CITY OF WINDSOR MINUTES 03/20/2023

City Council Meeting Minutes

Date: Monday, March 20, 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 4:20 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Fred Francis discloses an interest and abstains from voting on Item 8.3 being "Sunset Avenue from Wyandotte to College Project; Legal Agreement with University of Windsor- Ward 2", as his wife works at the University of Windsor.

Councillor Fred Francis discloses an interest and abstains from voting on Item 8.21 being "United Way – ProsperUs Collective Impact Initiative – Progress of the ProsperUs Cradle to Career Strategy for Windsor", as it relates to his employer.

Councillor Fred Francis discloses an interest and abstains from voting on Item 8.23 being "Asylum Claimants Transferred to Windsor Hotels by Immigration, Refugees and Citizenship Canada (IRCC) - City Wide", as it relates to his employer.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Special Meeting of Council minutes held March 9, 2023

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

That the minutes of the meeting of the Special Meeting of Council held March 9, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 93/2023

4.2. Adoption of the Windsor City Council meeting minutes held February 27, 2023

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

That the minutes of the meeting of Council held February 27, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 99/2023

5. NOTICE OF PROCLAMATIONS

Flag Raising Ceremony

"13th Pakistan Day" – March 19, 2023
"Run for Rocky Day" - April 6, 2023 – April 10, 2023

Illumination

"World Down Syndrome Day" – March 21, 2023
"Epilepsy Awareness Day" – March 26, 2023

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:
(a) communication items;
(b) consent agenda;
(c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
(d) hearing presentations and delegations;
(e) consideration of business items;
(f) consideration of Committee reports:
(g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and
(h) consideration of by-laws 19-2023 through 30-2023 (inclusive)
Carried.

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

7.1. Correspondence Monday, March 20, 2023

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR119/2023
That the following Communication Items 7.1.1 through 7.1.5, and 7.1.8 through 7.1.15 be set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.7, 7.1.6 AND 7.1.16 be dealt with as follows:

7.1.7 Memo regarding The Association of Municipalities (AMO) request for every municipality and District Social Services Administration Board (DSSAB) to pass a resolution to call for the end of homelessness

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Fred Francis

Decision Number: CR154/2023
WHEREAS the homeless crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario;

WHEREAS homelessness requires a range of housing, social service and health solutions from government;

WHEREAS homelessness is felt most at the level of local government and the residents that they serve;

WHEREAS municipalities and District Social Administration Boards are doing their part, but do not have the resources, capacity or tools to address this complex challenge; and,

WHEREAS leadership and urgent action is needed from the provincial government on an emergency basis to develop, resource, and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario.

THEREFORE BE IT RESOLVED that the City of Windsor calls on the Provincial Government to urgently:

a. Acknowledge that homelessness in Ontario is a social, economic, and health crisis;

b. Commit to ending homelessness in Ontario;

c. Work with AMO and a broad range of community, health, Indigenous and economic partners to develop,resource, and implement an action plan to achieve this goal; and,

BE IT FURTHER RESOLVED that a copy of this motion be sent to the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services; the Minister of Health; and to the Association of Municipalities of Ontario.
Carried.

7.1.6 Letter requesting that the City of Windsor participate in a pilot program to collect data on consumer reaction to the sale of spirits alongside beer, wine and cider in grocery stores

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

Decision Number: CR120/2023
That the Correspondence from Spirits Canada, Association of Canadian Distillers dated March 8, 2023 regarding "Request that the City of Windsor participate in a pilot program to collect data on consumer reaction to the sale of spirits alongside beer, wine and cider in grocery stores" **BE RECEIVED**; and further,

That the City of Windsor **SUPPORT** Spirits Canada, Association of Canadian Distillers request that the Provincial Government initiate a pilot program to test consumer reaction to the sale of spirits alongside beer, wine and cider within Ontario grocery stores.
Carried.

7.1.16 Letter requesting that the City of Windsor endorse the municipal representatives for the Essex Region Source Protection Authority

Moved by: Councillor Fred Francis
Seconded by: Councillor Keiran McKenzie

Decision Number: CR121/2023
That the Correspondence from Essex Region Conservation regarding "Request that the City of Windsor endorse the municipal representatives for the Essex Region Source Protection Authority" **BE RECEIVED**; and further,

That City Council **ENDORSE** the appointment of Frank Garardo, Planner III – Policy & Special Studies as the Municipal Representative for the Essex Region Source Protection Committee for the period of April 13, 2023 to April 13, 2028, as well as Dennis Rogers, Union Water Supply System as the Municipal Representative for the Essex Region Source Protection Committee for the period of April 13, 2023 to April 13, 2028.
Carried.

No.	Sender	Subject
7.1.1	Lisa Gretzky, MPP Windsor West	Letter requesting that provincial funding be forwarded to the Windsor-Essex County Health Unit (WECH) to allow for the opening and operation of the SafePoint Consumption and Treatment Services Site Commissioner, Human & Health Services GP2023 Note & File
7.1.2	Andrew Dowie, MPP Windsor-Tecumseh	Letter requesting that the City of Windsor and Windsor-Essex County Health Unit (WECH) receive confirmation of provincial funding to allow for the opening of the SafePoint Consumption and Treatment Services Site Commissioner, Human & Health Services MH/14274 Note & File
7.1.3	Minister of Transport	Letter addressing preconstruction conditions associated with the Government of Canada's approval of the construction of a replacement Ambassador Bridge and the expansion of the associated Canadian border services facilities Commissioner, Infrastructure Services Chief Building Official City Planner Commissioner, Legal & Legislative Services GF2023 Note & File

7.1.4	Ministry of Energy	Letter expressing gratitude to Council for passing a resolution in support of a reliable, affordable and clean electricity grid across Ontario Commissioner, Economic Development & Innovation GP2023 Note & File
7.1.5	Town of Tecumseh	Notice of study commencement and public information centre #1, Thursday, April 13, 2023 at 4:00 o'clock p.m. taking place at the Tecumseh Recreation Complex and Arena, Centre Ice Room, 1202 McNorton Street, Tecumseh Commissioner, Infrastructure Services City Planner Deputy City Solicitor – Legal & Real Estate SW2023 Note & File
7.1.6	Spirits Canada, Association of Canadian Distillers	Letter requesting that the City of Windsor participate in a pilot program to collect data on consumer reaction to the sale of spirits alongside beer, wine and cider in grocery stores APR2023 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.7	Commissioner, Human & Health Services, City of Windsor	Memo regarding The Association of Municipalities (AMO) request for every municipality and District Social Services Administration Board (DSSAB) to pass a resolution to call for the end of homelessness GH/11710 COUNCIL DIRECTION REQUESTS, otherwise Note & File

