multi-phase)
- East Marsh Drainage Redirection (multi-phase)

The following projects were expected to **commence in 2024 or later**:

- Brumpton Park Storage
- Cedarview Relief Sewer

Additional details on the status of each of the individual projects and the original anticipated timelines are included in Appendix C.

Discussion:

When the Federal government first launched the DMAF Program in 2018, the City submitted their application for the above list of projects with cost estimates accounting for the length of the Program, standard inflation, standard financing rates, and appropriate contingencies.

The City has begun to see the long-term impacts of COVID-19 and how severely it has affected the global economy. From disruptions to supply chains in the manufacturing sector and the labour market tightening to the rise in inflation, the impacts are being felt across the country in all sectors, particularly the construction industry. These changes are directly affecting the timing and cost of doing construction.

While Administration considers inflation in all capital project estimates, current economic conditions have caused an extraordinary bump up in inflation that has resulted in several tenders exceeding project budgets. Canada's 2022 Average Annual Consumer Price Index figure was 6.8%, as reported by Statistics Canada, far exceeding the Bank of Canada's target inflation rate of 1.0% to 3.0%. Additionally, the Q1 2022 Non-Residential Building Construction Price Index, also reported by Statistics Canada, was 17.3%, with the latest figures released for Q3 still above 15%. Inflation on this scale is an issue that most, if not all, municipalities are challenged with for the foreseeable future.

At the time of application in 2018, the DMAF 1 projects could not have contemplated a rate of inflation or a rise in construction costs that we are currently experiencing (i.e. significant price increase of materials such as concrete, pumps, steel, etc.). While contingencies have been helpful in the past where minor to modest price fluctuations have been encountered, this is no longer the case with some recent tendered results ranging 20-40% higher.

Further, impacts to costs relate to recent increases in materials/equipment costs associated with pumping stations. The DMAF 1 Program has 3 pumping station improvements/expansion projects. One project in particular worth noting is the St Paul Pumping Station project. This project is one of the Sewer Master Plan high priority improvements that was tendered late 2022. At time of tender, it was expected to be higher than the original estimate as a result of unanticipated work related to code compliance, soil conditions, new regulations and tight timelines. However, with the addition of economic factors noted above, the results were in excess of 100% of the

anticipated costs. This tender was recently cancelled to further explore alternative value engineering approaches and to address funding gap.

Additional impacts to the overall program costs are related to land values. As the current economy has seen higher than normal land value, this has systematically increased overall project costs. These are not eligible costs under that program and as such the City incurs the full impact of these increases.

In 2018, a budget of \$89,784,560 was approved for the DMAF 1 Program, which includes a contribution of \$32,090,691 (represents 40% of the anticipated eligible expenditures) from INFC. Administration has recently updated the construction cost estimates for the remaining projects under the Program to better reflect the current economic situation.

Based on 2023 estimates, the overall Program cost is expected to increase substantially. This increase is based on current pricing and estimated inflationary increases for the future years of the Program. There is the potential that these amounts could materially change (up or down) should other unforeseen circumstances occur.

Administration is recommending to continue with the design of projects that are already underway, and put a hold on select construction tenders according to Appendix C, until a resolution to the current financial pressures is reached.

Administration continues to meet regularly with INFC to discuss milestones, progress, cashflow projections, and to review any obstacles, risks and potential mitigation strategies related to the overall Program schedule and budget. While details on the total estimated budget shortfall have not been provided to INFC, as part of these discussions and through formal progress reporting, INFC has been made aware of the significant challenges being faced with labour/material shortages and inflationary pressures. INFC shared that other DMAF recipients have expressed similar concerns and are experiencing these increased costs as well. They also shared that there is no additional DMAF funding assistance available at this time, however they have granted completion date extensions for other DMAF recipients (from 2028 to 2032). They also offered potential costs saving strategies (i.e. changing timing of construction, bundling contracts, etc.), which the City had already been exploring and will implement where practical do to so. While the completion date extension would be welcomed, unless INFC increases the funding amount, it will in practice result in the downloading of costs to the City of Windsor and its property taxpayers, based on the series of projects contemplated in the 2018 DMAF application.

Further, Administration has been in communication with other municipalities within Ontario that have been experiencing similar impacts. These discussions have been very preliminary and are expected to continue in the coming weeks, however at this time, it is evident that there are a number of recipients experiencing similar concerns and financial pressures.

Administration is continuing to seek solutions to reduce costs while still complying with the intent of the overall Program and the City's Agreement with INFC. The need for additional funding is evident and Administration is looking for assistance in pursuing

opportunities to lobby the Government for additional funding to assist with the significant economic challenges and financial impacts being experienced.

Whether additional funding is ultimately made available or not, Administration recommends submitting an amendment request to Infrastructure Canada (INFC) for an extension to the completion date for the DMAF 1 Program, from March 31, 2028 to March 31, 2032. The extension will allow time for Administration to engage INFC in further discussion and develop a plan to move forward with the remaining work. As noted in Appendix C, tenders are recommended to be put on hold until a solution can be developed to address the significant funding gap.

DMAF 4 – Lou Romano Water Reclamation Plant Retention Treatment Basin (RTB)

On July 20, 2021, Infrastructure Canada announced that the 2021 Federal Budget included additional funding to renew the Disaster Mitigation Adaptation Fund (DMAF) Program. The renewed DMAF intake (DMAF 4) introduced two streams for submitting potential projects; small-scale projects of under \$20 million with a minimum of \$1 million in total eligible costs and large-scale projects of \$20 million and above in total eligible costs. The maximum federal contribution of total eligible expenditures under both streams is up to 40%. The City was successful in receiving funding for the DMAF 4 Program for the large-scale stream project – the Retention Treatment Basin (RTB) across from Lou Romano Water Reclamation Plant.

The DMAF 4 Program requires that awarded projects must demonstrate they will be substantially completed by December 31, 2032. The City is currently in the process of working with INFC on completing the DMAF 4 Contribution Agreement, however similar inflationary pressure concerns apply to this Program and updated projected cost estimates have exceeded the value of the overall Program budget.

Given that the same financial pressures apply under both Programs, Administration recommends that the signing of the DMAF 4 Agreement be delayed until a resolution for both the DMAF 1 & DMAF 4 Programs is reached.

DMAF 5 – New Intake

On January 16, 2023, a new intake of the DMAF program was opened (DMAF 5). Under DMAF 5, more than \$1 billion in funding is being made available to help municipalities further improve the resiliency of their community against natural disasters triggered by climate change. At this stage, Administration is not recommending to proceed with submitting an application for the fifth intake of the DMAF Program, as it would not be prudent to do so until we have resolved the financial concerns with DMAF 1 and DMAF 4.

Risk Analysis:

The anticipated increases identified in this report are based on current pricing and anticipated inflationary increases for the future years of the Program and there is the potential that these increases could materially change should other unforeseen circumstances occur which result in additional cost or savings. Project estimates will

likely need to be adjusted as the Program progresses, particularly if the Program is extended to 2032. There is always a risk with projecting future project budgets, however, Administration has accounted for the current levels of inflation in the increases noted in this report, therefore identifying the need for additional funds.

Based on the original DMAF 1 Agreement, the City would need to fund the additional project costs over and above the INFC contribution. This would require seeking alternative sources of funding, including the possibility of the issuance of debt. The amendment request for a time extension to 2032 will assist with this undertaking by allowing extra time for the development of alternative financing strategies for Council's consideration.

Administration continues to communicate with the INFC team on the financial challenges we are faced with. However, they have communicated that no additional funding will be provided at this time. As such, the City risks taking on the additional funding required to complete the Program.

There is also a risk with not completing the full Program, as set out in the Agreement with INFC, should an appropriate funding strategy not be developed and approved. INFC has communicated that if the intent of the Program is not met as originally agreed upon, then any changes are subject to review and funding may be clawed back.

There is a risk that placing a hold on the finalization of the Contribution Agreement with INFC for the DMAF 4 - Lou Romano Water Reclamation Plant Retention Treatment Basin (RTB) could result in the award of the funding for that work being rescinded. This will need to be further discussed with INFC as talks progress towards a solution to address the projected funding gaps under both Program funding envelopes.

Climate Change Risks

Climate Change Mitigation

There is no significant climate change mitigation risk noted at this time.

Climate Change Adaptation

The Disaster Mitigation and Adaptation Fund Program is designed to assist municipalities accelerate actions to adapt to climate change. The projects outlined in the DMAF applications were put forward some priorities to address flood risk under current and future rainfall intensities.

There is a risk that the work contemplated under DMAF 1 may not be able to proceed in an accelerated manner as contemplated with the grant. Projects will be implemented at a slower rate, as funding permits and therefore the climate change impacts will be addressed at a slower pace. There are significant risks associated without a strategy to successfully address the funding gap noted within this report.

Financial Matters:

As previously noted, an overall budget of \$89,784,560 has been approved for the DMAF 1 Program. Of this total, a maximum of \$32,090,691 in DMAF grant funding is anticipated, which represents 40% of eligible original Program costs.

The table below summarizes the original Program costs against the 2023 estimated costs.

	2018 estimates (in Millions)	2023 estimates (in Millions)
DMAF 1 Program Costs	\$89.8	\$160.0
Additional Financing Requirements	-	\$16.3
Total DMAF 1 Program Costs	\$89.8	\$176.3
Less: Grant Funding	(\$32.1)	(\$32.1)
Net DMAF 1 Program Costs	\$57.7	\$144.2
Less:		
City Funding approved through DMAF 1 Report	(\$55.3)	(\$55.3)
WUC Recoveries	(\$2.4)	(\$2.6)
Estimated Additional Funding Required	\$0.0	\$86.3

Financial impacts are expected, as outlined above, based on the current updated cost estimates for the remaining projects. Administration has been informed that INFC continues to monitor the situation as other recipients of the DMAF Program are experiencing similar pressures; however, if the federal government does not increase the grant funding, it is in essence downloading these costs on municipalities, effectively subjecting municipalities to unforeseen and historic inflationary pressures.

With respect to the additional financing requirements noted in the table above, the City's policy is to charge interest on monthly project deficits until such time that the funding becomes available. DMAF financing rates were originally calculated at 1.25% which was an appropriate rate of inflation based on what was being experienced in 2018. Current financing rates are now in excess of 5%. With programs such as DMAF which contemplates a number of individual projects taking place over an extended period of time, it becomes even more difficult to determine the financing impacts with a great degree of certainty. The assumptions used to calculate the impacts noted above reflect best estimates based on current economic conditions and anticipated cash flows.

Without additional funding being provided, the contribution of INFC to the DMAF 1 Program drops from 40% of eligible costs to approximately 22% based on the revised estimates, leaving a funding shortfall of \$86.3M. Should lobbying efforts be successful for increased funding of 40% of eligible costs to meet the original program contribution levels, an additional contribution of \$25.6M from INFC would be required, with additional

City funds of approximately \$60.7M needed to carry out the full Program. Additional funding from INFC will also assist with reducing the impact of financing charges thereby further reducing the City's funding requirements.

As part of our discussions with INFC, Administration will look to identify options and opportunities to mitigate the incremental financial impact to the City while still meeting the intent of the overall DMAF 1 Program. This, along with the results of our communications with INFC, will be reported back to Council in a subsequent update report.

Further, as Administration continues discussions with INFC, a more comprehensive analysis that factors in the extended project timelines, incremental funding inflows, and updated financing rates will be required. As a result, the numbers noted above could, and likely will be subject to great degree of variability.

Consultations:

Natasha Gabbana – Asset Planning
Tony Ardovini – Financial Planning
Fahd Mikhael – Engineering
Jake Renaud – Pollution Control
Ed Valdez – Pollution Control
Luigi Congi – Asset Planning
Carrie McCrindle – Financial Planning
Linda Mancina – Financial Planning

Conclusion:

The series of projects that make up the DMAF 1 Program are aimed at reducing the likelihood of future flooding in the City of Windsor. The Program addresses geographical low-lying areas, areas with drainage complications, and areas with overall storm sewer capacity concerns.

This report outlines the anticipated funding gap as a result of long-term impacts of COVID-19 and its effect on the global economy. From disruptions to supply chains in the manufacturing sector and the labour market tightening to the rise in inflation, the impacts have directly impacted the construction industry. As part of ongoing discussions with INFC, Administration will look to identify options and opportunities to mitigate the incremental financial impact to the City while still meeting the intent of the overall DMAF 1 Program. This, along with the results of our communications with INFC, will be reported back to Council in a subsequent update report.

Approvals:

Name	Title
Colleen Middaugh	Manager of Corporate Projects
France Isabelle-Tunks	Executive Director of Engineering / Deputy City Engineer
Chris Nepszy	Commissioner, Infrastructure Services
Joe Mancina	Commissioner, Corporate Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - CR380/2018
- 2 Appendix B - CR377/2020
- 3 Appendix C - DMAF 1 Project List

City Council - July 23, 2018
Decision Number: CR380/2018

That in order to undertake a series of major projects aimed at reducing the likelihood of future flooding, City Council approve the following recommendations:

1. THAT City Council **APPROVE** the submission of an Expression of Interest, for the projects identified in this report, to Infrastructure Canada (INFC) for the Disaster Mitigation and Adaptation Fund (DMAF); and,
2. THAT City Council **SUPPORT** the matching funding for the City's portion of the project, as outlined in the Financial Matters section of the report; and,
3. THAT if the City is invited to complete a full DMAF application for the project the following recommendations are **APPROVED**:
 - a) That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit an application, or resulting from receiving grant funding approval, to the DMAF program; and,
 - b) That City Council **APPROVE** the use of up to \$15,000 in funding from the Sewer Surcharge Reserve Fund to obtain a third party to assist with writing the full application; and,
 - c) That City Council **APPROVE** the following funding sources for the City's matching portion of the project upon written confirmation of being awarded the DMAF grant:
 1. Funding from ECP-035-07 in the amount of \$9,131,000 previously approved and identified for Matthew Brady Phase 2 (\$70,000), Belle Isle View Phase 1 Wyandotte E. / St. Rose (\$50,000), Belle Isle View Phase 2 St. Rose / Edgar (\$190,000) and Riverside Vista (\$8,821,000); and,
 2. Funding approved in principle in the 2018 Capital Budget in the amount of \$13,400,000 from ECP-035-07 for Matthew Brady Phase 2 (\$2,460,000), Belle Isle View Phase 1 Wyandotte E. / St. Rose (\$1,500,000), Belle Isle View Phase 2 St. Rose / Edgar (\$2,800,000), East Lawn Wyandotte E. / Edgar (\$2,790,000), Matthew Brady Phase 3 Wyandotte / St. Rose (\$1,850,000) and City Wide Sewer Rehabilitation 2023 (\$2,000,000) be PRE-COMMITTED for immediate use starting in 2019; and,
 3. That a placeholder of \$6,550,000 each year from 2024 to 2028 from the City Wide Sewer Rehabilitation Program be ESTABLISHED and further that these placeholders be APPROVED as pre-committed and available for immediate use once the funding year falls within 5 years.
4. That in the event the City receives written confirmation of the Grant funding being awarded to the City, the Project's costs are within their respective budgets as outlined in the Financial Matters section herein, implementation of the Project does not result in a need for additional city funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council APPROVES the following recommendations:
 - a) The funding sources for the City's portion of the project as outlined in the above recommendation; and,

- b) The Chief Administrative Officer to DELEGATE signing of all claims and applicable schedules and other such documents required as part of the request for payment to the City Engineer or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
 - c) The Chief Administrative Officer and City Clerk BE AUTHORIZED to sign agreements or contracts with successful vendors/proponent/bidder satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
 - d) The Purchasing Manager BE AUTHORIZED to issue Purchase Orders as may be required to affect the recommendation noted above, subject to all specification being satisfactory in technical content to the City Solicitor for legal content and in financial content to the City Treasurer.
5. That should the City not be successful in the grant application, a future report BE BROUGHT BACK to Council outlining a funding strategy that would still allow the projects to proceed.

Carried.

Report Number: C 119/2018
Clerk's File: GF/12912



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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City Council Decision Monday, July 27, 2020

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR377/2020

That the report of the Project Administrator dated June 25, 2020 entitled "Disaster Mitigation & Adaptation Fund (DMAF) 1 Program Update - City Wide" **BE RECEIVED** for information.

Carried.

Report Number: C 135/2020
Clerk's File: SW/13822 7.3

Steve Vlachodimos

Deputy City Clerk/Senior Manager of Council Services
July 30, 2020

Department Distribution

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

External Distribution

	Project Name	Project Extents/ Address	Original Project Period (including 1yr maintenance)	February 2023 Status (Design & Construction)
1	Matthew Brady Blvd, Phase 2	Edgar To Tranby	2018 - 2020	Complete
2	Riverside/Vista Relief Storage, Phase 2A	Ford Blvd to St. Rose	2018 - 2025 (includes advance utility relocation)	Design/Expropriation phase
3	Greenhouse Gas Mitigation Assessment & Climate Change Study	N/A	2019	Complete
4	Belle Isle View, Phase 1	Wyandotte to St Rose	2019 - 2021	Complete
5	Tranby Park Stormwater Management	Tranby Park	2019 - 2021	Complete
6	Tranby Avenue Reconstruction	Parkview to Isabelle	2019 - 2021	Complete
7	East Marsh Road Drainage Re-direction, (Multi-phased)	Menard St, John M St, Florence Ave, Clover St, Elinor St & Clairview Ave	2019 - 2025 (multi-phased)	Design phase Construction on hold
8	St Paul Pump Station Environmental Assessment (EA)	7730 Riverside Dr.	2020	Complete
9	East Marsh Pump Station Environmental Assessment (EA)	10864 Riverside Dr.	2020	Complete
10	Belle Isle View, Phase 2	St Rose to Edgar	2020 - 2021	Complete
11	Eastlawn Blvd	Wyandotte to Edgar	2020 - 2022	Complete
12	St. Paul Pumping Station Expansion	7730 Riverside Dr.	2020 - 2023	Design phase
13	Flow Monitoring Program	Various Locations	2020 - 2027	Monitoring ongoing
14	Matthew Brady Blvd, Phase 3	Wyandotte to St Rose	2021 - 2024	Construction phase
15	LRPCP Overflow at Pontiac Pumping Station Improvements	9400-9578 Little River	2021 - 2025	EA stage
16	Belleperche Trunk Sewer (Multi-phased)	Ph 1: Clairview corridor through Kiwanis Park to Riverside Dr. Ph 2: St. Rose to Clairview through Clairview corridor Ph 3: Tranby to St. Rose	2022 – 2026 (multi-phased)	Design phase Construction on hold
17	Cedarview Relief Sewer	Laporte to Isack	2024 - 2026	Planning
18	Brumpton Park Storage	8890 Cedarview	2024 - 2026	Planning
19	East Marsh Pumping Station Improvements	10864 Riverside Dr.	2024 - 2027	Design completed Construction on hold



Committee Matters: SCM 38/2023

Subject: Report of the Striking Committee of its meeting held January 30, 2023

**REPORT OF THE STRIKING COMMITTEE
of its meeting held
January 30, 2023**

Members in Attendance:

Mayor Drew Dilkens
Councillor Renaldo Agostino
Councillor Fabio Costante
Councillor Fred Francis
Councillor Jo-Anne Gignac
Councillor Gary Kaschak
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Mark McKenzie
Councillor Jim Morrison
Councillor Ed Sleiman

Also in attendance:

Onorio Colucci, Acting Chief Administrative Officer
Andrew Daher, Acting Commissioner, Human and Health Services
Chris Nepsy, Commissioner, Infrastructure Services
Joe Mancina, Commissioner, Corporate Services CFO/City Treasurer
Shelby Askin-Hager, Commissioner, Legal and Legislative Services
Ray Mensour, Commissioner, Community Services
Jelena Payne, Commissioner Economic Development and Innovation
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk
Jen Knights, Executive Director of Recreation and Culture

Declarations of Pecuniary Interest:

None Declared.

