City Council Meeting Minutes

Date: Monday, May 29, 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 Keiran 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 4:44 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held April 24, 2023

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

That the minutes of the meeting of Council held April 24, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 154/2023

5. NOTICE OF PROCLAMATIONS

Proclamations
"Canada's Seniors Month" – June 2023
"Recreation & Parks Month" June 2023
"Dads Matter Month" – June 2023
"Bike Month" June 2023
"Fibromyalgia Awareness Day" – May 12, 2023
"World Migratory Bird Day" – May 13, 2023
"519 Day" – May 19, 2023
"VON Week" – May 21 – May 27, 2023

Flag Raising Ceremony
"Canada's Seniors Day" – June 2, 2023 – June 8, 2023

Illumination
"Canada's Seniors Day" – June 2, 2023 – June 8, 2023
"Bladder Cancer Awareness" – May 1, 2023 – May 3, 2023

"Coronation of His Majesty King Charles III" – May 6, 2023 – May 7, 2023
"Lupus Awareness Day" – May 10, 2023
"Fibromyalgia Awareness Day" – May 12, 2023
"World IBD Day" – May 19, 2023
"VON Week" – May 22, 2023 – May 28, 2023

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Ed Sleiman
Seconded by: Councillor Renaldo Agostino

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 51-2023 through 67-2023 (inclusive)
Carried.

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

7.1. Correspondence - Monday, May 29, 2023

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

Decision Number: CR197/2023
That the following Communication Items 7.1.1 through 7.1.3 and 7.1.5 through 7.1.11, be set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.4 be dealt with as follows:

√**CLERK'S CORRECTION****

7.1.4 Windsor Police Service Annual Report

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: CR198/2023
That the report "Windsor Police Service Annual Report 2022" **BE ~~RECIVED~~ √RECEIVED√**; and,

That Administration **BE REQUESTED** to report back to Council with a status report, related to Human Services issues that the Windsor Police Services are currently experiencing, to identify gaps and to provide the Windsor Police Service with assistance that they may require from Community Partners, Ministry of Health or others, for Councils consideration.
Carried.

No.	Sender	Subject
7.1.1	Municipal Property Assessment Corporation (MPAC)	2022 Annual Report, MPAC's Financial Statements for the year ended December 31, 2022 and 2022 Performance Report Commissioner, Corporate Services CFO / City Treasurer City Planner AF2023 Note & File
7.1.2	Town of Tecumseh	10th Concession Drain by-law passed by Tecumseh Council Commissioner, Infrastructure Services City Planner SW2023 Note & File
7.1.3	Town of Tecumseh	Notice of the passing of a Zoning By-law Amendment pertaining to a parcel of land situated on the east side of Shawnee Road. City Planner Chief Building Official Development Applications Clerk Z2023 Note & File
7.1.4	Windsor Police Service	Windsor Police Service Annual Report 2022. SP2023 Note & File
7.1.5	City Planner/Executive Director	Application for Zoning Amendment, Marko Agbaba, 1155 California Avenue, to allow for a semi-detached dwelling. Z/14573 Note & File
7.1.6	City Planner / Executive Director	Application for Zoning Amendment, 2832765 Ontario Inc., 1609 Tecumseh Road West, to permit a residential apartment building. Z/14571

No.	Sender	Subject
		Note & File
7.1.7	City Planner / Executive Director	Application for Zoning Amendment, Dior Homes, 3841-3847 Howard Avenue, to construct a business office with 18 dwelling units and a parking garage. Z/14574 Note & File
7.1.8	City Planner / Executive Director	Application for Draft Plan of Subdivision/Condominium extension, McKenzie Lake Lawyers LLP, 1333 Ouellette Avenue for an extension of draft approval. ZP/12486 Note & File
7.1.9	City Planner / Executive Director	Notice that the Condominium extension application submitted by McKenzie Lake Lawyers LLP for 1145, 1175 Adair Court and 1170 Lauzon Parkway has been deemed as complete on May 3, 2023. ZP/12487 Note & File
7.1.10	City Planner / Executive Director	Application for Zoning Amendment, 1027458 Ontario Inc., between Clover Avenue & Florence Avenue to allow for 30 townhome dwellings. File Z/14572 Note & File
7.1.11	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, May 25, 2023 at 3:30 p.m., through Electronic Meeting Participation. Z2023 Note & File

Carried.

Report Number: CMC 7/2023

7.2. Pay as You Go (PAYG) Transfer for Eligible 2022 Computer Equipment Related Expenses - Windsor Police Services (WPS) - City Wide

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

Decision Number: CR199/2023
That in compliance with CR 139/2015, City Council **RECEIVE** for information this report confirming that an amount of $242,599.10 was transferred from the Pay As You Go (PAYG) Leasing Reserve Fund 170 to the Windsor Police Service operating account Dept. ID 0192616, Class Code 18084, for eligible 2022 computer, printer, phone system upgrades, server and network related expenses.

Carried.

Report Number: CM 4/2023
Clerk's File: SP2023

7.3. Response to CQ 11-2023 - Staff at Mitchell Park

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

Decision Number: CR200/2023
That the report of the Executive Initiatives Coordinator dated March 3, 2023 entitled "Response to CQ 11-2023 – Staff at Mitchell Park" **BE RECEIVED**; and,

That Administration **BE DIRECTED** to initiate a community drop in Summer Jobs Pilot Program for 2023 at Mitchell Park for a maximum of 8 weeks, as outlined in the administrative report and in collaboration with The Downtown Windsor Community Collaborative; that will complement the three days of programming being offered by the Downtown Windsor Community Collaborative; and that programming provisions would be contingent on successful recruitment and training of program instructors and staff and will include all safety measures noted in the administrative report including equipment, security personnel, and continued patrols by Windsor Police Services Auxiliary; and,

That funding in the amount of $19,500 plus applicable taxes **BE APPROVED**; and that the amount **BE FUNDED** from the Budget Stabilization Reserve Account (BSR).
Carried.

Report Number: C 40/2023
Clerk's File: SR2023

7.4. Response to CQ 7/2023 – WWE Summer Slam - City Wide

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

Decision Number: CR201/2023
That the report of the Executive Initiatives Coordinator dated May 12, 2023 entitled "Response to CQ 7-2023 – WWE Summer Slam" **BE RECEIVED** for information.
Carried.

Report Number: C 78/2023
Clerk's File:SR2023

7.5. Communication Report Regarding the International Comparators Project from Oxford University's Blavatnik School of Government - City Wide

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

Decision Number: CR202/2023
That the report of the Executive Initiatives Coordinator dated May 10, 2023 entitled "Communication Report Regarding the International Comparators Project from Oxford University's Blavatnik School of Government – City Wide" **BE RECEIVED** for information.
Carried.

Report Number: CM 5/2023
Clerk's File: ME2023

7.6. Response to CR64/2021 - Options for 2650 Metcalfe Street regarding Transportation Terminal – Ward 5

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

Decision Number: CR203/2023
That the report of the Senior Planner dated December 8, 2022 entitled "Response to CR64/2021 – Options for 2650 Metcalfe Street regarding Transportation Terminal – Ward 5" **BE RECEIVED** for information.
Carried.

Report Number: C 216/2022
Clerk's File: Z/13528

7.7. City of Windsor Lancaster Bomber FM 212 - City Wide

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

Decision Number: CR204/2023
That the report of the Manager, Culture & Events dated May 12, 2023 entitled "City of Windsor Lancaster Bomber FM 212 – City Wide" **BE RECEIVED** for information.
Carried.

Report Number: C 80/2023
Clerk's File: APR/1699

8. CONSENT AGENDA

8.1. Revised Recommendations re: Per Diem Rate Increase for Residential Services Homes Program - City Wide

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

Decision Number: CR205/2023
That Council Decision (B13/2023) **BE RESCINDED**; and further

That the report from the Manager of Homelessness and Housing Support regarding the per diem increase for the Residential Services Homes program **BE RECEIVED;** and further,

That the Commissioner of Health and Human Services **BE AUTHORIZED** to increase the per diem rate to $60.00 effective April 1, 2023 for the Residential Services Homes program in Windsor and Essex County. The cost of the per diem increase will be funded 100% through the provincial Homelessness Prevention Program (HPP) funding stream; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute, amend, and terminate agreements with the County of Essex related to the Residential Services Homes program and other homelessness programs funded through the provincial Homelessness Prevention Program (HPP) and the federal Reaching Home funding streams, provided such agreements are in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Commissioner of Health and Human Services and the Executive Director of Housing and Children's Services; and further,

That the Manager of Homelessness and Housing Support **BE DIRECTED** to review the Residential Services Homes program per diem rate and/or funding model every three years and provide recommendations to City Council; and further,

That Council Resolution CR235/2018 SDHC 565 which established the previous Residential Services Homes program per diem rate **BE RESCINDED**.
Carried.

