CITY OF WINDSOR MINUTES 08/08/2023

City Council Meeting

Date: Tuesday, August 8, 2023
Time: 4:00 o'clock p.m.

Members Present:

Mayor
Mayor Dilkens

Councillors
Ward 1 – Councillor Fred Francis
Ward 3 - Councillor Renaldo Agostino
Ward 4 – Councillor Mark McKenzie
Ward 5 - Councillor Ed Sleiman
Ward 6 - Councillor Jo-Anne Gignac
Ward 7 – Councillor Angelo Marignani
Ward 8 - Councillor Gary Kaschak
Ward 9 - Councillor Kieran McKenzie
Ward 10 - Councillor Jim Morrison

Councillor's Regrets
Ward 2 - Councillor Fabio Costante

1. ORDER OF BUSINESS

2. CALL TO ORDER - Playing of the National Anthem

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls the meeting to order at 4:00 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Fred Francis discloses an interest and abstains from voting on Item 7.1.5 being "Letter regarding Access to Primary Care", as the PropserUs Program relates to his employer.

Councillor Fred Francis discloses an interest and abstains from voting on Item 11.6 being "2022 Annual Investment Compliance Report", as the recommendation relates to the employer of a family member.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held July 10, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

That the minutes of the meeting of Council held July 4, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 203/2023

5. NOTICE OF PROCLAMATIONS

Proclamations
"Childhood Cancer Awareness Month" – September 2023

Flag Raising Ceremony
"Go Gold Initiative – Childhood Cancer Awareness Month" – September 1, 2023

Illumination
"Childhood Cancer Awareness Month" – September 1 – September 7, 2023

6. COMMITTEE OF THE WHOLE

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

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 93-2023 through 106-2023 (inclusive)

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

7.1. Correspondence August 8, 2023

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

Decision Number: CR310/2023
That the following Communication Items 7.1.2, through 7.1.4, 7.1.6. and 7.1.7 be set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.1, and 7.1.5 be dealt with as follows:

7.1.5 Administrative Memo providing Council with information related to Primary Care and Letter regarding Access to Primary Care

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

Decision Number: CR311/2023
That the administrative memo from the Commissioner of Human and Health Services dated August 8, 2023 regarding background information related to the ProsperUS letter, and the letter received from ProsperUS dated August 2, 2023 regarding Access to Primary Care **BE RECEIVED** for information; and,

That Administration **BE REQUESTED** to send a letter to the Ministry of Health and Long Term Care for their consideration and/or action.
Carried.
Councillor Fred Francis discloses an interest and abstains from voting on this matter.

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

Decision Number: CR312/2023
That Administration **BE REQUESTED** to invite the ProsperUs group to make a presentation at a future meeting of the Community Services Standing Committee to outline their issues and provide details related to their concerns.
Carried.
Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: CMC 10/2023
Clerk's File:MH2023

7.1.1 Request for Federation of Canadian Municipalities (FCM) to endorse the Disaster Mitigation and Adaptation Fund (DMAF) Funding resolution

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

Decision Number: CR313/2023
That Windsor City Council **ENDORSE** the following and that it **BE FORWARDED** to the Federation of Canadian Municipalities (FCM):

EISD-2023-05 Federal Mechanism to address inflationary costs through DMAF

WHEREAS, municipal infrastructure across Canada is being increasingly impacted by the effects of climate change, leading to urgent and escalating needs for mitigation and adaptation projects; and,

WHEREAS, the Disaster Mitigation and Adaptation Fund (DMAF) is a critical federal program providing essential funding for municipal climate adaptation and mitigation projects; and,

WHEREAS, the federal government has committed to covering up to 40% of project costs through the DMAF program, and since the program's inception in 2018, Canada has experienced a higher-than-expected inflation rate which has significantly increased total project costs; and,

WHEREAS, due to inflation, the funds committed through DMAF no longer cover 40% of project costs placing a greater financial burden on municipalities; therefore be it

RESOLVED, That the FCM **CALL ON** the federal government to work with municipalities to develop a funding mechanism to address inflationary cost escalation as it relates to the Disaster Mitigation and Adaptation Fund (DMAF) program.
Carried.

No.	Sender	Subject
7.1.1	Mayor's Office	Request for Federation of Canadian Municipalities (FCM) to endorse the Disaster Mitigation and Adaptation Fund (DMAF) Funding resolution City Treasurer SW/13822 Council Direction Requested, otherwise Note & File
7.1.2	Legal Assistance of Windsor	Letter regarding Encampments and Affordable Housing Crisis Commissioner, Human & Health Services SS2023 Council Direction Requested, otherwise Note & File
7.1.3	Enbridge Gas Inc. - Technical Manager, Regulatory Applications	2022 Utility Earnings and Disposition of Deferral and Variance Account Balances Application and Evidence MU 2023 Note & File
7.1.4	Dillon Consulting & Manager, Environmental Quality	Response to Notice of Intention to Apply Non-Potable Groundwater Site Condition Standards Record of Site Condition – 1067 Henry Ford Centre Drive, Windsor Commissioner, Infrastructure Services Manager, Environmental Quality EI/11165 Note & File
7.1.5	ProsperUs and Commissioner, Human and Health Services	Letter regarding Access to Primary Care; and Administrative Memo providing Council with information related to Primary Care Commissioner, Human & Health Services MH 2023 Council Direction Requested, otherwise Note & File

7.1.6	Manager of Urban Design	Recent Site Plan Control applications received: Progressive Architects, Ltd (Saad Khalaf) 677 St. Luke, one Storey Warehouse U-Haul Co, (Canada)Ltd., (David Anstett) 9082 Tecumseh E, Warehouse Building Cornerstone Architecture Incorporated (Alison Hannay), 1100 Northwood, one Story/ 8 Classroom Addition to an Existing Elementary School. Walker Bess 4 Limited Partnership (Jonathan Cheszes), 3940 North Service, Developing 3 x 4.75 MW Battery Storage Projects The Middle Eastern Bible Fellowship in Windsor (Philippe Yaacoub), 3385 Forest Glade, New Addition of a Christian Educational Hall to Existing Church Building Architectural Design Associates Inc. Architect (Shaun Parent) 1247 Riverside E, Proposed 5-Storey Residential Development Z2023 Note & File
7.1.7	Committee of Adjustment Agenda	Applications heard by the Committee of Adjustment/Consent Authority, Thursday July 27, 2023. Z 2023 Note & File

Carried.

Report No. CMC 10/2023

7.2. Windsor Canada Utilities Ltd. 1st Quarter 2023 Financial Statements - City Wide

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

Decision Number: CR314/2023
That City Council **RECEIVE** for information, the Windsor Canada Utilities Ltd. 1st Quarter 2023 Financial Statements.
Carried.