7.1.8	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, March 30, 2023 at 3:30 p.m., through Electronic Meeting Participation Commissioner, Economic Development & Innovation City Planner Z2023 Note & File
7.1.9	City Planner/Executive Director	Application for Zoning Amendment, JBM Capital Inc., 2601 Lauzon Parkway, Application to permit a townhouse dwelling Z/14545 Note & File
7.1.10	City Planner/Executive Director	Application for Zoning Amendment, 2863167 Ontario Inc., 4170 & 4190 6th Concession Road, Application to permit townhouse dwellings on the subject lands Z/14544 Note & File
7.1.11	City Planner/Executive Director	Application for Condominium Application, Ryan Michael Solcz Prof. Corp., 1500 Ouellette Ave, Application for a 10-unit residential and 2-unit commercial development Z/14543 Note & File
7.1.12	City Planner/Executive Director	Application for Zoning Amendment, Supreme Homes Group, 2609 Pillette Ave, Application to permit semi-detached dwellings Z/14542 Note & File
7.1.13	City Planner/Executive Director	Application for Zoning Amendment, Supreme Homes Group, 1334-1336 Lincoln Road, Application to permit a three-plex dwelling Z/14540 Note & File

7.1.14	City Planner/Executive Director	Application for Zoning Amendment, Avant Group Inc., 0 & 1466 St. Patrick's Ave, Application to permit the construction of a townhome dwelling with four dwelling units Z/14541 Note & File
7.1.15	City Planner/Executive Director	Application for Zoning Amendment, 5050542 Ontario Inc., 3623, 3631, & 3637 Howard Ave, Application to construct 11 multiple dwellings with a total of 64 dwelling units Z/14539 Note & File
7.1.16	Essex Region Conservation	Letter requesting that the City of Windsor endorse the municipal representatives for the Essex Region Source Protection Authority City Planner Commissioner, Infrastructure Services Commissioner, Economic Development & Innovation EI2023 COUNCIL DIRECTION REQUESTED, otherwise Note & File

Carried.

Report Number: CMC 4/2023

7.2. Mayor, Councillors and Appointees Statement of Remuneration and Expenses for 2022

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR122/2023
That the report of the City Treasurer regarding the Mayor, Councillors and Appointees 2022 Statement of Remuneration and Expenses for 2022 **BE RECEIVED** for information.
Carried.

Report Number: C 31/2023
Clerk's File: ACO/7090

7.3. 2022 Status Report regarding City's response to Cannabis Retail Store Applications provided to AGCO – City Wide

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR123/2023
That the report of the Chief Administrative Officer dated March 1, 2023 regarding the City's response to Cannabis Retail Store Applications provided to the Alcohol and Gaming Commission of Ontario (AGCO) for 2022 **BE RECEIVED** for information.
Carried.

Report Number: C 37/2023
Clerk's File: GP/13047

8. CONSENT AGENDA

8.1. Cabana Corridor Improvements Phase 4 - Mount Carmel Drive to Highway 3; Legal Agreements with St. Clair College - Ward 1

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR124/2023

I. That Council **APPROVE** entering into a cost sharing and consent to enter agreements with St. Clair College for the road improvement work on the College lands as part of the Cabana Corridor Improvements Phase 4 tender #151-22, as follows:

   a. St. Clair College to reimburse the City of Windsor the amount of $450,000 plus HST for the road improvement work on the College Lands as part of the Cabana Corridor Improvements Phase 4 Project; and

   b. St. Clair College to provide a Consent to Enter to the City and its Contractors , during and until the final completion date of the Cabana Phase 4 construction project, to enter upon part of the lands municipally known as 3995 & 3900 Geraedts Drive, and 2000 Talbot Road, as shown on the aerial image and work drawing attached as Appendix A.1 & A.2 and legally described as SANDWICH WEST CON 4; PT LOT 2; PLAN 1363; BLKS K; L; M N; P & PT BLK O; LANE; LOTS 811 TO 842; 853 TO 866; PT RANKIN AVENUE; PLAN 1438; LOTS 1 TO 3 & 10; PT LOTS 11 TO 17; PT BLK J; PT ALLEY; RP 12R24499 (the "**Land**");

and;

II. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a Cost Sharing and Consent to Enter Agreements with St. Clair College, as described in recommendation I, satisfactory in form to the Commissioner of Legal & Legislative Services, in technical content to the Commissioner of Infrastructure Services, and in financial content to the Commissioner of Corporate Services CFO/City Treasurer.

Carried.

Report Number: C 42/2023
Clerk's File: SW/14546

8.2. Private Access Culvert within the Little 10th Concession Drain for 3940 Lauzon Road - Ward 9

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR125/2023

I. That City Council **ADOPT** the Drainage Engineer's Report for improvements to the Little 10th Concession Drain completed by Baird AE, dated February 2, 2023 to install private access culverts for the property at 3940 Lauzon Road in accordance with Section 45 of the *Drainage Act*; and,

II. That City Council **APPROVE** By-law 22-2023 in accordance with Section 58 of the *Drainage Act.*

Carried.

Report Number: C 29/2023
Clerk's File: SW2023

8.4. Private Access Culvert within the 5th Concession Drain for 4088 and 4096 Sixth Concession Road - Ward 9

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR127/2023

I. That City Council **ADOPT** the Drainage Engineer's Report for improvements to the 5th Concession Drain, completed by R.C. Spencer Associates Inc., dated January 27, 2023, to install a private access culvert for the properties at 4088 and 4096 Sixth Concession Road in accordance with Section 45 of the *Drainage Act*; and,

II. That City Council **APPROVE** By-law 21-2023 in accordance with Section 58 of the *Drainage Act*.

Carried.

Report Number: C 30/2023
Clerk's File: SW2023

8.5. Windsor Bicycling Committee 2022 Annual Report

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR128/2023 ETPS 925
That the Windsor Bicycling Committee 2022 Annual Report **BE APPROVED.**
Carried.

Report Number: SCM 3/2023
Clerk's File: MB2023

8.6. Minutes of the Windsor Bicycling Committee of its meeting held December 13, 2022

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR129/2023 ETPS 926
That the Minutes of the Windsor Bicycling Committee of its meeting held December 13, 2022 **BE RECEIVED.**
Carried.