Report Number: C 76/2023
Clerk's File: SS/13026

8.3. EWSWA Agreement to Lease Waste Facilities on City Owned Land - City Wide

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

Decision Number: CR207/2023
That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with Essex Windsor Solid Waste Authority ("EWSWA") authorizing the lease of waste (garbage, recycling, yard waste) facilities managed by EWSWA located at 3560 and 3580 North Service Rd E., Windsor to the successful proponent of an RFP issued by EWSWA, satisfactory in form and content to the City Solicitor, in technical content to the City Engineer and in financial content to the Chief Financial Officer.
Carried.

Report Number: C 83/2023
Clerk's File: APM/14483

8.4. Four Month Extension of Agreement for Waste Collection Services (RFT 43-15) - City Wide

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

Decision Number: CR208/2023
That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to **EXECUTE** a four-month extension agreement of the existing agreement with GFL Environmental Inc. (RFT 143-15) from December 1, 2024 to March 29, 2025 for the provision of residential waste and yard waste collection services, which extension agreement shall be approved as to technical content by the City Engineer, financial content by the City Treasurer and Chief Financial Officer, and as to legal content by the City Solicitor.
Carried.

Report Number: C 64/2023
Clerk's File: APM/14483

8.5. Award of Proposal No. 63-23 Truck Route Study - City-wide

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

Decision Number: CR209/2023
1. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a contract with IBI Group Professional Services (Canada) Inc., satisfactory in form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer and Chief Financial Officer, to undertake a city-wide truck route study, to an upset limit of $300,000 excluding HST; and,

2. That Council **APPROVE** the total projected cost of up to $300,000 excluding HST to be funded from the Transportation Planning Environmental Study Reports Capital Project.

Carried.

Report Number: C 68/2023
Clerk's File: SW/14579

8.6. Award of Tender 43-23 - Dominion Boulevard Rehabilitation - Northwood Street to Ojibway Street - Ward 10

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

Decision Number: CR210/2023

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

TENDERER:	Sterling Ridge Infrastructure Inc.
TENDER NO:	43-23 Dominion Boulevard Rehabilitation
TOTAL TENDER PRICE:	$ 5,545,346.33 (excluding HST)
ACCOUNT CHARGED:	007-5410-9998-02942-7171084

And,

That the CAO and City Clerk **EXECUTE** an agreement with the low bidder, Sterling Ridge Infrastructure Inc. in the amount of $ 5,545,346.33 plus tax, with said contract being satisfactory in form to the Commissioner of Legal and Legislative Services, satisfactory in technical content to the commissioner of Infrastructure Services and satisfactory in financial content to the Commissioner of Corporate Services/Chief Financial Officer; and,

II. That City Council **APPROVE** additional funding of $ 1,600,000.00 through the transfer of the following funds:
   - $ 550,000.00 from Tecumseh Road Improvement (7092017) – ISF
   - $ 300,000.00 from Walker Road Reconstruction (7092016) – ISF
   - $ 750,000.00 from Dougall Road CN Underpass (7161061)

   to Dominion Boulevard Rehabilitation – Northwood Street to Ojibway Street (Project ID 7171084), as detailed in the financial matters section.

Carried.

Report Number: C 79/2023
Clerk's File: SW/14288

8.7. 2023 Business Improvement Area Budget & Levy Approval - Wards 2, 3, 4, 5 & 6

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

Decision Number: CR211/2023
That City Council **APPROVE** the 2023 Budget submissions from each of the eight (8) Business Improvement Area Boards being Ford City, Via Italia (Erie Street), Olde Riverside Town Centre, Olde Sandwich Towne, Walkerville District, Ottawa Street, Pillette Village and Wyandotte Town Centre as presented in Appendices A through H and as summarized the table below Column A; and,

That City Council **APPROVE** the 2023 Levy requests for each of the nine (9) Business Improvement Areas being Downtown Windsor, Ford City, Via Italia (Erie Street), Olde Riverside Town Centre, Olde Sandwich Towne, Walkerville District, Ottawa Street, Pillette Village and Wyandotte Town Centre as summarized in the table below Column B; and,

That City Council **APPROVE** the 2023 Business Improvement Area Rates for each of the nine (9) Business Improvement Areas being Downtown Windsor, Ford City, Via Italia (Erie Street), Olde Riverside Town Centre, Olde Sandwich Towne, Walkerville District, Ottawa Street, Pillette Village and Wyandotte Town Centre as summarized in the table below Column C; and,

Business Improvement Area	**2023 Recommended Budget Column A**	**2023 Recommended Levy Column B**	**2023 Rate Column C**
Downtown Windsor Business Improvement Area	N/A	$667,550	0.00318474
Via Italia – Erie Street BIA	$125,000	$125,000	0.00576406
Olde Riverside Town Centre BIA	$75,000	$75,000	0.00766613
Olde Sandwich Towne BIA	$316,240	$67,100	0.00816560
Walkerville District BIA	$61,000	$55,000	0.00250519
Ottawa Street BIA	$71,965	$71,965	0.00340285
Pillette Village BIA	$40,000	$40,000	0.00358744
Wyandotte Town Centre BIA	$94,000	$94,000	0.00417846
Ford City BIA	$40,000	$30,000	$400 flat fee

That the City Solicitor **BE AUTHORIZED** to prepare the necessary by-law; and,

That City Council **APPROVE** the 2023 Budget submission for the Downtown Business Improvement Area as indicated below and as included in Appendix I.

Business Improvement Area	2023 Recommended Budget	2023 Recommended Levy	2023 Rate
Downtown Windsor Business Improvement Area	$825,650	$667,550	0.00318474

Carried.

Report Number: C 75/2023 & AI 9/2023
Clerk's File: MI/14538

8.8. Windsor-Canada Utilities Ltd. – Annual General Meeting – City Wide

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

Decision Number: CR212/2023

I. That Council, acting as the shareholder for Windsor Canada Utilities Ltd. ("WCUL") **APPROVE** the resolutions presented by WCUL; and,

II. That the Mayor **BE AUTHORIZED** to execute the shareholder's resolutions on behalf of The Corporation of the City of Windsor, in accordance with Council direction, with respect to all matters presented herein by WCUL for the year 2022.

Carried.

Report Number: C 73/2023
Clerk's File: MU2023

8.9. Roseland Golf & Curling Club Limited – Annual General Meeting - City Wide

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

Decision Number: CR213/2023

I. That Council, acting as the shareholder for Roseland Golf & Curling Club Limited ("Roseland") **APPROVE** the resolutions presented by Roseland in the attached Report of the Board; and,

II. That the Mayor **BE APPOINTED** to sign the resolution on behalf of The Corporation of the City of Windsor, in accordance with Council direction, with respect to the annual general meeting of Roseland for the year 2023; and,

III. That the Mayor **BE APPOINTED** to sign the rectifying resolution on behalf of The Corporation of the City of Windsor, in accordance with Council direction, with respect to ensuring the corporate minute book is accurate and up to date.

Carried.

Report Number: C 74/2023
Clerk's File: SR2023

8.10. Award of Tender #58-23 - 2023 EC Row Variable Message Signs for Traffic Operations - City Wide

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

Decision Number: CR214/2023

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

TENDERER:	Weinmann Limited
TENDER NO:	58-23
TOTAL TENDER PRICE:	$295,000 excluding HST
ACCOUNT CHARGED:	007-5410-9998-02942-7221008

and,

That the CAO and City Clerk **EXECUTE** an agreement with the low bidder, Weinmann Limited, in the amount of $295,000.00 excluding HST, with said contract being satisfactory in form to the Commissioner of Legal & Legislative Services, satisfactory in technical content to the Commissioner of Infrastructure Services, and in financial content to the Commissioner of Corporate Services CFO/City Treasurer; and,

That City Council **APPROVE** a transfer of $225,467 in funding, from the Traffic Signals Upgrades and Replacements Project 7209000 to the Variable Message Sign Upgrades Project 7221008, as detailed in the financial matters section of this report.
Carried.

Report Number: C 65/2023
Clerk's File: ST/14580

8.12. Request to extend timeframe for redevelopment of demolished residential dwellings located at 1279-1281 and 1283-1285 Langlois Avenue, which are subject to Demolition Control By-law 131-2017 (Ward 4)

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

Decision Number: CR216/2023

1. That the condition of demolition permits authorized via CR254/2019 requiring the construction of a new building to be substantially complete within two years of the commencement of demolition work at 1279-1281 and 1283-1285 Langlois Avenue, which was extended via CR242/2021 for an additional two years, **BE FURTHER EXTENDED** for one year (i.e. until June 6, 2024).

Carried.