Your Committee submits the following recommendation:

1. That the following persons **BE APPOINTED** as Jurors for the Arts, Culture and Heritage Fund:

- Stephanie Barnhard
- Spencer Montcalm
- Trevor Pittman

Returning Jurors from 2022 (as approved under Guidelines)

- Madelyn Della Valle
- Moya McAlister

MAYOR

CITY CLERK

BY-LAW NUMBER 11-2023

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13th day of February, 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

455. WEST SIDE OF CAMPBELL AVENUE, SOUTH OF WYANDOTTE STREET WEST

For the lands comprising of Lot 9, Registered Plan 1148, for a *double duplex dwelling* or a *multiple dwelling* with a maximum of four *dwelling units* the following additional provisions shall apply:

- a) Lot Width – minimum 12.0 m
- b) Lot Area – minimum 520.0 m²
- c) Notwithstanding Section 24.26.5, a *parking space*, visitor parking space or accessible parking space shall be permitted in a *required front yard*.
- d) Notwithstanding Section 24.28.1.3, the total area of the *required front yard* occupied by a hard surface for the purpose of a walkway, driveway, *access area* or a *parking space* or any combination thereof cannot exceed 50% of the *required front yard* area and any driveway, *access area*, and *parking space*, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete, or any combination thereof.

[ZDM 3; ZNG/6866]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	3	Lot 9, Registered Plan 1148 (known municipally as 0 Campbell Avenue; Roll No. 050-300-0310; west side of Campbell Avenue, south of Wyandotte Street West)	--	S.20(1)455

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - February 13, 2023
Second Reading - February 13, 2023
Third Reading - February 13, 2023

BY-LAW NUMBER 12-2023

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13th day of February, 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

456. WEST SIDE OF WALKER ROAD BETWEEN CATARAQUI STREET AND NIAGARA STREET

For the lands comprising Part Lot 5, and Lots 7, 9, 11 & 13, Registered Plan 490, the following shall be additional permitted uses:

- Automobile Detailing Service*
- Automobile Repair Garage*
- Contractor's Office*
- Hotel*
- Medical Appliance Facility*
- Print Shop*
- Warehouse*
- Workshop*

and Section 20(1)53 and Section 20(1)147(ii) and (iii) shall apply to the additional permitted uses.

[ZDM 6; ZNG/6870]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	6	Part Lot 5, and Lots 7, 9, 11 & 13, Registered Plan 490 (849 Walker Road; Roll No.: 020-090-09500; west side of Walker Road between Cataraqui Street and Niagara Street)	--	S.20(1)456

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - February 13, 2023
Second Reading - February 13, 2023
Third Reading - February 13, 2023

BY-LAW NUMBER 13-2023

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13th day of February, 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	11	Lots 164, 166 & Pt Lot 162; Registered Plan 768 (known municipally as 3829 and 3831 Seminole Street; Roll No. 010-280-00100; PIN 01101-0475; south side of Seminole Street, east of Westcott Road)	--	CD1.1	RD3.1

2. By-law Number 8600 is further amended by amending subsection 1 of Section 20 to add the following paragraph:

“464. SOUTH SIDE OF SEMINOLE STREET, EAST OF WESTCOTT ROAD

For lands comprising Lots 164, 166 & Pt Lot 162, for a *Multiple Dwelling* the following additional provisions shall apply:

- a) Parking Area Separation from a Street – minimum – 1.57 m from westerly lot line

[ZDM 11; ZNG/6783]”;

3. The said by-law is further amended by changing the Zoning District Map identified in Column 2 so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	11	Lots 164, 166 & Pt Lot 162; Registered Plan 768 (known municipally as 3829 and 3831 Seminole Street; Roll No. 010-280-00100; PIN 01101-0475; south side of Seminole Street, east of Westcott Road)	-	S.20(1)464

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - February 13, 2023
 Second Reading - February 13, 2023
 Third Reading - February 13, 2023

BY-LAW NUMBER 14-2023

A BY-LAW TO ESTABLISH A LICENSING PROGRAM FOR THE REGULATION OF RESIDENTIAL RENTAL HOUSING IN THE CITY OF WINDSOR

Passed the 13th day of February, 2023.

WHEREAS Section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (the “Municipal Act”) provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to (a) enable it to govern its affairs as it considers appropriate, and (b) enhance its ability to respond to municipal issues;

AND WHEREAS Section 151(5) of the *Municipal Act* provides that a municipality may pass by-laws with respect to any activity, matter or thing for which a by-law may be passed under Sections 9, 10 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS Section 391 of the *Municipal Act* provides for the municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS Section 425 of the *Municipal Act* provides for a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

AND WHEREAS Section 426 of the *Municipal Act* provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under the *Municipal Act* or under a by-law passed under the *Municipal Act*;

AND WHEREAS Section 429 of the *Municipal Act* provides for the municipality to establish a system of fines for offences under a by-law of the municipality passed under the *Municipal Act*;

AND WHEREAS Section 431 of the *Municipal Act* provides that if any by-law of the municipality is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order to prohibit the continuation or repetition of the offence by the person convicted;

AND WHEREAS Sections 444 and 445 of the *Municipal Act* respectively, provide for the municipality to make an order requiring a person who contravenes a by-law or who causes or permits the contravention or the owner or occupier of land on which a contravention occurs to discontinue the contravening activity or do work to correct a contravention;

AND WHEREAS the Council for The Corporation of the City of Windsor considers it necessary and desirable for the public to regulate the renting of residential premises for the purpose of protecting the health and safety of the persons residing in residential rental premises by ensuring that certain regulations are met, that the required essentials such as plumbing, heating and water are provided, for ensuring that the residential rental premises do not create a nuisance to the surrounding properties and neighbourhood and to protect the residential amenity, character and stability of residential areas;

THEREFORE the Council of The Corporation of the City of Windsor enacts this by-law to licence residential rental housing within the jurisdictional boundaries of the City of Windsor as follows:

1 Short Title

1.1 This by-law may be cited as the Residential Rental By-law.

2 Definitions

2.1 In this by-law:

“Applicant” means a person seeking to become licensed under this By-law (i.e., become a Licensee) and who, either in person or through an Authorized Agent, makes such an application;

“Authorized Agent” means a person authorized in writing by an Applicant or Licensee to act on behalf of such Applicant or Licensee for the identified purpose of making an application, renewing a Licence, or otherwise complying with the provisions of this By-law;

“Bed-and-Breakfast or Guest House Establishment” means a home-based business for the temporary accommodation of the traveling public located within a single detached dwelling which is occupied on a full-time basis by the owner of such single detached dwelling or the principal shareholder (or one of them if more than one shareholder holds the greatest number of shares) of the corporation registered as the legal owner of the Building, including during the time the Bed and Breakfast or Guest House is in operation, and shall contain at least one (1) bedroom for the exclusive use of the owner and at least two (2) accessory guest rooms for use in the Bed and Breakfast or Guest House operation, and shall mean and include any Bed and Breakfast or Guest House legally established under any predecessor by-law, but shall not include a Lodging House, Hotel, or Short-Term Rental;

“Building” means a structure, whether permanent or temporary, with walls or a roof or part thereof, used or intended to be used for shelter, accommodation or enclosure of persons, animals, goods or chattels;

“Building Code” means Ontario Regulation 350/06, as amended under the *Building Code Act, 1992*, S.O.1992, c.23, as amended;

“Business Licensing By-law” means the City’s Business Licensing By-law 395-2004, as amended, or its successor by-law;

“Chief Building Official” means the Chief Building Official for the City or their delegate;

“Chief of Police” means the Chief of Windsor Police Service, or their delegate;

“City” means The Corporation of the City of Windsor or any person authorized to act on behalf of the Corporation for the purposes of exercising its powers under this By-law;

“Contact Information” means, but is not limited to:

- (a) Mailing address;
- (b) Telephone number;
- (c) E-mail address; and
- (d) Emergency contact;

“Dwelling Unit” means a room or suite of rooms in a Building used or designed to be used by one (1) or more individuals as an independent and separate housekeeping unit;

“Fire Chief” means the Chief of Windsor Fire and Rescue Services, or their delegate;

“Fire Code” means O. Reg. 213/07, as amended, under the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended;

“Ice and Snow By-law” means the City’s Ice and Snow Removal By-law 8544, as amended, or its successor by-law;

“Individual Person” means a natural person;

“Licence” means the certificate issued under this By-law as proof of licensing under this By-law;

“Licence Commissioner” means the Licence Commissioner for the City and shall mean and include any delegate or delegates of the Licence Commissioner for the City as well as any successor position to the Licence Commissioner carrying out the responsibilities of the Licence Commissioner at the time of the passing of this By-law;

“Licensee” means a person, corporation or partnership who has been issued and maintains a valid Licence pursuant to the terms of this By-law;

“Local Contact” means an Individual Person, whether an Owner or an Operator, who is responsible for the care and control of the Rental Housing Unit and who resides within the City of Windsor;

“Market”, “Marketed” or “Marketing” means offering, facilitating, or causing or permitting to offer or facilitate, directly or indirectly, the sale, promotion, canvassing, solicitation, advertising, or marketing of part or all of a Rental Housing Unit, and includes placing, posting or erecting advertisements physically or online;

“Medical Officer of Health” means the Medical Officer of Health for the Municipality of Windsor, Ontario;

“Noise By-law” means the City’s Noise By-law 6716, as amended, or its successor by-law;

“Officer” means a Provincial Offences Officer or Municipal Law Enforcement Officer of the City, or any other person appointed by or under the authority of a City by-law to enforce this By-law;

“Ontario Police Service” means a police service established in Ontario under the *Police Services Act, R.S.O. 1990, c. P.15*, as amended;

“Operate”, “Operated” or “Operating” means to rent out, provide, offer to rent out or provide, or cause to be Marketed, the offer or rental, whether directly or indirectly, including, without limitation, via the internet or other

electronic platform, of a Rental Housing Unit and shall include a person collecting a fee or handling payments in respect of a Rental Housing Unit;

“Operator” means any person who operates, maintains, or is otherwise responsible for managing or addressing issues in relation to a Rental Housing Unit but is not an Owner;

“Order” means a direction issued by the City under statutory authority, including but not limited to orders under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, including section 9.5 of this by-law, the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, and the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended;

“Owner” includes:

- (a) Each registered owner of a Rental Housing Unit;
- (b) Each person who permits occupancy of a Rental Housing Unit; and
- (c) The heirs, assigns, personal representatives and successors in title of a person referred to in articles (a) and (b);

“Parking By-law” means the City’s Parking By-law 9023, as amended, or its successor by-law;

“Person” means an individual person, a partnership, or a corporation (including any of such corporation’s affiliates, subsidiaries or parent corporations, as the case may be) to which the context can apply and “Person” shall also include multiple persons who, acting together, operate or offer to operate a Rental Housing Unit, despite the fact that no single one of those persons carries on the activity in its entirety;

“Prohibited Ground” means the prohibited grounds of discrimination as provided for under the *Ontario Human Rights Code*, R.S.O. 1990, c. H.19;

“Property” means a Building, and includes the lands and premises appurtenant thereto, and includes vacant property;

“Property Standards By-law” means the City’s Property Standards By-law 9-2019, as amended, or its successor by-law;

“Rent” includes the amount of any consideration paid or given or required to be paid or given by or on behalf of a Tenant to an Owner for the right to occupy a Rental Housing Unit and for any services and facilities and any privilege, accommodation or thing that the Owner provides for the Tenant in respect of the occupancy of the Rental Housing Unit, whether or not a separate charge is made for services and facilities or for the privilege, accommodation or thing;

“Rental Housing Unit” means a Dwelling Unit which is occupied or offered for occupancy in exchange for Rent or services in lieu of paying Rent;

“Tenant” includes a person who pays Rent or provides services in lieu of paying Rent in return for the right to occupy a Rental Housing Unit and includes the person’s heir, assigns (including subtenants) and personal representatives;

“Waste Collection By-law” means the City’s Waste Collection By-law 2-2006, as amended, or its successor by-law;

“**Yard Maintenance and Anti-Littering By-law**” means the City’s Yard Waste, Exterior Property Maintenance and Littering By-law 3-2006, as amended, or its successor by-law;

“**Zoning By-law**” means the City’s Zoning By-law 8600, as amended, or its successor by-law, as well as any other by-laws passed by the City pursuant to s. 34 of the *Planning Act*, R.S.O. 1990, c. P13, as amended.

3 Applicability and Scope

3.1 This by-law applies to all of the following within Wards 1 and 2 of the City of Windsor as described in Appendix “A” of this By-law:

- (a) Owners of a Rental Housing Unit;
- (b) Operators of a Rental Housing Unit; and
- (c) Dwelling Units used or intended to be used as a Rental Housing Unit.

3.2 This By-law does not apply to:

- (a) a Property containing five (5) or more Dwelling Units;
- (b) a Dwelling Unit whose occupant or occupants are required to share a bathroom or kitchen facility with the owner, the owner’s spouse, child or parent or the spouse’s child or parent, and where the owner, spouse, child or parent lives in the Building in which the living accommodation is located;
- (c) a hotel, motel, or inn;
- (d) a Bed-and-Breakfast, Guest House Establishment, or Lodging Home licensed under the City’s Business Licensing By-law; or
- (e) a Dwelling Unit to which any of the following statutes, or their regulations, apply:
 - (i) the *Homes for Special Care Act*, R.S.O. 1990, c H. 12, as amended;
 - (ii) the *Innkeeper’s Act*, R.S.O. 1990, c 17, as amended;
 - (iii) the *Long-Term Care Homes Act, 2010*, S.O. 2010, c. 11, as amended;
 - (iv) the *Retirement Homes Act, 2000*, S.O. 2010, c. 11, as amended;
 - (v) the *Social Housing Reform Act, 2000*, S.O. 2000, c. 27, as amended; and
- (f) social housing or affordable housing that is not subject to the *Social Housing Reform Act, 2000*, S.O. 2000, c. 27, as amended, but which is subject to an agreement with the City of Windsor and which has been approved for exemption by the Licence Commissioner.

4 Prohibitions

4.1 No person shall do any of the following, except in accordance with a Licence issued under this by-law:

- (a) Operate a Rental Housing Unit;
 - (b) Permit a person to operate a Rental Housing Unit;
 - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
 - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
 - (e) Hold a Rental Housing Unit out as being licensed.
- 4.2 No person shall do any of the following, other than at a location for which a Licence has been issued under this by-law:
- (a) Operate a Rental Housing Unit;
 - (b) Permit a person to operate a Rental Housing Unit;
 - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
 - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
 - (e) Hold a Rental Housing Unit out as being licensed.
- 4.3 No person shall do any of the following under a name other than the name under which a Licence has been issued under this by-law:
- (a) Operate a Rental Housing Unit;
 - (b) Permit a person to operate a Rental Housing Unit;
 - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
 - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
 - (e) Hold a Rental Housing Unit out as being licensed.
- 4.4 No person shall provide false or misleading information to the City when applying for a Licence under this by-law, renewing a Licence or at any other time.
- 4.5 No person shall operate, or permit to operate, a Rental Housing Unit in contravention of the City's Zoning By-law, or in contravention of any of the other of the City's by-laws, or in contravention of the Building Code, the Fire Code, or any other applicable law.
- 4.6 No person licensed under the provisions of this by-law shall fail to maintain, on a continuous basis, the standards and requirements necessary to obtain the original approval of the Licence application, or that have been imposed since the issuance of the Licence.
- 4.7 No person shall hinder or obstruct, or attempt to hinder or obstruct, or advise, instruct, or encourage others to hinder or obstruct, an Officer who is exercising a power or performing a duty under this by-law.
- 4.8 No person shall fail to keep any and all of the records required to be kept under the provisions of this by-law.
- 4.9 No Licence issued under this by-law may be sold or transferred.
- 4.10 No person licensed or required to be licensed under this by-law shall charge any person, or provide services to any person, or deny service to any person, in a manner that in the opinion of the Licence Commissioner

discriminates on the basis of a prohibited ground under the *Ontario Human Rights Code*, R.S.O. 1990, c. H.19, as amended, or is deemed by the Licence Commissioner to have the same or similar effect.

5 Powers and Duties

POWERS AND DUTIES OF THE LICENCE COMMISSIONER

5.1 The Licence Commissioner:

- (a) Shall receive and process all applications for Licences and renewal of Licences to be issued under this By-law;
- (b) Shall coordinate the enforcement of this By-law;
- (c) Shall perform all the administrative functions conferred upon him or her by this By-law;
- (d) Shall make or cause to be made all investigations and inspections which they deem necessary to determine whether an Applicant meets the requirements of this By-law and all applicable laws;
- (e) Shall make or cause to be made a circulation, respecting each application, which may include circulation of the licence application to the Medical Officer of Health, the Fire Chief, the Chief Building Official, the Chief of Police and any other departments of the City, and any other public authorities which may have an interest in the licence application for comment;
- (f) May issue Licences to persons who meet the requirements of this By-law and may suspend Licences pursuant to the requirements of this By-law; and
- (g) May, where a Licence has been issued pursuant to this By-law and otherwise remains in full force and effect, renew the Licences of persons who meet the requirements of this By-law.

5.2 Upon reviewing a licence application, including an application for renewal of a Licence, or upon receiving information or a complaint as against a Licensee, the Licence Commissioner may, in their sole discretion refer the application to the Windsor Licensing Commission, to refuse to grant or revoke or suspend or place conditions on a Licence upon the following grounds:

- (a) Where there are reasonable grounds for belief that such Applicant or Licensee will not carry on or engage in the business in accordance with the law, or with integrity and honesty;
- (b) Where there are reasonable grounds for belief that the carrying on by the Applicant or Licensee of the business in respect of which the Licence is sought or held, would infringe the rights, or endanger the health or safety of, members of the public;
- (c) Where there are reasonable grounds for belief that the carrying on of the business by the Applicant or Licensee will result in non-compliance with this By-law or any other requirement or prohibition imposed by any other law;
- (d) Where the Property on which the Rental Housing Unit is situated is subject to an Order, or Orders, made pursuant to:

- (i) The City's Property Standards By-law;
 - (ii) The City's Zoning By-law;
 - (iii) The *Building Code Act, 1992* or any regulations made under it, including the Building Code;
 - (iv) The *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended, or any regulations made under it; or
 - (v) The authority of the Medical Officer of Health;
- (e) Where there are reasonable grounds for belief that the nature, condition or use of the Property or premises, or any equipment, vehicle or other personal property used or to be used by the Applicant or Licensee in the carrying on or engaging of the business would involve non-compliance with any provision of this By-law or any other law;
 - (f) Where there are reasonable grounds for belief that any application or any other document or information provided by or on behalf of the Applicant or Licensee, contains a false statement or provides false information; and
 - (g) Where information provided to the City by or on behalf of the Applicant or Licensee, whether oral or in writing, has ceased to be accurate, and the Applicant or Licensee has not provided up-to-date accurate information to the City sufficient to allow the Licence Commissioner, or the Windsor Licensing Commission, as the case may be, to conclude the Licence should be granted or maintained as valid and subsisting;
 - (h) Where a Licensee's or Applicant's insurance, as approved by the Licence Commissioner, has expired and they continue to carry on business for which the Licence was issued;
 - (i) Where a Licensee or Applicant fails to comply with a request to inspect or hinders an inspection in any way;

5.3 The Licence Commissioner's decision under section 5.2 shall be guided by the following considerations:

- (a) The safety, health and well-being of the community;
- (b) The impact on neighbouring properties;
- (c) Financial impact to the City;
- (d) The impact of any such Licence revocation or suspension on any Tenant; and
- (e) Imposing terms or conditions on any such Licence revocation or suspension that would minimize the adverse impact on any Tenant, including the possibility of providing a reasonable time period before the Licence revocation or suspension takes place to permit any Tenant to find new housing or to seek relief in a Court or before the Ontario Landlord and Tenant Board.