Report Number: SCM 22/2023
Clerk's File: MB2023

8.7. Grove Avenue (Janette Avenue to Bruce Avenue) Traffic Calming - Ward 3

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR130/2023 ETPS 927
That Administration **BE DIRECTED** to install speed humps and associated signs and pavement markings on Grove Avenue between Bruce Avenue and Janette Avenue.
Carried.

Report Number: S 8/2023
Clerk's File: ST/13863

8.8. West Windsor Flood Risk Study - Climate Change Risk Assessment - Report Endorsement - Wards 1 & 2

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR131/2023 ETPS 928
That Council **ENDORSE** the "West Windsor Flood Risk Study – Climate Change Risk Assessment", attached as Appendix A, as a planning document with recommendations and conclusions, as identified and prepared by Dillon Consulting, dated January 2023.
Carried.

Report Number: S 20/2023
Clerk's File: SW2023

8.9. E-Scooter Update - City-wide

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR132/2023 ETPS 929
That the report of the Active Transportation Coordinator dated January 10, 2023 regarding E-Scooter Update – City-wide **BE RECEIVED** for information.
Carried.

Report Number: C 7/2023
Clerk's File: SW/13715

8.10. Response to CQ 9-22 – Driveway Culvert Rehabilitation & Backyard Drainage Implementation Programs

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR133/2023 ETPS 930
That the report of the Right of Way & Field Services Coordinator dated January 4, 2023 regarding the Response to CQ 9-22 – Driveway Culvert Rehabilitation & Backyard Drainage Implementation Programs **BE RECEIVED** by Council for information; and

That Administration **BE REQUESTED** to create a program for Private Culvert rehabilitation for Council's consideration.
Carried.

Report Number: C 2/2023
Clerk's File: SW2023

8.11. Effectiveness of Salting Residential Streets During Winter Control Incident Response to Prevent Ice Formation

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR134/2023 ETPS 931
That the report of the Maintenance Coordintaor dated December 21, 2022 regarding Effectiveness of Salting Residential Streets during Winter Control Incident Response to Prevent Ice Formation, **BE RECEIVED** for information; as well as the additional information memo.
Carried.

Report Number: C 227/2022
Clerk's File: SW2022

8.12. Response to CQ 15-2021 – July 16, 2021 Rain Event (City Wide)

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR135/2023 ETPS 932
That the report of the Executive Initative Coordinator, Infrastructure Services dated January 11, 2023 regarding Response to CQ 15-2021 – July 16, 2021 Rain Event (City Wide) **BE RECEIVED.**
Carried.

Report Number: C 8/2023
Clerk's File: SW2023

8.14. Update to Transit Windsor Signing Authorities - City Wide

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR137/2023 ETPS 936
That the Environment, Transportation & Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors and City Council **AUTHORIZE** the following positions at Transit Windsor to be signing authorities for the Transit Windsor Imprest Account:

- The Executive Director, Transit Windsor and the Director, Fleet and Facility Development, Transit Windsor as the primary signing authorities; and
- The Director, Operations and Planning, Transit Windsor and the Maintenance Manager-Fleet, Transit Windsor as the secondary signing authorities; and further,

That the secondary signing authorities **BE UTILIZED** only in the event that one of the primary signatories be unavailable; and further,

That the CAO **BE AUTHORIZED** to approve future amendments in signing authorities for the Transit Windsor Imprest Account where such changes are deemed administrative or housekeeping in nature.
Carried.

Report Number: S 18/2023
Clerk's File: MT/13708

8.15. Zoning By-law Amendment Application for property known as 478 Janette Avenue; Applicant: 1413600 Ontario Ltd.; File No. Z-029/22, ZNG/6847; Ward 3.

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR138/2023 DHSC 481

I. That Zoning By-law 8600 **BE AMENDED** for the lands located on the east side of Janette Avenue, between Wyandotte Street West and Park Street West, described as Lot 68 and Pt Lot 67, Plan 274, [PIN 01195-0191 LT], by adding a site specific holding provision to permit "One Multiple Dwelling with a maximum of six dwelling units" as an additional permitted use, subject to additional regulations;

"467. EAST SIDE OF JANETTE AVENUE, BETWEEN WYANDOTTE STREET WEST AND PARK STREET WEST

For the lands comprising Lot 68 and Pt Lot 67, Plan 274, PIN 01195-0191 LT, "One *Multiple Dwelling* with a maximum of six *dwelling units"* shall be an additional permitted use and the following shall apply:

1. The provisions in Section 11.2.5.4, save and except for section 11.2.5.4.4
2. Main Building Height - maximum 10.0 m

[ZDM 3; ZNG/6847]"

II. That the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the following conditions are satisfied:

a) Official approval of the storm water management calculations;
b) Street Opening Permit; and
c) Alley Maintenance Contribution of $5,750.00 paid to the Corporation of the City of Windsor.

Carried.

Report Number: S 26/2023
Clerk's File: Z/14512

8.16. Approval of a Plan of Condominium with Exemption under Section 9(3) of the Condominium Act, 4755, 4775 & 4785 Walker Road; Applicant: 5042667 Ontario Ltd.; File# CDM 002-22 [CDM-6829]; Ward 9

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR139/2023 DHSC 482
That the application of 5042667 Ontario Ltd. for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a total of 224 dwelling units and 7 commercial units within three (3) new Multiple Dwelling structures under construction or planned to be constructed, as shown on the attached MAP Nos. CDM-002/22-1, CDM-002/22-2, and CDM-002/22-3A,3B,3C, on parcels legally described as Pt Lot 13, Concession 6, PART 3 and Pt of PART 2 on Plan 12R-17667, and PARTS 6 to 9 on Plan 12R-24241, City of Windsor; located at 4755, 4775 and 4785 Walker Road, **BE APPROVED** for a period of three (3) years.
Carried.