Report Number: C 84/2023
Clerk's File: SB2023

8.13. Sandwich Street Sewer Rehabilitation Project - Noise By-Law Exempton - Ward 2

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

Decision Number: CR217/2023

I. That the following exemption to the provisions of the Noise By-law 6716 (as amended) **BE GRANTED** to permit for the operation of construction equipment required to complete the Sandwich Street Sewer Rehabilitation project:

a. Specific exemption request:
Construction activities during the noise by-law prohibited period of time between 8:00 p. m. through to 6:00 a. m., to complete construction of the Sandwich Street Sewer Rehabilitation project for cured-in-place pipe (CIPP). The CIPP installations on the large diameter sections require extended curing and cool down timeframes to properly install the liners. Once the process starts from initial inversion of the liner to the eventual cutting of ends and reinstatement of laterals, it must be a continuous process.

b. Scope of Exemption:
CIPP installations at the following locations:

- At the intersection of Sandwich Street and Ojibway Parkway (Non-residential area): Existing Sanitary main 1000mm x 875mm with one 36 hour continuous install process. Approximately 85 to 100 decibels anticipated.
- Hill Avenue from Sandwich Street to Peter Street (some residential): Existing 900mm x 1200mm Combined sewer with one 24 hour continuous install process. Approximately 85 to 100 decibels anticipated.

- Within the intersection of Sandwich Street and Detroit Street and southeast along Detroit Street to Alexander Avenue: Existing 900mm Combined Sewers with one 24 hour continuous install process. Approximately 85 to 100 decibels anticipated.

c. Duration of Exemption:
The request is tentatively scheduled for the period from June 12 to 29, 2023 as per the above scope, with the option of renewal to be approved by the CAO through delegation of authority report.

Carried.

Report Number: C 86/2023
Clerk's File: SW2023

8.14. Draft Plan of Condominium with Exemption under Section 9(3) of the *Condominium Act* –CDM 001-23 [CDM6972] 781 Erie Inc. (Randy Saccucci) 781 Erie St – Ward 4

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

Decision Number: CR218/2023 DHSC 499
That the application of 781 Erie Inc. 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 12 dwelling units and 1 commercial unit, as shown on the attached Map No. CDM-001/23-1 and CDM-001/23-2 on a parcel legally described as; Lots 249 and 250, Registered Plan 360; City of Windsor; located at 781 Erie Street East **BE APPROVED** for a period of three (3) years.
Carried.

Report Number: S 42/2023 & SCM 137/2023
Clerk's File: Z/14557

8.15. Zoning Bylaw Amendment Z 004-23 [ZNG-6950] Supreme Homes Group (John Atwan) 1334-1336 Lincoln Ave- Ward 4

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

Decision Number: CR219/2023 DHSC 500
That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Lot 11, Plan 628 by adding site specific regulations as follow:

468. **East Side of Lincoln Avenue, South of Ottawa Street**

For the lands comprising of Lot 11, Plan 628, One Multiple Dwelling containing a maximum of three dwelling units on the subject parcel shall be an additional permitted use, and the following site specific regulations shall apply:
Lot Width – as existing
Lot Area – as existing

(ZDM 7; ZNG/6832)

Carried.

Report Number: S 49/2023 & SCM 138/2023
Clerk's File: Z/14540

8.16. Zoning Bylaw Amendment Z 005-23 [ZNG-6951] Supreme Homes Group (John Atwan) 2609 Pillette Ave - Ward 5

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

Decision Number: CR220/2023 DHSC 501

I. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Lot 14, Part of Lot 13, and Part of Closed Alley Plan 1160, more particularly described as PART 2, 12R-28714, from Residential District 1.2 (RD1.2) to Residential District (RD) 2.1;

II. That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Lot 11, Plan 628 by adding site specific regulations as follow:

468. **West Side of Pillette Avenue, South of Rose Street**

For the lands comprising of Lot 14, Part of Lot 13, and Part of Closed Alley Plan 1160, more particularly described as PART 2, 12R-28714, the following site specific regulations shall apply:
Maximum Gross Floor Area– 470 m^2

(ZDM 11; ZNG/6951)

Carried.

Report Number: S 50/2023 & SCM 139/2023
Clerk's File: Z/14542

8.17. CIty Initiated Zoning By-law Amendment - Remove Maximum Gross Floor Area - main Building Provisions for Townhome Dwellings in RD2.3 Zone

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Gary Kaschak

Decision Number: CR221/2023 DHSC 502

I. That Zoning By-law 8600 **BE AMENDED** by deleting the Gross Floor Area – main building maximum of 400 m^2 for Townhome Dwelling in section 11.3.5.8.

Carried.

Report Number: S 48/2023 & SCM 140/2023
Clerk's File: Z2023

8.18. Rezoning – SRC United Inc (Stan Mancebo) – 936 Wyandotte Street West – Z 030-22 [ZNG-6864], Ward 3

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

Decision Number: CR222/2023 DHSC 503

I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Part Lot 3, Plan 420 Windsor (known municipally as 936 Wyandotte Street West; Roll No. 040-150-02500) situated on the north side of Wyandotte Street West between Crawford Avenue and Oak Street by adding the following site specific exception to Section 20(1):

"469. **NORTH SIDE OF WYANDOTTE STREET WEST, BETWEEN CRAWFORD AVENUE AND OAK STREET**

For the lands comprising Part Lot 3, Registered Plan 420, a *dwelling* with a maximum of 3 *dwelling units* within an *existing building* shall be an additional permitted use and shall be subject to the following additional provisions:

a) Section 15.2.5.9 shall not apply

b) Section 15.2.5.15 shall not apply

c) Section 24.20.5 shall not apply

d) Subject to the satisfaction of the Chief Building Official, the following noise mitigation measures are a requirement of building permit issuance:
   1) The following buildings components shall have a Minimum STC Rating as indicated:
      Exterior Wall – 27
      Window – 21 (operable thick double/triple paned)
      Window – 24 (sealed thick double glazed)
   2) Installation of Central Air Conditioning

[ZDM 3; ZNG/6864]

II. That Part Lot 3, Plan 420 Windsor (known municipally as 936 Wyandotte Street West; Roll No. 040-150-02500), **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning). The Class 4 area classification applies to new noise sensitive residential units created after the subject site has been rezoned.

III. That the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification for the subject lands that incorporates noise mitigation measures to BASF Canada Inc.

IV. That the owner of the property **BE DIRECTED** to include the following Warning Clauses from NCP-300 in future offers to Purchase, and agreements of Purchase or Sale or Lease:

(a) Type D: This dwelling unit has been equipped with central air conditioning in order to allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks. Air conditioning units are to be installed in a noise insensitive area.

(b) Type E: Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible.

(c) Essex Terminal Railway and Canadian Pacific Railway Company, or its assigns or successors in interest has or have a right-of-way within 300 meters from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). ETR and CP will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

Carried.

Report Number: S 47/2023 & SCM 141/2023
Clerk's File: Z/14487

8.19. Official Plan Amendment and Zoning By-law Amendment –2836369 Ontario Limited (The VanGuard Team at Manor Reality)– 691 Ouellette Ave – Z044 [ZNG-6941] & OPA 165 [OPA-6942], Ward 3

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

Decision Number: CR223/2023 DHSC 504

I. That Schedule A: Planning Districts and Policy Areas of the City of Windsor Official Plan, Volume I **BE AMENDED** by identifying the property described as Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 (691 Ouellette Ave and 0 Pelissier Street) situated between Ouellette Avenue and Pelissier Street, between Wyandotte Street West and Elliot Street as a Special Policy Area.

II. That Volume 2, Part 1:Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:

1.X West side of Ouellette Avenue between Wyandotte Street West and Elliot Street

1.X.1 The property described as Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 (691 Ouellette Ave and 0 Pelissier Street) situated on the west side of Ouellette Avenue between Wyandotte Street and Elliot Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.X.2 Notwithstanding the policy in section 6.9.2.2 (a) and 6.11.4.2 (f) of the Official Plan, Volume I, residential uses are permitted at and below grade of the existing dwelling subject to obtaining a Building Permit.

III. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 (691 Ouellette Ave and 0 Pelissier Street) situated on the west side of Ouellette Avenue between Wyandotte Street West and Elliot Street by adding the following site-specific exceptions to Section 20(1):

"470 **WEST SIDE OF OUELLETTE AVENUE, BETWEEN WYANDOTTE STREET WEST AND ELLIOT STREET**

1. For lands comprising Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 the *existing building* may containing a maximum of two live-work units on the ground floor, and maximum of six *dwelling units* in the balance of the building, shall be an additional permitted use and shall be subject to the following additional provisions:
   a) 'Live-work unit' is a non-residential *use* which contains a *dwelling unit* occupied by the same owner/occupant as the non-residential use. The following additional provisions apply to live-work units:
      i. Live-work units shall only be permitted on the ground floor.
      ii. The non-residential *use* and *dwelling unit* shall have separate street entrances. The entrance to the non-residential *use* must be along Ouellette Avenue.
      iii. The following non-residential uses are permitted: *Business Office*, *Personal Service Shop*, or *Professional Studio*.
   b) *Dwelling units* are permitted in the *basement* or *cellar* of the *existing building*, subject to obtaining a Building Permit.

[ZDM 3; ZNG/6941]".

Carried.

