CITY OF WINDSOR AGENDA 09/26/2022

Final Consolidated City Council Meeting Agenda

Date: Monday, September 26, 2022
Time: 4:00 o'clock p.m.

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

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

MEMBERS:
Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Rino Bortolin

Ward 4 – Councillor Chris Holt

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Jeewen Gill

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item # Item Description

1. **ORDER OF BUSINESS**

1.1. In the event of the absence of the Mayor, Councillor Gignac has been appointed Acting Mayor for the month of September, 2022 in accordance with By-law 176-2018.

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

INDIGENOUS LAND ACKNOWLEDGEMENT STATEMENT

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

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

4. **ADOPTION OF THE MINUTES**

4.1. Minutes of the September 6, 2022 Regular City Council meeting.
(SCM 270/2022) (*previously distributed*)

5. **NOTICE OF PROCLAMATIONS**

Proclamations
“British Home Children's Day” – Wednesday, September 28, 2022
“United Nations International Day for Elder Persons and Canada Seniors Day” – Saturday, October 1, 2022
“Fire Prevention Week” – Sunday, October 9 to Saturday, October 15, 2022

Flag Raising Ceremony
“Franco Ontarian Day” – September 22 to September 30, 2022
“United Nations International Day for Elder Persons and Canada Seniors Day” – September 29, 2022 to October 2, 2022

Illumination
“Franco Ontarian Day” – September 24 to September 25, 2022
“British Home Children's Day” – September 28, 2022
“National Day for Truth and Reconciliation” – September 26 to October 2, 2022

6. **COMMITTEE OF THE WHOLE**

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

7.1. Correspondence 7.1.1. through 7.1.5. **(CMC 14/2022)** (***previously distributed***)

7.2. Rostered Consultants Used by Public Works, Parks and Facilities – January 1 2022 to June 30 2022 - City Wide **(CM 9/2022)**

8. **CONSENT AGENDA**

8.1. Confirm and Ratify Report -regarding Expenditure to commemorate the passing of Queen Elizabeth II - City Wide **(C 165/2022)**
Clerk's Note: David Hanna, Ward 3 resident submitting an email dated September 23, 2022 as a written submission ***(previously distributed)***

8.2. Flag Raising, Building Illumination and Proclamations Policy Update - City Wide **(C 164/2022)**

8.3. 2022 Inaugural Meeting of Council (City Wide) **(C 163/2022)**

8.4. RFP 110-22 Office Supplies "City Wide" **(C 158/2022)**

CONSENT COMMITTEE REPORTS

8.5. Rezoning - Bassim Al Hamidawy - 953 & 955 Tecumseh Road West - Z-025/22 ZNG/6795 - Ward 10 **(SCM 255/2022) & (S 96/2022)**

8.9. Closure of the north/south alley between Totten St and Quebec Street, east of California Ave and west of Askin Ave; together with the Declaration of the north/south 0.3 metre reserve making up the east limit of the said alley as Surplus – Ward 10 **(SCM 259/2022)** & **(S 94/2022)**

8.11. Closure of the east/west alley between Ford Boulevard and 5355 Wyandotte Street East, north of 830 Ford Boulevard and south of 5335 Wyandotte Street East, Ward 6 **(SCM 261/2022) & (S 98/2022)**

8.12. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by NuFusion & Associates on behalf of 2830065 Ontario Ltd. For 1460 Lauzon Road (Ward 6) **(SCM 262/2022) & (S 102/2022)**

8.13. Minutes of the Property Standards Committee of its meeting held June 14, 2022 **(SCM 263/2022) & (SCM 208/2022)**

8.14. Minutes of the meeting of the International Relations Committee held June 23, 2022 **(SCM 264/2022) & (SCM 245/2022)**

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

10. **PRESENTATIONS AND DELEGATIONS**

PRESENTATION (15-minute maximum)