Report Number: C 113/2023
Clerk's File:MU2023

8. CONSENT AGENDA

8.1. Performance Appraisal Report (for period of January - December 2022) - City Wide

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

Decision Number: CR315/2023
That the report by the Executive Director of Human Resources regarding Performance Appraisals for the period January to December 2022 **BE RECEIVED FOR INFORMATION,** and;

That City Council **DELEGATE** to the CAO the Review and Approval of this report on an annual basis.
Carried.

Report Number: CM 6/2023
Clerk's File: AS2023

8.3. RFP 81-23 Field Services Survey Equipment - City Wide

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

Decision Number: CR317/2023
I. That City Council **AWARD** RFP 81-23 Field Services Survey Equipment, to Cansel Survey Equipment Inc.; and

II. That the Purchasing Manager **BE AUTHORIZED** to issue a Contract Purchase Order to Cansel Survey Equipment Inc. for the provision of Field Services Survey Equipment, in the amount of $231,832.39 (excluding HST), satisfactory in financial content to the

Commissioner, Corporate Services CFO/City Treasurer, and in technical content to the Commissioner, Infrastructure Services.
Carried.

Report Number: C 108/2023
Clerk's File: SW/14630

8.5. 2023 Second Quarter Operating Budget Variance - City Wide

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

Decision Number: CR319/2023
That City Council **RECEIVE FOR INFORMATION** the 2023 2nd Quarter Operating Budget Variance Report as presented by the Chief Financial Officer & City Treasurer; and,

That the Chief Administrative Officer and the Chief Financial Officer & City Treasurer **BE DIRECTED** to continue to monitor the 2023 Operating Budget's projected variance.
Carried.

Report Number: C 110/2023
Clerk's File: AF/14372 & AF/14508

8.6. 2022 City of Windsor Consolidated Financial Statements

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

Decision Number: CR320/2023
That City Council **RECEIVE AND ACCEPT** the 2022 City of Windsor Annual Report, which contains the Audited Consolidated Financial Statements for the year ended December 31, 2022, including the City of Windsor Trust Fund Statements.
Carried.

Report Number: C 112/2023
Clerk's File: AF/14372 & AF/14508

8.7. 1148 Victoria Avenue, Kathleen Henderson House - Heritage Permit & Community Heritage Fund Request (Ward 3)

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

Decision Number: CR321/2023 DHSC 522

I. That a Heritage Permit at 1148 Victoria Ave, Kathleen Henderson House, **BE GRANTED** for reconstruction of the front porch.

II. That the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the restoration.

III. That a total grant of an upset amount of $5,000 from the Community Heritage Fund (Reserve Fund 157) for the cost of the reconstruction of the front porch, **BE GRANTED** to the Owner of the Kathleen Henderson House (Gail Hargreaves), at 1148 Victoria Ave, subject to:

a. Submission of drawings, conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
b. Determination by the City Planner that the work is completed to heritage conservation standards and the City Building Official for building code compliance;
c. Owner's submission of paid receipts for work completed;
d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: SCM 187/2023 & S 76/2023
Clerk's File: MU/4881

8.8. 1982 Norman Road, St Jules School – Heritage Evaluation Report (Ward 8)

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

Decision Number: CR322/2023 DHSC 523

I. That the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the St Jules School, at 1982 Norman Road, in accordance with Part IV of the *Ontario Heritage Act* for the reasons attached in Appendix 'A'; and,

II. That City Legal staff **PREPARE** the By-law for Council to designate the property.

Carried.

Report Number: SCM 188/2023 & S 37/2023
Clerk's File: MBA/14604

8.9. Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act –CDM 005-23 [CDM-7029] 2481939 Ontario Inc. 3817 Howard Ave Ward 9

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

Decision Number: CR323/2023 DHSC 519
That the application of 2481939 Ontario 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 78 dwelling units and 6 commercial unit and 14 parking units, as shown on the attached Map No. CDM-005/23-1 and CDM-005/23-2 on a parcel legally described as; Part of Lot 85, Concession 3, Lot 28 and Part of Lot 29, Plan 1431; Part 2, 12R-29025 located at 3817 Howard Ave **BE APPROVED** for a period of three (3) years.
Carried.

Report Number: SCM 189/2023 & S 72/2023
Clerk's File: Z/14590

8.10. Zoning By-law Amendment Application for the property at the southwest corner of Tecumseh Road West and Mark Avenue; Applicant: 2832765 Ontario Inc.; File No. Z-036/2022, ZNG/6897; Ward 10

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

Decision Number: CR324/2023 DHSC 520

I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the southwest corner of Tecumseh Road West and Mark Avenue, described as Lots 131 and 132, Registered Plan 1342 [PIN 01208-0145 LT], from CD2.1 to CD2.2, subject to the following site-specific zoning provisions:

"474 SOUTHWEST CORNER OF TECUMSEH ROAD WEST AND MARK AVENUE
For the land comprising Lots 131 and 132, Registered Plan 1342 [PIN 01208-0145 LT], a *Multiple Dwelling with 11 or more dwelling units* shall be an additional permitted use and the following shall apply:

1. The provisions in section 15.2.5, save and except for sections 15.2.5.10 and 15.2.5.15
2. Building setback from an exterior lot line
   abutting Tecumseh Road West – minimum 5.0 m
3. Parking Area separation from the south lot line – minimum 1.2 m (to be maintained as a *landscaped open space)*
4. Parking - per Dwelling Unit – minimum 1 parking space per unit
5. Parking is prohibited in any front yard
   [ZDM 4; ZNG/6897]"

II. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the Site Plan Approval and the Site Plan Agreement for the proposed development on the subject land:

a) Sanitary Sampling Manhole;

b) Corner Cut-Off - 4.6 m x 4.6 m (15' x 15') corner cut-off required at the intersection of Tecumseh Road West and Mark Avenue per City of Windsor Standard;
c) Land Conveyance – convey approximately 3.5 metres along the entire Tecumseh Road West frontage of the subject land for road widening;
d) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
e) Curbs and Gutters – construct new concrete curb and gutter along the entire Mark Avenue frontage of the subject land;
f) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;
g) Tree Survey to determine appropriate tree preservation for the site
h) Noise mitigation measures as recommended in a Noise Impact Study that will be submitted at the time of Site Plan Control application;
i) Railway Warning clause (s. 4.7.1.9 (d), South Cameron Planning Area, OP Vol. II);
j) Enbridge Gas minimum separation requirements;
k) Adequate clearance from existing ENWIN's pole lines and power lines;
l) Canada Post multi-unit policy; and
m) Record of Site Condition.

Carried.