8.21. Closure of north/south alley between University Avenue East and 245 Parent Avenue and part of east/west alley between Marentette Avenue and 867 Chatham Street East, Ward 4, SAA-6623

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

Decision Number: CR225/2023

I. That the 4.57-metre-wide north/south alley located between University Avenue East and the property known municipally as 245 Parent Avenue (legally described as Lot 17 & Part of Closed Alley, Plan 143; Part 5, Reference Plan 12R-27073) and shown on Drawing No. CC-1803 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "first alley", **BE ASSUMED** for subsequent closure;

II. That the first alley **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 protection of aerial facilities;
        ii. EnWin Utilities Ltd to accommodate existing overhead primary 27.6kV and secondary 120/240V hydro distribution poles; and
        iii. MNSi for access to service and maintain existing aerial infrastructure.

III. That the portion of the 6.1 metre wide east/west alley located between Marentette Avenue and the property known municipally as 867 Chatham Street East (legally described as Lot 13, Plan 143), abutting the properties known municipally as 0 University Avenue East (legally described as Part of Lots 9 & 10, Plan 140; Lot 22, Plan 143) and 857 Chatham Street East (legally described as Part of Lots 8 & 9, Plan 140), and shown on Drawing No. CC-1803 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "second alley", **BE ASSUMED** for subsequent closure;

IV. That the second alley **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 protection of aerial facilities;

ii. EnWin Utilities Ltd to accommodate existing overhead primary 27.6kV and secondary 120/240V hydro distribution poles; and
iii. MNSi for access to service and maintain existing aerial infrastructure.

V. That the 3.66-metre-wide north/south lane located between University Avenue East and the said east/west alley **BE DENIED** for subsequent deeming as surplus lands;

VI. That Conveyance Cost **BE SET** as follows:
a. For first alley conveyed to abutting lands zoned RD2.2, $4,000.00 per front foot without easements and $2,000.00 per front foot with easements.
b. For second alley conveyed to abutting lands zoned RD2.2, $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.

VII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1803, *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.
Carried.

Report Number: S 32/2023 & SCM 144/2023
Clerk's File: SAA2023

8.22. Closure of south half of Pall Mall Street right-of-way, west of Alexandra Avenue; North/South alley between Northwood Street and Alexandra Avenue, Ward 10, SAS-6577

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

Decision Number: CR226/2023 DHSC 507
I. That the 4.57-metre-wide north/south alley located between Northwood Street and Alexandra Avenue, and shown on Drawing No. CC-1823 (*attached* hereto as Appendix "B"**)**, and hereinafter referred to as the "alley", **BE ASSUMED** for subsequent closure;

II. That the alley **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. 3.0-metre-wide easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:

i. Bell Canada to protect existing aerial facilities.
ii. EnWin to accommodate the existing pole line with overhead primary 16kV, secondary 120/240 volt, and secondary 347/600-volt hydro distribution; and

iii. MNSi to accommodate existing aerial facilities.

b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner, save and except that portion located between 2530 Longfellow Avenue (legally described as Lot 1007, and Part of Lots 1006 & 1008, Plan 1307) and 2539 Alexandra Avenue (legally described as Lots 961 & 962, and Part of Lot 963, Plan 1307), and 2564 Longfellow Avenue (legally described as Lot 1013, and Part of Lots 1012 & 1014, Plan 1307; Parts 9 & 11, RP 12R-1148) and 2579 Alexandra Avenue (legally described as Lot 955, and Part of Lots 953, 954 & 956, Plan 1307; Part 19, RP 12R-1148), in which case the middle of the alley shall be used.

III. That the 10.05-metre-wide south half of the Pall Mall Street right-of-way located between Alexandra Avenue and the alley, and shown on Drawing No. CC-1799 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "right-of-way", **BE ASSUMED** for subsequent closure;

IV. That the right-of-way **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 2511 Alexandra Avenue (legally described as Part of Lots 963 to 965, Plan 1307), in a manner deemed appropriate by the City Planner;

V. That Conveyance Cost **BE SET** as follows:

a. For alley conveyed to abutting lands zoned RD1.4, $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 right-of-way conveyed to abutting lands zoned RD1.4, $1,500.00 per front foot without easements and $750.00 per front foot with easements.

VI. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No.'s CC-1799 and CC-1823, *attached* hereto as Appendix "A" and Appendix "B", respectively.

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 the matter **BE COMPLETED** electronically pursuant to By-law Number 36-2023.
Carried.

Report Number: S 97/2022 & SCM 145/2023
Clerk's File: SAA2023

8.23. Sandwich Town CIP Application; 511 Brock Street; JD LOUIE CORP. (C/O: Jennifer Wong); REIGNS 740 INC; C/O: Sital Singh Garha - Ward 2

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

Decision Number: CR227/2023 DHSC 508

I. That CR307/2021 **BE AMENDED** by deleting Clause III ii) and substituting the following therefor:

III ii) If the redevelopment, including construction of a new building, is not substantially complete within three (3) years of the commencement of the demolition the Clerk enter the sum of Sixty Thousand Dollars ($60,000) on the collectors roll of the property and prepare a certificate for registration;

II. That CR307/2021 **BE FURTHER AMENDED** by deleting Clause VIII and substituting the following therefor:

VIII That grants **BE PAID** to the following owners upon completion of the two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units from the *Sandwich Community Development Plan Fund* (Project 7076176) to the satisfaction of the City Planner and Chief Building Official; and to transfer $12,379.14 from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) when work is completed ,

i. JD LOUIE CORP. (C/O Jennifer Wong) for *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of (+/-**$31,719.14);**

ii. REIGNS 740 INC. (c/o: Sital Singh Garha) for *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of (+/-**$660.00**);

iii. REIGNS 740 INC. (c/o: Sital Singh Garha) for *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-**$4,434** per year);

III. That CR307/2021 **BE FURTHER AMENDED** by deleting Clause IX and substituting the following therefor:

IX That grants approved **SHALL LAPSE** and be **UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 3 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Carried.

Report Number: S 43/2023 & SCM 146/2023
Clerk's File: SPL2023

8.24. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 1364722 Ontario Limited (King Holdings) for 930 Marion Avenue (Ward 4)

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

Decision Number: CR228/2023

I. That the request made by 1364722 Ontario Limited (King Holdings) to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 930 Marion Avenue pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;

II. That the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of $15,000 based upon the completion and submission of a Phase II Environmental Site completed in a form acceptable to the City Planner and City Solicitor;

III. That the grant funds in the amount of $15,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;

IV. That should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 45/2023 & SCM 146/2023
Clerk's File: SPL2023

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 Gary Kaschak

Decision Number: CR230/2023

1. That the following items **BE DELETED** from the Delegation of Authority By-law No. 208-2008 and incorporated into regular business processes:
   (a) Section 1.9 Sidewalk Sales
   (b) Section 1.33 Sewer Agreements

(c) Section 3.2 Approval of legal encroachments within the terms of Council's established policy.

2. That Council **APPROVE** Administration's recommendation to add Heritage Features to the Encroachment Policy.

3. That Council **APPROVE** the amended Encroachment Policy M67-2015 attached herein as Appendix A and delegate the signing of agreements as identified in the Encroachment Policy.

4. That Council **APPROVE** the updated Land Value Fees within Appendix B, to be included in the 2023 User Fee Schedule and further that the Land Value Fees **BE AMENDED** from time to time to reflect current rates.

5. That the Chief Administration Officer and City Clerk **BE AUTHORIZED** to execute agreements for Private Drain Connection replacements and encroachment agreements, 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.

Carried.

Report Number: C 204/2022 & AI 4/2023
Clerk's File: SW2023

11.3. Local Improvement (City Initiated) - Proposed Sanitary Sewer on Joy Road from the Eastern Limit to 8th Concession Road – Ward 9

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

Decision Number: CR232/2023

I. That Council **APPROVE** the construction of a sanitary sewer and private drain connections on Joy Road, from its eastern limit to 8th Concession Road as shown on the attached Drawing C-3709, as a local improvement under the provisions of O. Reg. 586/06 under the *Municipal Act*, and that Notice of Intention to pass Local Improvement Charges By-Law **BE GIVEN** to the public and affected owners, including the intention to apply to the Ontario Land Tribunal under section 8 of O. Reg. 586/06 for approval to undertake the work as a local improvement, in accordance with the attached report from the Commissioner of Infrastructure Services; and,

II. That 30 days after giving Notice to residents of Intention to Pass a Local Improvement By-Law, Council **PASS** a By-Law for the construction of sanitary sewer and private drain connections on Joy Road from the eastern limit to 8th Concession Road as a local improvement in accordance with Section 5 of O. Reg. 586/06, unless any affected owner files an objection with the Clerk; and,

III. That approximately $1,650,000 (including tax) **BE FUNDED** from Project ID #7159000 – Local Improvement Sanitary; and,

IV. That Council **APPROVE** as a local improvement works on private property under the provisions of Part III of O. Reg. 586/06 under the *Municipal Act,* for the decommissioning of private septic systems and construction of sanitary private drain connections on private property, to be completed by the property owners. This applies to the properties abutting Joy Road from the eastern limit to 8th Concession Road when property owners request and consent to this work and that Notice of Intention to pass Local Improvement Charges By-law **BE GIVEN** to the public and affected owners in accordance with section 36.6 of O. Reg. 586/06; and,

V. That for local improvement works on private property, the Chief Administration Officer and City Clerk **BE AUTHORIZED** to sign agreements, not to exceed 20 years, with property owners that consent to their lots being specially charged to raise the cost of the work related to decommissioning of private septic systems and construction of sanitary private drain connections on private property abutting Joy Road from the eastern limit to 8th Concession Road which agreement shall be 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,

VI. That for works on private property, Council **PASS** by-laws as required for the decommissioning of private septic systems and construction of sanitary private drain connections on private property abutting Joy Road from the eastern limit to 8th Concession Road as a local improvement in accordance with Part III of O. Reg. 586/06 under the *Municipal Act*; and at an interest rate deemed appropriate by Administration.