10.1 Power Advisory Energy Report - Options for the City of Windsor - City Wide **(C 161/2022)**
Clerk's Note: Administration providing a corrected version of Appendix A which includes titles. **(*previously distributed*)**
a) Travis Lusney, Director, Power Systems, Power Advisory LLC (in person) and Sarah Simmons, Director, Utilities and Innovation, Power Advisory LLC (via Zoom)
b) Wilhelm Danek, Sr. Business Development Manager, Capital Power Corporation and Kelly Lail, Vice President, Capital Power Corporation (via Zoom)
c) Matthew Bitzer, Plant Manager, Capital Power Corporation (in person), available for questions
d) Shelley Babin, President and CEO, Atura Power (PowerPoint) (via Zoom)
e) Geoff Saunders, Plant Manager, Brighton Beach Generating Station (PowerPoint) (in person)
f) Kris Taylor, VP Business Development, ENWIN, available for questions (via Zoom)
g) James Brown, VP Hydro Operations, ENWIN, available for questions (via Zoom)
h) Stephen MacKenzie, President & CEO, Invest WindsorEssex, available for questions (via Zoom)

DELEGATIONS (5-minute maximum)

8.7. Zoning By-law Amendment - 1069 Shepherd Street East Z-012-22 [ZNG-6732] **(SCM 257/2022) & (S 99/2022)**
a) Garrett MacGillivray, applicant (available for questions) (via Zoom)

8.8. Closure of the north/south alley between Guy Street and the east/west alley between Bernard Road and Francois Road - Ward 5 **(SCM 258/2022) & (S 90/2022)**
a) Aaron Kovosi-LeBel, area resident, (in person) and submitting a letter dated September 13, 2022 ***(previously distributed)***

11.4. Hybrid Work Program **(C 166/2022)** ***(previously distributed)***
Clerks' Note: P& C memo provided for Mayor and Members of Council only
a) David Petten, President, CUPE Local 543 (via Zoom)

8.6. Zoning By-Law Amendment – Matt Zhao - 521,523, & 525 Sandison Street - Z 009/22 [ZNG-6673] - Ward 9 **(SCM 256/2022) (S 104/2022)**
Clerk's Note: Administration providing an Additional Information memo dated September 21, 2022 ***(previously distributed)*** **(AI 13/2022)**
LATE:
a) Curtis Coleman and Lorraine Richmond, area residents

8.10. Closure of the north/south alley between 1983 Ellrose Avenue and 4440 Tecumseh Road East; east/west alley between Francois Road and said north/south alley; and east/west alley between said north/south alley and Ellrose Avenue – Ward 5 **(SCM 260/2022) & (S 95/2022)**
Clerk's Note: Danielle Stiller, area resident submitting an email dated September 20, 2022 ***(previously distributed)***
LATE:
a) Don McCallum, area resident

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

11.1. Purchasing Bylaw – Periodic Review and Amendment – City Wide **(C 159/2022)**

11.2. Roxborough Boulevard Development – 1500 Northway Avenue Servicing Projects - Cost Sharing – Ward 10 **(C 157/2022)**

11.3. Proposed expropriation of lands for the Riverside Drive Vista Project Phase 2A, Plan C, Legal File EXP 11487-Ward 6 **(C 153/2022)** ***(previously distributed)***

12. **CONSIDERATION OF COMMITTEE REPORTS**

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

12.2. Report of the Special In-Camera meeting held September 6, 2022 **(SCM 268/2022)** **(*previously distributed*)**

12.3 Report of the Striking Committee of its meeting held September 6, 2022 **(SCM 269/2022)** ***(previously distributed)***

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

13.1. **By-law 134-2022** A BY-LAW TO FURTHER AMEND BY-LAW 188-2000, BEING A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR, authorized by Section 27.1(l) of Council Procedure By-law 98-2011, adopted June 7, 2011

13.2. **By-law 135-2022** A BY-LAW TO AMEND BY-LAW 12028 ADOPTED NOVEMBER 21, 1994, BEING A BY-LAW TO CLOSE AND STOP UP AND CONVEY PART OF ROBIN STREET FROM ASKIN WESTERLY, authorized by CAO 192/2022, approved August 23, 2022