Report Number: SCM 190/2023 & S 73/2023
Clerk's File: Z/14571

8.11. Z 015-22 [ZNG-6738] 2356976 Ontario Inc 0 & 845 Riverside E and 856 & 864 Chatham E

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

Decision Number: CR325/2023 DHSC 521

I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Plan 140 W PT lot 7, Plan 143 E PT lot 1, Plan 140 W PT Lot 7, Plan 143 E PT lot 12 (Roll No: 3739-030-050-00200-0000, 3739-030-050-00100-0000, 3739-030-040-09400-0000, 3739-030-050-01400-0000, 3739-030-040-08800-0000), situated on the north side of Chatham Street east, west of Parent Avenue and known municipally as 0 & 845 Riverside Drive East, and 856, & 864 Chatham Street East by adding a site specific exception to Section 20(1) as follows:

X. SOUTH SIDE OF RIVERSIDE DRIVE EAST, NORTH OF CHATHAM STREET EAST, BETWEEN PARENT AVENUE AND MARENTETTE AVENUE

For the lands comprising of Plan 140 W PT lot 7, Plan 143 E PT lot 1, Plan 140 W PT Lot 7, Plan 143 E PT lot 12; a *multiple dwelling* shall be an additional permitted use subject to the following provisions apply:

.1 Lot Area – minimum
a) for the first 19 dwelling units – 1825.0 square metres
b) for each additional dwelling unit- 45.0 square metres per unit

.2 Lot Frontage – minimum- 45.0 m

.3 Lot Coverage – maximum - 35.0 %

.4 Landscape Open Space Yard – minimum - 35% of the *lot area*

.5 Main Building Height – maximum – 20.0 m

.6 Building Setback:

a) *front yard depth*- from most northerly front lot line – minimum - 6.0m
b) *rear yard depth* - north limit of Chatham Street east right of way- minimum- 7.5 m
c) *side yard width*: minimum - 4.5 m

7. Parking:

a) *Parking spaces* – minimum - *1.1 per unit*
b) A *parking space* is prohibited in any *front* yard
c) *Parking spaces* shall be setback a minimum of 6.0 m from the most northerly front lot line abutting the Riverside Drive East right-of-way, and shall be screened from Riverside Drive East
d) Vehicular *access* from Riverside Drive East is prohibited
e) Indoor ground floor *amenity space* – minimum – 4.0 square metres per unit

II. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the site plan approval and site plan agreement:

a) Provide an Energy Strategy as per the terms of reference from the Environmental and Sustainability Coordinator;

b) Provide a Tree Preservation and Landscaping Plan as per the comments of the Landscape Architect;

c) Noise warning clause(s) and other noise abatement measures identified in the Acoustical Study dated August 12, 2021;

d) Provide a design brief in accordance with the urban design chapter of the City of Windsor Official Plan as part of site plan control (pedestrian connectivity, enclosure of front facade); and,

e) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix F attached.

Carried.

Report Number: SCM 191/2023 & S 74/2023
Clerk's File: Z/14430

8.12. Closure of east/west alley between Rockwell Avenue and Closed Woodland Avenue; east/west alley between Closed Woodland Avenue and Granada Avenue West, Ward 1

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

Decision Number: CR326/2023 DHSC 526

I. That the 4.27-metre-wide east/west alley located between Rockwell Avenue and Closed Woodland Avenue, and shown on Drawing No. CC-1825 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject west alley", **BE ASSUMED** for subsequent closure;

II. That the subject west 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 (measured 1.50 metres from either side of utility infrastructure), 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 accommodate existing aerial facilities;
ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V hydro pole distribution with guy and anchor; and
iii. MNSi to accommodate existing aerial facilities.

III. That the 4.88-metre-wide east/west alley located between Closed Woodland Avenue and Granada Avenue West, and shown on Drawing No. CC-1825 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject east alley", **BE ASSUMED** for subsequent closure;

IV. That the subject east 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 (measured 1.50 metres from either side of utility infrastructure), 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 accommodate existing aerial facilities;
ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V hydro pole distribution with guy and anchor; 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.

V. That Conveyance Cost **BE SET** as follows:
   c. For alley conveyed to abutting lands zoned RD1.4, $1.00 plus HST (if applicable), 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.

VI. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1825, *attached* hereto as Appendix "A".

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

VIII. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

Carried.

Report Number: SCM 192/2023 & S 69/2023
Clerk's File: SAA2023

8.13. Main Street CIP/Ford City CIP Application,1000 Drouillard Road, Owner: SPOTVIN INC. (C/O: Shane Potvin)

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

Decision Number: CR327/2023 DHSC 528

I. That the request for incentives through the *Main Streets Community Improvement Plan* (*CIP*), *Building Facade Improvement Program* made by Spotvin Inc. (c/o: Shane Potvin) , owner of the property located at 1000 Drouillard Road **BE APPROVED** for grants totalling +/-$5,367.50 in principle for the supply and installation of a projecting wall sign (see Appendix 'B') subject to completion and review satisfactory to the City Planner, Chief Building Official, and Manager of Right-of-Way;

II. That request for incentives under the *Ford City Community Improvement Plan (CIP), Municipal Development Fees Grant Program* made by Spotvin Inc., (c/o Shane Potvin), owner of the property located at 1000 Drouillard Road **BE APPROVED**, for grants totalling +/- $3,247.85 for costs related to the installation of the a projecting wall sign, subject to completion and review satisfactory to the City Planner, Chief Building Official, and Manager of Right-of-Way;

III. That funds in the amount of +/-$5,367.50 under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund to the *Main Streets CIP* Fund (Project #7219018) upon completion of the work;

IV. That funds in the amount of +/- $3,247.85 for the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund to the *Ford City CIP* Fund (Project #7181046) upon completion of the work;

V. That grants **BE PAID** to Spotvin Inc., (c/o Shane Potvin), upon completion and installation of a projecting sign located at 1000 Drouillard Road from the *Main Streets CIP* Fund (Project #7219018) and *Ford City CIP* Fund (Project #7181046) to the satisfaction of the City Planner, Chief Building Official and Manager of Right-of-Way;

VI. That the annual Encroachment Fee of $25.00 and Annual Inspection Fee of $68.00 identified in Encroachment Policy M67-2015 **BE WAIVED** for the projecting wall sign located at the corner of 1000 Drouillard Road; and

VII. That grants approved **SHALL LAPSE** and be **UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Carried.

Report Number: SCM 193/2023 & S 77/2023
Clerk's File: Z/13002

8.14. Riverside Drive Streetscape Standards Manual, Spans Wards 2 through 7

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

Decision Number: CR328/2023 DHSC 527

I. That the Riverside Drive Streetscape Standards Manual identified in Appendix 'A' **BE ADOPTED** as the minimum design standard to consistently implement the *Riverside Drive Vista Improvement Streetscape Guidelines* identified through the Riverside Drive Vista Improvement Project Environmental Assessment (E.A.) and future phases of the Riverside Drive Vista Improvements.