Report Number: C 25/2023
Clerk's File:Z/14505

8.17. Official Plan & Zoning Bylaw Amendments, Draft Plan of Subdivision Applications - Z 027-22 [ZNG-6832], OPA 163 [OPA-6833], SDN001/22 [SDN6834] - 1027458 Ontario Inc. - 0 Clover Avenue - NE Corner Florence & Beverly Glen - Ward 7

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR140/2023 DHSC 483

I. That the City of Windsor Official Plan Volume II – East Riverside Secondary Plan Schedule ER-2 **BE AMENDED** by changing the land use designation of Block 65, Plan 12M-581, City of Windsor from Open Space to Neighbourhood Residential;

II. That the City of Windsor Official Plan Volume II – East Riverside Secondary Plan Schedule ER-2 **BE AMENDED** by changing the land use designation of Blocks 63 and 64, Plan 12M-581, City of Windsor from School Site to Neighbourhood Residential;

III. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Block 65, Plan 12M-581 from Green District 1.1 (GD1.1) to Residential District (HRD) 2.3;

IV. That a Hold provision **BE APPLIED** to Blocks 63-65, Plan 12M-581 and that it be removed

when the conditions contained in Section 5.4 HOLDING ZONE PROVISIONS of City of Windsor Zoning By-law 8600 have been met;

V. That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 63-65, Plan 12M-581 by adding site specific regulations as follow:

466. **NORTH EAST CORNER OF FLORENCE AVENUE AND BEVERLEY GLEN STREET**

For the lands described as Blocks 63-65, Plan 12M-581, the total area of the *required front yard* occupied by a hard surface for the purpose of a walkway, driveway, *access area*, *parking space*, or any combination thereof, exceeding 60% of the *required front yard* shall be prohibited, and,
Lot Coverage – Maximum 50%
(ZDM 14; ZNG/6832)

VI. That the application of 1027458 Ontario Inc. for Draft Plan of Subdivision approval of Blocks 63-65 (incl.), Plan 12M-581, City of Windsor; **BE APPROVED** on the following basis:

A. That this approval applies to the draft plan of subdivision, as shown on the attached Drawing SDN001/22-1, which will facilitate the construction of 117 townhome dwellings and 2 blocks for a greenway/utility corridor.

B. That the Draft Plan Approval shall lapse on (5 years from the date of approval).

C. That the Owner Shall submit for approval of the City Planner, a final draft M-Plan, which shall include the names of all road allowances within the plan, as approved by the Corporation.

D. That the Owner undertakes to provide the following matters prior to the registration of the final Plan of Subdivision:

a. The Owner will include all items as set out in the results of circularization and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).

b. The Owner will create, prior to the issuance of a building permit, the following rights-of-way, in accordance with the approved Plan of Subdivision:
   1. 20m right of way for the new Streets “Thunderbay Avenue” and “Ivanhill Avenue”
   2. A right of way for the Court as shown on the Draft Plan of Subdivision west of Thunderbay Avenue, South of Block 28.

c. The Owner shall agree to fully construct all future municipal right-of-ways, including, but not limited to: pavements, curbs and gutters, utilities and the necessary drainage facilities, according to City of Windsor standard specification for the following road designations:
   1. Local Residential Roads: complete with 20 metre right-of-ways. Pavements to be twenty-eight (28) feet (8.6 metres) in width.

   2. Collector Roads:
      Class 2 Collector - Florence Ave is to be constructed as per the requirements of the Environmental Assessment.

d. The Owner will provide the following corner cut-offs on the approved Final Plan of Subdivision:

4.6m x 4.6m – Intersection of Thunderbay Avenue and Beverly Glen Street;
Intersection of Ivanhill Avenue and Beverly Glen Street;
Intersection of Thunderbay Avenue and Ivanhill Avenue;
Intersection of Thunderbay Avenue and Clover Avenue;
Intersection of Beverly Glen Street and Clover Avenue;
Intersection of Jerome St and Florence Avenue;
Intersection of Beverly Glen Street and Florence Avenue,

to the satisfaction of the City Planner and the City Engineer.

e. The Owner will comply with all the following requirements relating to sidewalks:
Sidewalks will be constructed:
On the East Side of Thunderbay Avenue and Ivanhill Avenue;
On the South side of Thunderbay Avenue;
On Florence Avenue as per the Environmental Assessment,
All to the satisfaction of the City Engineer and the City Planner.

f. The Owner shall agree to retain a Consulting Engineer at its own expense to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit.

g. The Owner shall agree to:
1. Undertake an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
2. Install stormwater management measures identified above, as part of the development of the site, to the satisfaction of the City Engineer and the Essex Region Conservation Authority.
3. Obtain the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.

h. The Owner shall agree to be responsible for the costs associated with the relocation of the sanitary sewer which presently extends south of Elinor Street and through Block 64, Plan 12M-581. All work to be done to the satisfaction of the City Engineer.

i. The Owner shall agree to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

j. The Owner shall agree that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

k. The Owner shall agree to convey gratuitously to the Corporation Blocks 27 and 28 on the draft Plan of Subdivision (SDN 001/22-1) for the purposes of municipal

infrastructure (existing sanitary sewer) to the satisfaction of the City Engineer and the City Planner prior to the issuance of a construction permits.

l. The Owner shall agree that a Stage 1 Archaeological Assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner and the Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries, prior to the issuance of a construction permits.

m. The Owner shall agree that a final copy of the archaeological reports will be submitted to the City of Windsor.

n. The Owner shall agree to complete an MECP species at risk screening and comply with all requirements, including any required remediation measures, resulting from any study or report submitted to the MECP/MNRF regarding SAR assessment, all at its entire expense, to the satisfaction of the City Planner.

NOTES TO DRAFT APPROVAL (File: SDN-001/22)

1. The applicant is directed to Section 51(39) of *The Planning Act 1990* regarding appeal of any imposed conditions to the Ontario Land Tribunal. Appeals are to be directed to the City Clerk of the City of Windsor.
2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.
3. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the *Certification of Titles Act.*
4. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of *The Planning Act 1990.*
5. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.

VII That the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of *The Planning Act;* and,

VIII That prior to the final approval of the plan of subdivision by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied; and,

IX That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor; and,

X That the proponent **BE REQUESTED** to consider the feasibility of a North/South option off of Thunderbay Avenue.

Carried.

8.18. Closure of part of E. C. Row Avenue East right-of-way, west of Banwell Road, Ward 9, SAS-6835

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR141/2023 DHSC 486

I. That the portion of E. C. Row Avenue East right-of-way shown on Drawing No. CC-1819 (*attached* hereto as Appendix "A") and described as Parts 12, 13, 15 & 26 on the Draft Reference Plan (*attached* hereto as Appendix "B"), and hereinafter referred to as the "Subject Lands"**, BE ASSUMED** for subsequent closure;

II. That the Subject Lands **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
   a. Easements over Part 15 on the Draft Reference Plan being granted to the following parties, subject to their being accepted in the City's standard form and in accordance with the City's standard practice:
      i. Bell Canada to protect aerial and buried facilities running parallel to the north of the existing two-lane asphalt road.
      ii. EnWin Utilities Ltd. to accommodate existing hydro pole line with 27,600-volt primary electrical power circuit.