5.4 Despite section 5.2, a Licence shall not be issued or renewed and the Licence Commissioner shall refer the matter to the Windsor Licensing Commission where:

- (a) the Property for which the Rental Housing Unit is being proposed has any outstanding unpaid penalties or fines from the City;
 - (b) any of the Applicants, within the previous five years from the date of application or renewal have been convicted of any of the following under the Criminal Code of Canada:
 - (i) homicide or manslaughter;
 - (ii) sexual offences;
 - (iii) assault offences;
 - (iv) confinement offences;
 - (v) robbery or extortion offences;
 - (vi) break and enter offences;
 - (vii) fraud or forgery offences; or,
 - (viii) a statutory or regulatory offence in any way related to the ownership or management of residential rental properties.
- 5.5 For the purposes of sections 5.2 and 5.4 of this by-law, the term “person” shall include any director, officer, partner or principal of a partnership or a corporation or any shareholder of a corporation that holds at least fifty per cent (50%) of the shares of that corporation.
- 5.6 In the case where the Licence Commissioner refuses, revokes or suspends a Licence upon any one or more of the grounds listed in section 5.2 of this by-law, the Applicant, or Licensee, as the case may be, may appeal the Licence Commissioner’s decision to the Windsor Licensing Commission by notifying the Licensing Commissioner, in writing, of his, her or its request to appeal to the Windsor Licensing Commission no later than fourteen (14) days after the date the Licence application is refused, revoked or suspended by the Licence Commissioner.
- 5.7 In the case where the Licence Commissioner or the Applicant, or Licensee, as the case may be, refer or appeal to the Windsor Licensing Commission, the Windsor License Commission may refuse to grant, or revoke or suspend or place conditions on a Licence upon any one or more of the grounds listed in section 5.2 of this By-law.
- 5.8 Where after a hearing, the Windsor Licensing Commission concludes that any one of the grounds set out under section 5.2 exist, the Windsor Licensing Commission may, instead of refusing, revoking, suspending a Licence, grant a Licence or allow a Licence to continue upon such conditions as the Windsor Licensing Commission may see fit to impose, for the purpose of ensuring the proper and lawful carrying on of the business, or such other conditions, as are authorized by law.
- 5.9 No revocation or suspension of a Licence under this By-law shall be final, except after a hearing by the Windsor Licensing Commission, or after the Licensee has been given the opportunity for such a hearing, in accordance with the law.
- 5.10 The Licence Commissioner may suspend a Licence where there are reasonable grounds to believe that such is required to prevent a breach of the By-law, or for any of the reasons that would form grounds for the revocation of a Licence pursuant to section 5.2.

- 5.11 A suspension under section 5.2 shall take effect upon service of written notice thereof to the Licensee, or upon the delivery of written notice to the business premises of the Licensee at the address shown on the City's records.
- 5.12 A suspension under section 5.2 shall remain in effect for no more than fourteen (14) days from the date of service of the notice under section 5.11.
- 5.13 Following suspension of a Licence under section 5.2, the Licence Commissioner shall prepare a written report to the Windsor Licensing Commission, advising of the suspension and:
 - (a) Recommend that the Windsor Licensing Commission hold a hearing to determine whether the suspension should continue, or be terminated, and whether the Windsor Licensing Commission should give consideration to whether or not the Licence should be revoked or otherwise dealt with pursuant to the By-law; or
 - (b) Recommend reinstatement of the Licence on the basis that the conditions leading to the suspension have been remedied; or
 - (c) Recommend that no action be taken upon the termination of the suspension.
- 5.14 At any time before the Licence Commissioner shall issue or renew a Licence, or recommend to the Windsor Licensing Commission that it refuse to issue or refuse to renew a Licence, the Licence Commissioner may as they see fit, or shall at the request of the Applicant, refer the application for issuance or renewal of the Licence to the Windsor Licensing Commission.

POWERS AND DUTIES OF THE WINDSOR LICENSING COMMISSION

- 5.15 Where there is a referral to the Windsor Licensing Commission pursuant to this section, the Windsor Licensing Commission shall hold a hearing for the purpose of:
 - (a) issuing or renewing the Licence;
 - (b) refusing to issue or renew the Licence;
 - (c) suspending the Licence;
 - (d) revoking the Licence; or,
 - (e) issuing or renewing the Licence with the imposition of conditions.
- 5.16 Where the Licence Commissioner intends to recommend to the Windsor Licensing Commission that it refuse to issue, refuse to renew, place conditions on, revoke or suspend a Licence, the Licence Commissioner shall give notice of the intended recommendation and the reasons for the intended recommendation to the Applicant or Licensee as well as to such other persons, civic departments, boards, commissions, authorities and agencies having an interest in the recommendation. Under this section, notice to the Applicant or Licensee shall be written notice served personally or sent by ordinary, prepaid mail addressed to the address shown on the application or Licence. The notice of the hearing shall:
 - (a) contain a reason or reasons for the proposed refusal, suspension, revocation or imposition of conditions;

- (b) specify the time, place and purpose of the hearing of the Windsor Licensing Commission at which the proposed refusal, suspension or revocation will be considered;
- (c) inform the affected Applicant or the affected holder of the Licence that they are entitled to attend the hearing and make submissions regarding the proposal and that, in their absence, the Windsor Licensing Commission may proceed to consider the proposal and the Applicant or affected holder of the Licence will not be entitled to any further notice in the proceeding;
- (d) afford the affected Applicant or the affected holder of the Licence a reasonable opportunity, before the hearing, to show or achieve compliance with all lawful requirements for the retention of the Licence; and
- (e) be given at least seven (7) days notice prior to the date of the Windsor Licensing Commission hearing.

5.17 At a hearing, the Windsor Licensing Commission:

- (a) shall afford the affected Applicant or the holder of the Licence an opportunity to make submissions in respect of the matter that is the subject of the Commission's proceedings;
- (b) shall afford any person, civic department, board, commission, authority or agency given notice under section 5.16 of this by-law and in attendance at the hearing, or any other person in the discretion of the Commission, an opportunity to make submissions in respect of the matter that is the subject of the Commission's proceedings;
- (c) the hearing shall be open to the public but the Commission may close a portion of the hearing for the purposes of receiving confidential legal information pertaining to the affected Applicant or Licensee;
- (d) the hearing shall be open to the public but the Commission may close all or a portion of the hearing to the public if the Commission is of the opinion that intimate financial or personal matters may be disclosed of such a nature, having regards to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest, outweighs the desirability of adhering to the principle that the hearing be open to the public;
- (e) shall give due consideration to the submissions made to it;
- (f) shall take such action to refuse, suspend revoke or impose conditions on the application or Licence, or not to refuse, suspend revoke or impose conditions on the application or Licence, as the Windsor Licensing Commission considers proper in the circumstances; and
- (g) shall give notice of its decision to the Licence Commissioner, to the Applicant or to the Licensee, and to any person, civic department, board, commission, authority or agency in attendance at the hearing, together with the reasons for its decision.

- 5.18 At the hearing, the Windsor Licensing Commission may suspend, revoke, and refuse to issue or impose conditions on any Licence under this By-law:
- (a) for any reason that would disentitle any Licensee to a Licence;
 - (b) where the Licensee or Applicant is in breach of a condition of the Licence;
 - (c) where the Licensee or Applicant is in breach of any of the provisions of this By-law;
 - (d) if there are reasonable grounds to believe any of the statements made on the application for issuance or renewal are false;
 - (e) if, subsequent to the issuance of the Licence, a report is filed by any body which originally provided its approval that indicates that the Licensee is no longer in compliance with this By-law;
 - (f) upon such grounds as are set out in this By-law;
 - (g) if the Applicant has outstanding fees or fines owing to the City, or if the Applicant has not paid the required application fee;
 - (h) if the conduct or character of the Applicant or Licensee affords reasonable grounds to believe that the Applicant or Licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;
 - (i) if the geographic location of the business does not meet land use requirements or does not comply with this By-law;
 - (j) if, in the case of a corporate Applicant or Licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be carried on in accordance with the law or with honesty and integrity;
 - (k) if issuing the Licence is not in the public interest;
 - (l) if a Licensee's or Applicant's insurance, as approved by the Licence Commissioner, has expired and they continue to carry on business for which the Licence was issued; or
 - (m) if a Licensee or Applicant fails to comply with a request to inspect or hinders an inspection in any way.
- 5.19 A decision of the Windsor Licensing Commission refusing, suspending, revoking or imposing conditions on an application or Licence takes effect upon the rendering of such decision by the Windsor Licensing Commission. No Licensee shall operate or carry on the activity for which the Licence was issued while his Licence is under suspension.
- 5.20 The Windsor Licensing Commission shall give its decision to the Licence Commissioner within seven (7) days of the hearing.
- 5.21 The Licence Commissioner shall forthwith notify the Applicant in writing of such decision by serving a copy personally or sent by ordinary, prepaid mail addressed to the last known address for the person appearing on the records of the City.
- 5.22 The proceedings of the Windsor Licensing Commission shall, at the request of the Applicant and upon payment of a fee determined by the

Licence Commissioner, be transcribed in writing and a copy of the transcript shall be made available to the Applicant on payment of such additional fees as may be determined by the Licence Commissioner.

- 5.23 Upon receipt of a notice of the decision of the Windsor Licensing Commission suspending or revoking a Licence, the Licensee shall, within twenty-four (24) hours of service of notice by certified mail or immediately if the notice is personally served, return the Licence to the Licence Commissioner and the Licence Commissioner shall have access to any premises, or other property of the Licensee for the purpose of receiving or taking the same. All Licences not returned within twenty-four (24) hours of service of notice will automatically be deemed invalid.
- 5.24 No person shall refuse to deliver a suspended or revoked Licence to the Licence Commissioner or designate or shall in any way prevent or hinder the Licence Commissioner or designate from receiving or taking the same.
- 5.25 Where a Licence is revoked, the Licensee is entitled to a refund of that part of the Licence fee proportionate to the unexpired part of the term for which it was granted, such refund to be prorated on a monthly basis.
- 5.26 Where the Windsor Licensing Commission renders a decision granting the Applicant the Licence applied for, the Licence shall be issued upon the applicant complying with the terms of this By-law and the conditions imposed on the Licence, if any, and the Applicant shall complete the application within fourteen (14) days of the decision of the Windsor Licensing Commission.
- 5.27 Decisions made by the Windsor Licensing Commission are final.

6 Licensing Requirements

APPLYING TO OBTAIN OR RENEW A LICENCE

- 6.1 Any person seeking to obtain or renew a Rental Housing Unit Licence shall:
 - (a) Be at least eighteen (18) years of age;
 - (b) Complete an application in the form prescribed by the Licence Commissioner, including setting out such information and attaching such additional documentation as may be required by the Licence Commissioner which includes the information and documentation outlined in Schedule 2;
 - (c) Submit their completed application to the Licence Commissioner; and,
 - (d) Pay the applicable fee pursuant to Schedule 1.
- 6.2 A separate Licence shall be required for each Rental Housing Unit.
- 6.3 An application shall only be made in person by the Applicant, who at the time of application shall present two (2) forms of government issued identification, one being photo and the other demonstrating proof of status in Canada, to the satisfaction of the Licence Commissioner.
- 6.4 Despite section 6.3, an Authorized Agent of the Applicant may make the application if they have written authorization to do so from at least one (1) of the Applicants along with two (2) forms of government issued

identification, one being photo and the other demonstrating proof of status in Canada, to the satisfaction of the Licence Commissioner.

- 6.5 Prior to the issuance of a Licence, a copy of the application may be forwarded for a report or comments to the Medical Officer of Health, the Fire Chief, the Chief Building Official, the Chief of Police and any other departments of the City, and any other public authorities which may have an interest in the licence application, or for such information as may be required under this By-law or any other legislation.
- 6.6 Receipt of the application, request for renewal, or submission of the licence fee shall not constitute approval of the application for, or renewal of, a Licence, nor shall it obligate the City to issue or renew any such Licence.
- 6.7 Despite section 6.6, if a Licensee has remitted the prescribed renewal fee, the Licence shall be deemed to continue until the renewal is granted or refused, subject to the Licensees' avenue for appeal under Part 5 of this By-law.
- 6.8 Every Licence issued under this By-law shall expire on May 31 of the year following issuance unless revoked or otherwise terminated under this By-law prior to that date. When a renewal deadline expires on a Saturday, Sunday or holiday, the act or proceeding may be done or taken on the next following that is a business day.
- 6.9 A Licence may be obtained for one-half the applicable fee as established in Schedule 1 of this By-law if the Licence is obtained on or after February 1 of the same year.
- 6.10 A Licence not renewed by the deadline day shall be deemed to have lapsed at 12:01 a.m. the following day and the person whose name the original Licence was issued under shall not operate a Rental Housing Unit.
- 6.11 Despite section 6.10, a Licence that has not lapsed by more than 356 days from the date of the renewal deadline may still be renewed and the Applicant shall be liable to pay the licence fee established by this By-law together with the penalty of 50% over the base fee.
- 6.12 A Licence that has lapsed more than 365 days from the date of the renewal deadline shall be deemed cancelled and no longer eligible for renewal.
- 6.13 A Licensee who operates with a Licence that has been cancelled under section 6.12 may not apply for a new Licence unless the outstanding renewal fee and late renewal fee has been paid.

CHANGES IN INFORMATION

- 6.14 Every Applicant or Licensee shall notify the Licence Commissioner in writing within seven (7) days of any change in any information contained in the application for a Licence or renewal thereof.
- 6.15 Where the changes in section 6.14 include a change in the legal entity of the Licensee, the existing Licence shall be cancelled and a new Licence shall be obtained by the said legal entity, subject to all of the licensing requirements of this By-law.
- 6.16 Notwithstanding section 6.15, where there is a change in any of the registered owners of a Rental Housing Unit, a new Licence shall be

obtained by all the parties operating or proposing to operate a Rental Housing Unit.

- 6.17 Where there is a change to a Rental Housing Unit as a result of a renovation or other similar work, the Owner shall notify the Licence Commissioner, as per section 6.14, and the Licence Commissioner may require such Owner to apply for a new Licence if such renovations or similar work are deemed to be significant.
- 6.18 Where an Owner intends to operate a Rental Housing Unit at a location different than the dwelling unit identified in their application, the existing Licence shall be cancelled and a new Licence shall be obtained before the intended Rental Housing Unit may operate.

7 Regulatory Requirements

REQUIREMENTS FOR OWNERS

- 7.1 No Owner shall allow any person to operate their Rental Housing Unit unless such person has been registered with the City as per Schedule 2 and section 7.4 of this by-law.
- 7.2 Every Owner of a Rental Housing Unit shall operate their Rental Housing Unit in accordance with the conditions of its Licence.
- 7.3 Every Owner shall post the Licence supplied by the City at the time of issuance or renewal, along with any additional documents or materials prescribed in Schedule 2 as being required for display, in a conspicuous place within 1 metre of the Rental Housing Unit's main entrance.
- 7.4 Every Owner shall ensure that the list of Authorized Agents and Operators relating to a Rental Housing Unit is up-to-date and accurate in accordance with Schedule 2 of this By-law.
- 7.5 Notwithstanding the requirements under Schedule 2 and section 7.2 of this By-law, every Owner shall be fully responsible for any and all decisions and actions governed by this By-law, including those taken by an Operator or Authorized Agent, whether or not such individual has been identified as such by the Owner and whether or not such individual was granted explicit permission or authority to make such decisions or take such actions.
- 7.6 The Owner of a Rental Housing Unit may be charged and convicted of an offence under this By-law for which an Operator or Authorized Agent is subject to be charged and on conviction the Owner is liable to the penalty prescribed for the offence.

REQUIREMENTS FOR OPERATORS

- 7.7 No Operator shall operate a Rental Housing Unit unless they are registered with the City for that purpose by the Owner in accordance with Schedule 2 and section 7.4 of this By-law.
- 7.8 Every Operator registered in accordance with Schedule 2 and section 7.4 and who is an Individual Person shall be at least 18 years of age at the time of registration.
- 7.9 Every Operator shall be required to identify themselves upon request by an Officer or any other person authorized to administer or enforce this By-law.

8 Administrative Matters

NOTICE

- 8.1 Any notice or other information required or authorized to be forwarded, given or served under this By-law is sufficiently given if delivered personally or sent by ordinary, prepaid mail addressed to the person to whom delivery is required to be made at the address shown on the application or at last address shown or appearing on the records of the City. In the case of a corporation, this shall include delivery personally or by ordinary, prepaid mail delivered to any Individual Person who acts or appears to act for the benefit of such corporation, including a sales or customer service representative or an individual person employed or contracted by such corporation who is located at the premises of such corporation or any of such corporation's affiliates, subsidiaries or parent corporations, as the case may be.
- 8.2 Where service is effected by ordinary, prepaid mail, it shall be deemed to be made on the fifth (5th) day after the date of mailing, unless the person on whom service is being made establishes to the satisfaction of the Licence Commissioner that they did not, acting in good faith, through absence, accident, illness, or other cause beyond their control, receive the notice or Order until a later date.

MINOR NATURE OF POWERS DELEGATED

- 8.3 For the purposes of section 23.2(4) of the *Municipal Act*, it is the opinion of Council that the powers delegated to the Licence Commissioner, the Windsor Licensing Commission pursuant to this By-law are of a minor nature.

9 Enforcement

POWERS OF AN OFFICER

- 9.1 The provisions of this By-law may be enforced by an Officer.
- 9.2 An Officer who has reasonable grounds to believe that a person has contravened any provision of this By-law may require that person provide identification to the Officer.
- 9.3 Any information provided to the Officer under section 9.2 is presumed to be correct and accurate and is admissible in any proceeding.
- 9.4 All persons who are required by an Officer to provide identification under section 9.2 shall provide such identification to the Officer. Failure to provide sufficient or correct and accurate identification shall constitute an offence as set out under section 9.7 of this By-law.
- 9.5 An Officer may issue an Order to any person governed by the provisions of this By-law, directing such person to:
- (a) discontinue a contravening activity; or
 - (b) do work to correct a contravention.
- 9.6 Failure to comply with an Order under section 9.5 is an offence and every person named in such Order shall be subject to penalties and remedies prescribed under this By-law.
- 9.7 No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this By-law.

POWERS OF ENTRY AND INSPECTION

- 9.8 Officers, and any person acting under their direction, may, at any reasonable time or at any time when there are reasonable grounds to believe that a contravention of this By-law is occurring or alleged to be occurring and subject to applicable law, enter onto any property to determine if the provisions of this By-law are being complied with.
- 9.9 Officers are authorized, for the purposes of an inspection to determine and enforce compliance with the By-law, to:
- (a) direct an Owner or Operator to provide a Tenant with notice in accordance with the *Residential Tenancies Act, 2006* to allow entry into the unit to carry out an inspection;
 - (b) enter, at any reasonable time, onto any property, other than an occupied Dwelling Unit unless authorized by the occupier of such Dwelling Unit or under the authority of a warrant issued by a court of competent jurisdiction;
 - (c) require any person to produce for inspection any substance, equipment, documents, or other things relevant to the alleged offence or inspection;
 - (d) alone or in conjunction with persons possessing special or expert knowledge, make examinations, take tests, obtain samples, and/or make audio, video and/or photographic records relevant to the alleged offence or inspection; and/or
 - (e) require information from any person concerning the alleged offence or inspection.

10 Offences and Penalties

- 10.1 Every person who contravenes a provision of this by-law or direction provided by an Officer in order to achieve compliance shall be guilty of an offence and upon conviction shall be liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, C. P.33, and as set out below:
- (a) Upon a first conviction, a fine of not less than \$500 and not more than \$5,000.00.
 - (b) Upon a second or subsequent conviction, a fine of not less than \$500.00 and not more than \$10,000.00.
 - (c) Upon conviction for a multiple offence, for each offence included in the multiple offence, a fine of not less than \$500.00 and not more than \$10,000.00.
 - (d) Upon a first conviction, where the person is a corporation, a fine not less than \$500.00 and not more than \$100,000.00.
 - (e) Upon a second or subsequent conviction, where the person is a corporation, a fine of not less than \$500.00 and not more than \$100,000.00.
 - (f) Upon conviction for a multiple offence, for each offence included in the multiple offence and where the person is a corporation, a fine of not less than \$500.00 and not more than \$100,000.00.

COLLECTION OF UNPAID PENALTIES AND FINES

- 10.2 Pursuant to section 441 of the *Municipal Act*, if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under section 66 of the *Provincial Offences Act*, including any extension of time for payment ordered under that section, the City Treasurer or their designate may give the person against whom the fine was imposed written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. The notice shall be sent by registered mail to be delivered to that person at the person's residence or place or business.
- 10.3 If the fine referred to in section 10.2 remains unpaid after the final date on which it is payable as specified in the notice, the fine shall be deemed unpaid taxes for the purposes of section 351 of the *Municipal Act*.

CONTINUATION, REPETITION PROHIBITED BY ORDER

- 10.4 The court in which a conviction has been entered, and any court of competent jurisdiction thereafter, may make an Order prohibiting the continuation or repetition of the offence by the person convicted, and such Order shall be in addition to any other penalty imposed on the Person convicted.