Carried.

Report Number: C 47/2023
Clerk's File: SL2023

11.4. Local Improvement (City Initiated) - Proposed Sanitary Sewer on Ray Road from the Eastern Limit to 8th Concession Road - Ward 9

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

Decision Number: CR233/2023
I. That Council **APPROVE** the construction of a sanitary sewer and private drain connections on Ray Road from its eastern limit to 8th Concession Road as shown on attached Drawing C-3708 as a local improvement under the provisions of O. Reg. 586/06 under the *Municipal Act,* and that Notice of Intention to pass Local Improvement Charges By-Law **BE GIVEN** to the public and affected owners, including the intention to apply to the Ontario Land

Tribunal under section 8 of O. Reg. 586/06 for approval to undertake the work as a local improvement, in accordance with the attached report from the Commissioner of Infrastructure Services; and,

II. That 30 days after giving Notice to residents of Intention to Pass a Local Improvement By-Law, Council **PASS** a By-Law for the construction of sanitary sewer and private drain connections on Ray Road from the eastern limit to 8th Concession Road as a local improvement in accordance with Section 5 of O. Reg. 586/06, unless any affected owner files an objection with the Clerk; and,

III. That approximately $1,757,000 (including HST) **BE FUNDED** from Project ID #7159000 – Local Improvement Sanitary; and,

IV. That Council **APPROVE** as a local improvement works on private property under the provisions of Part III of O. Reg. 586/06 under the *Municipal Act*, for the decommissioning of private septic systems and construction of sanitary private drain connections on private property, to be completed by the property owners. This applies to the properties abutting Ray Road from the eastern limit to 8th Concession Road when property owners request and consent to this work and that Notice of Intention to pass Local Improvement Charges By-law **BE GIVEN** to the public and affected owners in accordance with section 36.6 of O. Reg. 586/06; and,

V. That for local improvement works on private property, the Chief Administration Officer and City Clerk **BE AUTHORIZED** to sign agreements, not to exceed 20 years, with property owners that consent to their lots being specially charged to raise the cost of the work related to decommissioning of private septic systems and construction of sanitary private drain connections on private property abutting Ray Road from the eastern limit to 8th Concession Road which agreement shall be 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,

VI. That for works on private property, Council **PASS** by-laws as required for the decommissioning of private septic systems and construction of sanitary private drain connections on private property abutting Ray Road from the eastern limit to 8th Concession Road as a local improvement in accordance with Part III of O. Reg. 586/06 under the *Municipal Act*; and at an interest rate deemed appropriate by Administration.
Carried.

Report Number: C 48/2023
Clerk's File: SL2023

11.5. 2022 Year-End Operating Budget Variance Report - City Wide

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

Decision Number: CR234/202

1. That Council **RECEIVE FOR INFORMATION** the 2022 Year-End Operating Budget Variance Report.

2. That the final 2022 Property Tax Levy Operating Budget surplus of $632,250 **BE TRANSFERRED** to the Budget Stabilization Reserve Fund.

3. That in order to avoid the need to re-budget for various items, Council **APPROVE** $3,814,444 in Budget Carry-Forwards as detailed in Appendix C.

4. That Council **APPROVE** the balancing of and transfers from Capital Project Closeouts as detailed in Appendix D.

5. That Council **APPROVE** the attached Development Charges 2022 Income Statement Schedule as detailed in Appendix E.

6. That Council **APPROVE** the attached Development Charge Reserve Fund Statement – Listing of Credits as detailed in Appendix F.

7. That Council **SEND A FORMAL REQUEST** for additional judicial resources for the Provincial Offenses Court to ensure continued equal and timely access to justice.

8. That Council **APPROVE** the following housekeeping items and various transfers to/(from) the various reserve accounts/funds:
    a. $1,586,506 to Fund 180 (Building Permit Reserve)
    b. $81,711 to Account 1756 (Reserve for Tree Planting)
    c. $5,300 to Account 1755 (Reserve for Fire Education).
    d. ($2,370) from Fund 194 (Building Permit Fee Contra Reserve)
    e. ($68,864) from Fund 114-128 (Development Charge Reserves)
    f. ($75,465) from Account 1788 (Driver Simulation Training)
    g. ($120,353) from Account 1784 (Succession Planning Reserve)
    h. ($437,535) from Fund 160 (Capital Expenditure Reserve)
    i. ($791,659) from Account 1762 (Municipal Elections Reserve)

Carried.

Report Number: C 61/2023
Clerk’s File: AF/14148

11.6. Award of RFP#9-23 Asset Management Plan Consultant Proposal - Citywide

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

Decision Number: CR235/2023

I. That City Council **AWARD** RFP 9-23, Asset Management Plan Consultant, to GM BluePlan Engineering Limited for the provision of consulting services related to the development and delivery of the City's 2024 and 2025 Asset Management Plans; and,

II. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute an agreement with GM BluePlan Engineering Limited for the provision of services, to an upset limit of $370,805 (excluding HST), satisfactory in legal form to the Commissioner, Legal & Legislative Services, in technical content to the Senior Manager of Asset Planning, and in financial content to the Commissioner, Corporate Services CFO/Chief Financial Officer; and,

III. That Council **PRE-APPROVE** and **AUTHORIZE** administration to use the identified provisional amounts available from Capital project #7131117 – Asset Management Service Design, to an upset limit of $77,000 (excluding HST) to ensure complete implementation and execution of the above noted project; and,

IV. That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the Commissioner, Corporate Services CFO/City Treasurer, and in technical content to the Senior Manager of Asset Planning; and,

V. That Administration **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the Commissioner, Corporate Services CFO/City Treasurer, and in technical content to the Senior Manager of Asset Planning; and,

VI. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the Commissioner, Corporate Services CFO/City Treasurer; in legal form to the Commissioner, Legal & Legislative Services; and in technical content to the Senior Manager of Asset Planning.

Carried.

Report Number: C 62/2023
Clerk's File: SPL/14581

11.8. 2022 Annual Report - Building Permit Fee Reserve Fund - City Wide

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

Decision Number: CR237/2023
That the 2022 Annual Report on Building Permit Fees **BE ACCEPTED**.
Carried.

Report Number: C 71/2023
Clerk's File: SB2023

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

11.7. Windsor as a Potential Host Community for First Nation Evacuees – City Wide

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

Decision Number: CR236/202
That the report of the Emergency Planning Officer / Alternate CEMC and Emergency Planning Officer dated May 12, 2023 entitled "Windsor as a Potential Host Community for First Nations Evacuees – City Wide" **BE WITHDRAWN** at the request of Administration, as hosting arrangements and alternatives are being further explored.
Carried.

Report Number: C 82/2023
Clerk's File: SF2023 & SS2023

10. PRESENTATIONS AND DELEGATIONS

10.1. Report No. 1 of the City Hall Square Plaza Project Steering Committee

Valerie Dawn, Glos Architects, Cindi Rowan, Director, Studio L, Scott Torrance, Studio L

Valerie Dawn, Glos Architects, Cindi Rowan, Director, Studio L and Scott Torrance, Studio L appear before City Council regarding the presentation "City Hall Plaza Project Steering Committee Report" and provide a brief overview of the proposed City Hall Plaza Project including the following: Concept Approach, existing site; Project Vision, a new place for civic life in the City; Analysis & Studies including Project Brief-History, Background and Directives, Programming Study, Benchmarking Study, SWOT (Strengths, Weaknesses, Opportunities and Threats) Analysis, Site Analysis, Streetscape Study, What they Heard-Public and Stakeholder Engagement); Site History and Inspiration; Indigenous History; The Underground Railroad; Colonial & Military History; Initial Concept Plan Options including Option 1-River Flow, Option 2-Matrix Garden, Option 3-Light the Path (Preferred Concept); Overall Master Plan, Concept Overview of all 5 segments: Segment 1-City Hall Square, Segment 2-Charles Clark Square, Segment 3-Arts Park, Segment 4-Riverside Plaza, Segment 5-Riverfront Overlook; Streetscape Improvement, Riverside Drive and Crossing Streets; Segment 4&5, Riverside Plaza & Overlook-Option 1—Street Crossing; Segment 4&5 Riverside Plaza & City Beacon—Bridge Option; Segment 1 Seasonal Ice Rink-Concept 3—City Preferred; and conclude by providing a Project Phasing Plan with costing estimates.