Carried.

Report Number: SCM 194/2023 & S 67/2023
Clerk's File: SR2023

8.15. Municipal Sewer Servicing Charges for Residential Properties - Septic System Changeover - City Wide

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

Decision Number: CR329/2023 DHSC 524

I. That Council **APPROVE** the extension of the local improvement charges flat rate, private drain connection flat rate and local improvement payment terms for the construction of sanitary sewers and private drain connections to those properties that:
   A. Are zoned residential for single unit, duplex or semi-detached dwellings only; and,

B. Contain an existing dwelling currently on private septic system and not connected to a municipal sanitary sewer; and,
C. Have a municipal mainline sanitary sewer within 30m of any property abutting a municipal right-of-way; and,

II. That Council **APPROVE** the extension of local improvement charges flat rate, private drain connection flat rate and local improvement payment terms for the construction of storm sewers and private drain connections for those properties that qualify under Recommendation I above, when the property owner connects to the municipal storm sewer if one is available plus interest at a rate deemed appropriate by administration applied from the date the storm mainline sewer was substantially completed; and,

III. That property owners qualifying under Recommendation I above with permits issued by the City for septic systems less than 10 years old **BE GRANTED** either three (3) years to connect to the available sanitary sewer system once it is made available or the difference between the age of their septic system and ten (10) years, whichever is greater; and,

IV. That Council **APPROVE** the use of the private local improvement process in Part III of O. Reg. 586/06 under the *Municipal Act*, for property owners qualifying under Recommendation I above for the cost of the work related to the decommissioning of septic systems and construction of sanitary private drain connections on private property, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements, with property owners that consent to their lots being specially charged to raise which agreement shall be satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,

V. That for property owners qualifying under Recommendation I above, Council **PASS** by-laws as required for the decommissioning of septic systems and construction of sanitary private drain connections on private property as a local improvement in accordance with Part III of O. Reg. 586/06 under the *Municipal Act*, for a period of up to 20 years and at an interest rate deemed appropriate by Administration; and,

VI. That Administration **BE DIRECTED** to prepare the appropriate by-laws and policies to effect the recommendations above.

Carried.

Report Number: CM 195/2023 S 78/2023
Clerk's File: SL2023

8.16. Closure of east/west alley between closed Fifth Street R.O.W. and E. C. Row Expressway westbound onramp; Closure of Hudson Avenue R.O.W. between 4505 Fourth Street and E. C. Row Expressway westbound onramp; Amend Alley Closing By-law 10354, Ward 2

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

Decision Number: CR330/2023 DHSC 525

I. That the 4.57-metre-wide east/west alley located between the closed Fifth Street right-of-way and E. C. Row Expressway westbound onramp at Huron Church Road, shown on Drawing No. CC-1831 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;

II. That the subject alley **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 0 Hudson Avenue (legally described as Lots 94 & 95, Plan 1154) and as necessary, in a manner deemed appropriate by the City Planner, subject to the following;

   a. Location survey to determine if existing City of Windsor underground street light conductor is situated within the subject alley; and
   b. Relocation of City of Windsor underground street light conductor from the subject alley if deemed necessary by EnWin Utilities Ltd.

III. That the 20.12-metre-wide Hudson Avenue right-of-way located between the property known municipally as 4505 Fourth Street (P.I.N. No. 01262-1533) and E. C. Row Expressway westbound onramp at Huron Church Road, shown on Drawing No. CC-1831 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject right-of-way", **BE ASSUMED** for subsequent closure;

IV. That the subject right-of-way **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 0 Hudson Avenue (legally described as Lots 94 & 95, Plan 1154) and as necessary, in a manner deemed appropriate by the City Planner;

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

   a. For right-of-way and alley abutting lands zoned MD1.4, $7.00 per square foot without easements plus HST (if applicable), and $3.50 per square foot with easements plus HST (if applicable). Survey cost and deed preparation cost included.

VI. That Alley Closing By-law 10354, adopted on July 16, 1990, and registered on title on July 24, 1990 as Registration No. R1135300 **BE AMENDED** as follows:

By **DELETING** the following wording under section 2. to the By-law:

That each of the owners whose lands abut upon lands described herein shall have the right to purchase, at a price of $1.00 per square foot, that part thereof upon which his land abuts to the middle line of such closed up and stopped up part; provided, however, that any such owner shall notify the Clerk of The Corporation of the City of Windsor, in writing, of his intention to exercise his right to purchase by not later than July 27, 1990, provided that, if such owner does not exercise his right to purchase on or before such date, the Council may sell the part that he has the right to purchase to any other person at the same or a greater price, as the Council shall see fit.

And **INSERTING:**

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

a. For alley abutting lands zoned MD1.4, $7.00 per square foot without easements plus HST (if applicable), and $3.50 per square foot with easements plus HST (if applicable). Survey cost and deed preparation cost included.

VII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1831, *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: SCM 196/2023 & S 66/2023
Clerk's File: SAA2023

8.17. Minutes of the Property Standards Committee of its meeting held May 2, 2023

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

Decision Number: CR331/2023 DHSC 529
That the minutes of the Property Standards Committee of its meeting held May 2, 2023 **BE ADOPTED** as presented.
Carried.

Report Number SCM 197/2023 & SCM 161/2023
Clerk's File:MB2023

8.18. Minutes of the International Relations Committee of its meeting held May 10, 2023

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

Decision Number: CR332/2023 DHSC 530
That the minutes of the International Relations Committee (IRC) of its meeting held May 10, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 198/2023 & SCM 169/2023
Clerk's File:MB2023

11.1. Snow Angels Volunteer Acknowledgements 2022-2023 Season - City Wide

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

Decision Number: CR333/2023

I) That the Report entitled Snow Angels Volunteer Acknowledgements **BE RECEIVED** for information.

II) That City Council **RECOGNIZE** the Volunteers and winners of prizes for the Snow Angels Program;

III) That City Council **DIRECTS** staff to explore opportunities to refresh this program to help meet the unmet need and take advantage of other opportunities that may have arisen since its inception.

Carried.

Report Number: C 99/2023
Clerk's File: SW/12756

11.2. Declaration of a Vacant Parcel of Land Municipally Known as 0 Hudson Avenue Surplus and Authority to Offer Same for Sale – Ward 2

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

Decision Number: CR334/2023

I. That the following City of Windsor (the "**City**") vacant parcel of land **BE DECLARED** surplus:

- Municipal address: **0 Hudson Avenue** – vacant land situate on the south side of Continental Avenue and west side of Second Street.
- Legal Description: Part of Lots 275 to 286, inclusive, on Registered Plan 972 Sandwich West, being Part 12 on Plan 12R-4051, Windsor
- Approximate Lot size: 116.37 feet (35.5 m) x 412.13 feet (125.62 m) x 410.71 feet (125.18 m)
- Approximate Lot area: 24,756.97 sq ft (2,300 m^2)

(the "**Subject Parcel**"); and

II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel for sale to the abutting property owner to the north at 0 Malden Road at a price to be determined by the Manager of Real Estate Services commensurate with an independent appraisal.