III. That prior to the closure of the Subject Lands, the Site Plan Agreement for Site Plan Control File No. SPC-2022-11, **BE AMENDED** to add a Special Provision requiring NextStar Energy Inc. to enter into an Access Agreement with Emergency Services (Essex-Windsor EMS, Windsor Fire & Rescue Services and Windsor Police Service), permitting Emergency Services the right to access the Twin Oaks Business Park through the NextStar Energy EV Battery Plant site in the event that the other area roads are impassable.

IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1819 and the Draft Reference Plan.

V. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VI. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

VII. That the following City of Windsor vacant parcel **BE DECLARED** surplus: Municipal address: 3501 Banwell Road (vacant land situated on the south side of E. C. Row Avenue East, east of 9455 Anchor Drive) Legal Description: Part 3 on the Draft Reference PlanApproximate Lot size: 29.46 metres by 7.37 metres by 29.66 metres by 7.39 metresLot

area: 218.0 square metres.

VIII. That the City Solicitor **BE AUTHORIZED** to prepare a by-law to dedicate Part 3 on the Draft Reference Plan as part of the public highway known as E. C. Row Avenue East to facilitate the construction of a cul-de-sac.

Carried.

Report Number: C 155/2022
Clerk's File: SAA2023

8.19. Downtown Windsor Enhancement Strategy and Community Improvement Plan Grant Applications made by Micheal de Rita for 2734844 Ontario Ltd. for 261-267 Pelissier Street, Ward 3

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR142/2023 DHSC 487

I. That the request made by 2734844 Ontario Ltd. (Owner) for the proposed development at 261-267 Pelissier Street to participate in:
   a. the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years or until 100% of the eligible costs are repaid pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
   b. the Upper Storey Residential Conversion Grant Program **BE APPROVED** for $50,000 towards eligible costs pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan.

II. That Administration **BE DIRECTED** to prepare the agreements between the City and 2734844 Ontario Ltd. (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 261-267 Pelissier Street in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan.

III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program at 261-267 Pelissier Street 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.

IV. That the grants under Upper Storey Residential Conversion Grant Program for 261-267 Pelissier Street **BE PAID** to 2734844 Ontario Ltd. upon completion of the new residential unit as described in Report S16/2023 within two (2) years of Council approval subject to the satisfaction of the City Planner and Chief Building Official.

V. Grant funds in the amount of $50,000 under the Upper Storey Residential Conversion Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022) when work is completed.

VI. That should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the Building/Property Improvement Tax Increment Grant Program and Upper Storey Residential Conversion Grant Program be uncommitted and made available for other applications.

VII. That the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 16/2023
Clerk's File: Z/12916

8.20. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Edna (Windsor) Inc., Walkerville Commercial Centre Inc., and Walkerville Walker Developments Inc for 0 Edna Street, 0 St. Luke Road, and part of 890 Walker Road (Ward 5)

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR143/2023 DHSC 488

I. That the request made by 1026738 Ontario Limited, Walkerville Commercial Centre Inc., and Walkerville Walker Developments Inc. 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 Edna Street, 0 St. Luke Road, and part of 890 Walker Road 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 1026738 Ontario Limited, Walkerville Commercial Centre Inc., Walkerville Walker Developments Inc., 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: S 5/2023
Clerk's File: Z/14535

8.21. United Way - ProsperUs Collective Impact Initiative - Progress of the PropserUS Cradle to Career Strategy for Windsor

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR144/2023
That the presentation entitlied "United Way – ProsperUs Collective Impact Initative – Progress of the ProsperUs Cradle to Career Strategy for Windsor" **BE RECEIVED.**
Carried.
Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Clerk's File: MB2023

8.22. 2023 Municipally Significant Event Status, Wards 2,3,4,6,7

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR145/2023 CSPS205
That the request from: 1933900 Ontario Ltd; Hotel-Dieu Grace Healthcare Foundation**;** Northern Heat Rib Series**;** Poutine Feast Ontario Inc.; Rotary Club of Windsor (1918)**;** Windsor Eats Inc.; and Windsor-Essex Pride Fest**;** for approval of designation as 'municipally significant' for the purpose of applying for their Special Occasions Permit – Public Event **BE APPROVED** by Council subject to the terms and conditions of the Special Event Agreement with the City; and further,

That City Council **APPROVE** the following proposed significant event dates for 2023:

Saturday May 27, 2023
Heart Breaker Challenge (Malden Park) hosted by Hotel-Dieu Grace Healthcare Foundation

Thursday June 1, 2023 through Sunday June 4, 2023
Windsor Rib Fest (Riverfront Festival Plaza and Riverfront Civic Terrace) hosted by Northern Heat Rib Series

Friday June 2, 2023 through Sunday June 4, 2023
Art in the Park (Willistead Park) hosted by Rotary Club of Windsor (1918)

Thursday June 8, 2023 through Sunday June 11, 2023
Poutine Feast (Riverfront Festival Plaza and Riverfront Civic Terrace) hosted by Poutine Feast Ontario Inc.

Thursday July 20, 2023
Dinner on the Pier (Assumption Park) hosted by Windsor Eats Inc.

Friday August 11, 2023 through Sunday August 13, 2023
Pride Fest (Lanspeary Park and Outdoor Rink) hosted by Windsor-Essex Pride Fest

Friday October 13, 2023 and Saturday October 14, 2023
Windsor Eats Craft Beer Fest (Willistead Park) hosted by 1933900 Ontario Ltd.
Carried.