Debi Croucher, Executive Director, Downtown Windsor BIA

Debi Croucher, Executive Director, Downtown Windsor BIA appears before City Council in support of the committee report recommendations regarding "City Hall Plaza Project Steering Committee Report" and provides details of several key elements including the vibrant and public spaces that will be created within the city centre; pedestrian friendly environment; visually appealing greenery; enhancing the aesthetics; cultural and artistic features; seating and gathering spaces as well as special events spaces and concludes by suggesting that Council support the recommendations of the committee and complete the project in one phase instead of several.

Caroline Taylor, Ward 2 Resident

Caroline Taylor, Ward 2 Resident appears before City Council regarding "City Hall Plaza Project Steering Committee Report" and provides comments and expresses concern with whether people will use the proposed concept and with the proposed food kiosks; the maintenance of the gardens; the pedestrian bridge not being used; and the safety of crossing streets and urges Council to use the funds to fix roads and sewers.

Howard Weeks, Ward 4 Resident

Howard Weeks, Ward 4 Resident appears before City Council and expresses concern with the proposed reccomendation in the Committee Report regarding "City Hall Plaza Project Steering Committee Report" and concludes by suggesting that funding for this proposed project should be redirected to other projects such as improved roads, reliable infrastructure, safe streets, trees and active recreation instead of a new civic esplanade.

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

Decision Number: CR229/2023
That Report No. 1 of the City Hall Square Plaza Project Steering Committee indicating:

I. THAT the Steering Committee **RECEIVE** for information the "WEC Project Report" completed by FORREC; and,

II. THAT the Steering Committee **APPROVE** the adoption of the concept design "Light the Path," (Appendix A) as the City Hall Square Plaza and Civic Esplanade preferred conceptual design; and,

III. That the Steering Committee **RECEIVE** for information the concept designs (Appendix A – Section 4&5) for crossing Riverside Drive at the foot of the Civic Esplanade; and,

IV. THAT the Steering Committee **RECEIVE** for information the Phasing and Implementation Plan (Appendix C) for information; and,

V. THAT the Steering Committee **RECEIVE** for information the project financial summary for the City Hall Square Plaza and Civic Esplanade (Appendix C) dated April 7, 2023; and,

VI. That the Steering Committee **RECEIVE** for information the "What We Heard Report" (Appendix B) submitted by Gloss Arch + Eng and FORREC. **BE RECEIVED.**
Carried.
Councillor Fred Francis voting nay.

Report Number: SCM 132/2023
Clerk's File: MB2023

The Meeting of Council recesses at 7:01 o'clock p.m.

The Meeting of Council reconvenes 7:25 o'clock p.m.

8.2. Sandwich South Employment Lands - Study Updates - Ward 9

Margaret Hurley, Ward 9 Resident
Margaret Hurley, Ward 9 Resident appears before City Council regarding "Sandwich South Employment Lands – Study Updates, Ward 9" and is available for questions.

Laura Herlehy, Consultant, Dillon Consulting Limited

Laura Herlehy, Consultant, Dillon Consulting Limited appears before City Council regarding "Sandwich South Employment Lands – Study Updates, Ward 9" and is available for questions

Bill Balazs, President of 386823 Ontario Limited

Bill Balazs, President of 386823 Ontario Limited appears before City Council regarding "Sandwich South Employment Lands – Study Updates, Ward 9" and indicates that after preliminary review is providing his support to the plan, and requests consideration of long term goals of the entire area; refined storm water management system; option B making adjustments and improvements to the initial plan; and concludes by suggesting that our community has become the gateway to Canada and to continue to work collaboratively to prepare the area for future development.

Josette Eugeni, James Sylvestre Developments Ltd

Josette Eugeni, James Sylvestre Developments Ltd appears before City Council regarding "Sandwich South Employment Lands – Study Updates, Ward 9" and indicates they have consistently advocated for analysis of the entire study area and have participated in the master servicing study, and stakeholder advisory committee; and concludes by indicating that they hope to continue to dialogue with administration related to a master servicing plan for the entire area.

Mike Stamp, President M.G.S Real Estate Consulting Inc.

Mike Stamp, President M.G.S Real Estate Consulting Inc. appears before City Council regarding “Sandwich South Employment Lands – Study Updates, Ward 9” and expresses concern with the requirement that lands outside the East Pelton and Sandwich South secondary plan having a requirement for a master servicing study as the study completed for the whole area provides a sufficient plan.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Ed Sleiman

Decision Number: CR206/2023

I. That Administration **BE DIRECTED** to issue the Notice of Study Completion for the Sandwich South Master Servicing Plan as per the Municipal Class Environmental Planning Process to commence the 30-day review period.

Carried.

Report Number: C 72/2023
Clerk’s File: SW/13519

8.20. 436 Askin Avenue - Heritage Permit Request (Ward 2)

Helen Martin, Ward 2 Resident

Helen Martin, Ward 2 Resident appears before City Council and expresses concern regarding the proposed additional dwelling unit application “436 Askin Avenue – Heritage Permit Request (Ward 2)” and provides details related to the proposed additional dwelling unit and concludes by suggesting that the development of a Heritage Conservation District Study which has yet to be initiated should be completed before any other applications are approved.

Frank Butler, Ward 2 Resident

Frank Butler, Ward 2 Resident appears before City Council regarding “436 Askin Avenue – Heritage Permit Request (Ward 2)” and is opposed to the proposed Application, provides details of Heritage attributes of many houses in the area, concerns relating to intensification in the area; and concludes by urging Council to conduct the Heritage Conservation District Study for the Askin area, as uncontrolled development may occur in the area as a result of the study not being completed.

Ryan Solcz, Solicitor for applicant

Ryan Solcz, Solicitor for applicant, appears before City Council regarding “436 Askin Avenue – Heritage Permit Request (Ward 2)” and is available for questions.

Allan Djordjevic, Owner

Allan Djordjevic, Owner, appears before City Council regarding “436 Askin Avenue – Heritage Permit Request (Ward 2)” and is available for questions.

Kai Hildebrandt, Ward 2 Resident

Kai Hildebrandt, Ward 2 resident appears before City Council regarding "436 Askin Avenue – Heritage Permit Request (Ward 2)" and indicates that Bill 23 will effect some homeowners in certain areas more than others areas; expresses concern with the potential number of additional dwelling units in the Ward 2 area; and concludes by requesting that Council not approve any additional dwelling units in the area until the residential rental licensing regime is well underway, and the Heritage Conservation District Study report is provided.

Mike Cardinal, Ward 2 Resident

Mike Cardinal, Ward 2 resident appears before City Council regarding "436 Askin Avenue – Heritage Permit Request (Ward 2)" and expresses concern with the application and concludes by suggesting that a policy related to public consultation should be mandatory with any additional dwelling unit application.

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

Decision Number: CR224/2023

I. That the Heritage Permit at 436 Askin Avenue **BE GRANTED** for the erection of one detached additional dwelling unit per Appendix 'B' of this report; and,

II. That the Heritage Permit approval **BE SUBJECT** to the following approval conditions prior to work start:
   a. Submission of satisfactory product details and samples (including material and colour selections);
   b. Provision of satisfactory architectural drawings by qualified designers;
   c. Determination that the work is satisfactory to meet Building code compliance; and

III. That the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the erection of one rear detached additional dwelling unit.

Carried.

Report Number: S 25/2023 & SCM 143/2023 & AI 7/2023
Clerk's File: MB/13966

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

Steve Sullivan, CEO, MADD Canada

Steve Sullivan, CEO, MADD Canada appears before City Council via video conference regarding "Response to CQ 13-2023 – 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" and reiterates MADD Canada's mission to stop impaired driving and to support victims of this crime; provides statistics related to impaired driving charges; promotes education; historical information related to their program and memorial road signs that have been installed in the area; and concludes by thanking Council for considering a memorial program and indicates that Madd Canada will assist the City in any way they can should the motion be approved.

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

Decision Number: CR231/2023

1. That Council **RECEIVE** the response to CQ13-2022 for information; and,

2. That Council **APPROVE** the permit process outlined herein to allow Memorial Signs within the right-of-way.

Carried.

Report Number: C 205/2022 & AI 5/2023
Clerk's File: SE2023

8.11. Housekeeping Amendments to By-law 14-2023 - Wards 1 and 2

Al Teshuba, Owner, Performance Property Management

Al Teshuba, Owner, Performance Property Management appears before City Council regarding "Housekeeping Amendments to By-law 14-2003" and expresses concern with the By-law; provides some concerns with the program since the inception of the program; provides details related to the on-going litigation; concerns related to the requirements of the by-law; and concludes by urging Council not to enforce the by-law until the pending litigation is complete.

Boris Sozanski, President of Windsor Housing Providers Inc.

Boris Sozanski, President of Windsor Housing Providers Inc. appears before City Council and expresses concern regarding "Housekeeping Amendments to By-law 14-2003" and indicates that the Residential Rental Licensing Regime is discriminatory and unnecessary and provides details related to costs to implement the regime by the City; and concludes by providing details related to errors in communicating that were not clarified and unreasonable requirements in the application and implementation process; and requests that the residential rental licensing regime be cancelled.