Carried.

Report Number: C 111/2023
Clerk's File: APM2023

11.3. North Neighbourhood Development, Phase 7 - 1027458 Ontario Ltd. - Cost Sharing for Sanitary Sewer Oversizing - Ward 7

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

Decision Number: CR335/2023

I. That Council **APPROVE** a cost sharing payment to 1027458 Ontario Inc. estimated at $73,438, excluding HST (final payment to be based on actual construction costs), for sidewalk construction costs on the west side of Florence Ave from Jerome Street to Beverly Glen Street to satisfy the need for a sidewalk on both sides of a collector road, shown on Appendix 'A' (C-3742) as part of the North Neighbourhood Development, Phase 7-3, to be funded from Project ID #7035119 – New Infrastructure Development and payable upon acceptance of the sidewalk onto maintenance by the City; and further,

II. That Council **APPROVE** a cost sharing payment to 1027458 Ontario Inc. estimated at $25,335, excluding HST (final payment to be based on actual construction costs), for the extension of Elinor Street south of the existing paved road, shown on Appendix 'A' (C-3742) as part of the North Neighbourhood Development, Phase 7-5, to be funded from Project ID #7035119 – New Infrastructure Development and payable upon acceptance of the works onto maintenance by the City; and further,

III. That Council **APPROVE** a cost sharing payment to 1027458 Ontario Inc. estimated at $129,000, excluding HST (final payment to be based on actual construction costs), for sanitary sewer oversizing to service the undeveloped land along Florence Ave, south of Wyandotte St E, shown on Appendix 'A' (C-3742) as part of the North Neighbourhood Development, Phase 7-5, to be funded from Project ID #7035119 – New Infrastructure Development and payable upon acceptance of the sanitary sewer onto maintenance by the City; and further,

IV. That the application of section 78 of Bylaw 93-2012 (the Purchasing Bylaw) **BE WAIVED** with respect to the cost sharing related to the above recommendations, for the North Neighbourhood Development, Phases 7-3 & 7-5, to be funded from Project ID #7035119 – New Infrastructure Development, to allow a cost sharing agreement value greater than $100,000.00 without the issuance of an RFT; and further,

V. That Administration **BE DIRECTED** to recover the costs noted in III above from the lands identified as Future Developable Lands on Appendix 'A' (C-3742) prior to the issuance of building permits for those lands, plus an annual interest rate applied from the date the services constructed are deemed substantially complete and accepted onto maintenance by the Corporation based on the Infrastructure Ontario Construction Loan rate at the time that payment is made (currently 6.26%), plus 1%; and further,

VI. That CR140/2023 which approved the subdivisions at east of Florence Avenue and north of Beverly Glen Street be amended by adding Recommendations I, II and III thereto.

Carried.

Report Number: C 114/2023
Clerk's File: SW/14627

11.6. 2022 Annual Investment Compliance Report - City Wide

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

Decision Number: CR338/2023
That the 2022 Annual Investment Compliance Report for the year ending December 31, 2022 **BE RECEIVED** for information; and further,

As it relates to funding for the Windsor-Essex Hospital Plan as identified within capital project number CAO-002-18:

> That City Council **SUPPORT** an amount of $27.6 million, previously approved in principle within the 2023 10-Year Capital Budget, to be made available for investment in order to capitalize on current investment yields; and further,
>
> That City Council **SUPPORT** an additional amount of up to $6.2 million be made available for investment when the amount becomes available in the 5-year funding window; and further,
>
> That the CFO/City Treasurer **BE DIRECTED** to consider the amounts noted above as being precommitted for purposes of the 2024 capital budget development and balancing.

To align with the City's Investment Policy, THAT City Council **APPROVE** changing the signing authorities on the bank accounts established for purposes of investment related transactions listed in Appendix E to be that of the CFO/City Treasurer PLUS any one of the three Deputy Treasurers; and,

To facilitate diversification of certain Trust Funds and to maximize investment yields, THAT City Council **APPROVE** the opening of two new accounts for investments in the name of JJF Capital Maintenance Trust with WFCU Credit Union and in the name of Willistead Endowment Fund with CIBC with the signing authorities being the CFO/City Treasurer PLUS any one of the three Deputy Treasurers.

That the CAO and City Clerk **BE AUTHORIZED** to execute any banking related agreement to effect the opening of the new bank accounts and change in signing authority subject to review as to form by the City Solicitor, and to technical and financial content by the CFO/City Treasurer; and further,

That City Council **DELEGATE** authority to the CAO to approve Administrative requests associated with establishing new investment related bank accounts where the signing authorities will be the CFO/City Treasurer PLUS any one of three Deputy Treasurers.
Carried.
Councillor Fred Francis discloses and interest and abstains from voting on this matter.

Report Number: C 91/2023
Clerk's File: AF/14372 & AF/14508

10. PRESENTATIONS AND DELEGATIONS

11.4. Maguire Subdivision Phase 3 - Extension of Oakridge and Farrow - Wonsch Construction - Cost Sharing - Ward 9

Karl Tanner and Stefano Forest, Dillon Consulting Ltd.

Karl Tanner and Stefano Forest, Dillon Consulting Ltd., appear before Council and are available for questions regarding the Maguire Subdivision Phase 3 – Extension of Oakridge and Farrow – Wonsch Construction – Cost Sharing.

Ali Fayaz, Alite Construction Inc.

Ali Fayaz, Alite Construction Inc. appears before Council and is available for questions regarding the Maguire Subdivision Phase 3 – Extension of Oakridge and Farrow – Wonsch Construction – Cost Sharing.

Aynish Korkmaz, area resident

Aynish Korkmaz, area resident appears before Council and is available for questions regarding the Maguire Subdivision Phase 3 – Extension of Oakridge and Farrow – Wonsch Construction – Cost Sharing.