Report Number: S 21/2023
Clerk's File: SR/14497

11.1. Hosting 2023 Western Ontario Regional FireFit Competition - City Wide

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR148/2023

That City Council **APPROVE** and **ENDORSE** the City of Windsor to host the 2023 Western Ontario Regional FireFit Competition on September 8, 9 and 10, 2023; and,

That City Council **APPROVE** the establishment of a 2023 Western Ontario Regional FireFit Competition Executive Committee comprised of staff from the following City departments and agencies:

- Windsor Fire & Rescue Service – City of Windsor
- Tourism Windsor Essex Pelee Island
- Finance – City of Windsor
- Risk Management – City of Windsor
- Recreation, Culture & Events – City of Windsor
- Sponsorship & Community Investment- Communications – City of Windsor

and,

That City Council **AUTHORIZE** the Executive Committee to proceed with all activities necessary to properly plan and to make decisions affecting the development and operation of the 2023 Western Ontario Regional FireFit Competition; and,

That City Council **AUTHORIZE** approval to establish the 2023 Western Ontario Regional FireFit Competition as a Capital Project; and,

That the Executive Committee **BE AUTHORIZED** to approve changes in budget allocations within the overall project budget based upon demonstrated needs; and,

That in cases where additional funding has been secured, and subject to a report back to City Council at the conclusion of the FireFit Competition, the Executive Committee **BE AUTHORIZED** to increase the overall project budget accordingly so that the net cost to the City remains the same; and,

That City Council **APPROVE** the establishment of a 2023 Western Ontario Regional FireFit Competition Organizing Committee, to be selected from within the community volunteer base, Windsor Fire & Rescue and City Administration; and,

That City Council **AUTHORIZE** the Organizing Committee to proceed with all activities necessary to properly execute the 2023 Western Ontario Regional FireFit Competition; and,

That City Council **AUTHORIZE** the CAO and/or City Clerk to sign agreements, contracts and/ or grant applications as considered necessary as it relates to the organization and hosting of the 2023 Western Ontario Regional FireFit Competition satisfactory in legal content to the City Solicitor, technical content to the Fire Chief, and financial content to the CFO/City Treasurer.

Carried.

Report Number: C 38/2023
Clerk's File: SR/14497

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

10.1. Report of the Public Inquiry into the 2022 Public Order Emergency

Jennifer King, Partner – Gowling WLG

Jennifer King, Partner – Gowling WLG appears before City Council regarding the presentation "Report of the Public Inquiry into the 2022 Order Emergency" and provides a brief overview of the Commissioner's report regarding the public inquiry; indicating that the government met high thresholds, but the process could have been avoided citing failures in policing; recommendations going forward are provided; Windsor's role is outlined including details in the report that indicated the City acted effectively, correctly and proactively in response to a difficult situation with a coordinated effort with Windsor Police; Ms. King reviews some of the key lessons learned including

the need for a coordinated effort across all levels of government in the future; Ms. King provides a summary of what occurred in the public inquiry, which was the first use of the *Emergencies Act* since it was enacted in 1988; and provides an overview of the City of Windsor's participation in the inquiry; outlines a summary of Windsor's evidence; findings that the commissioner made regarding Windsor; there was a unified approach with messaging with Windsor Police and the Municipality; Lessons Learned; the two final recommendations of the commission; the request by Windsor for a plan to protect the bridge, a long term sustainable plan; the need for collaboration with all levels of government; The Commission Recommendations; the limitations of the report are provided including the need for inter jurisdictional emergency management coordination. Ms. King concludes by providing next steps and the Special Joint Committee testimony by Mayor Dilkens is highlighted.

Moved by: Councillor Fred Francis
Seconded by: Councillor Ed Sleiman

Decision Number: CR147/2023
That the Presentation by Jennifer King, Partner – Gowling WLG regarding "Report of the Public Inquiry into the 2022 Order Emergency" **BE RECIEVED**.
Carried.

Report Number: SCM 100/2023
Clerk's File: GF2023

8.23. Asylum Claimants Transferred to Windsor Hotels by Immigration, Refugees and Citizenship Canada (IRCC) – City Wide

Mike Morency, Executive Director, Matthew House Refugee Welcome Centre

Mike Morency, Executive Director, Matthew House Refugee Welcome Centre appears before City Council regarding the administrative report "Asylum Claimants Transferred to Windsor Hotels by Immigration, Refugees and Citizenship Canada (IRCC) – City Wide" and provides information related to details in the report; expresses concern with the number of people coming into Canada seeking asylum which is up 44% from Pre-Covid levels as they are fleeing unsafe situations in their home countries; comparisons to previous years numbers are provided; and concludes by providing details of Government services related to refugee claimants and application processing timelines.

David Cote, Staff Lawyer, Legal Assistance of Windsor

David Cote, Staff Lawyer, Legal Assistance of Windsor appears before City Council regarding the administrative report "Asylum Claimants Transferred to Windsor Hotels by Immigration, Refugees and Citizenship Canada (IRCC) – City Wide," and is available for questions.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Renaldo Agostino

Decision Number: CR146/2023 CSPS204
That the report of the Manager, Social Policy and Planning regarding the report dated February 10, 2023, entitled "Asylum Claimants Transferred to Windsor Hotels by Immigration, Refugees and Citizenship Canada (IRCC)-City Wide" **BE RECEIVED** for information; and,

That City Council **BE REQUESTED** to submit a letter to Immigration, Refugees, Citizenship Canada (IRCC) to state the City of Windsor does not have the capacity or resources to support additional asylum claimants beyond those estimated based on the current number of secured temporary accommodations; and,

That City Council **BE REQUESTED** to submit a letter to the appropriate senior levels of government, such as the Ministry of Labour, Immigration, Training and Skills Development (MLITSD), to have them identify and resource a local lead settlement agency to coordinate a response in Windsor and Essex County; and, that the correspondence **INCLUDE** a request to establish legal representation from the Refugee Law Office of Legal Aid Ontario; and,

That Administration **BE DIRECTED** to correspond with local Members of Parliament and Members of Provincial Parliament to articulate the challenges of the municipality as it relates to asylum claimants in our region and request advocacy or articulation of those challenges within their respective legislatures.
Carried.
Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: S 22/2023
Clerk's File: SS2023

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

8.13. CQ5-2022 Non-BIA Commercial Areas as Community Safety Zones - City-wide

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

Decision Number: CR136/2023 ETPS 933
That the report of the Transportation Planning Senior Engineer dated January 16, 2023 regarding CQ5-2022 Non-BIA Commercial Areas as Community Safety Zones **BE RECEIVED** for information.
Carried.