11 Severability

- 11.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

12 Schedules

- 12.1 Schedules attached to and forming part of this by-law:
Schedule 1 – Licence Application and Renewal Fees
Schedule 2 – Required Supporting Documentation

13 Force and Effect

- 13.1 This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - February 13, 2023
Second Reading - February 13, 2023
Third Reading - February 13, 2023

Schedule 1 – Licence Application and Renewal Fees

	Initial Application	Renewal
Administration	111.80	111.80
Building Inspection	83.70	83.70
Zoning Letter	41.00	--
Fire Inspection	150.00	--
Enforcement	23.94	23.94
Office Expense Overhead	21.95	21.95
Corporate Support Overhead	33.15	33.15
Total	\$466	\$275

Schedule 2 – Required Supporting Documentation

REQUIREMENTS FOR ALL APPLICATIONS

S2.1 Every application to obtain or renew a Residential Rental Licence shall include:

- (a) The municipal address and legal description of the Rental Housing Unit;
- (b) The number of bedrooms within the Rental Housing Unit;
- (c) The name and Contact Information of each Owner;
- (d) If an Owner is a partnership, the name and Contact Information of each partner;
- (e) If an Owner is a corporation:
 - (i) the address of its head office;
 - (ii) the name and Contact Information of each director, officer and shareholder who holds more than 30% of the issued shares in the corporation; and
 - (iii) a Corporate Profile report dated no more than thirty (30) days from the date of application submission
- (f) Proof of ownership of the Rental Housing Unit, satisfactory to the Licence Commissioner;
- (g) Proof of Insurance that:
 - (i) Includes a limit of liability no less than \$2,000,000 (two million dollars) per occurrence for property damage and bodily injury;
 - (ii) Identifies the proposed use of the premise is that of a rental property; and
 - (iii) Requires that the Licence Commissioner be notified of any intended cancellation by the insurer no fewer than fourteen (14) days prior to such cancellation;
- (h) A completed police record check every Owner and Applicant, if different from the Owner, issued by an Ontario Police Service for the jurisdiction in which each Applicant or Owner resides, not more than thirty (30) days before the date of application submission, including:

- (i) If the Owner or Applicant is a partnership, a completed police records check for each partner; or,
- (ii) If the Owner or Applicant is a corporation, a completed police records check for each director, officer or shareholder who holds more than thirty percent (30%) of the issued shares in a corporation;
- (i) If none of the Owners reside in the City of Windsor, or if the Owner is a corporation, the name and Contact Information of a Local Contact;
- (j) A list for registration by the City of all Authorized Agents at the time of application, including their Contact Information;
- (k) A list for registration by the City of all Operators at the time of application, including their Contact Information;
- (l) A sworn statement by each Applicant certifying the accuracy, truthfulness, and completeness of the application; and,
- (m) Any other information required to be provided under this by-law or as may be requested by the Commissioner.

REQUIREMENTS FOR LICENCE ISSUANCE (NEW LICENCES)

S2.2 In addition to the requirements of S2.1, every application to issue (not renew) a Residential Rental licence shall also include:

- (a) An inspection certificate from a certified Electrical Safety Authority technician confirming the electrical system is in proper working order, which results from an inspection that was conducted no more than six (6) months prior to the date of application submission; and,
- (b) A completed Property Standards and Safety Checklist;
- (c) A signed written statement that:
 - (i) The Rental Housing Unit is in compliance with the *Building Code Act, 1992* or any regulations made under it, including the Building Code;
 - (ii) The Rental Housing Unit is in compliance with the *Fire Protection and Prevention Act, 1997*, or any regulations made under it, including the Fire Code;
 - (iii) The Rental Housing Unit is in compliance with the *Electricity Act, 1998*, S.O. 1998, c.15, Sched. A, as amended, or any regulations made under it, including the Electrical Safety Code;

- (iv) The Rental Housing Unit is in compliance with all applicable City By-laws;
- (v) The Owner and any person listed as an Authorized Agent or Operator is aware of all relevant federal and provincial legislation, including the *Human Rights Code*, R.S.O. 1990, c. H. 19, as amended, as well as all relevant municipal by-laws, and that they, and the Rental Housing Unit, will comply with all of them; and
- (vi) The Applicant or Owner confirms the accuracy, truthfulness and completeness of the information submitted.

REQUIREMENTS FOR LICENCE RENEWAL

S2.3 The information or documentation referred to in section S2.2(a) shall only be required for the issuance of a licence, not a renewal, except for every fifth renewal (every 5 years), at which time the Licence Commissioner may require the information or documentation to be produced.

BY-LAW NUMBER 15-2023

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 13th DAY OF FEBRUARY, 2023

Passed the 13th day of February, 2023.

WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this special meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.
3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - February 13, 2023
Second Reading - February 13, 2023
Third Reading - February 13, 2023



Council Questions: SCM 39/2023

Subject: Summary of Outstanding Council Questions as of February 9, 2022

OUTSTANDING COUNCIL QUESTIONS

Just a reminder that this is quoted from the 2004 Council report:

“overdue Council Questions (i.e., outstanding for 30 days or more) be responded to immediately.”

Outstanding:

- 2016 – 1
- 2017 – 1
- 2019 – 2
- 2020 – 6
- 2021 – 6
- 2022 – 13
- 2023 – 3

2016

Total Outstanding: 1

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Kusmierczyk	Comm. Infrastructure Services	<p>CQ10-2016</p> <p>Asks that administration report back on best practices from other cities regarding metered on-street accessible parking AND to provide feasibility and cost of implementing free metered parking for residents with Accessible Parking Permits.</p> <p>ST2016 (February 22, 2016)</p>	<p>Type of Response Required</p> <p>-Written Report</p> <p>CR414/2019 ETPS691 Referred back to Accessibility Committee and New City Hall Project Steering Committee for consideration. (Aug 26, 2019)</p>

Total Outstanding: 1

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Kusmierczyk	Chief Administrative Officer	CQ36-2017 Asks that Administration report back on the 100 resilient cities program which is funding the position of a Chief Resiliency Officer in 4 Canadian cities – and report back on cost and benefits of establishing the position of a Chief Resiliency Officer both in Windsor and regionally. AS/8286 (September 5, 2017)	Type of Response Required -Written Report

Total Outstanding: 2

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
McKenzie	Chief Administrative Officer	<p>CQ 7-2019 Asks that in light of the recent announcement from FCA to eliminate the third shift at the Windsor Assembly Plant and understanding the gravity of the economic impact to our community where as many as 10,000 jobs may be lost or affected, that Administration develop a proposal for Council’s review that could incent FCA to consider the possibility of introducing a new product into the Windsor Assembly Plant Facility. In doing so Administration should consider how existing City of Windsor economic development programs could be applied or amended to create a proposal that can help to protect the jobs now at risk both at the Windsor Assembly Plant and across the community generally.</p> <p>SPL/10759 (April 15, 2019)</p>	<p>Type of Response Required -Written Report</p>
Gignac	Comm. Community Services	<p>CQ 16-2019 Asks that Administration prepare a maintenance plan for East Bank of Little River where resident delegations identified a noxious, invasive plant (weed) issue.</p> <p>SR2019 (July 8, 2019)</p>	<p>Type of Response Required -Written Report</p> <p>CR655/2020 Additional info requested.</p>

Total Outstanding: 6

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
McKenzie	Comm. Human Health & Services and Comm. Economic Development & Innovation	<p>CQ 4-2020 That Administration prepare a comparative analysis of the Affordable Housing frameworks and incentives that are in place in comparable municipalities. To the extent that the data is available the analysis should consider all forms of affordable housing and the composition of the affordable housing marketplace in the communities analyzed.</p> <p>SS2020 (February 3, 2020)</p>	<p>Type of Response Required -Written Report</p>
Kaschak	Comm. Infrastructure Services	<p>CQ 7-2020 Asks that if Council decides to move forward with reducing the speed limit to 40 km/h on all city residential streets, that administration advise of the timelines and cost to implement this across the city.</p> <p>ST2020 (March 2, 2020)</p>	<p>Type of Response Required -Written Report</p> <p>CR169/2021 Referred to Admin.</p>
Francis	Chief Administrative Officer	<p>CQ8-2020 Asks Administration to prepare a report for Council's consideration regarding new initiatives, put in place to battle Covid19, that can remain in place to increase safety measures, efficiencies, environmental measures and cost savings moving forward. These measures might include paperless agendas and digital participation in meetings of council, among others.</p> <p>MH/13786 (April 27, 2020)</p>	<p>Type of Response Required -Written Report</p>
Costante	Executive Director Human Resources	<p>CQ17-2020 It is important that we recognize and acknowledge the historic and systemic nature of racism and discrimination in our country and our City. We understand that to move forward and promote equity and eliminate anti-racism requires reaching out to and hearing from the voices of those in our community and Corporation most impacted by discrimination and racism. In this pursuit, it is also essential that we work towards having a Corporation that is representative of the people it serves and that everyone is treated with respect. As such, I am seeking the input and recommendations of Administration and our Diversity Advisory</p>	<p>Type of Response Required -Written Report</p>

		<p>Committee on the viability of:</p> <p>1. Including community-led consultations on systemic racism, under Phase 2 of the City of Windsor Diversity and Inclusion Initiative.</p> <p>2. Seeking the input of those in our Corporation and related entities and our community most affected by racism and discrimination, regarding barriers to hiring and advancement in our Corporation and related entities as part of the Diversity and Inclusion Initiative.</p> <p>3. Including recommendations and input regarding providing historical information and educational materials for City owned statues, buildings and streets named with racist histories as part of the Diversity and Inclusion Initiative, and further developing a plan for inclusive street and property naming practices in the future.</p> <p>APM2020 (July 13, 2020)</p>	
McKenzie	Comm. Infrastructure Services	<p>CQ21-2020</p> <p>That given the significant cluster of developments through the Howard Avenue corridor between Cabana and South Cameron and increasing concerns among current residents around the capability of the municipal infrastructure directly impacted to support these developments, that Administration prepare a report evaluating those capacities and what if any appropriate investments should proceed in order to accommodate the new developments. The analysis should include a consolidated traffic impact study, an analysis of the condition of the roadway, the need for traffic management infrastructure and/or traffic calming as well as active transportation capacities or deficiencies.</p> <p>ST2020 (July 27, 2020)</p>	<p>Type of Response Required -Written Report</p>
McKenzie	Comm. Economic Development & Innovation	<p>CQ32-2020</p> <p>That Administration review and report back to Council on tree protection and replacement policies as it relates to the City of Windsor's land development bylaws. The review should include information pertaining to replacement ratios and the mechanisms by which trees are protected and required to be protected through the development process as well as the extent to which development is impacting the total tree count under our current framework along with</p>	<p>Type of Response Required -Written Report</p>

		options for Council to consider in terms of protecting trees and increasing tree cover through land development policy. SRT2020 (December 7, 2020)	
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Total Outstanding: 6

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Gignac	Executive Director of Human Resources	<p>CQ 7-2021 Asking Administration to provide a report to Council outlining the policy that regulates procedures after an accident involving City vehicles and any amendments they might propose to update it.</p> <p>ACD2021 & AL2021 18.2 (March 29, 2021)</p>	<p>Type of Response Required -Written Report</p>
Costante	Comm. Infrastructure Services	<p>CQ 15-2021 Asks that Administration report back on the possible causes of flooding on July 16th based on data collected, and that administration further provide any potential solutions moving forward.</p> <p>SW2021 (July 19, 2021)</p>	<p>Type of Response Required -Written Report</p>
McKenzie	Comm. Legal & Legislative Services	<p>CQ 17-2021 Asks that, to promote greater public safety for all people, that Administration work to develop a by-law for Council consideration to provide the City of Windsor with additional tools within the licensing framework for enforcement agencies to address unsafe and illicit activity in hotels and motels across the community that create dangerous and undesirable situations for motel guests, neighbours, and community members alike. The bylaw development process should include consultation process with industry stakeholders and social service providers, social agencies and health providers from both within and external to the City of Windsor as well as any other stakeholder group deemed appropriate by Administration.</p> <p>AB2021 & MH2021 18.1 (July 26, 2021)</p>	<p>Type of Response Required -Written Report</p>
Gignac	Comm. Infrastructure Services	<p>CQ 18-2021 Asks that Administration review the current truck routes in Windsor and bring a report with recommendations to Council on updating it as soon as possible.</p> <p>ST2021 18.2 (July 26, 2021)</p>	<p>Type of Response Required -Written Report</p>

Gignac	Comm. Economic Development & Innovation	<p>CQ 26-2021</p> <p>Asks that Administration research what municipal zoning bylaws may be in place in other municipalities in Ontario or across Canada that regulate Cannabis retail outlets/consumption areas.</p> <p>GP/13047 18.3 (November 1, 2021)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Costante	Comm. Infrastructure Services	<p>CQ 27-2021</p> <p>Asks that Administration report back on opportunities to amend the warrant matrix and incorporate additional factors when determining the installation of 4-way stops in our residential neighbourhoods. This may include certain factors in the warrant threshold be lowered or amended, and may also include other factors such as petitions and school zones to be incorporated in the overall matrix.</p> <p>ST2021 (November 15, 2021)</p>	<p>Type of Response Required</p> <p>-Written Report</p>

Total Outstanding: 13

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Gignac	Comm. Infrastructure Services	<p>CQ 1-2022 Asks Public Works if adjustment to snow incident response would be more effective if salting of residential streets at least once to prevent ice forming. Intention is not to increase budget to include additional salting but perhaps redirecting multiple salting of arterials to direct 1 to residential streets.</p> <p>SW2022 18.3 (January 17, 2022)</p>	<p>Type of Response Required -Written Report</p>
Gignac	Comm. Infrastructure Services	<p>CQ3-2022 Asks Administration for a report outlining how deficient residential roads not in the 10 year Capital Budget will be addressed.</p> <p>ACOQ2022 18.3 (February 14, 2022)</p>	<p>Type of Response Required -Written Report</p>
McKenzie	Comm. Infrastructure Services	<p>CQ5-2022 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.</p> <p>ACOQ2022/MI2022 (April 11, 2022)</p>	<p>Type of Response Required -Written Report</p>
Gignac	Comm. Infrastructure Services	<p>CQ8-2022 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.</p> <p>ACOQ2022 & ST2022 18.3 (May 9, 2022)</p>	<p>Type of Response Required -Written Report</p>
McKenzie	Comm. Infrastructure Services	<p>CQ9-2022 That Administration report back on the potential benefits of the City of Windsor offering a Private Culvert Rehabilitation Subsidy program to residents similar to other programs currently offered through the Flood Mitigation program framework such as the Basement Flooding Protection Program and the Downspout Disconnection Program. The analysis should include reference to impacts both to individual homeowners and the community as a whole from a flood mitigation standpoint as well as</p>	<p>Type of Response Required -Written Report</p>

		<p>estimated financial impacts, storm water management benefits and a potential funding source. The report to also include a subsidy program for backyard drains on private property. Carried.</p> <p>ACOQ2022 18.3 (June 13, 2022)</p>	
McKenzie	Comm. Community Services	<p>CQ12-2022</p> <p>Asks that Administration report back on the impact and feasibility of adding solar lights to park trails across the City when trail remediation occurs and where appropriate, and further, to report back on the impact of adding solar lights to any new park trail system as a standard practice moving forward.</p> <p>ACOQ2022/ST2022 (July 25, 2022)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Costante	Comm. Community Services	<p>CQ 14-2022</p> <p>Asks that, as part of the Urban Forest Management Plan, Administration should include information about the following: How a tree is determined to be either public or privately owned. Reason(s) for potential change in ownership status. The impacts of change in ownership status for the municipality and the private property owner with respect to liability, maintenance and replacement costs.</p> <p>ACOQ2022 & SRT2022 (August 8, 2022)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
McKenzie	Comm. Infrastructure Services	<p>CQ 17-2022</p> <p>Asks that Administration report back to Council on traffic noise along the EC Row corridor where sound mitigation measures are not in place close to sensitive land uses.</p> <p>ACOQ2022 & ST2022 (September 6, 2022)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
McKenzie	Comm. Community Services	<p>CQ 18-2022</p> <p>Asks that Administration provide an update on the current status and condition of the Jackson Park Band shell and further comment on the viability of a Feasibility Study outlining the scope of work necessary to bring the band shell back into community access and usage within the Parks Department inventory of assets.</p> <p>ACOQ2022 & SR2022 (September 6, 2022)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
McKenzie	Comm. Infrastructure Services	<p>CQ 19-2022</p> <p>Asks that Administration undertake a review of the use of artificial turf on the public right-of-way with a view to assess the impacts as it relates to climate change and bio diversity and to assess the on-going use of the material in terms of all</p>	<p>Type of Response Required</p> <p>-Written Report</p>

		potentially affected departments at the City of Windsor. ACOQ2022 & APM2022 (September 26, 2022)	
Gignac	Comm. Community Services	CQ 21-2022 Asks that Administration bring forward a report/recommendation to designate the Miracle Park as a regional park. ACOQ2022 & SR2022 (October 11, 2022)	Type of Response Required -Written Report
Morrison	Comm. Community Services	CQ 22-2022 Asks that Administration develop a plan for Council consideration to install solar lights where feasible and appropriate on all existing parkland trails. The analysis should include full costing of a variety of phasing options as well as cost projections for the initial installation, full life cycle maintenance and replacement of the lights. ACOQ2022 & SR2022 (October 11, 2022)	Type of Response Required -Written Report
McKenzie	Comm. Economic Development & Innovation	CQ 23-2022 Asks that Administration report back to Council on ways in which the City of Windsor may regulate overnight RV Parking in private lots, particularly in instances where this specific and problematic land use impacts and creates nuisance for adjacent property owners. A review of how other municipalities in Ontario have handled this issue should be included. ACOQ2022 & ST2022 (November 9, 2022)	Type of Response Required -Written Report

Total Outstanding: 3

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
K. McKenzie	Comm. Economic Development & Innovation	<p>CQ 1-2023</p> <p>Asks that given Council's declaration of a Climate Change Emergency informing the need to address climate change through municipal policy frameworks;</p> <p>And further, given the energy capacity challenges and opportunities faced by our community over the short, medium and long term;</p> <p>That Administration report back to Council with proposals for Council consideration to create a Green Energy Community Energy Plan (CIP) with the goal of creating a favourable energy investment climate for sustainable energy proposals.</p> <p>ACOQ2023 (January 16, 2023)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Kaschak	Comm. Community Services	<p>CQ2-2023</p> <p>Asks if this City Council wanted to potentially relocate in 2024 or 2025 the Bright Lights event from Jackson Park to a Downtown location starting at an Intersection like University Ave and Ouellette Ave and then work its way East to the City Hall open lands and then proceed North along the open lands/esplanade towards Riverside Drive. I ask Administration to provide a report in regards to the infrastructure, logistics and safety requirements required and obviously the cost of potentially relocating this event for the December 2024 Holiday season or no later than the December 2025 Holiday season.</p> <p>ACOQ2023 (January 16, 2023)</p>	<p>Type of Response Required</p> <p>-Written Report</p>
Marignani	Comm. Infrastructure Services	<p>CQ3-2023</p> <p>Asks that administration report back on best practices from other cities regarding snow removal and to provide feasibilities and cost to implementing and implementing the bylaw looking into localized streets snow removal due to drifts and blowing winds.</p> <p>ACOQ2023(January 30, 2023)</p>	<p>Type of Response Required</p> <p>-Written Report</p>