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

Decision Number: CR336/2023

I. That Council **APPROVE** a cost sharing payment to 1903269 Ontario Ltd. (Wonsch Construction Company Limited) payment estimated at $343,523 excluding HST (final payment to be based on actual construction costs), representing the proportionate share (83.2%) of infrastructure improvements relating to the extension of Oakridge and Farrow Avenues north of Maguire Street attributable to the future privately owned development lands to the north shown on Appendix A (Benefiting Properties), to be paid upon substantial completion of said infrastructure improvements, to be funded from Project ID #7035119 – New Infrastructure Development; and further,

II. That Administration **BE DIRECTED** to recover the costs noted in I. above from the Benefiting Properties prior to the issuance of building permits for those lands, plus an annual interest rate applied from the date the services constructed are accepted onto maintenance by the Corporation based on the Infrastructure Ontario Construction Loan rate at the time that payment is made and the project is deemed substantially performed and accepted onto maintenance (currently 6.26%), plus 1%; and,

III. That the CAO and City Clerk **BE AUTHORIZED** to amend the Subdivision Agreement approved by CR236/2022, satisfactory in form to the Commissioner of Legal & Legislative Services and in content to the Commissioner of Infrastructure Services to add the following terms:

a. The Owners agree to obtain a permit from Infrastructure Services to extend full municipal services on Oakwood Avenue and Farrow Avenue northerly from Maguire Street to the satisfaction of the City Engineer including all of the general servicing requirements as detailed by CR233/98.
b. Cost Sharing - The Corporation agrees to pay to the Owner THREE HUNDRED FORTY THREE THOUSAND FIVE HUNDRED TWENTY THREE DOLLARS ($343,523) excluding HST, based on estimated construction costs, final payment to be based on actual progress certificate payment, representing the proportionate share (83.2%) of infrastructure improvements relating to the extension of Oakridge and Farrow Avenues north of Maguire Street attributable to the future privately owned development lands to the north, to be paid upon substantial completion of said infrastructure improvements.

Carried.

Report Number: C 115/2023
Clerk's File: Z/14266

8.4. Avondale Avenue (West Grand to Norfolk), Beals Avenue (Dougall to Huntington) and Academy Drive (Northwood Street to North Service Road West) Traffic Calming - Wards 1, 9 & 10

Danica McPhee, representative of the Windsor Accessibility Advisory Committee

Danica McPhee, representative of the Windsor Accessibility Advisory Committee, appears before Council regarding Avondale Avenue (West Grand to Norfolk), Beals Avenue (Dougall to Huntington) and Academy Drive (Northwood Street to North Service Road West) Traffic Calming and requests that Council refer the administrative report back to Council at a future meeting to allow the Windsor Accessibility Advisory Committee to provide information regarding alternate measures for streets without sidewalks to prevent barriers for persons with accessibility issues.

Peter Best, Windsor Accessibility Advisory Committee

Peter Best, Windsor Accessibility Advisory Committee, appears before Council and is available for questions regarding Avondale Avenue (West Grand to Norfolk), Beals Avenue (Dougall to Huntington) and Academy Drive (Northwood Street to North Service Road West) Traffic Calming

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

Decision Number: CR318/2023

1. That Administration **BE DIRECTED** to install speed humps on Avondale Avenue between West Grand Boulevard and Norfolk Street; and,
2. That Administration **BE DIRECTED** to install speed humps on Beals Street East and Beals Street West between Dougall Avenue and Huntington Avenue; and,
3. That Administration **BE DIRECTED** to install speed humps on Academy Drive between Northwood Street and North Service Road West; and,
4. That funding from each of the above noted installations come from Traffic Calming capital budget project 7069022; and,
5. That a budget issue with regards to annual maintenance of $5,420 be presented as part of the 2024 operating budget development process and be considered a priority item based upon approval for the installations; and further,
6. That Administration **BE DIRECTED** to continue, on a trial basis collecting data and getting the required feedback moving forward; and that this information **BE REVIEWED** and if warranted used to determine next steps with traffic calming initiatives on similar streets.

Carried.

Report Number: C 118/2023
Clerk's File:ST/13863

11.5. Roseland Golf and Curling Club - Future of Curling - Ward 1

Robert Cunningham, Curler

Robert Cunningham, Curler appears before Council and expresses concern with the recommendation in the administrative report entitled ''Roseland Golf and Curling Club-Future of Curling –Ward 1" and requests that Council refer the report back to a future Council meeting to allow for the users to provide more information regarding the importance and significance that the current facility has on the community.

Jim Demers, Ward 1 resident

Jim Demers, Ward 1 resident appears before Council and expresses concern with the recommendation in the administrative report entitled ‘‘Roseland Golf and Curling Club-Future of Curling –Ward 1” and request that the report be referred back to a future meeting of Council to allow them to provide more information related to the positive impact of the Curling club for seniors.

Terry Fink and Benjamin Iannetta, Future of Curling in Windsor-Essex Committee Members

Terry Fink and Benjamin Iannetta, Future of Curling in Windsor-Essex Committee Members appear before Council and express concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and request that the report be referred back to Council at the end of November, 2023 to allow them more time to provide input on the relocation of the rink.

Johanna Young, Riverside Skating Club member

Johanna Young, Riverside Skating Club member appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and requests that the report be referred back to a future meeting of Council to allow administration to provide information related to the availability of ice time during prime time, to adjust programming in order to accommodate the demand; and concludes citing safety concerns associated with overcrowding on limited available rinks.

Francine Stadler, President, Sun Parlour Female Hockey Association

Francine Stadler, President, Sun Parlour Female Hockey Association appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and requests that the report be referred back to a future meeting of Council to allow administration to provide their group with information related to moving the rink and its effect on availability of ice time during prime time when youth are able to attend.

Angela Barraco, President, Windsor Figure Skating Club

Angela Barraco, President, Windsor Figure Skating Club appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and requests that the report be referred back to a future meeting of Council and for administration to address mental health implications to youth that may arise, due to limited availability of programming and demand and limited availability of appropriate rinks.

Kipp Van Kuren, President, Windsor Minor Hockey Association

Kipp Van Kuren, President, Windsor Minor Hockey Association appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and requests that the report be referred back to a future meeting of Council to allow administration to provide more information related to potential impacts with the associated costs of relocation the history and significance of the current location and what effects a potential relocation might have.

Giovanni Abati, Windsor resident

Giovanni Abati, Windsor resident appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and provides information related to the potential of the current Curling Club has for the residents of the City of Windsor and concludes by suggesting potential cost savings for renovation of Club instead of relocation.

Doug Rivard, Board Member, Riverside Minor Hockey

Doug Rivard, Board Member, Riverside Minor Hockey appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and provides information regarding the negative effect that eliminating one rink at the WFCU Centre would have on their organization and the users, as this would result in limited availability of programming for youth with disabilities and recreational skaters.

Matt Bunn, Board Member, Riverside Minor Hockey

Matt Bunn, Riverside Minor Hockey appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and provides information related to the lack of youth sports scheduling during prime time and the negative effect on local youth the relocation might have, as well as the profitability of the Roseland centre.

Matthew D'Asti, Vice-President of Riverside Skating Club

Matthew D'Asti, Vice-President of Riverside Skating Club appears before Council and expresses concern with the recommendation in the administrative report entitled “Roseland Golf and Curling Club-Future of Curling –Ward 1” and provides information in regards to the importance of the Curling Club within the community, the uncertainty of availability of ice time at WFCU and likely displacement or the possible end of the Riverside Skating Club as it currently exists.