Report Number: C 4/2023
Clerk's File: ST2023

8.3. Sunset Avenue From Wyandotte to College Project; Legal Agreements with University of Windsor - Ward 2

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

Decision Number: CR126/2023

I. That Council **APPROVE** entering into a cost sharing agreement with the University of Windsor, for works associated with the University's steam tunnel currently encroaching within Sunset Avenue right of way, as part of the Sunset Avenue Sewer Rehabilitation Project; and,

II. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign an agreement with the University of Windsor, as described in recommendation I, satisfactory in form to the Commissioner of Legal & Legislative Services, in technical content to the Commissioner of Infrastructure Services, and in financial content to the Commissioner of Corporate Services CFO/City Treasurer; and,

III. That **APPROVAL BE GIVEN** to an easement acquisition on the following terms:

1.	**SELLER:**	**University of Windsor** Attention: Richard Taylor, Director of Legal Services Room 314 – Assumption Hall 400 Huron Church Road Windsor, Ontario N9C 2J9 (Hereinafter the "**Seller**")
2.	**EASEMENT:**	A 360 m^2 (3,875 sq. ft.) permanent sanitary and storm easement through the property municipally known as 0 College Avenue (hereinafter the "**Subject Easement**")
3.	**LEGAL DESCRIPTION:**	Part of Sunset Avenue (closed), Registered Plan 693, to be further described on a Plan of Survey to be registered,
4.	**ACQUISITION PRICE:**	$1, plus HST if applicable. The City shall also be responsible for all reasonable legal fees and disbursements incurred by the Seller in connection with the transfer of the Subject Easement

IV. That the transaction identified in recommendation III **BE COMPLETED** electronically, where it is available, pursuant to By-Law 366-2003 and that the Chief Administrative Officer and

the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete the transaction, as required, and that the Commissioner of Legal & Legislative Services **BE AUTHORIZED** to execute documents standard to the real estate transaction; and,

V. That a Consent to Enter Agreement **BE AUTHORIZED** with the University of Windsor, for access to an additional 480 m^2 of the University's property, municipally known as 0 College Avenue to accommodate the construction of the City's sanitary sewer concurrent to registration of the easement identified in recommendation III and IV above, and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign such agreement; and,

VI. That Council **APPROVE** an amendment to the existing encroachment agreement with the University of Windsor for the portion of the tunnel that shall remain in the Sunset right of way; and that the encroachment application fee, and all annual encroachment fees in accordance with M67-2015 **BE WAIVED**; and,

VII. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the amended encroachment agreement with the University of Windsor, satisfactory in form to the Commissioner of Legal & Legislative Services, in technical content to the Commissioner of Infrastructure Services, and in financial content to the Commissioner of Corporate Services CFO/City Treasurer.

Carried.
Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: C 33/2023
Clerk's File: AMP/14495

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)

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR118/2023
That the report of the Special In-Camera meeting session 1 (2:30 o'clock p.m.) held March 20, 2023 **BE ADOPTED** as presented.
Carried.

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR155/2023
That the report of the Special In-Camera meeting session 2 (3:00 o'clock p.m.) held March 20, 2023 **BE ADOPTED** as presented.
Carried.

12.2. (ii) Minutes of the Striking Committee of its meeting held February 27, 2023

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR149/2023
That the minutes of the Striking Committee of its meeting held February 27, 2023 **BE ADOPTED** as presented.
Carried.

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

That the following By-laws No. 19-2023 through 30-2023 be introduced and read a first and second time:

By-law 19-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR41/2023 dated January 30, 2023

By-law 20-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR9/2023 dated January 16, 2023

By-law 21-2023 A BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE 5TH CONCESSION DRAIN, see item no. 8.4, dated March 20, 2023

By-law 22-2023 A BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE LITTLE 10TH CONCESSION DRAIN, see item no. 8.2, dated March 20, 2023

By-law 23-2023 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 18 FOOT EAST/WEST ALLEY, NORTH OF SEMINOLE STREET, SOUTH OF

1480 OLIVE ROAD, EAST OF OLIVE ROAD, WEST OF NORMAN ROAD, CITY OF WINDSOR, authorized by CR497/2022, dated November 28, 2022

By-law 24-2023 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 18 FOOT EAST/WEST ALLEY, NORTH OF SEMINOLE STREET, SOUTH OF 1480 OLIVE ROAD, EAST OF OLIVE ROAD, WEST OF NORMAN ROAD, CITY OF WINDSOR, authorized by CR497/2022, dated November 28, 2022

By-law 25-2023 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE EAST/WEST ALLEY, NORTH OF REGINALD STREET, SOUTH OF SEMINOLE STREET, EAST OF AUBIN ROAD, WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR12/2023, dated January 16, 2023

By-law 26-2023 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE EAST/WEST ALLEY, NORTH OF REGINALD STREET, SOUTH OF SEMINOLE STREET, EAST OF AUBIN ROAD, WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR12/2023, dated January 16, 2023

By-law 27-2023 A BY-LAW TO AMEND BY-LAW 8946, BEING A BY-LAW TO CLOSE, AND STOP UP AND CONVEY THE NORTH/SOUTH ALLEY BETWEEN CHURCH AND BRUCE, FROM FRONTENAC TO LIBERTY, R.P. 1305, authorized by CAO 168/2022, dated August 9, 2022

By-law 28-2023 A BY-LAW TO AMEND BY-LAW NUMBER 208-2008, BEING A BY-LAW TO DELEGATE TO ADMINISTRATION THE AUTHORITY TO PROCESS, MAKE DECISIONS ON, AND TO EXECUTE AGREEMENTS FOR CERTAIN MATTERS, authorized by CR40/2023, dated January 30, 2023

By-law 29-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR91/2023, dated February 27, 2023

By-law 30-2023 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 20th DAY OF MARCH, 2023
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

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

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

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Gary Kaschak

Decision Number: CR150/2023
That Rule 13.9 of the Procedure By-law regaring business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding "Canada Mortgage and Housing Corporation – Rapid Housing Initiative – Round 3 Cities Stream Allocation – Housing Projects."
Carried.

Moved by: Councillor Fabio Costante
Seconded by: Councillor Jim Morrison

Decision Number: CR151/2023
That City Council **APPROVE** the proposed designated housing project of Windsor Essex Community Housing Corporation (“CHC”), located on Bloomfield Road in the City of Windsor, and the proposed designated housing project of Can-Am Urban Native Non-Profit Homes (Windsor) Inc.’s (“Can-Am”), located on Windsor Avenue in the City of Windsor, both of which will be funded though the Rapid Housing Initiative, and further;

That City Council **PRE-COMMIT** the annual operating budget funding required, currently estimated at $165,000, in each of the post-construction operating years to a minimum of 20 years through the affordability period, to support the City based projects detailed in this report, subject to refinement of the annual budget estimate as the developments are finalized, and further;