/sg
as of February 9, 2023



Council Directives: SCM 35/2023

Subject: Outstanding Council Directives as of Jan 30, 2023

Outstanding Council Directives Tracking Log

Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 17, 2012	CR293/2012	16287	City Planner	That the report of the City Planner dated November 21, 2012 entitled "Exemption from Sandwich Demolition Control By-law 20-2007 — 508, 520, 540, 556, 570, 590, 604, 612, 615, 622, 623, 631, 639, 646, 663, 670, 673, 686, 704, 710, 718, 724, 730, 738, 744, 750, 753, 758-760, 759, 765, 764, 769, 772, 777, 778, 781, 784, and 790 Indian Road, 812 and 862 Mill Street, and 764, 770, 780 and 788 Rosedale Avenue" BE DEFERRED as requested by the Canadian Transit Company, to allow for further discussions with administration on this matter.	Report remains deferred by Council, as per the Commissioner, Legal & Legislative Services.
August 24, 2015	CR159/2015 Clause XI	17893		"Corporate Payroll Business Process Review UPDATE": That the final FTE staffing changes reductions and resultant project savings and completions, BE REPORTED to City Council as part of or prior to the 2018 budget process	Q1 2021
May 16, 2016	CR334/2016	S 76/2016	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	THAT City Council AUTHORIZE the CFO/Commissioner, Corporate Services Chief Financial Officer & City Treasurer(or delegate) to sign Minutes of Settlement as it relates to the Centralized Property Appeals. THAT the CFO/Commissioner, Corporate Services Chief Financial Officer & City Treasurer(or delegate) BE REQUIRED to report the results of the Minutes of Settlement to City Council once all appeals have been finalized.	Ongoing as required

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 19, 2016	CR594/2016	C 176/2016	Chief Administrative Officer	<p>THAT City Council APPROVE the allocation of \$400,000 for the design, creation, installation and unveiling of a commemorative statue to honour the life and work of Hiram Walker; and,</p> <p>THAT City Council APPROVE that \$390,000 BE FUNDED from the 2014 Enhanced Capital Budget Contingency Placeholder for this project with the remaining \$10,000 to BE FUNDED from Councillor Holt's 2016 ward funds; and,</p> <p>THAT City Council APPROVE the sole source retention of artist Mark Williams for the creation, fabrication and installation of a statue/sculpture depicting Hiram Walker and DIRECT administration to prepare an agreement to retain the services of Mr. Williams accordingly; and,</p> <p>THAT the CAO and Commissioner, Legal & Legislative Services BE AUTHORIZED to take any other steps as may be required to bring effect to these resolutions, satisfactory in form to the Commissioner, Legal & Legislative Services, in financial content to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and in technical content to the Commissioner, Infrastructure Services; and,</p> <p>THAT the CAO and Commissioner, Legal & Legislative Services BE AUTHORIZED to sign any required documentation as it relates to this project, satisfactory in legal form to the Commissioner, Legal & Legislative Services, in technical content to the Commissioner, Infrastructure Services, and in financial content to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer; and further,</p> <p>THAT administration REPORT BACK on fundraising efforts towards this project within six months.</p>	CAO 4032 - To be completed 2020

Outstanding Council Directives Tracking Log

Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 6, 2017	CR59/2017	CM 59/2016	City Planner	<p>THAT the report of the City Planner dated October 26, 2016 entitled "Response to CQ34-2016: Design Guidelines for fencing along Riverside Drive" BE RECEIVED for information; and further,</p> <p>THAT Administration BE DIRECTED to prepare a report for Council's consideration that would:</p> <ul style="list-style-type: none"> - Institute a by-law standard for decorative fencing and parking areas along Riverside Drive (both the north and south sides of Riverside Drive); and - Include options for incentivizing existing commercial and industrial property owners to be able to upgrade their existing fencing along the waterfront side of Riverside Drive; and <p>Include costing for decorative fencing from just east of Hiram Walker's all the way to Strabane.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 16, 2017	CR648/2017	C 180/2017	Chief Administrative Officer	<p>... That pending the restoration of the Street Car #351, City Council APPROVE IN PRINCIPLE the installation of Street Car #351 into a Riverfront Park location with a future report to City Council for site location approval and funding request to install at said location and to develop a maintenance fund for future requirements; and further,</p> <p>That administration BE DIRECTED to undertake a public consultation process on this project, and that following this process, that an administrative report BE PREPARED for Council's consideration no later than 6 months after the Trolley is accepted from the current owner, to provide options as to usage if it is for some kind of vending (e.g., food and/or drink) or anything of that nature, including costs for transportation, placement, and potential sites; and further,</p> <p>That the CAO and Commissioner, Legal & Legislative Services BE AUTHORIZED to sign any other documents required to bring effect to these resolutions, in form satisfactory to the Commissioner, Legal & Legislative Services, in financial content satisfactory to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer/Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and in technical content to the Corporate Leader of Parks, Recreation, Culture and Facilities and Executive Director of Recreation and Culture; and further,</p>	CR297/2018 Fundraising Ongoing
January 15, 2018	B32/2018	S 184/2017	City Forester	<p>THAT the report from the City Forester regarding an update on the progress of a City-wide Tree Inventory Project, a Preventative Tree Maintenance Program and a Urban Forest Management Plan BE RECEIVED; and further,</p> <p>THAT funding for the Preventative Tree Maintenance Program in the estimated annual amount of \$2,080,000 beginning in 2019 BE REFERRED to future Capital budget deliberations; and,</p> <p>That Administration PROVIDE information on any available subsidized programs which may exist by investigating best practices used in other municipalities; and that this information BE PROVIDED during the 2019 Budget deliberation process.</p>	Will be included in Capital Variance Report 2021

Outstanding Council Directives Tracking Log

Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
March 26, 2018	CR155/2018	C 52/2018	Commissioner, Infrastructure Services	<p>...That the Purchasing Department BE AUTHORIZED to issue a Purchase Order to Haddad, Morgan and Associates Ltd. to provide engineering services related to the redevelopment of 6700 Raymond Ave (former Concord School site) for an upset limit of \$75,500 plus taxes; and further,</p> <p>That the Commissioner, Infrastructure Services or designate BE AUTHORIZED to issue the requisite tender for the construction works required for the redevelopment and FURTHER that once the tender results are known that a report be submitted to City Council relative to the award of the contract and identifying a funding source for any projected funding shortfalls that may arise.</p>	On hold pending Planning's review of tiny houses as asked by Councillor Gignac Now that the SMP is complete we need to review the impact of this development however the concepts are still being developed by Planning - update towards end of Dec. 2020
May 7, 2018	CR245/2018	CMC 9/2018	Chief Administrative Officer	<p>That the correspondence from the Ministry of Education dated April 27, 2018 regarding an update to Ontario's commitment to revise the Pupil Accommodation Review Guideline (PARG) BE RECEIVED, and further, that Administration BE DIRECTED to prepare a report for Council's consideration in terms of the possibility for applying on the City of Windsor's behalf for the Call of Proposals being issued this summer to participate in the Voluntary Integrated Planning and Partnerships Initiative (VIPPi), to provide flexible support to local partners that wish to enhance their collective capacity for integrated capital and community planning.</p>	
May 7, 2018	CR253/2018	C 76/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>...That all expenditures made under the exemption BE REPORTED to Council by the 2022 CAN-AM Police-Fire Games General Manager within a reasonable time following the conclusion of the Project.</p>	
May 7, 2018	CR265/2018 ETPS 597	SCM 178/2018 & S 59/2018	Commissioner, Community Services	<p>That the report of the Manager of Parks Development dated March 28, 2018 entitled "Response to CQ4-2016 Lighting at Riverfront Walkway Near Askin Boulevard" BE RECEIVED for information; and,</p> <p>That a report be BROUGHT BACK as part of the 2021 budget deliberations relative to the matter so that council can debate the allocation of the Central Riverfront Park Improvement placeholder funds, including consideration of lighting the riverfront walkway.</p>	Stand alone report or as part of Capital Budget submissions under CRIP or lighting projects for 2021

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 7, 2018	CR275/2018	C 77/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	That Council PROVIDE Riverwest with the City's copyright permission to use banners with the likeness of public artwork owned by the City on condition that Riverwest agrees that the banners contain an acknowledgement of the artists who produced the original artwork; and further, That Council APPROVE the requested \$5000 indemnity and that this BE CHARGED to the Budget Stabilization Reserve Fund (BSR) and that Administration BE DIRECTED to prepare a draft policy for Council's consideration regarding banners (how they can be requested, all costs associated, etc.) outlining what would be expected.	
June 4, 2018	CR333/2018 Clause VII	S 235/2017 & SCM 75/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	VII. That Administration REPORT BACK to City Council regarding the catalyst project designation under the Building/Property Tax Increment Grant Program.	
August 27, 2018	CR472/2018	C 148/2018	City Planner	That the Walkerville area BE SELECTED as a pilot project area for the Districting Initiative and generally bounded on the north by the Detroit River, on the south by Niagara Street, on the east by Walker Road, and to the west by Gladstone Avenue. That a design and costing consultant at a cost not to exceed \$100,000.00 (plus HST) BE RETAINED for purposes of performing a higher level design analysis/value engineering and market costing so that the most accurate budget estimates can be obtained and further approved by Council prior to project selection/execution; and further, That the cost of the design and costing consultant BE FUNDED from the 2018 Enhanced Budget for District Theming previously approved for spending by Council via CR123/2018; and, That a future Council Report BE PREPARED by the City Planner recommending and describing the specific Walkerville Districting projects to be completed with estimated budgets and timelines for completion.	

Outstanding Council Directives Tracking Log

Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 17, 2018	CR503/2018 ETPS 630	SCM 332/2018 & C 122/2018	Commissioner, Community Services	<p>That the report of the Manager Parks Development, dated July 20, 2018, responding to CQ27-2017 regarding first responders signage for parks, BE RECEIVED for information; and,</p> <p>That City Council BE ADVISED that Administration will return to Council in January 2019 to request the approval to proceed with this project and release the 2023 funding allocated as part of the 2018 Enhanced Budget, and further,</p> <p>That Administration BE DIRECTED to develop a wayfinding standards policy based on the results of the Little River Corridor wayfinding signage and markers, as a pilot project, to be brought to City Council for approval.</p>	Wayfinding signage at Little River Corridor install Spring 2020 as Pilot. Report to follow on year after review of pilot (summer/fall 2021)
September 17, 2018	CR512/2018 PHED 589	SCM 257/2018 & SCM 207/2018	City Planner	<p>That Report No. 7 of the Windsor Housing Advisory Committee indicating: That the "Draft" Official Plan policies relating to second unit policies BE ACCEPTED and further, that the recommendation of the Housing Advisory Committee proceed to the Planning, Heritage and Economic Standing Committee and to City Council as expeditiously as possible, BE APPROVED; and,</p> <p>That Administration REPORT BACK to Council on best practices from surrounding Municipalities regarding heights and set back requirements for ancillary structures.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 1, 2018	CR550/2018	S 165/2018	Commissioner, Community Services	<p>That the report from Glos Associates Inc. titled “Proposed Relocation/Construction of Lanspeary Park Greenhouse Feasibility Study” and dated September 10, 2018 BE RECEIVED; and further,</p> <p>That Council APPROVE OPTION #2 – Construct a new greenhouse complex at Jackson Park- as the preferred solution; and further,</p> <p>That Council REFER consideration of the associated funding for the chosen option to the 2019 budget deliberations; and further,</p> <p>That subject to funding being approved in the Capital Budget, Administration BE DIRECTED to construct a new greenhouse complex at Jackson Park inclusive of the expansion space for in-house plant production and thereafter proceed to demolish the existing Lanspeary Park Greenhouse Complex, taking into consideration any heritage features or buildings contained thereon, and restore the subject area to parkland; and further,</p> <p>That Administration BE DIRECTED to offer options for the expansion of the demonstration house on the site within the re-development plans for Lanspeary Park (options showcasing the low impact re-development); and further,</p> <p>That Administration BE DIRECTED to provide information on production numbers for having this in-house versus externally for this service (how much does the taxpayer benefit from having this in-house).</p>	<p>Info on production numbers will be included in the report for approving the precommitment of remaining funds required anticipated in early January 2021. Lanspeary redevelopment plans/report will follow public open house, late 2021 early 2022.</p>

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Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 7, 2019	CR4/2019	C 217/2018	Chief Administrative Officer	<p>1. That City Council AUTHORIZE Administration to proceed with, and PRE-COMMIT funding for, the additional 2018 Enhanced Capital Projects identified in Appendix A for the 2019 calendar year; and,</p> <p>2. That the award of tenders or RFP's for the identified works BE PRE-APPROVED, subject to being within the allocated budget and in accordance with Purchasing by-law 93-2012, and that the Chief Administrative Officer and Commissioner, Legal & Legislative Services BE AUTHORIZED to sign all relevant agreements, in form satisfactory to the Commissioner, Legal & Legislative Services, in financial content satisfactory to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer and in technical content satisfactory to the Commissioner, Infrastructure Services, City Planner or Corporate Leader of Parks, Recreation, Culture and Facilities; and,</p> <p>3. That Administration REPORT BACK to City Council through a Communication Report(s) the results of all tenders that were awarded and approved, with any that require additional funding to be reported to Council separately.</p>	
February 4, 2019	CR35/2019	C 11/2019	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That City Council APPROVE, as per the requirements of the Leadership Asset Management Program (LAMP), the use of the tools and guidelines for Triple bottom line plus (TBL+), Whole life-cycle (WLC) and Business Case Evaluation (BCE) as developed through the LAMP grant and approved by the Asset Planning Steering Committee; and,</p> <p>That City Council DELEGATE authority to the Asset Planning Steering Committee to provide oversight to the implementation of this framework and to amend the guidelines and tools as may be deemed necessary as such guidelines and tools are integrated within the Corporation; and further,</p> <p>That Administration BE DIRECTED to prepare a report for Council's consideration on methods that could be used to accelerate the process for implementation</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
March 25, 2019	CR120/2019	C 43/2019	Commissioner, Legal & Legislative Services	That the report of the Commissioner, Corporate Services Chief Financial Officer & City Treasurer regarding the Mayor, Councillors and Appointees 2018 Statement of Remuneration and Expenses BE RECEIVED for information; and further, That in a municipal election year, NO COUNCILLOR SHALL BE PERMITTED to commit to any conferences after the date of an election in a municipal election year; and further, That Administration BE DIRECTED to prepare a report for Council's consideration on a process that would allow all members of Council to access conference materials and summary notes for information purposes, from those Councillors that attend conferences.	
April 1, 2019	B8/2019	C 226/2018	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	That City Council RECEIVE the 2019 Capital Budget 7-Year Plan documents reflective of approx. \$845.104 M in total funding; and... That Administration BE DIRECTED to REPORT BACK to Council regarding the infrastructure deficit and a high-level plan to address it; and, As amended a total of \$240,000 from the 2019 Grant Matching and Inflationary Pressures project (FIN-001-19) be reallocated to: Capitol Theatre Capital Improvements (ENG-010-17) in the amount of \$40,000 for the new Marquee sign and Pedestrian Crossing (OPS-001-19) in the amount of \$200,000 for priority pedestrian crossings as identified in agenda Item 11.14.	
April 1, 2019	B14/2019	C 188/2018	Commissioner, Infrastructure Services	That Council FORMALLY REQUEST the Lieutenant Governor of Ontario for permission to divest of the City-owned shore wall along Lake St. Clair; and, That Administration FURTHER REPORT BACK with respect to the question regarding possible transfer ownership of shore walls and associated land; and...	Letter sent to ERCA Richard Wyma on November 2019. Letter sent by CAO to MNRF January 16, 2020 c/o Mitch Wilson. Cannot be responded to until a response is received. It will likely be a year or more. September 9, 2020 - Lt Gov. has not yet responded

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Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
April 1, 2019	B61/2019	Reference #C118	Chief Executive Officer Windsor Library	That the recommended “Addition of Friday Branch Hours” (Budget Issue #2019-0358) in the amount of \$98,412 BE NOT APPROVED , and that it BE FUNDED through one-time dollars and that Administration REPORT BACK in 2020.	
May 6, 2019	CR210/2019	C 78/2019	Community Development and Health Services Commissioner – Corporate Leader Social Development and Health	<p>That the report from the Commissioner of Community Development and Health Services and the Administrator/Executive Director of Huron Lodge Long-Term Care Home BE RECEIVED for information; and further...</p> <p>That the Chief Administrative Officer and Commissioner, Legal & Legislative Services BE AUTHORIZED to execute any documents required to establish and participate in the Ontario Health Team, such that any funding does not create an additional annualized cost without the prior approval of City Council, and subject to legal approval by the Commissioner, Legal & Legislative Services, financial approval by the Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and technical approval by the Community Development and Health Commissioner and Executive Director of Huron Lodge; and further,</p> <p>That Administration BE DIRECTED to provide appropriate reports to City Council as the Ontario Health Team is established in Windsor and Essex County.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 8, 2019	CR322/2019	C 68/2019	Chief Building Official	<p>That a vacant building registry NOT BE IMPLEMENTED at this time and the vacant building initiative (VBD) BE EXTENDED to July 2020; and,</p> <p>That Building Administration CONTINUE TO REVIEW the effectiveness of the VBI program and PROVIDE City Council costing options to maintain permanent pro-active vacant building enforcement as part of the 2020 Building Inspections budget submission; and,</p> <p>That a sixth goal BE ADDED to the 5 program goals listed in the report, specifically “To mitigate visible blight for the affected neighbourhood”; and,</p> <p>That administration BE DIRECTED to report back in 2020 for a more fulsome breakdown of statistics including types of orders issued, which were successful, which were complied with, and that the report ALSO INCLUDE options for a vacant building registry that expressly includes the topic of access, cost recovery, identification, highest fees possible under the law and the shortest timelines.</p>	
July 8, 2019	CR334/2019	SCM 205/2019 & S 102/2019	City Planner	<p>That this Council Report responding to CQ 1-2019 on the benefits and process to designating Walkerville a Heritage Conservation District under the Ontario Heritage Act BE RECEIVED FOR INFORMATION; and,</p> <p>That Administration BE DIRECTED to proceed with the implementation of the Walkerville Heritage Conservation District Study; and,</p> <p>That administration PROVIDE a fulsome report to the Development and Heritage Standing Committee outlining the process, timelines and next steps.</p>	

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Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 8, 2019	CR340/2019	SCM 183/2019 & S 97/2019	Commissioner, Human & Health Services	<p>...That Administration BE DIRECTED to bring the Community Safety and Well-being Plan to City Council and the Windsor Police Services Board in sufficient time to be adopted prior to the Provincial government's deadline of January 1, 2021; and further,</p> <p>That the Commissioner of Community Development and Health Services or her designate BE REQUESTED to provide regular updates to the Community Services and Parks Standing Committee over the process of development and implementation of the Community Safety and Well-being Plan.</p>	CR337/2020 Extended deadline
July 8, 2019	CR347/2019	SCM 190/2019 & S 79/2019	Commissioner, Human & Health Services	<p>...That the Chief Administrative Officer and Commissioner, Legal & Legislative Services BE AUTHORIZED to execute any agreements, documents and forms required to establish and participate as a Prototype, Service System Manager and/or Direct Delivery Agent, such that any funding does not create an additional annualized City cost without the prior approval of City Council. Authorization would be subject to approval as to legal content by the Commissioner, Legal & Legislative Services, as to financial content by the Commissioner, Corporate Services Chief Financial Officer & Commissioner, Corporate Services Chief Financial Officer & City Treasurer and Commissioner, Corporate Services Chief Financial Officer & City Treasurer designate, and as to technical content by the Community Development and Health Services Commissioner and the Commissioner, Human & Health Services; and further,</p> <p>That Administration BE DIRECTED to provide appropriate reports and updates to City Council regarding the Ontario Works – Employment Ontario Transformation as information becomes available.</p>	
August 26, 2019	CR424/2019	S 129/2019	Senior Manager Asset Planning	<p>That City Council RECEIVE and APPROVE the attached Asset Management Plan for the City of Windsor in compliance with Ontario Regulation 588/17 – Asset Management Planning for Municipal ; and further,</p> <p>That the report of the Manager of Asset Planning dated July 8, 2019 entitled “Corporate Asset Management Plan” BE DEFERRED to the 2020 Budget Deliberations to allow Council to consider the additional recommendations in the report.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 7, 2019	CR495/2019 Clause 6	C 162/2019	Sokol- Asset Planning	1 – That Council AUTHORIZE administration to negotiate a Municipal Sewer Access Agreement between the City of Windsor and Noventa Energy Partners Ltd. for the purpose of connecting to the City’s sanitary sewer trunk line at a designated location along Riverside Drive, satisfactory in form to the Commissioner, Legal & Legislative Services, in technical content to the Commissioner, Infrastructure Services, and in financial content to the Commissioner, Corporate Services Chief Financial Officer & Commissioner, Corporate Services Chief Financial Officer & City Treasurer and Commissioner, Corporate Services Chief Financial Officer & City Treasurer; and... 6 – That Council DIRECT administration to report back detailing the outcome of the negotiated agreements and other related matters contained in this report.	
November 18, 2019	CR543/2019	S 198/2019	Commissioner, Human & Health Services	...That Administration BE DIRECTED to bring the regional Community Safety and Well-Being Plan to City Council and Essex County Council in sufficient time to be considered prior to the Provincial government’s deadline of January 1, 2021.	CR337/2020 Extended deadline
November 18, 2019	CR564/2019	SCM 388/2019 & SCM 329/2019	Windsor Police Services	That Report No. 21 of the Windsor BIA Advisory Committee – Increasing enforcement on Wyandotte St. East from Devonshire to Lauzon indicating: That Administration from Windsor Police Services BE REQUESTED to report back on the feasibility of increasing enforcement on Wyandotte Street East from Devonshire to Lauzon Road due to excessive speeding along this corridor.	
December 2, 2019	CR601/2019	SCM 417/2019 & SCM 365/2019		That Report No. 2 of the Committee of Management for Huron Lodge indicating: That Administration BE REQUESTED to report back on the history of per diem funding in long term care homes and the comparators relating to the allocation of food per diems in other institutions	