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

Decision Number: CR337/2023

I. That City Council **RECEIVE** the results of the public consultation regarding curling amenities in our community (attached as Appendix A); and further,

II. That City Council **APPROVE** a budget of up to $20,000 to be funded from 7184003 Roseland/Little River Golf Courses Asset Replacement/Improvements; and **DIRECT** Administration to undertake the development of conceptual drawings with public consultation and report back with options for Council's consideration regarding the redevelopment of the Roseland clubhouse and site; and further,

III. That City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the above noted project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in legal content to the Commissioner of Legal & Legislative Services, in financial content to the Chief Financial Officer/City Treasurer, and in technical content to the Executive Director of Recreation and Culture and the Commissioner of Infrastructure Services; and further,

IV. That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendations noted above, pursuant to the Purchasing By-Law 93-2012 and amendments thereto, subject to all specifications being satisfactory in financial content to the Chief Financial Officer/City Treasurer, and in technical content to the Executive Director of Recreation and Culture and the Commissioner of Infrastructure Services, and further;

V. That Administration **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, subject to legal approval by the Commissioner of Legal & Legislative Services, financial approval by the Chief Financial Officer/City Treasurer, and technical approval by the Executive Director of Recreation and Culture and the Commissioner of Infrastructure Services, and further;

VI. That Administration **BE AUTHORIZED** to use available funds within the project budget for any amendment(s) or change requirement(s)/directive(s) and additional documents relating to executed agreement(s), pursuant to the Purchasing By-Law 93-2012 and amendments thereto, satisfactory in legal form to the Commissioner, Legal & Legislative Services, in financial content to the Commissioner of Corporate Services Chief Financial Officer/City Treasurer, and in technical content to the Executive Director of Recreation and Culture and the Commissioner of Infrastructure Services.

VII. That administration **BE DIRECTED** to bring forward more information to a future meeting of City Council regarding the future location of curling, after further consultation with community groups has taken place for Councils consideration; and further,

VIII. That administration **BE DIRECTED** to investigate options related to a private enterprise that would be interested in offering curling in the City of Windsor.

Carried.

At the request of Councillor Francis, a recorded vote is taken:
Aye votes: Councillors Renaldo Agostino, Mark McKenzie, Ed Sleiman, Jo-Ann Gignac, Angelo Marignani, Gary Kaschak, Kieran McKenzie and Mayor Drew Dilkens
Nay votes: Councillors Fred Francis and Jim Morrison
Absent: Councillor Fabio Costante

Report Number: C 116/2023
Clerk's File:SR/14629

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

8.2. Open Air Burning By-law - City Wide

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Gary Kaschak

Decision Number: CR316/2023
That Council **RECEIVE** the report of the Deputy Fire Chief – Support Services, dated July 7, 2023 entitled "Open Air Burning By-law"; and,

That Council **PASS** a By-law to regulate open air burning (Appendix A) within the City of Windsor; and,

That in the event a By-law is passed, Council **PASS** a By-law to Amend By-law 392-2022 "Fees and Charges Bylaw" (Appendix B) to provide for an open air burning permit application fee; and,

That administration **BE REQUESTED** to report back with statistics related to open air burning.
Carried.

Report Number: C 107/2023
Clerk's File: AB2023

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. (i) Report of the Special In-Camera meeting held August 8, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

Decision Number: CR339/2023
That the report of the Special In-Camera meeting held August 8, 2023 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2023

12.2. Report of the Striking Committee of its meeting held July 10, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

Decision Number: CR340/2023
That the report of the Striking Committee of its meeting held July 10, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 205/2023
Clerk's File: MB2023

12.3. Report No. 118 of the Board of Directors Willistead Manor Inc. of its meeting held May 11, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

Decision Number: CR341/2023
That Report No. 118 Willistead Manor **BE ADOPTED** as presented.
Carried.

Report Number: SCM 166/2023
Clerk's File: MB2023

12.4. Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc. held May 11, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

Decision Number: CR342/2023
That the minutes of the Executive Committee and Board of Directors, Willistead Manor Inc. held May 11, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 167/2023
Clerk's File: MB2023

12.5. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held June 8, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

Decision Number: CR343/2023
That the minutes of the Executive Committee and Board of Directors, Willistead Manor Inc. held June 8, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 202/2023
Clerk's File: MB2023

12.6. Minutes of the Windsor Accessibility Advisory Committee of its meeting held May 25, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

Decision Number: CR344/2023
That the minutes of the Windsor Accessibility Advisory Committee held May 25, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 183/2023
Clerk's File: MB2023

12.7. Report of the Environment, Transportation & Public Safety Standing Committee meeting as the Transit Windsor Board of Directors, of its in-camera meeting held Wednesday, July 26, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Jim Morrison

Decision Number: CR345/2023
That the report of the Environment, Transportation & Public Safety Standing Committee meeting as the Transit Windsor Board of Directors of its in-camera meeting held on July 26, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 206/2023

13. BY-LAWS (First and Second Reading)

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

That the following By-laws No. 93-2023 through 106-2023 be introduced and read a first and second time:

By-law 93-2023 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS McROBBIE ROAD IN THE CITY OF WINDSOR. Authorized by CR76/2011 dated February 28, 2011.

By-law 94-2023 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.30 METRE EAST/WEST PORTION OF NORTH TERMINAL STREET, EAST OF CHARL AVENUE, CITY OF WINDSOR. Authorized by CR609/2020 dated December 7, 2020.

By-law 95-2023 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.30 METRE EAST/WEST PORTION OF NORTH TERMINAL STREET, EAST OF CHARL AVENUE, CITY OF WINDSOR. Authorized by CR609/2020 dated December 7, 2020.

By-law 96-2023 A BY-LAW TO ADOPT AMENDMENT NO. 172 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR. Authorized by CR280/2023 dated July 10, 2023.

By-law 97-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR280/2023 dated July 10, 2023.

By-law 98-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 85-18 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR280/2023 dated July 10, 2023.

By-law 99-2023 A BY-LAW TO ADOPT AMENDMENT NO. 168 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR. Authorized by CR282/2023 dated July 10, 2023.

By-law 100-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR282/2023 dated July 10, 2023.

By-law 101-2023 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 3.66 METRE EAST/WEST ALLEY EAST OF FORD BOULEVARD, SOUTH OF WYANDOTTE STREET EAST, ABUTTING 5355 WYANDOTTE STREET EAST, CITY OF WINDSOR. Authorized by CR418/2022 dated September 26, 2022.

By-law 102-2023 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.66 METRE EAST/WEST ALLEY EAST OF FORD BOULEVARD, SOUTH OF WYANDOTTE STREET EAST, ABUTTING 5355 WYANDOTTE STREET EAST, CITY OF WINDSOR. Authorized by CR418/2022 dated September 26, 2022.