13.3. **By-law 136-2022** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR 317/2022, adopted July 25, 2022

13.4. **By-law 137-2022** A BY-LAW TO ASSUME JABER COURT BEING STREETS SHOWN ON PLAN OF SUBDIVISION 12M-499 KNOWN AS JABER COURT, IN THE CITY OF WINDSOR, authorized by M98-2012, adopted February 21, 2012

13.5. **By-law 138-2022** A BY-LAW TO ASSUME COSENZA STREET BEING STREETS SHOWN ON PLAN OF SUBDIVISION 12M-636 KNOWN AS COSENZA STREET, IN THE CITY OF WINDSOR, authorized by M98-2012, adopted February 21, 2012

13.6. **By-law 139-2022** A BYLAW TO AMEND BY-LAW 93-2012 (the “Purchasing Bylaw”), (See Item 11.1)

13.7. **By-law 140-2022** A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN PLAN 948, Plan 1275, Plan 1335 and Plan 1014 IN THE CITY OF WINDSOR, authorized by Bylaw-139-2013, adopted August 26, 2013

13.8. **By-law 141-2022** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 26th DAY OF SEPTEMBER, 2022

14. MOVE BACK INTO FORMAL SESSION

15. NOTICE OF MOTION

Moved by Councillor Holt, seconded by Councillor _____

WHEREAS the Government of Ontario, through the Minister of Municipal Affairs and Housing, has introduced Bill 3 which is described as "An Act to amend various statutes with respect to special powers and duties of heads of council";

AND WHEREAS this Bill, if enacted, will initially apply to the City of Toronto and City of Ottawa, but will later be expanded to include other municipalities according to a statement made by the Premier at the 2022 AMO annual conference;

AND WHEREAS this Bill, if enacted, will give Mayors additional authority and powers, and correspondingly take away authority and powers from Councils and professional staff, and will include giving the Mayor the authority to propose and adopt the Municipal budget and to veto some decisions of Council;

AND WHEREAS this Bill, if enacted, will give authority over professional staff to the Mayor, including that of the Chief Administrative Officer;

AND WHEREAS these changes will result in a reduction of independence for professional staff including the CAO, who currently provide objective information to the Council and public and will now take direction from the Mayor alone when the Mayor so directs;

AND WHEREAS these are surprising and unnecessary changes to the historical balance of power between a Mayor and Council, and which historically gave the final say in all matters to the will of the majority of the elected Council.

THEREFORE, this Council of the City of Windsor, passes this resolution to petition the Government of Ontario that:

1. These changes to the Municipal Act, 2001, are unnecessary and will negatively affect the City of Windsor;

2. The Ontario Government should enact legislation clarifying the role of Mayor, Council and Chief Administrative Officer, similar to those recommended by the Ontario Municipal Administrators Association and those recommended by Justice Marrocco in the Collingwood judicial inquiry of 2020; and,

3. If the stated goal of this legislation is to construct more housing in Ontario that this can be accomplished through other means including amendment of the *Planning Act* and funding of more affordable housing;

And further, that Council direct the Clerk to ensure that a copy of this resolution be provided to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the "Standing Committee on Heritage, Infrastructure and Cultural Policy", Windsor and Essex County's MPPs, the Association of Municipalities of Ontario, and other Municipalities in Ontario.

Clerk's File: MMA/14375

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

By-laws 134-2022 to 141-2022 (inclusive)

17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

ENWIN Utilities Ltd. Board
Wednesday, September 28, 2022
9:00 a.m.

Windsor Utilities Commission Board
Wednesday, September 28, 2022
11:00 a.m.

ENWIN Energy Ltd. Board /Windsor Canada Utilities Ltd. Board
Wednesday, September 28, 2022
1:00 p.m.

Community Services Standing Committee (CANCELLED)
Wednesday, October 5, 2022

21. **ADJOURNMENT**