That City Council **APPROVE** the transfer of up to a maximum of $2,827,671 from the City Housing Reserve (Fund 216) for use towards the capital construction costs of City based projects, which such Reserve Fund only to be drawn upon to the maximum should:

a) the Ministry of Municipal Affairs and Housing (“MMAH”) not approve funding under the Community Housing Renewal Strategy (“CHRS”); and
b) Can-Am not receive capital contribution funding through Ontario Aboriginal Housing Services (“OAHS”), and further;

That the Commissioner, Human and Health Services, or his designate, **BE AUTHORIZED** to execute, sign, amend, and terminate agreements with Purchase of Service agencies on behalf of the City, provided such agreements and documents comply with the governing program requirements and are in a form satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer, and satisfactory in technical content to the Executive Director of Housing and Children's Services; and further,

That for any agreements above $1 million dollars, that in addition to the Commissioner, Human & Health Services, the Chief Administrative Officer **BE REQUIRED** to sign as a secondary authority; and further,

That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to take any such actions as required bringing effect to these resolutions, including but not limited to, submitting any reports and documents in a form and format required by the respective upper levels of government for the duration of the funding, satisfactory in financial content to the City Treasurer as applicable.
Carried.

Clerk's File:SS2023

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

That the By-laws No. 19-2023 through 30-2023 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

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

Decision Number: CR152/2023
That the petition presented by Councillor Renaldo Agostino on behalf of the residents of the Community Housing Corporation building located at 255 Riverside Drive East requesting repairs to the step abutting the balconies **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Commissioner, Human & Health Services for the purpose of an examination of the requested works or undertakings.
Carried.

Clerk's File: ACO/14466

18. QUESTION PERIOD

18.1. CQ 11-2023

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR153/2023
That the following Council Question by Councillor Renaldo Agostino **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 11-2023:
Assigned to Commissioner, Community Services:

There has been ongoing trouble in some of our parks Downtown specifically Mitchell Park. I would like to ask James and his team to look into other parks specifically ones where I grew up at in Toronto about having a staff member who keeps regular hours at Mitchell Park. Is there the opportunity through the Canada Summer Jobs program to have a staff member working set hours in the park. I have seen it before and as I understand we already do it in some other areas of the city. Can we try something new at Mitchell Park.
Carried.

Clerk's File: ACOQ2023

21. ADJOURNMENT

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.
Carried.
Accordingly, the meeting is adjourned at 6:32 o'clock p.m.
Carried.

_____ _____

Mayor City Clerk

SPECIAL MEETING OF COUNCIL – IN CAMERA
March 20, 2023

Meeting called to order at: 2:31 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:

Steve Vlachodimos, City Clerk
Andrew Teliszewsky, Chief of Staff

Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Fred Francis,
to move in Camera for discussion of the following item(s):

Item No.	**Subject**	**Section – Pursuant to Municipal Act, 2001, as amended**
1.	**Personal matter – about an identifiable individual**	**239(2)(b)**

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Item 1)

Verbal Motion is presented by Councillor Fabio Costante, seconded by Councillor Gary Kaschak,
to move back into public session.
Motion Carried.

Moved by Councillor Jim Morrison, 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 March 20, 2023 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the confidential report from Boyden Global Executive Search respecting a personal matter about an identifiable individual **BE APPROVED**.

Motion Carried.

Moved by Councillor Ed Sleiman, seconded by Councillor Angelo Marignani,
That the special meeting of council held March 20, 2023 BE ADJOURNED.
(Time: 3:07 p.m.)
Motion Carried.

Adopted by Council at its meeting held March 20, 2023 (CR155/2023)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA (2)
March 20, 2023

Meeting called to order at: 3:07 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, 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
Andrew Teliszewsky, Mayor's Chief of Staff
Jennifer King, Partner, Gowling WLB (Item 6)
Jason Bellaire, Police Chief (Item 2)
Brendan Dodd, Superintendent, Windsor Police Service (Item 2)
Matt Caplin, Windsor Police Service (Item 2)
Colleen Middaugh, Manager of Corporate Projects (Item 2)
Joseph Dattilo, Project Administrator (Item 2)
Stephen Laforet, Fire Chief (Item 2)
Kirk Whittal, Executive Director of Housing (Item 3)
Sonia Bajaj, Coordinator Housing Development (Item 3)
Diane Wilson, Manager of Social and Affordable Housing (Item 3)

Verbal Motion is presented by Councillor Gary Kaschak, seconded by Councillor Jim Morrison,
to move in Camera for discussion of the following item(s):

Item No.	**Subject**	**Section – Pursuant to Municipal Act, 2001, as amended**
1.	**Personal matter – about an identifiable individual – naming**	**239(2)(b)**
2.	**Project upgrade – technical information supplied in confidence**	**239(2)(i)**
3.	**Property/plan matter – update**	**239(2)(k)**
4.	**Legal/property matter – expropriation settlements**	**239(2)(e)**
5.	**Property matter – purchase of land**	**239(2)(c)**
6.	**Legal matter – advice subject to solicitor-client privilege – presentation – see also presentation on open agenda**	**239(2)(f)**

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

Verbal Motion is presented by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,
to move back into public session.
Motion Carried.

Moved by Councillor Fabio Costante, seconded by Councillor Ed Sleiman,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held March 20, 2023 directly to Council for consideration at the next Regular Meeting.

1. That the confidential report from the Executive Initiatives Coordinator of Community Services, Executive Director of Parks and Facilities, Commissioner, Community Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter about an identifiable individual **BE RECEIVED** and further Administration **PROCEED** on the verbal direction of Council.

2. That the recommendation contained in the in-camera report from the Manager of Corporate Projects, Executive Director of Engineering/Deputy City Engineer, Fire Chief, Commissioner, Infrastructure Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a project upgrade – technical information supplied in confidence **BE APPROVED**.

3. That the in-camera report from the Coordinator of Housing Development and Administration, Executive Director of Housing and Children's Services, Commissioner, Human and Health Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property/plan matter - update **BE REFERRED** to the March 20, 2023 public Council meeting.

4. 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/property matter – expropriation settlements **BE APPROVED**.

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

6. That the confidential report and presentation from Jennifer King, Partner, Gowling respecting a legal matter – advice subject to solicitor-client privilege (see also item on open agenda) **BE RECEIVED FOR INFORMATION** and that Administration **BE DIRECTED TO PROCEED** in accordance with the verbal direction of Council.

Motion Carried.

Moved by Councillor Mark McKenzie, seconded by Councillor Renaldo Agostino,
That the special meeting of council held March 20, 2023 BE ADJOURNED.

(Time: 4:10 p.m.)
Motion Carried.