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Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 2, 2019	CR608/2019	SCM 412/2019 & S 200/2019	Commissioner, Human & Health Services	<p>That this report from the Executive Director of Housing and Children's Services regarding the Windsor Essex Child Care and Early Years Service System Plan 2020-2025 BE ACCEPTED; and,</p> <p>That the Executive Director of Housing and Children's Services BE AUTHORIZED to submit The Windsor Essex Child Care and Early Years Service System Plan 2020-2025 to the Province of Ontario's Ministry of Education on or before December 31, 2019 as required under the Child Care and Early Years Act; 2014 (CCEYA); and,</p> <p>That the Executive Director of Housing and Children's Services REPORT BACK to Council should the Ministry of Education have substantial changes and/or recommendations that are directed by the Minister to be incorporated into The Windsor Essex Child Care and Early Years Service System Plan 2020-2025; and,</p> <p>That the Executive Director of Housing and Children's Services BE AUTHORIZED to submit subsequent reports/updates on The Windsor Essex Child Care and Early Years Service System Plan 2020-2025 to the Ministry of Education if required; and further,</p> <p>That Administration REPORT BACK to the Community Services and Parks Standing Committee once further analysis is completed regarding the causal data related increase in vulnerability as reported in the Early Development Instrument (EDI) and further analysis in terms of breakdowns of EarlyON programs and usage.</p>	
December 16, 2019	CR621/2019	C 203/2019	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That City Council APPROVE the issuing of a Request for Proposal (RFP), in accordance with Purchasing Bylaw 93-2012 and amendments hereto, for the potential development of a photovoltaic generation Net Metering project on suitable City of Windsor properties; and,</p> <p>That the Council DIRECT Administration to report back on the outcome of the RFP identifying the successful proponent along with a detailed business case analysis.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 20, 2020	CR40/2020	SCM 485/2019 & S 230/2019	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	That the Environment, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors APPROVE the Transit Master Plan – More Than Transit (the Plan) as follows: 1. That the Plan BE the roadmap for Transit Windsor from the years 2020 to 2028 to follow with annual reviews and updates; and, 2. That any 2019 operating revenue surplus to a maximum of \$250,000 BE TRANSFERRED to Capital to fund a Garage Feasibility Study in order to implement the plan; and, 3. That the recommendations as set out by Administration for capital and operating needs for 2020 through to 2028 BE DEFERRED to the City of Windsor Annual Operating and Capital Budget with regards to implementation of the plan.	
January 27, 2020	B9/2020	SCM 299/2019 & S 167/2019	Commissioner, Infrastructure Services	That Administration BE DIRECTED to prepare a report for Council's consideration related to options for curbside garbage collection instead of alley collection citywide wherever possible.	Report written as C 151/2020. Will be updated with new financial information and is expected to go to December 16 ETPS
January 27, 2020	B58/2020	AFB/13467	Chief Administrative Officer	That Administration BE DIRECTED to implement a Zero Based Participatory Full Council Budget model for the 2021 Budget deliberations and further that a report BE PROVIDED in the Spring of 2020 outlining the parameters and options for a Zero Based Budget model for Council's consideration and decision.	