Marion Overholt, Executive Director, Legal Assistance of Windsor and Community, Legal Aid, and Tori Jenkins, Staff Lawyer, Legal Assistance of Windsor

Marion Overholt, Executive Director, Legal Assistance of Windsor and Community, Legal Aid, and Tori Jenkins, Staff Lawyer, Legal Assistance of Windsor appear before City Council in support of the "Housekeeping Amendments to By-law 14-2003" and provide details related to the regime and the reasons for implementation for the safety of residents; other municipalities have received opposition to residential rental licensing regimes and face court cases where the by-laws have been upheld; helped the City landlords gain understanding related to licensing

requirements; the reason for the regime being implemented; provides details related to the Court case and conclude by urging Council to continue with the program.

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

Decision Number: CR215/2023
That Council **APPROVE** minor housekeeping amendments to the Residential Rental Licensing by-law as described in this report; and,

That By-law B66/2023 **BE CONSIDERED** and, if advisable, **BE PASSED**.
Carried.

Report Number: C 81/2023
Clerk's File: SB/12952

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None presented.

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council

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

Decision Number: CR238/2023
That the report of the Special In-Camera meeting held May 29, 2023 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2023

12.2. Minutes of the City Hall Square Plaza Project Steering Committee of its meeting held April 21, 2023

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

Decision Number: CR239/2023
That the minutes of the City Hall Square Plaza Project Steering Committee of its meeting held April 21, 2023 **BE ADOPTED** as presented. Carried.

Report Number: SCM 135/2023
Clerk's File: MB2023

12.3. Report of the Striking Committee – In-camera of its meeting held May 29, 2023

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

Decision Number: CR246/2023
That the report of the Striking Committee In-camera of its meeting held May 29, 2023 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACOS2023

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Ed Sleiman
Seconded by: Councillor Renaldo Agostino

That the following By-laws No. 51-2023 through 67-2023 be introduced and read a first and second time:

By-law 51-2023 A BY-LAW TO ADOPT AMENDMENT NO. 163 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR140/2023 dated March 20, 2023

By-law 52-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR140/2023 dated March 20, 2023

By-law 53-2023 A BY-LAW TO AMEND BY-LAW 131-2019, BEING A BY-LAW FOR THE USE, REGULATION, AND PROTECTION OF PARKS, authorized by CR83/2023 dated February 27, 2023

By-law 54-2023 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS HOWARD AVENUE IN THE CITY OF WINDSOR, authorized by CR77/2011 dated February 28, 2011

By-law 55-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", See Item 8.17

By-law 56-2023 A BY-LAW TO AMEND BY-LAW NUMBER 392-2002, BEING A BY LAW TO ESTABLISH AND REQUIRE PAYMENT OF FEES AND CHARGES, authorized by B 4/2023, B 6/2023 and B 10/2023 dated April 3, 2023

By-law 57-2023 A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS, authorized by B 4/2023, B 6/2023 and B 10/2023 dated April 3, 2023

By-law 58-2023 A BY-LAW TO AMEND BY-LAW 13-2014, BEING A BY-LAW TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF SEWAGE SYSTEM CHARGES, authorized by B 8/2023 dated April 3, 2023

By-law 59-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR 492/2022 dated November 28, 2022

By-law 60-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR 181/2023 dated April 24, 2023

By-law 61-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR 180/2023 dated April 24, 2023

By-law 62-2023 A BY-LAW TO AMEND BY-LAW 49-2018, BEING A BY-LAW RESPECTING THE ISSUANCE OF VARIOUS PERMITS AND THE SCHEDULING OF INSPECTIONS, authorized by B 4/2023, B 6/2023 and B 10/2023 dated April 3, 2023

By-law 63-2023 A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH WELCOME CENTRE FOR WOMEN FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT THE 500 TUSCARORA STREET WINDSOR, ONTARIO, authorized by CR 253/2022 dated May 30, 2022

By-law 64-2023 A BY-LAW TO APPOINT JOSEPH MANCINA AS THE CHIEF ADMINISTRATIVE OFFICER FOR THE CORPORATION OF THE CITY OF WINDSOR, AND TO RESCIND THE APPOINTMENT OF ONORIO COLUCCI AS THE ACTING CHIEF ADMINISTRATIVE OFFICER OF THE CORPORATION OF THE CITY OF WINDSOR, authorized by CR 118/2023 dated March 20, 2023

By-law 65-2023 A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES, authorized by CAO 135/2023 dated May 11, 2023

By-law 66-2023 A BY-LAW TO AMEND BY-LAW 14-2023, BEING A BY-LAW TO ESTABLISH A LICENSING PROGRAM FOR THE REGULATION OF RESIDENTIAL RENTAL HOUSING IN THE CITY OF WINDSOR, See Item 8.11

By-law 67-2023 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 29th DAY OF MAY, 2023.

14. MOVE BACK INTO FORMAL SESSION

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

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 Fabio Costante
Seconded by: Councillor Angelo Marignani

Decision Number: CR194/2023
That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding a "request to all parties to finalize all outstanding financial matters to immediately resume the planning and construction of the modular, battery cell and dedicated research and development components of the NextStar Energy facilities located within the City of Windsor".
Carried.

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fabio Costante

Decision Number: CR195/2023
Whereas on March 23, 2022 the City of Windsor joined with the Federal Government, Provincial Government, LG Energy Solution and Stellantis to announce the first domestic EV battery manufacturing facility would be built and operated in the City of Windsor; and

Whereas the $5-billion investment in this game-changing new facility represented at the time the investment in Canada's auto industry, one of the largest investments in Windsor in a century, and was named Canada's top business deal of 2022; and

Whereas the investment includes the creation of thousands of new jobs between the battery factory and throughout the supporting sector; and

Whereas the City of Windsor has played a crucial role in endorsing the Windsor Works strategy for economic development to help attract this deal, and has worked diligently to assemble land and provide funding to support servicing and preparing the land for the facilities; and

Whereas construction of the battery factory and its success in our region will benefit Canada's national economy, as well as efforts to combat the climate crisis; and

Whereas the ongoing construction of the NextStar Energy EV battery manufacturing facility holds nationally significant economic potential, including job creation, technological advancement and renewable energy development; and

Whereas completion of this project will secure Windsor's strategic location and economic future as the home of Canada's electric vehicle future, and status as the Automotive and Automobility Capital of Canada; and

Whereas the current planning, construction stoppage and project standstill hinders progress on this vital initiative, and places Windsor jobs, livelihoods, growth and development, reputation and strong economic outlook at significant risk; and

Whereas this overall project has been built through unprecedented collaboration and investment across all levels of government and strong partnership with the private sector for the good of the entire city, region, province and country; and

Whereas promoting cooperation, collaboration and open dialogue across all levels of government, across political part lines, and in unison with all stakeholders will result in effective solutions and a sustainable resolution; and

Whereas the success of Windsor, Ontario and Canada and our ability to attract future investment will be measured by how we work together now to respond to this impasse; and

Whereas the Province of Ontario has committed more funding than originally promised in an effort to secure Windsor's economic future; and

Whereas the City of Windsor has delivered on their commitments to province the financial support required to assemble the land and provide servicing for the location of the NextStar EV battery facilities;

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

1. Finalize all remaining financial matters with Stellantis/LG Group, enabling the timely resumption of construction activities on all facilities to ensure the successful completion of all committed components of the NextStar EV battery manufacturing

facilities in the City of Windsor, including the modular assembly, battery cell production and dedicated research and development facility;

2. Formalize the agreement;

3. End the current state of uncertainty and stalemate that is threatening the future economic developments in the City of Windsor, Ontario, Canada; and further,

That this decision **BE FORWARDED** to Government of Canada, the Minister of Innovation, Science and Industry, the Province of Ontario, the Minister of Economic Development, local MP's and MPP's, and Vice President/General Counsel - Stellantis.
Carried.

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

Aye votes: Councillors Fred Francis, Fabio Costante, Renaldo Agostino, Mark McKenzie, Ed Sleiman, Jo-Anne Gignac, Angelo Marignani, Gary Kaschak, Kieran McKenzie, Jim Morrison and Mayor Drew Dilkens.
Nay votes: None.
Abstain: None.
Absent: None.

Clerk's File: SPL/14449

16. THIRD AND FINAL READING OF THE BY-LAWS

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

That the By-laws No. 51-2023 through 67-2023 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 Angelo Marignani
Seconded by: Councillor Keiran McKenzie

Decision Number: CR196/2023
That the petition presented by Councillor Angelo Marignani on behalf of residents in the neighborhood of McHugh Street and Banwell Road regarding the Banwell Road and McHugh Street Proposed Development **BE RECIEVED** by the Clerk as part of the public record.
Carried.