By-law 103-2023 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY AND THE 5.60 METRE EAST/WEST ALLEY BETWEEN MELDRUM ROAD AND LARKIN ROAD, SOUTH OF GUY STREET AND NORTH OF TECUMSEH ROAD EAST, CITY OF WINDSOR. Authorized by CR48/2023 dated January 30, 2023.

By-law 104-2023 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY AND THE 5.60 METRE EAST/WEST ALLEY BETWEEN MELDRUM ROAD AND LARKIN ROAD, SOUTH OF GUY STREET AND NORTH OF TECUMSEH ROAD EAST, CITY OF WINDSOR. Authorized by CR48/2023 dated January 30, 2023.

By-law 105-2023 A BY-LAW TO AMEND BY-LAW NUMBER 15-2010 BEING A BY-LAW TO APPOINT CHIEF BUILDING OFFICIAL, DEPUTY CHIEF BUILDING OFFICIALS AND INSPECTORS TO ENFORCE THE BUILDING CODE ACT AND REGULATIONS IN WINDSOR. Authorized by By-law 392-2002 dated December 16, 2002.

By-law 106-2023 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 8th day of August, 2023.

14. MOVE BACK INTO FORMAL SESSION

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

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:
1) Communication Items (as amended)
2) Consent Agenda (as amended)
3) Items Deferred
   Items Referred
4) Consideration of the Balance of Business Items (as amended)
5) Committee Reports as presented
6) By-laws given first and second readings as presented
Carried.

15. NOTICES OF MOTION

None presented.

16. THIRD AND FINAL READING OF THE BY-LAWS

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

That the By-laws No. 93-2023 through 106-2023 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.
Carried.

17. PETITIONS

None received.

18. QUESTION PERIOD

18.1. CQ 23-2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Angelo Marignani

Decision Number: CR346/2023
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 23-2023:
Assigned to: Deputy Licence Commissioner

> Asks that administration report back to city council regarding the rise in popularity of smoker barbecues and the nuisance that it causes in the community with air pollution and concerns from neighbors who no longer can enjoy their outdoors as a result of smoke.
> Carried.

Clerk's File: ACOQ2023 & ACO2023

18.2. CQ-24-2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Angelo Marignani

Decision Number: CR347/2023
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 24-2023:
Assigned to: Commissioner, Infrastructure Services

Asks that administration provide a report to Council regarding construction projects, specific to road repair, sewer infrastructure and road rehab, including policies and procedures, minimum standards and vendor warranties for review.
Carried.

Report Number:
Clerk's File: ACOQ2023 & ACO2023

21. ADJOURNMENT

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

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 7:21 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held August 8, 2023 (CR 339/2023)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
August 8, 2023

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

Members in Attendance:

Mayor Drew Dilkens
Councillor Renaldo Agostino
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

Members Absent:

Councillor Fabio Costante

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
Chris Nepsy, Commissioner, Infrastructure Services
Janice Guthrie, Commissioner, Corporate Services CFO/City Treasurer
Shelby Askin-Hager, Commissioner, Legal and Legislative Services
Ray Mensour, Commissioner, Community Services
Jelena Payne, Commissioner Economic Development and Innovation
Steve Vlachodimos, City Clerk
Abe Taqtaq, Mayor's Chief of Staff
Marc Di Domenico, Project Administrator (Item 8)
Colleen Middaugh, Manager of Corporate Projects (Item 8)
Tony Ardovini, Deputy Treasurer Financial Planning (Item 8)
Dana Paladino, Acting Chief Executive Officer, Windsor Public Library (Item 8)

Verbal Motion is presented by Councillor Fred Francis, 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	Property matter – lease amendment, Section 239(2)(c) – disposition of land
2	Property matter – lease amendment, Section 239(2)(c) – disposition of land
3	Property matter – lease, Section 239(2)(c) – disposition of land
4	Property matter – licence agreement, Section 239(2)(c)
5	Personal matter – about identifiable individuals – appointment, Section 239(2)(b)
6	Personal matter – labour negotiations, Section 239(2)(d) NOTE: SEE ALSO REPORT OF THE ENVIRONMENT, TRANSPORTATION AND PUBLIC SAFETY STANDING COMMITTEE, SITTING AS TRANSIT WINDSOR BOARD OF DIRECTORS – IN-CAMERA of its meeting held July 26, 2023 ON THE OPEN

AGENDA

7	**Personal matter – about an identifiable individual – appointment, Section 239(2)(b)**
8	**Property matter – project update – disposition of land, Section 239(2)(c)**

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Fred Francis declares and interest and abstains from voting on Item 4 as it relates to a family member's employer.

Discussion on the items of business.

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

Moved by Councillor Mark McKenzie, seconded by Councillor Renaldo Agostino,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held August 8, 2023 directly to Council for consideration at the next Regular Meeting.

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

2. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Senior Legal Counsel, Commissioner, Legal and Legislative Services, Executive Director of Recreation and Culture, Executive Director of Parks and Facilities, Commissioner, Community Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – lease amendment – disposition of land **BE APPROVED**.

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

4. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Executive Director of Transit Windsor, Financial Manager of Asset Planning, Commissioner, Infrastructure Services, Commissioner, Legal and Legislative Services, and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – licence agreement **BE APPROVED**.

Councillor Fred Francis declares an interest and abstains from voting on this item.

5. That the recommendation contained in the in-camera report from the Supervisor of Community Programming – Cultural Affairs, Manger of Culture and Events, Manager of Development Revenue and Financial Administration, Executive Director of Recreation and Culture, Commissioner, Community Services and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter – about identifiable individuals – appointment **BE APPROVED**.

6. That the confidential report from the Executive Director of Transit Windsor, Commissioner, Infrastructure Services, Executive Director of Human Resources and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter – labour negotiations update **BE RECEIVED** and that the in-camera recommendation of the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors, of its meeting held July 26, 2020 **BE APPROVED**.

7. That the recommendation contained in the in-camera report from the Executive Director of Human Resources and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter – about an identifiable individual – appointment **BE APPROVED**.

8. That the recommendation contained in the in-camera report from the Manager of Corporate Projects, Executive Director of Engineering/Deputy City Engineer, Commissioner, Infrastructure Services, Commissioner, Community Services, Commissioner, Corporate Services CFO/City Treasurer, Commissioner, Legal and Legislative Services and Commissioner, Economic Development and Innovation respecting a property matter – project update – disposition of land **BE APPROVED**.

Motion Carried.

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Kieran McKenzie,
That the special meeting of council held August 8, 2023 BE ADJOURNED.
(Time: 2:54 p.m.)

Motion Carried.