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Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 24, 2020	CR99/2020 CR605/2019 CSPS79	SCM 58/2020 & C 160/2019	Commissioner, Community Services	<p>...That the International Relations Committee BE REQUESTED to review the \$25,000 commitment for the You + Me sculpture project due to the updated information regarding the \$50,000 financial commitment to this project by the Rotary Club of Windsor-Roseland;</p> <p>That the International Relations Committee RECONSIDER committing \$25,000 in the You + Me sculpture project; and further,</p> <p>That, in the absence of the International Relations Committee reconsidering a \$25,000 financial commitment, the International Relations Committee REPORT BACK to Council with their plan for the \$25,000 that was previously committed to the You + Me sculpture project.</p>	Completed - a small portion (\$5,000) was allocated to the You +Me sculpture project and of the remaining \$20,000 the IRC has approved \$14,000 for the Sister Cities Pole
April 27, 2020	CR149/2020	C 76/2020	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That the results of the email poll conducted by the Deputy Commissioner, Legal & Legislative Services on April 8, 2020 approving the following recommendation BE CONFIRMED AND RATIFIED:</p> <p>That, consistent with CR 127/2020 which provided all taxpayers property tax relief in the form of an extension for payment of the third interim tax instalment, City Council EXTEND the due date for the 2020 1st quarter remittance of the Municipal Accommodation Tax (MAT) from April 30, 2020 to June 30, 2020; and further,</p> <p>That there WILL BE NO late payment charges in either form, penalty and/or interest through the period June 30, 2020; and further,</p> <p>That the Commissioner, Legal & Legislative Services AMEND By-law 133-2018;</p> <p>and further,</p> <p>That administration BE DIRECTED to prepare a report for Council's consideration, as soon as possible, on options available for the City of Windsor to use the Municipal Accommodation Tax (MAT) to help the local hospitality industry as a result of the ongoing COVID-19 pandemic.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 27, 2020	CR380/2020	C 145/2020	Community Development and Health Commissioner & Corporate Leader – Social Development and Health	<p>That the Review of Emergency Shelter Services in Windsor Essex Report by Vink Consulting Inc. BE RECEIVED for information; and,</p> <p>That the Executive Director of Housing and Children’s Services BE DIRECTED to bring forward reports to City Council addressing the recommendations for the future state of the emergency shelter system, including implementation plans with associated costs; and,</p> <p>That the Executive Director of Housing and Children’s Services BE AUTHORIZED to pursue funding options to support any required operational and capital investments and further, should such funding options be in the forms of grants and/or loans; and,</p> <p>That the Chief Administrative Officer and Commissioner, Legal & Legislative Services, or their designates, BE AUTHORIZED to sign any applications and take any such actions as required to secure funding provided such documents are in a form satisfactory to the Commissioner, Legal & Legislative Services, satisfactory in financial content to the Commissioner, Corporate Services Chief Financial Officer & City Treasurer, and technical content to the Executive Director of Housing and Children’s Services; and further,</p> <p>That Administration BE DIRECTED to report back to the Community Services and Parks Standing Committee on a quarterly basis on timelines and progress of the report.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 7, 2020	CR553/2020 DHSC 207	SCM 311/2020 & S 53/2020	City Planner	<p>I. That Administration BE REQUESTED to give notice of intention to designate the property located at 436 Askin Ave in accordance with Part IV of the Ontario Heritage Act; within 60 days from September 25, 2020; and,</p> <p>II. That the request to demolish the enclosed porch and balcony at the rear of 436 Askin Ave to facilitate a rear addition and conversion to a semi-detached dwelling as currently proposed, BE REFUSED, in accordance with the Ontario Heritage Act, Section 30 Effect of the Notice of Designation; and,</p> <p>III. That Administration REPORT BACK to Council regarding initiation of a Heritage Conservation District Area Study for this area; and, that the report include suggestions related to potential boundaries, optional designation of a Heritage Conservation District Study Area Bylaw, timing of the study and funding considerations.</p>	
November 23, 2020	CR585/2020	C 220/2020	Commissioner, Community Services	That the report of the Senior Manager – Facilities dated November 6, 2020 entitled “Corporate Security Plan and Risk Assessment” BE DEFERRED to allow for additional information from administration.	
December 7, 2020	CR616/2020 Clause 6	C 54/2020	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	6. That administration BE DIRECTED to report back at a high level on the economic impact and any perceived impacts on development if Council were to revisit eliminating the industrial exemption.	
December 21, 2020	CR655/2020	SCM 374/2020 & S 164/2020	Commissioner of Parks, Recreation, Culture and Corporate Facilities	That Administration BE REQUESTED to report back to Council outlining the costs associated with undertaking an invasive species management strategy citywide.	
January 18, 2021	CR40/2021 ETPS 802	SCM 16/2021 & S 155/2020	Commissioner, Economic Development & Innovation	That the report of the Environment, Transportation and Public Safety Standing Committee of its meeting held December 16, 2020 regarding “Wyandotte Street East Corridor Review” BE REFERRED back to Administration to narrow the focus as soon as possible, and to satisfy the Active Transportation Master Plan by providing cycling infrastructure along Wyandotte Street East and further, that in-person public meetings BE HELD once permitted, as part of a consultation process that would include residents and businesses in the subject area.	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 1, 2021	CR64/2021 CR26/2021 DHSC 226 DHSC 227 DHSC 228 Clause 6	SCM 2/2021 & S 170/2020	City Planner	...6. That the City Planner BE DIRECTED to report back to Council on a range of options available to address the concerns arising from the 2650 Metcalf property operating as a Transport Terminal.	
February 8, 2021	CR69/2021	SCM 44/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	That Council RECEIVE the external advisory report and ENDORSE IN PRINCIPLE the recommendations enclosed in Windsor Works: An Economic Development Strategy for the City's Future Growth; and further, That Council DIRECT Administration to undertake the work required in order to prepare a detailed implementation plan as soon as practical and provide quarterly updates to Council on progress.	
February 22, 2021	B26/2021		Commissioner, Infrastructure Services	That the Street Extension and Trunk Sewer Project on Jarvis (ECP-010-07) BE DEFERRED for a period of 1 year to allow for the completion of the Environmental Assessment and public consultation to be conducted.	
March 29, 2021	CR110/2021	Clerk's File: SP2021		That the report of the Windsor Police Service entitled "Strategic Plan: 2020-2022" BE REFERRED to a future meeting of Council to allow for representatives from the Windsor Police Service to be in attendance and available for questions	
March 29, 2021	CR111/2021	Clerk's File: MU2021		That the "Windsor Utilities Commission 2020 Summary Report: Water + Imagination = Quality of Life" BE REFERRED to a future meeting of Council to allow for representatives from Windsor Utilities Commission to be in attendance and available for questions	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
April 19, 2021	CR161/2021	SCM 108/2021 & S 9/2021	Commissioner, Economic Development & Innovation	<p>1. That the Community Safety Zone Policy, attached as Appendix 1 of this report, BE ADOPTED.</p> <p>2. That Traffic By-law 9148 BE AMENDED as listed and attached in Appendix 2 of this report.</p> <p>3. That the Commissioner, Legal & Legislative Services BE DIRECTED to prepare the necessary documents to amend the by-law.</p> <p>4. That Administration BE REQUESTED to provide a report back on the cost of adding the nine Business Improvement Areas as Community Safety Zones.</p>	
April 19, 2021	CR165/2021	C 41/2021	Commissioner of Parks, Recreation, Culture and Corporate Facilities	<p>...That Council APPROVE the ongoing operational costs, including an increased Windsor Auxiliary Police presence within the Riverfront Trail with all associated costs related to the pilot project of e-scooters in Parks to be charged to the Parks Operations operating budget in 2021 and funded by the Budget Stabilization Reserve (BSR) during the pilot project period in 2021 as outlined in the financial matters section of this report, and that Administration include a submission on the funds required in the following year as part of the 2022 Operating Budget deliberations and further, That Administration REPORT BACK to Council on the results of the pilot project including ongoing costs after its completion.</p>	
April 19, 2021	CR168/2021	SCM 110/2021 & S 24/2021	Commissioner, Economic Development & Innovation	<p>That \$1,000,000 BE TAKEN from the 2020 yearend operating budget surplus and APPLY THIS AMOUNT to establish a traffic calming capital project budget for traffic calming initiatives; and further,</p> <p>That administration BE DIRECTED to report back to Council with a policy, including a rollout plan, that would allow residents to request speed bumps if the majority in the subject block wish to see that happen.</p>	
May 3, 2021	CR179/2021	C 51/2021	Commissioner, Legal & Legislative Services	<p>That the report of the Senior Legal Counsel and Student-at-Law dated April 9, 2021 entitled "Response to CR591/2020 – Cannabis Odour" BE DEFERRED to allow for a further report once the enforceability of the Town of Leamington's Cannabis Regulation By-law is considered by the Superior Court of Justice and the Normal Farm Practices Protection Board, and that the report also include possible enforcement options that would be available for Council's consideration.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 3, 2021	CR182/2021 Clause 4	C 53/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	4. That Administration BE DIRECTED to review the application of discounts applied to the first and second sub-classes of farmland awaiting development and provide recommendations to City Council with regards to the elimination of the tax rate discounts as part of the 2022 Tax Policy report.	
May 17, 2021	CR213/2021	MBA/3183 MBA/2988	& City Planner	That the correspondence from Paul Mullins on behalf of Assumption Parish dated April 23, 2021 requesting support from the City of Windsor to be recognized by Parks Canada as a Nationally Significant Historic Site, BE REFERRED to administration for review and a report back to Council for consideration, specifically as it would pertain to the ramifications designation would have on city property.	
June 21, 2021	CR285/2021	C 87/2021	Chief Administrative Officer	That Council RECEIVES the report from the Chief Administrative Officer on June 7, 2021, which provides a preliminary organizational review of The Corporation of the City of Windsor; and, That Council DIRECTS Administration to report back to Council with a Corporate Strategic Plan that will provide strategic and tactical objectives that will continue to create an organization that is innovative, agile, collaborative, solution-oriented, efficient, and effective; and, That Council DIRECTS Administration to create an Implementation Playbook for the 20-Year Strategic Vision to ensure the continued rapid realization of its goals; and, That Council DIRECTS Administration to report back to Council with amendments to the Delegated Authority By-law No. 208-2008 to remove “red tape” and enable rapid execution of Council’s vision and direction; and, That Council AMENDS CAO By-law No. 218-2002 to reflect the current organizational structure, i.e. clarifying that the CAO shall recommend to Council the appointment and dismissal of Corporate Leadership Team members and statutory officers but not Department Heads; and, That Council DIRECTS Administration to retain an expert in effective board governance and facilitation, and schedule a closed Council Workshop for education purposes.	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 19, 2021	CR321/2021	GCE2021 & ACOQ2021	Commissioner, Legal & Legislative Services	<p>That the correspondence from the Commissioner, Legal & Legislative Services dated July 13, 2021 regarding “Response to CQ11-2021: Ontario Conservation Authority Working Group consultations” BE RECEIVED; and further,</p> <p>That administration BE DIRECTED to schedule an education/information session for Council and administration regarding core services and optional services, in order to allow Council to then issue a submission to the Ontario Conservation Authority Working Group as part of their consultations that are currently underway for both Phase 1 and 2.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 19, 2021	CR331/2021 CSPS 155	SCM 223/2021 & S 80/2021	Commissioner, Community Services	<p>That the report from the Cultural Development Coordinator regarding the expansion of the City of Windsor’s Poet Laureate program BE RECEIVED; and further,</p> <p>That the Poet Laureate program, established as an ongoing program, BE REBRANDED as the ‘Poet Laureate and Storytellers’ program; and further,</p> <p>That the program BE UPDATED to include two new positions – Indigenous Storyteller and Multicultural Community Storyteller; and further,</p> <p>That the additional funding required for the expanded program honorariums and programming initiatives in 2021 in the amount of \$9,500 BE CHARGED to the Culture and Events operating budget; and further,</p> <p>That Council PRE-COMMIT a \$9,500 increase to the Culture and Events 2022 operating budget; and further,</p> <p>That Administration BE DIRECTED to seek nominations for recognized Windsor literary and spoken word artists for the position of Indigenous Storyteller and Multicultural Community Storyteller, to be appointed for two-year terms; and further,</p> <p>That the administrative report BE REFERRED to the Diversity Committee for review and comment; and,</p> <p>That additional consultations BE CONDUCTED as appropriate.</p>	
July 26, 2021	CR360/2021 DHSC 310	SCM 243/2021 & S 87/2021	Commissioner, Economic Development & Innovation	<p>1. That Report No. S 87/2021 entitled “Updates to the 2021 Ontario Heritage Act Amendments” BE RECEIVED for information; and,</p> <p>2. That the City Planner BE DIRECTED to prepare amendments to City of Windsor Official Plan, Delegation By-law, and create new Heritage Procedures/By-law, or utilize other policies or tools as required, to address the legislative changes and for Council’s consideration.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 26, 2021	CR363/2021 DHSC 313	SCM 246/2021 & S 71/2021	Commissioner, Economic Development & Innovation	<p>1. That Report No. S 71/2021 updating City Council on the use and implementation of the Brownfield Redevelopment Community Improvement Plan (CIP) and tabling issues to be addressed as part of the CIP update BE RECEIVED for information; and,</p> <p>2. That the City Planner BE DIRECTED to consult with stakeholders regarding potential changes to the Brownfield Redevelopment CIP outlined in Report No. S 71/2021 and prepare any necessary CIP amendments for Council's consideration.</p>	
July 26, 2021	CR365/2021 CR333/2021	C 98/2021	Commissioner, Human & Health Services	<p>...That the Executive Director of Housing and Children's Services BE DIRECTED to develop a proposed model for the Housing Hub project and bring back recommendations to City Council for consideration; and further,</p> <p>That Administration PREPARE an official letter on behalf of City Council to help advocate other levels of government to address funding gaps with respect to mental health and addictions to ensure the new housing hub is a success.</p>	
September 27, 2021	CR387/2021	C 116/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>That the 2020 Annual Investment Compliance Report for the year ending December 31, 2020 BE RECEIVED for information; and further,</p> <p>That City Council SUPPORT the following actions with regards to the development and implementation of an enhanced investment strategy:</p> <p>That Administration BE AUTHORIZED to prepare a Request for Proposal (RFP) for Investment Advisory services; and further,</p> <p>That Administration BE DIRECTED to explore alternative options to traditional financial instruments to maximize overall investment returns for the City; and further,</p> <p>That Administration BE AUTHORIZED to prepare an Expression of Interest (EOI) to seek interest in the development of an in-house solution for managing current and projected cash flows more efficiently through the use of technology; and further,</p> <p>That Administration BE DIRECTED to report back to City Council the results of the above noted actions.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 27, 2021	CR402/2021 ETPS 841	SCM 263/2021 & S 69/2021	Commissioner, Infrastructure Services	<p>That the report of the Engineer I dated June 4, 2021 entitled "Alley Standards Development – City Wide" BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to develop an Alley Standards Development Committee as outlined in the report; and,</p> <p>That the Alley Standards Development Committee REPORT BACK to Council with a fulsome report regarding alleys across the City, including but not limited to the following:</p> <ul style="list-style-type: none"> • Capital and Annual Costs associated with developing, maintaining and enforcing a set of standards for all of the City's alleys • Clear Alley Standards • Different Kinds of Alleys • Alley Closure Process • Additional Dwelling Units accessing alleys and required maintenance • Collection of Garbage and Refuse at Curbside in a consistent manner • Data and Statistics related to resources spent on 311 calls in alleyways regarding clean up/rodent or other issues 	
October 4, 2021	CR429/2021 DHSC 326	SCM 296/2021, S 41/2020, AI 7/2021, & AI 10/2021	Commissioner, Economic Development & Innovation	That the report of the Senior Planner – Policy and Special Studies dated February 27, 2021 entitled "Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1" BE REFERRED back to administration to allow administration the opportunity to work with the Applicant to come to an amenable resolution for everyone involved	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 4, 2021	CR432/2021 DHSC 321	SCM 289/2021 & S 75/2021	Commissioner, Economic Development & Innovation	<p>That the City Planner BE DIRECTED to report back to the Development & Heritage Standing Committee before the end of 2021 with the following:</p> <p>a. Official Plan policy options to further enhance and strengthen densification and intensification as part of the City’s overarching growth strategy, including timelines, funding and resource options to prepare that background work for an OPA or OP update; and,</p> <p>b. In order to better inform that policy work around, the Chief Planner is requested to report back with options to host one (or more) design charette workshops to co-create with community leaders a vision for a complete community city block that would capture the very best of global placemaking practices when certain density thresholds are achieved.</p>	
October 4, 2021	CR448/2021 ETPS 858	SCM 313/2021 & S 110/2021	Commissioner, Infrastructure Services	<p>That the report of the Manager of Contracts, Maintenance & Field Services dated August 19, 2021 entitled “Response to CQ 5-2021 Pedestrian Walkways – City Wide” BE RECEIVED for information; and,</p> <p>That the addition of signage at pedestrian inter-block walkways in the wintertime BE APPROVED; and,</p> <p>That administration BE DIRECTED to monitor the effectiveness for a period of 2 years; and,</p> <p>That funding in the amount of \$18,600 BE APPROVED; and,</p> <p>That the amount BE FUNDED from the Budget Stabilization Reserve Fund (BSR)</p>	
October 4, 2021	CR452/2021	C 123/2021 & C 129/2021	Commissioner, Infrastructure Services	<p>That the report of the Senior Manager of Engineering dated September 17, 2021 entitled “Festival Plaza Improvement – Final Design – Ward 3” and the report of the Manager of Parks Development dated August 23, 2021 entitled “Waterfront Beacon – Street Car # 351” BE REFERRED back to Administration to allow for a comprehensive report related to how the Festival Plaza and Waterfront Beacon can be linked to the new City Hall Esplanade moving forward; including but not limited to information related to bathroom facilities, food services, and other options, for Council’s consideration.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR461/2021	C 124/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	<p>That City Council APPROVE the development of a pilot Hybrid Work Program as proposed in Appendix A (attached) for a period of one year starting in October 2021; and,</p> <p>That Administration PROVIDE City Council with a progress report after one year for further recommendations; and,</p> <p>That the draft of the new Hybrid Work Procedure (Appendix B) BE RECEIVED FOR INFORMATION; and,</p> <p>That the White Paper on Future of Working Remotely in Ontario's Single Tier Municipalities dated June 2021 (Appendix C) prepared on behalf of the Regional Single Tier Human Resources Group BE RECEIVED FOR INFORMATION.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR466/2021 ETPS 845	SCM 300/2021, SCM 224/2021, C 152/2021 & SCM 350/2021	Commissioner, Economic Development & Innovation	<p>That Report No. 110 of the Windsor Essex County Environment Committee (WECEC) of its meeting held June 24, 2021 indicating: That the proposal from the Windsor-Essex Youth Climate Council for a pop-up temporary separated bike lane on University Avenue BE ENDORSED. BE APPROVED; and,</p> <p>That City Council ENDORSE the creation of a pilot project for temporary separated bike lanes along University Ave. in 2022; and,</p> <p>That Administration CONSULT with external stakeholders including the University of Windsor, the DWBIA, Bike Windsor-Essex and other organizations or groups as appropriate to develop a pilot project for separated bike lanes along University Ave.; and,</p> <p>That Administration BE REQUESTED to report back to Council with a more detailed outline of the pilot project related to consistency including but not limited to financial implications and the following:</p> <ul style="list-style-type: none"> • Administration would engage with the University of Windsor to identify any potential funding or cost-sharing; • Administration, working collaboratively across departments, would develop design alternatives for the University Avenue corridor; • These alternatives would be presented to stakeholders in a public consultation program; and, • Administration would report back to Council with a recommended alternative, results of public consultation, and cost estimates to seek Council's approval for construction as well as for funding approval of associated capital and operating costs. 	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR475/2021 CR452/2021	C 123/2021	Commissioner, Community Services	<p>I. That City Council DIRECT Administration to work with the consultant to develop different costing options for the final detailed design of the Festival Plaza that vary in price, and once completed, undertake public and stakeholder consultations on those designs. This will give Council the opportunity to determine the level of investment that should be made at Festival Plaza; and,</p> <p>II. That City Council DIRECT the Manager of Parks Development to apply for a site-specific amendment to the Official Plan and Zoning By-law 8600 to allow the necessary buildings and structures within Festival Plaza to extend above the crown of the pavement of Riverside Drive as all potential options will require an amendment; and,</p> <p>III. That City Council DIRECT Administration to create a detailed connectivity plan, including public consultation, between the riverfront and the adjacent areas along the CRIP footprint with special consideration for downtown areas. The plan should not include tunnels underneath Riverside Drive but rather should have multiple access points to link the northside of Riverside Drive to the southside of Riverside Drive focusing on pedestrian safety and include options for physical design changes to Riverside Drive; and further,</p> <p>IV. That City Council DIRECT Administration to prepare a comprehensive Council report that incorporates all of the above recommendations.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
October 25, 2021	CR476/2021 CR452/2021	C 129/2021	Commissioner, Community Services	<p>That City Council APPROVE the design of the building and the terraces for the Legacy Beacon as the new home for Streetcar No. 351, located on the waterfront North of Riverside Drive at the foot of Caron Avenue in Legacy Park (Appendix A); and,</p> <p>That the City Planner BE DELEGATED the authority to approve the Site Plan Control Application and BE AUTHORIZED to approve minor changes to the design to allow for the construction for a permanent building (Legacy Beacon) to house Streetcar No. 351; and,</p> <p>That City Council APPROVE and pre-commit \$1,000,000 in 2023 from the Central Riverfront Festival Plaza (PFO-003-15) for the incremental construction costs needed at the Legacy Beacon; and further,</p> <p>That Administration REPORT BACK to Council with a business case for the concession/terrace area prior to the 2022 budget deliberation meetings or as soon as possible thereafter.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 1, 2021	CR496/2021 CSPS 163	SCM 329/2021 & S 51/2021	Commissioner, Community Services	<p>That the report of the Senior Manager of Facilities dated May 13, 2021 entitled "CQ 4-2021 - Proposal for Council consideration to provide menstrual hygiene products in select municipal buildings free of charge" BE RECEIVED for information; and,</p> <p>That Council APPROVE a 1-year pilot program-Option C as outlined in the administrative report, to provide free menstrual products in public women's, men's, universal and family washrooms at the locations listed below:</p> <ul style="list-style-type: none"> • WFCU Centre • Windsor Water World • Windsor International Aquatic and Training Centre • Capri Pizzeria Recreation Complex • 350 City Hall Square W. • 400 City Hall Square E; and, <p>That the estimated cost of \$19,000 plus HST BE FUNDED from the City's Budget Stabilization Reserve (BSR) Fund; and further,</p> <p>That the City's Advisory Committees, Boards and Commissions (ABC's) BE MADE AWARE of the pilot program and BE REQUESTED to adopt a similar program at their facilities where applicable; and,</p> <p>That Administration REPORT BACK to Council with a six month interim report to provide a status update, and after one year with the results of the pilot program to request annual operating funds through the 2023 budget process.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 1, 2021	CR497/2021 CSPS 164	SCM 333/2021 & S 132/2021	Commissioner, Community Services	<p>That the report of the Cultural Development Coordinator and Manager of Culture & Events dated September 16, 2021 entitled "Update of Round 2 of the Arts, Culture and Heritage Fund 2021 – City Wide" BE RECEIVED for information; and,</p> <p>That Administration REPORT BACK during the 2022 budget deliberations with potential increases to the Arts, Culture and Heritage Fund Grant Program funding envelope that matches and keeps pace with growth in the community; and,</p> <p>That Administration BE DIRECTED to investigate the possibility of private sector partnerships to augment the funding envelope that this program delivers to the community.</p>	
November 15, 2021	CR520/2021 ETPS 867	SCM 363/2021 & S 136/2021	Commissioner, Economic Development & Innovation	<p>That the report of Transportation Planning Senior Engineer dated September 27, 2021 entitled "2019 Road Safety Report – City-Wide" BE RECEIVED for information; and further,</p> <p>That the data in this report BE REVIEWED and BROUGHT FORWARD when decisions related to development patterns and other investment in infrastructure are being considered including but not limited to opportunities for development or planning.</p>	
November 15, 2021	CR526/2021	C 132/2021	Commissioner, Corporate Services	<p>That Council APPROVE the award of RFP 41-21, Municipal Property Tax Software Solution, to CentralSquare Canada Software Inc. as the successful and sole proponent, for an initial period of three (3) years, with potential renewals for successive one (1) year periods, provided all terms and conditions remain the same; and...</p> <p>That a funding plan to address annual operating budget impacts of the new tax software BE REFERRED to the 2023 Operating Budget deliberation process if the Pay-As-You-Go funding plan is not approved as part of the 2022 operating budget deliberation process.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 13, 2021	B28/2021	C 176/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	That City Council APPROVE the following recommendations upon the City receiving written confirmation from the Green and Inclusive Community Building grant provider that the City's grant application for the Re-imagined Adie Knox Herman project has been awarded the requested funding:... That City Council DIRECT Administration to report to City Council on options for Adie Knox Herman project funding, should the grant not be awarded in whole or in part.	
December 13, 2021	B34/2021 CR419/2021	C 113/2021	Commissioner, Community Services	That the report of the Project Administrator dated August 27, 2021 entitled "Proposed Artificial Turf Sports Field - Ward 6 & 7" BE REFERRED back to Administration to continue to explore artificial turf options with stakeholders for Council's consideration.	
December 13, 2021	B38/2021	C 171/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	That this report with regards to the Power to Impose a Tax on Vacant Residential Units BE RECEIVED for information; and further, That City Council APPROVE the development of a Vacant Residential Unit Tax program for the City of Windsor; and further, That Administration BE DIRECTED to conduct further research in terms of designing and implementing a Vacant Residential Unit Tax program inclusive of community consultation and that a fully developed program be brought back to City Council for approval prior to implementation; and further, That City Council APPROVE the use of funding from the Budget Stabilization Reserve to offset any shortfall in the projected revenue up to the \$100,000 that has been included in the 2022 Operating Budget in the event that the implementation of a Vacant Residential Unit Tax program be delayed.	
December 13, 2021	B47/2021	Clerk's File: GH/14271	Commissioner, Human & Health Services	That the Executive Director Housing and Children's Services BE REQUESTED to report back to the Community Services and Parks Standing Committee related to pressures specific to the Rent Assistance Program in 2022	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
December 20, 2021	CR553/2021	C 190/2021	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer	<p>That the December 7, 2021 report from PSD Citywide Inc. entitled “Improving the Identification, Monitoring, and Tracking of Development Charges Related Projects at the City of Windsor”, which is financed by the Province of Ontario’s Audit and Accountability Fund, BE RECEIVED for information; and,</p> <p>That the City Treasurer BE AUTHORIZED to post the PSD Citywide Inc. reports to the corporate website by no later than January 31, 2022 in accordance with the grant’s requirements; and,</p> <p>That Administration BE DIRECTED to further assess the reports developed by PSD Citywide Inc. AND the recommendations presented in the report to better understand their value and any cost implications, AND where deemed appropriate bring those items forward for consideration in future budgets.</p>	
December 20, 2021	CR555/2021 ETPS 864	SCM 361/2021, C 154/2021 & AI 19/2021	Commissioner, Corporate Services Chief Financial Officer & City Treasurer	<p>1) That City Council RECEIVE the report of the Supervisor of Environmental Sustainability & Climate Change dated October 7, 2021, entitled "Response to Council directive regarding applying a climate lens to the City’s purchasing practices – City Wide"; and,</p> <p>2) That City Council APPROVE Administration proceeding with identified strategies for 2021/2022 including:</p> <ul style="list-style-type: none"> • Form an internal Sustainable Purchasing Team; • Update current purchasing procedures/documents to ensure environmental sustainability and climate change is being considered; • Update the City’s Sustainable Purchasing Guide (2015) to reflect updates for climate change considerations; and • Join the Canadian Collaboration for Sustainable Procurement for 2021/2022; and, <p>3) That Administration REPORT BACK to City Council by the third quarter (Q3) 2022 with a report on achievements and possible next steps.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 17, 2022	CR19/2022 CR543/2021 Clause 7, 8 & 9	C 141/2021 & AI 1/2022	Commissioner, Economic Development & Innovation	<p>...7. That the annual operating cost requirements BE REFERRED to the 2023 budget.</p> <p>8. That Administration BE DIRECTED to report back to Council with a by-law and policy amendment for Council consideration that provides for options to add signalized traffic management tools at school crossing checkpoints on arterial roadways where they do not currently exist and are not likely to meet the full scope of warrant criterion as is currently applied and that this information BE BROUGHT FORWARD to Council by the 2nd quarter of 2022.</p> <p>9. That Administration BE DIRECTED to report back specifically related to the school crossing at the Cabana and Caron/Clara intersection with potential funding options to install a pedestrian activated traffic light at that location.</p>	
January 17, 2022	CR20/2022	C 6/2022	Chief Administrative Officer	<p>That City Council APPROVE waiving the fees associated with the BIA Parklet, Curbside and Sidewalk Cafes for 2022; and,</p> <p>That City Council APPROVE increasing the current 15 minutes free parking via the City of Windsor Parking App to 60 minutes, and also include surface parking lots; and...</p> <p>That the financial impacts from these recommendations BE REPORTED to City Council as part of the 2022 Quarterly Variance reports as COVID 19 pandemic costs; and,</p> <p>That the following recommendation BE DEFERRED to the January 31, 2022 Council Meeting to allow for administration to provide additional information related to the financial impacts of waiving licence fees, and deferring the business licence deadline beyond June 30, 2022, to the next calendar year, including waiving penalties/interest charges:</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 31, 2022	CR33/2022 CSPS 172	SCM 6/2022 & SCM 403/2021	Commissioner, Community Services	<p>That the minutes of the Community Public Art Advisory Committee of its meeting held October 12, 2021 BE RECEIVED for information; and further,</p> <p>That the portion in the subject minutes pertaining to the sculptural tribute honouring music industry pioneer Rosalie Trombley BE REFERRED back to Administration to determine whether a public display can be considered, either at the Chimczuk Museum or the Art Gallery of Windsor, and that this BE REPORTED BACK to Council.</p>	
January 31, 2022	CR36/2022 CSPS 175	SCM 9/2022 & S 144/2021	Commissioner, Human & Health Services	<p>That the report of the Coordinator of Housing Administration & Policy dated October 28, 2021 entitled "Rent Supplement Program Expiries and Mitigation Strategy – City Wide" BE RECEIVED for information; and,</p> <p>That the Corporation of the City of Windsor REQUEST the Province of Ontario and Government of Canada to provide further financial support to extend funding for rent supplement/housing allowance programs and include reference to impacts of the sunseting of rent supplement and housing allowance programs including specific data points; and,</p> <p>That the Association of Municipalities of Ontario (AMO) BE REQUESTED to quantify these impacts province-wide; and,</p> <p>That the resolution BE FORWARDED to Windsor and Essex County Members of Parliament (MPs), Windsor and Essex County Members of Provincial Parliament (MPPs), the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO), the Ontario Municipal Social Services Association (OMSSA), the Ministry of Municipal Affairs and Housing, and the Premier of Ontario; and further,</p> <p>That, should the sunseting of rent supplement and housing allowance programs proceed, the impacts BE REPORTED to Council prior to the March 31, 2022 deadline along with options to mitigate those impacts.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
February 14, 2022	CR57/2022	C 18/2022	Commissioner, Infrastructure Services	<p>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,</p> <p>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,</p> <p>That Administration BE DIRECTED to initiate an education and awareness campaign so residents are more aware of the existing Rodent Extermination Program.</p>	
February 14, 2022	CR70/2022 CR47/2022 CR542/2021	C 169/2021 & AI 2/2022	Chief Administrative Officer	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.	
February 28, 2022	CR82/2022	C 28/2022	Commissioner, Infrastructure Services	<p>That the Street Lighting Policy, attached as Appendix B of this report, BE ADOPTED;</p> <p>That the Local Improvement Policy, attached as Appendix A of this report, BE ADOPTED; and,</p> <p>That the annual operating cost requirements BE REFERRED to the 2023 budget process.</p>	
March 21, 2022	CR98/2022	Clerk's File: SW2022	Commissioner, Infrastructure Services	<p>That the correspondence from the Friends of the Court dated February 14, 2022 regarding the condition of Brock Street between Sandwich Street and Peter Street BE RECEIVED for information; and further,</p> <p>That Administration REPORT BACK outlining the cost differential between repaving Brock Street between Sandwich Street and Peter Street during the reconstruction phase of Sandwich Street instead of a stand alone project after the reconstruction, when a response to CQ 3-2022 asked on February 14, 2022 requesting a report outlining how deficient residential roads not in the 10 year capital budget will be addressed is brought forward to Council.</p>	

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March 21, 2022	CR102/2022 CR538/2020	C 187/2020 & AI 21/2021	Commissioner, Human & Health Services	<p>That the report of the Senior Legal Counsel dated September 18, 2020 entitled "Council Question CQ23-2019 - Payday Loan Establishments - City Wide" BE RECEIVED for information; and further,</p> <p>That Administration PROCEED with establishing a cross-sectoral committee with the appropriate partners and representatives to acquire local information and develop a strategy to distribute education materials regarding alternative financial options and supports; and,</p> <p>That Administration REPORT BACK to the Community Services Standing Committee after one year with a summary of work completed to date.</p>	
April 11, 2022	CR139/2022	C 20/2022	Commissioner, Infrastructure Services	<p>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,</p> <p>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,</p> <p>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.</p>	
April 11, 2022	CR150/2022 ETPS 887	SCM 85/2022 & S 29/2022	Commissioner, Infrastructure Services	<p>That Administration BE AUTHORIZED to initiate a Home Flood Protection Program on a pilot basis; and further,</p> <p>That Administration REPORT BACK to City Council on completion of the pilot program.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
April 11, 2022	CR154/2022	C 61/2022	Commissioner, Legal & Legislative Services	<p>That the results of the email poll authorized by Mayor Drew Dilkens on Wednesday April 6, 2022 approving the following BE CONFIRMED AND RATIFIED:</p> <p>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.</p>	
April 25, 2022	CR171/2022	C 54/2022	Commissioner, Legal & Legislative Services	<p>That the report of the (Acting) Licence Commissioner and the Executive Initiatives Coordinator dated March 25, 2022 entitled “Residential Rental Licensing By-law—Wards 1 & 2” and draft by-law, “A By-law Respecting the Licensing of Residential Rental Housing Units,” attached as Appendix A, BE RECEIVED for information; and,</p> <p>That Council APPROVE the proposed residential rental licensing framework described in this report; and,</p> <p>That Council APPROVE the attached draft by-law, to be brought into effect upon the final implementation of the approved framework; and further,</p> <p>That Administration REPORT BACK TO COUNCIL on the results of the two-year pilot study within Wards 1 and 2.</p>	
April 25, 2022	CR184/2022 CSPS 181	SCM 112/2022 & S 39/2022	Commissioner, Community Services	<p>That the report of the Manager of Culture & Events dated March 15, 2022 entitled “City of Windsor Lancaster Bomber FM 212 Progress Report 2019-2021 – Ward 3” BE RECEIVED for information; and further,</p> <p>That Administration BE DIRECTED to report to City Council regarding a fundraising strategy, a plan for assembly of the aircraft, and options to display the aircraft to the public once the assembly portion has been completed.</p>	