Clerk's File: ACO/14466

18. QUESTION PERIOD

18.1. CQ 12-2023

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

Decision Number: CR240/2023
That the following Council Question by Councillor Mark McKenzie **BE APPROVED,** and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 12-2023:
Assigned to Commissioner, Community Services:

Asks Administration develop new policies and provide report back to tamp down on "frivolous, dangerous and unreasonable" behaviour at City Hall and other City owned facilities, similar to Essex County Council. Also, report back on feasibility of installing metal detectors at City Hall and WFCU Centre.
Carried.

Clerk's File: ACO2023 & ACOQ2023

18.2. CQ 13-2023

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

Decision Number: CR241/2023
That the following Council Question by Councillor Mark McKenzie **BE APPROVED,** and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 13-2023:
Assigned to Commissioner, Infrastructure Services:

Asks Administration re-examine the Driveway Requirement Policy regarding 2.2.1 which deals with not allowing front parking, as well as the Official Plan to allow front driveways with report back to Council.
Carried.

Clerk's File: SB2023 & ACOQ2023

18.3. CQ 14-2023

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

Decision Number: CR242/2023
That the following Council Question by Councillor Gary Kaschak **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 14-2023:
Assigned to Commissioner, Infrastructure Services:

Asks that Administration investigate the use of rumble strips in an urban environment within the City of Windsor through a pilot installation on Grand Marais Avenue between Plymouth and Pillette Road and that information as to their effectiveness be collected, analyzed and reported back to Council once sufficient data has been collected to determine both the benefits and concerns of their use in an urban setting and that the cost of the pilot be funded through the Expedited Temporary Traffic Calming Program.

Carried.

Clerk's File: ST2023 & ACOQ2023

18.4. CQ 15-2023

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

Decision Number: CR243/2023
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 15-2023:
Assigned to Commissioner, Community Services:

Asks to have the city look into more auxiliary police being used on a regular schedule in our public parks and trails. A report back on costs and risks involved.
Carried.

Clerk's File: SP2023

18.5. CQ 16-2023

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

Decision Number: CR244/2023
That the following Council Question by Councillor Fabio Costante **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 16-2023:
Assigned to Commissioner, Infrastructure Services:

Administration to report directly back to Council on the feasibility of adding Collector 1 roadways into the Expedited Traffic Calming process. To allow for some tools, at the discretion of the Road Authority, to be installed on this type of road where there the road has significant residential frontages.
Carried.

Clerk's File: ST2023

18.6. CQ 17-2023

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

Decision Number: CR245/2023
That the following Council Question by Councillor Fabio Costante **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 17-2023:
Assigned to Commissioner, Infrastructure Services:

Administration to investigate a method to implement Intelligent Transportation applications to improve transportation and traffic flow throughout the City. Including, but not limited to, an advanced warning system for trains for eastbound travel on Tecumseh Road West east of Crawford.
Carried.

Clerk's File: MT2023

21. ADJOURNMENT

Moved by: Councillor Ed Sleiman
Seconded by: Councillor Renaldo Agostino

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 9:10 o'clock p.m.
Carried.

Mayor

City Clerk

Adopted by Council at its meeting held May 29, 2023 (CR238/2023)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
May 29, 2023

Meeting called to order at: 2:00 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:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services (Items 1-8)
Chris Nepsy, Commissioner, Infrastructure Services (Items 1-8)
Janice Guthrie, Acting Commissioner, Corporate Services
CFO/City Treasurer (Items 1-8)
Shelby Askin-Hager, Commissioner, Legal and Legislative Services
(Items 1-8)

Ray Mensour, Commissioner, Community Services (Items 1-8)
Jelena Payne, Commissioner Economic Development and Innovation (Items 1-8)
Steve Vlachodimos, City Clerk
Abe Taqtaq, Mayor's Chief of Staff
Chief Jason Bellaire, Deputy Chief Frank Providenti, Acting Deputy Chief Jason Crowley, Acting Superintendent Karel DeGraaf, Inspector Jill Lawrence, Windsor Police Services (Item 8)

Verbal Motion is presented by Councillor Fabio Costante, seconded by Councillor Renaldo Agostino,
to move in Camera for discussion of the following item(s):

Item No.	Subject & Section - Pursuant to *Municipal Act*, 2001, as amended
1	Legal matter – extension – security of the property of the corporation, advice subject to solicitor-client privilege and information supplied in confidence to municipality – Sections 239(2)(a)(f)(i)
2	Property matter – lease amendment – acquisition or disposition of land – Section 239(2)(c)
3	Property matter – licence agreement – disposition of land – Section 239(2)(c)
4	Legal matter – expropriation settlement - litigation or potential litigation before administrative tribunals – Section 239(2)(e)
5	Property matter – commence expropriation – acquisition or disposition of land – Section 239(2)(c)
6	Property matter – purchase of land - pending acquisition or disposition of land – Section 239(2)(c)
7	Legal matter – request for proposal - advice subject to solicitor-client privilege – Section 239(2)(f)
8	Presentation – Windsor Police Services – (powerpoint) Section 239(3.1) – education/training

9	**Personal matter - appointment - about an identifiable individual – Section 239(2)(b) – REPORT ENCLOSED UNDER SEPARATE COVER FOR COUNCIL ONLY**

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Fred Francis declares an interest and abstains from discussion and voting on Item 6 as it relates to a family member's employer.

Councillor Fred Francis declares an interest and abstains from discussion and voting on Item 7 as it applies to his employer.

Discussion on the items of business.

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

Moved by Councillor Kieran McKenzie, seconded by Councillor Angelo Marignani,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 29 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Acting Deputy City Solicitor – Purchasing and Risk Management, Commissioner of Legal and Legislative Services and Acting Commissioner of Corporate Services CFO/City Treasurer respecting a legal matter - extension **BE APPROVED**.

2. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Commissioner of Legal and Legislative Services, Executive Director of Parks and Facilities, Commissioner of Community Services, Deputy Treasurer Taxation, Treasury and Financial Projects and Acting Commissioner of Corporate Services CFO/City Treasurer respecting a property matter – lease amendment **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Commissioner of Legal and Legislative Services, Executive Director of

Parks and Facilities, Commissioner of Community Services and Acting Commissioner of Corporate Services CFO/City Treasurer respecting a property matter – licence agreement **BE APPROVED**.

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

5. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Commissioner of Legal and Legislative Services, Executive Director of Engineering, Commissioner of Infrastructure Services, Commissioner of Economic Development and Innovation and Acting Commissioner of Corporate Services CFO/City Treasurer respecting a property matter – commence expropriation **BE APPROVED**.

6. That the recommendation contained in the in-camera report from the Project Administrator, Manager of Real Estate Services, Financial Manager of Asset Planning, Manager of Corporate Projects, Executive Director of Transit Windsor, Executive Director of Engineering/Deputy City Solicitor, Executive Director of Planning and Development/City Planner, Commissioner of Infrastructure Services, Commissioner of Legal and Legislative Services and Acting Commissioner of Corporate Services CFO/City Treasurer respecting a property matter – purchase of land **BE APPROVED**.

7. That the recommendation contained in the in-camera report from the Purchasing Manager, City Clerk, Deputy City Solicitor of Purchasing, Risk Management and Provincial Offences, Commissioner, Legal and Legislative Services, Executive Director of Human Resources and Acting Commissioner, Corporate Services CFO/City Treasurer respecting a legal matter – request for proposal **BE APPROVED**.

8. That the confidential verbal presentation from Windsor Police Services **BE RECEIVED FOR INFORMATION**.

9. That the recommendation contained in the in-camera report from the Chief Administrative Officer respecting a personal matter – about an identifiable individual(s) **BE APPROVED**.

Motion Carried.

Councillor Fred Francis declares an interest and abstains from voting on Items 6 and 7.

Moved by Councillor Fred Francis, seconded by Councillor Jim Morrison,
That the special meeting of council held May 29, 2023 BE ADJOURNED.
(Time: 4:26 p.m.)

Motion Carried.

Adopted by Council at its meeting held May 29, 2023 (CR246/2023)
SV/bm

STRIKING COMMITTEE – IN CAMERA
May 29, 2023

Meeting called to order at: 4:26 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:

Joe Mancina, Chief Administrative Officer
Steve Vlachodimos, City Clerk
Abe Taqtaq, Chief of Staff

Verbal Motion is presented by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,
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 identifiable individual(s) – Windsor-Essex Community Housing vacancy**	**239(2)(b)**

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Item 1)

Moved by Councillor Fabio Costante, seconded by Councillor Angelo Marignani,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Striking Committee Meeting held May, 2023 directly to Council for consideration at the next Regular Public Meeting or Special meeting of Council.

1. That the resignation of Jack Sullens on the Windsor-Essex Community Housing Board of Directors **BE ACCEPTED** and further that Teddy Kwan (representing the business sector) **BE APPOINTED** to fill the vacancy for the term expiring November 14, 2026 or until successors are appointed.

Motion Carried.

Moved by Councillor Ed Sleiman, seconded by Councillor Mark McKenzie,
That the special Striking Committee meeting held May 29, 2023 BE ADJOURNED.
(Time: 4:27 p.m.)
Motion Carried.