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May 9, 2022	CR195/2022	C 1/2022	Commissioner, Infrastructure Services	<p>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,</p> <p>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.</p>	
May 9, 2022	CR202/2022	C 69/2022	Commissioner, Corporate Services	<p>That City Council RECEIVE the information contained in the 2022 Tax Policy Report; and,</p> <p>That City Council APPROVE the following Tax Policy Principles which will be used to calculate the 2022 Final Property Tax Rates:</p> <ol style="list-style-type: none"> 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%... 	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 9, 2022	CR203/2022	C 72/2022	Commissioner, Corporate Services	<p>...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,</p> <p>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,...</p>	
May 9, 2022	CR204/2022	C 72/2022	Commissioner, Corporate Services	That Administration BE REQUESTED to bring back recommendations for budget engagement tools for the 2023 Budget Deliberation process for Council's consideration.	
May 9, 2022	CR209/2022	SCM 121/2022 & S 42/2022	Commissioner, Corporate Services	<p>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,</p> <p>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,</p> <p>That City Council APPROVE IN PRINCIPLE a NET ZERO Target for 2050; and.</p> <p>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,</p> <p>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.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 9, 2022	CR 222/2022	SW2022 15	Commissioner, Corporate Services	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.	
May 30, 2022	CR228/2022	C 82/2022	Commissioner, Community Services	<p>That the report of the Executive Initiatives Coordinator dated May 4, 2022 entitled "CQ 7-2022 - Response to CQ 7-2022 - Expansion of Dog Parks within the City - City Wide" BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to begin the process of adding two additional dog parks at Oakwood Park and Elizabeth Kishkon Park after the community has BEEN CONSULTED as outlined in the Dog Park Policy; and,</p> <p>That these additional dog parks BE FUNDED as follows: reallocation of \$750,000 in 2022 PAYG funds and the reallocation and pre-commitment of \$130,000 in 2023 PAYG funds from capital project PFO-009-12 – Parks Bridges/Shelters/Buildings/Capital Rehabilitation Program to capital project PFO-010-17 – Dog Park Development, to be replaced with the transfer of \$880,000 from Fund 151 – Parkland Acquisition Reserve back to capital project PFO-009-12; and further,</p> <p>That Administration REPORT BACK to Council with potential edits to the Dog Park Policy to allow smaller, urban parks to be used as dog parks as well.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
May 30, 2022	CR246/2022	SCM 145/2022	Commissioner, Corporate Services	<p>That the attached Internal Audit Summary report provided by PricewaterhouseCoopers LLP (PwC) for the period December 1, 2021 to April 30, 2022 comprised of the following:</p> <ul style="list-style-type: none"> a) Summary of use of unallocated effort b) Complaints and Investigations c) Road Infrastructure Maintenance Processes VFM Internal Audit Report d) Smart City Cyber Risk Mitigation Internal Audit Report e) Management Action Plan Validation Report f) Annual Performance Report <p>BE RECEIVED for information; and,</p> <p>That City Council AUTHORIZE administration to proceed to implement the Management Action Plans as prescribed in the internal audit reports; and further,</p> <p>That City Council DIRECT administration to report on the progress of the implementation of the Management Action Plans and that such reports should coincide with the Auditor General's internal audit updates to City Council.</p>	
May 30, 2022	CR250/2022 Clause II	C 95/2022	Commissioner, Infrastructure Services	<p>I. That the report of the Project Administrator, Corporate Projects, dated May 18, 2022 entitled "Peace Fountain Replacement – Ward 6" and its appendices (attached) BE RECEIVED for information; and,</p> <p>II. That Council DIRECT Administration to MOVE FORWARD with Option 1: Floating Fountain design concept, and that Administration PERFORM public consultation and BRING FORWARD final design, costing and funding options for presentation to Council for the 2023 Capital Budget; and...</p>	
June 13, 2022	CR262/2022 Clause 5	C 91/2022	Commissioner, Corporate Services	<p>5. That Administration BE DIRECTED to further investigate and consider appropriate strategies in order to address the increasing impacts of inflationary pressures on the capital budget and report back on how to manage and address these pressures as part of the 2023 budget process.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
June 13, 2022	CR 272/2022	C 98/2022	Commissioner, Community Services	<p>...That the results of the Consultant’s report for a new outdoor ice rink at City Hall BE REFERRED to the 2023 budget for funding required; and further,</p> <p>That Administration BE DIRECTED to work with representatives from All Saints Church for alternatives/options for the next skating season.</p>	
June 13, 2022	CR273/2022 CR208/2022 ETPS892	SCM 120/2022 & S 14/2022	Commissioner, Infrastructure Services	<p>That Local Improvement works for storm sewers, curb and gutter for those street segments not yet constructed to the municipal standard within the area bounded by E.C. Row Avenue to the north, Woodward Boulevard to the west, Division Road to the south, and Riberdy Road to the east, as shown on drawing 4M-206 BE RECOMMENDED to future Capital Budgets and prioritized relative to their technical scoring, subject to cost-sharing for such works as established by CR554/2019; and,</p> <p>That WSP Canada Inc. firm BE APPOINTED as the Drainage Engineer to make an examination of, and prepare a Drainage Report for the repair and improvement to, the Dawson Drain between Division Road and the O’Neil Drain and to the O’Neil Drain from south of Hallee Crescent to Division Road under section 78 of the Drainage Act; and further,</p> <p>That Administration BE DIRECTED to report back to Council once the Drainage report for the repair and improvement of the Dawson Drain is complete.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 11, 2022	CR284/2022	C 105/2022	Commissioner, Corporate Services	<p>...That the Clerk and CFO/City Treasurer BE AUTHORIZED to UNDERTAKE and EXECUTE any and all documents and agreements as necessary to complete the long-term borrowing, satisfactory in legal form to the City Solicitor and financial/technical form to the City Treasurer; and further,</p> <p>That the CFO/City Treasurer BE INSTRUCTED to report back to City Council the results of the long-term borrowing at the earliest opportunity following completion; and further,</p> <p>That in the event Council is determined to be “Lame Duck” during the period commencing August 19, 2022 and ending November 14, 2022 the outgoing Council is AUTHORIZED to pass any by-laws deemed to be necessary or appropriate in connection with the issuance of one or more debentures; and,</p> <p>That the City Solicitor BE AUTHORIZED to prepare all necessary by-laws.</p>	
July 11, 2022	CR304/2022 Clause IV	C 107/2022	Commissioner, Community Services	IV. That Administration BE DIRECTED to conduct a second round of public consultations regarding Lanspeary Park overall redevelopment in conjunction with the public pool consultation; and...	
July 25, 2022	CR311/2022	C 118/2022	Commissioner, Corporate Services	<p>That the 2021 Annual Investment Compliance Report for the year ending December 31, 2021 BE RECEIVED for information; and further,</p> <p>That Administration REPORT BACK on ways to broaden the City of Windsor's portfolio and access other Joint Investment Boards (JIBs) that are endorsed by the Association of Municipalities of Ontario (AMO) and the Municipal Finance Officers' Association of Ontario (MFOA), including the benefits and drawbacks of investing in these other financial vehicles.</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
July 25, 2022	CR327/2022 CSPS 188	SCM 201/2022 & C 85/2022	Commissioner, Human & Health Services	<p>That the report of the Coordinator of Housing Administration & Policy dated May 9, 2022 entitled "Rent Supplement Program Expiries and Mitigation Update - City Wide" BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to send correspondence to the Premier of Ontario, the Minister of Municipal Affairs and Housing, local Members of Provincial Parliament (MPPs), and the Association of Municipalities of Ontario (AMO), outlining the challenges of the sunseting of the rent supplement and housing allowance programs and urging the government to provide funding to address the shortfalls outlined in the report; and further,</p> <p>That Administration REPORT BACK to Council with options on how to address those funding shortfalls.</p>	
July 25, 2022	CR332/2022 Clause 6	C 115/2022	Commissioner, Corporate Services	6. That City Council DIRECT Administration to provide a report on all projects impacted by the delegated authority granted during the 'Lame Duck' period, subsequent to the conclusion of the 'Lame Duck' period; and...	
July 25, 2022	CR333/2022 Clause 1f	C 111/2022	Commissioner, Corporate Services	<p>1. That City Council DELEGATE authority to the Chief Administrative Officer to approve the following, for the sole purpose of submitting grant applications:</p> <p>f. That City Council DIRECT Administration to provide a report on projects being submitted for grants which are over \$1,000,000 in potential grant funding for approval of the projects being recommended.</p>	
July 25, 2022	CR334/2022	C 123/2022	Commissioner, Corporate Services	That the report of the Executive Director of Human Resources dated July 11, 2022 entitled "Salary Market Review 2019 - 2020 - Non-Union and CAO/CLT - City Wide" BE REFERRED back to administration to allow for the 2019/2020 and the 2021/2022 salary market review to be conducted by a new consultant.	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
August 8, 2022	CR351/2022 Clause 6	C 142/2022	Commissioner, Economic Development & Innovation	<p>That City Council APPROVE the following recommendations effective August 19, 2022 to November 15, 2022, unless further extended by Council, and only be applicable should Council be determined to be 'Lame Duck':</p> <p>1. That, on a case-by-case basis, in order to facilitate investment in targeted neighbourhoods, heritage properties, brownfield redevelopments and targeted economic sectors for the purpose of diversifying the local economy and creating/retaining jobs, and where such applications are deemed by the Chief Administrative Officer to be in the public interest and reasonably necessary to ensure new investment are not missed, the Chief Administrative Officer BE DELEGATED authority to approve participation in the Economic Revitalization CIP, Downtown Windsor Enhancement Strategy and CIP, Brownfield Redevelopment CIP, Sandwich Town CIP, Main Streets Building Facade CIP, Ford City CIP, University Avenue West and Wyandotte Avenue West CIP, Community Heritage Fund, Built Heritage Fund, and Heritage Property Tax Reduction Program, with an estimated grant value exceeding \$50,000, up to an estimated value of \$2,500,000; and...</p> <p>6. That a report BE BROUGHT FORWARD to City Council in early 2023 advising of all instances in which this delegation of authority was utilized; and further, That City Council PASS A BY-LAW, being By-Law 116-2022 to authorize the CAO to approve participation in financial incentive programs contained in the Economic Revitalization CIP, Downtown Windsor Enhancement Strategy and CIP, Brownfield Redevelopment CIP, Sandwich Town CIP, Main Streets Building Facade CIP, Ford City CIP, University Avenue West and Wyandotte Avenue West CIP, Community Heritage Fund, Built Heritage Fund, and Heritage Property Tax Reduction Program with an estimated grant value exceeding \$50,000, up to an estimated value of \$2,500,000, between August 19, 2022 to November 15, 2022, unless further extended by Council, and only be applicable should Council be determined to be</p>	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
August 8, 2022	CR352/2022	C 140/2022	Commissioner, Infrastructure Services	<p>That City Council APPROVE the \$743,500.00 for the project recommended in this report for submission to Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit; and,</p> <p>That City Council SUPPORT the use of \$90,000 in funding previously approved in the 2022 Capital Budget for use in this project and PRE-COMMIT the use of 2024 funds, previously approved in principle in project TRN-003-22 for immediate use; and,</p> <p>That City Council AUTHORIZE the Chief Administrative Officer to sign and submit applications to Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit, subject to the documents being satisfactory in technical content to the Commissioner of Infrastructure Services, or designate, in financial content to the City Treasurer or designate, and in legal form to the Commissioner of Legal & Legislative Services; and,</p> <p>That in the event the City receives written confirmation, of the Grant funding being awarded to the City, the grant funding awarded is no less than the Project’s costs outlined in the Financial Matters section herein, implementation of the Project does not result in a need for additional city funding to be approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council APPROVES the following recommendations:...</p> <p>That should the City not be successful in this grant submission, a communication report BE PROVIDED to inform City Council.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 6, 2022	CR374/2022 ETPS 907	SCM 217/2022 & S 76/2022	Commissioner, Infrastructure Services	<p>That Administration BE DIRECTED to install speed humps and associated signs and pavement markings on Dandurand Avenue between Piazza Street and Northwood Street, and Partington Ave. between College Avenue to Tecumseh Road; and,</p> <p>That Administration BE DIRECTED to include the seven additional signatures that were provided in the addendum (attached) to approve speed humps for Partington Avenue; and further,</p> <p>That Administration BE REQUESTED to report back to a future meeting of Council to provide a review of the Speed Hump Policy and options to approve the same.</p>	
September 6, 2022	CR390/2022 CSPS 191 Clause h	SCM 235/2022 & C 112/2022	Commissioner, Human & Health Services	<p>a) That the report of the Coordinators of Housing Administration and Development dated June 27, 2022 entitled "Housing Hub Consultation and Architectural Feasibility Study Update" BE RECEIVED for information; and...</p> <p>h) That the Executive Director, Housing & Children's Services REPORT BACK on:</p> <ul style="list-style-type: none"> • potential sites for the Housing Hub • the findings of the preliminary work completed to support a recommendation to enter into negotiations to acquire and/or build and/or renovate a property • the outcome of applications made related to capital and/or operating funding • any capital funding required for the acquisition, renovation or construction of the proposed Hub, as well as for any ongoing operating funding required to maintain the asset and deliver the services; and further... 	

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Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 6, 2022	CR393/2022 CSPS 194	SCM 238/2022 & SCM 172/2022	Commissioner, Human & Health Services	<p>That the additional information memo of the Executive Director of Housing & Children's Services dated August 3, 2022 regarding the motion from the Housing & Homelessness Advisory Committee of their meeting held June 21, 2022 and Report No. 14 of the Housing & Homelessness Advisory Committee entitled "Barriers faced by the 2SLGBTQIA+ community in finding appropriate housing and housing services" from their meeting held June 21, 2022 BE RECEIVED; and,</p> <p>That Administration BE DIRECTED to provide a report in 2023 outlining the next steps regarding the proposed training initiative; and further,</p> <p>That Council BE ADVISED that the administrative memo will be included in the upcoming Housing & Homelessness Advisory Committee meeting agenda for their September 20, 2022 meeting.</p>	
September 6, 2022	CR399/2022 Clause 8	C 150/2022	Commissioner, Human & Health Services	<p>8. That the Executive Director of Housing and Children's Services or their designate REPORT to City Council on the outcome of the capital developments; and further,</p>	
September 26, 2022	CR422/2022 Clauses IX & XI	C 161/2022	Commissioner, Economic Development & Innovation	<p>...IX. That City Council DIRECT Administration to facilitate a presentation by Power Advisory to Essex County Council at their earliest opportunity; and further, pursuant to approval of the Recommendations noted above; and,</p> <p>...</p> <p>XI. That Administration CONTINUE TO REPORT BACK regularly on the progress of council-approved initiatives to address energy supply issues in our community.</p>	
September 26, 2022	CR424/2022 Clause III	C 157/2022	Commissioner, Infrastructure Services	<p>...III. That Administration REPORT BACK to Council on proposed options to collect costs from the benefiting properties related to servicing charges for municipal services (mainline sewers and private drain connections) that would offer options for payment terms similar to local improvement payments.</p>	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
September 26, 2022	CR430/2022	Clerk's File: MMA/14375 15	Commissioner, Legal & Legislative Services	<p>That the motion presented by Councillor Holt and seconded by Councillor Bortolin at the September 26, 2022 City Council meeting indicating:</p> <p>WHEREAS the Government of Ontario, through the Minister of Municipal Affairs and Housing, has introduced Bill 3 which is described as "An Act to amend various statutes with respect to special powers and duties of heads of council"...</p> <p>And further, that Council direct the Clerk to ensure that a copy of this resolution be provided to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the "Standing Committee on Heritage, Infrastructure and Cultural Policy", Windsor and Essex County's MPPs, the Association of Municipalities of Ontario, and other Municipalities in Ontario.</p> <p>BE REFERRED back to Administration to provide a report to Council within this calendar year.</p>	
November 9, 2022	CR456/2022 DHSC 430	SCM 287/2022 & S 114/2022	Commissioner, Economic Development & Innovation	<p>That the report of the Senior Planner – Subdivisions dated September 13, 2022 entitled “Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Farhi Holding Corporation -Z 017-22 [ZNG6760] 0 Riverside Dr W, S/W corner of Riverside Dr W & Janette Ave- Ward 3” BE DEFERRED to the November 28, 2022 City Council meeting to allow for the residents meeting to take place.</p>	
November 9, 2022	CR457/2022 DHSC 431	SCM 288/2022 & S 116/2022	Commissioner, Economic Development & Innovation	<p>That the report of the Senior Planner – Subdivisions dated September 15, 2022 entitled “Zoning By-law Amendment Application for 1247 -1271 Riverside Dr. E., at the S/W corner of Hall & Riverside Dr. E; Applicant: St. Clair Rhodes Development Corporation; File No. Z-044/21, ZNG/6633; Ward 4” BE DEFERRED to a future meeting of the Development & Heritage Standing Committee to allow for further review with the applicant.</p>	

Outstanding Council Directives Tracking Log

Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
November 28, 2022	CR501/2022 Clause VIII	C 191/2022	Commissioner, Infrastructure Services	I. That City Council RECEIVE the Investing in Canada Infrastructure Plan (ICIP) Grant Application report dated November 17, 2022, along with the report from IBI Group titled “Transit Windsor Garage Feasibility Study” dated October 28, 2021 provided in Schedule A; and further, II. That City Council ENDORSE the Transit Support Projects outlined in the body of this report for inclusion in the ICIP Grant Application; and further... VIII. That given the dramatically higher cost estimate for the Transit Garage emanating from the detailed study recently completed by the IBI Group, City Council DIRECT Administration to re-evaluate the Transit Windsor Master Plan to determine how to best achieve the goals of the Master Plan and report back to Council as part of the Transit Master Plan Implementation Project update.	
December 12, 2022	CR506/2022	CM 13/2022	Commissioner of Economic Development & Innovation	That the report of the Senior Economic Development Officer dated November 28, 2022 entitled “International Comparators Project – Oxford University Blavatnik School of Government Research – City Wide” BE RECEIVED for information; and further, That administration BE DIRECTED to report to Council with the results of the study after its completion, for information purposes.	
January 16, 2023	CR2/2023	SPL2022	Commissioner, Economic Development & Innovation	That the letter dated December 8, 2022 from Walkerville-Walker Developments requesting that City Council make an exception to the retroactivity rules governing the Brownfield Community Improvement Plan in relation to their residential development project taking place on the lands at 1031 Walker Road BE DEFERRED to a future meeting of Council to allow for further clarification.	

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 16, 2023	CR8/2023	C 222/2022	Commissioner of Economic Development and Innovation	<p>1) That the report from the Community Energy Plan Administrator dated December 16, 2022 BE RECEIVED for information; and,</p> <p>2) That City Council ENDORSE a Municipal Support Resolution to Capital Power for the addition of two peaking fired units (100 MW) at the East Windsor Cogeneration facility; and,</p> <p>3) That City Council DELEGATE the issuance of a Municipal Support Confirmation Letter for Capital Power’s IESO proposal for the addition of two peaking fired units (100 MW) at the East Windsor Cogeneration facility (project specific) to the Chief Administrative Officer, satisfactory in technical content to the Commissioner of Economic Development and Innovation; and,</p> <p>4) That City Council DIRECT Administration to collaborate with IESO, the Ontario Ministry of Energy, Northern Development and Mines, Enbridge Gas Inc., and local stakeholders as appropriate to support initiatives and actions that align with Pathways to Net-Zero; and,</p> <p>5) That Administration REPORT BACK with a supplemental report providing details on emerging technologies and strategies related to decarbonization of the electrical grid; and,</p> <p>6) That administration REQUEST IESO to consider developing policy initiatives that would facilitate the transition to green hydrogen.</p>	

Outstanding Council Directives Tracking Log

Updated:2023-01-31

Meeting Date	Motion/ Resolution	Report Number	CLT Member/ Executive Director	Action	Status
January 16, 2023	CR30/2023	Item 15	Commissioner, Infrastructure Services	<p>Whereas there has been an increase in train whistle noise in the South Walkerville area of the City of Windsor, and;</p> <p>Whereas the Essex Terminal Railway Company lines located east of Howard Avenue and west of Walker Road, are located in heavily populated residential areas, and;</p> <p>Whereas residents regularly call with complaints regarding trains blowing whistles late at night, affecting those who live near these train tracks and crossings, and ask that train whistling be stopped between the hours of 21:00 and 07:00 hours unless absolutely necessary, and;</p> <p>Whereas the process per Transport Canada to apply to stop train whistling begins with a Citizen or group expressing interest followed by the municipality consulting with the railway company;</p> <p>THEREFORE BE IT RESOLVED that Council DIRECT Administration to follow the procedures of Transport Canada and engage with the railway company to initiate the process to request train whistling be limited and used only if absolutely necessary on the Essex Terminal Railway Company lines located east of Howard Avenue and west of Walker Road.</p>	

Clerk's Note: The listing of items prior to January 1, 2011 should not be considered complete at this point in time.

Clerk's Note: This summary chart is not intended to replace the actual minutes of all proceedings.