THE CITY OF WINDSOR
ONTARIO, CANADA

ACON 2022

January 28, 2022

TO THE MAYOR AND MEMBERS OF COUNCIL:

A special meeting of Council will be held on **Monday, January 31, 2022, at 10:00 o'clock a.m., via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency.** Council will at the special meeting adopt a resolution to authorize Council to meet in closed session, and the resolution shall contain the general nature of the matters to be considered in the closed session. The resolution must be adopted by a majority of Council present during the open special meeting before the meeting may be closed.

A meeting of the **Striking Committee** will be held on **Monday, January 31, 2022, immediately following the in-camera meeting, via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency.**

The **regular meeting** of Council will be held on **Monday, January 31, 2022 at 10:30 o'clock a.m., via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency** to consider the regular agenda for that day.

BY ORDER OF THE MAYOR.

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Steve Vlachodimos
City Clerk
/bm
c.c. Chief Administrative Officer

Consolidated City Council Meeting Agenda

Date: Monday, January 31, 2022
Time: 10:30 o'clock a.m.

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

All members will be participating electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings during a declared emergency. The minutes will reflect this accordingly.

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 Costante has been Appointed Acting Mayor for the month of January, 2022 in accordance with By-law 176-2018, as amended.

2. **CALL TO ORDER**

READING OF LAND ACKNOWLEDGEMENT
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 Regular Council Meeting held January 17, 2022 (**SCM 32/2022**) (***enclosed***)

5. **NOTICE OF PROCLAMATIONS**

"International Day of Zero Tolerance for Female Genital Mutilation" – Sunday, February 6, 2022

Illumination
"National Day of Remembrance of the Quebec City Mosque" – Friday, January 28 to Sunday January 30, 2022

"Eating Disorders Awareness Week" – Tuesday, February 1 to Monday, February 7, 2022

6. **COMMITTEE OF THE WHOLE**

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

7.1. Correspondence 7.1.1. through 7.1.9. (**CMC 2/2022**) (***enclosed***)

7.2. 2022 BIA Interim Levy Approval Process (**C 2/2022**)
Clerk's Note: This item has been moved to the Regular Business section of the agenda.

8. **CONSENT AGENDA**

8.1. Funding for Demolition of 6424 County Road 42 and 6450 County Road 42 - Ward 9 (**C 9/2022**)

8.2. Employee Family Assistance (EFAP) - City Wide (**C 8/2022**)

CONSENT COMMITTEE REPORTS

8.3. Minutes of the Committee of Management for Huron Lodge of its meeting held October 21, 2021 (**SCM 4/2022**) (**SCM 379/2021**)

8.4. Minutes of the Diversity Committee of its meeting held October 27, 2021 (**SCM 5/2022**) (**SCM 402/2021**)

8.5. Minutes of the Community Public Art Advisory Committee of its meeting held October 12, 2021 (**SCM 6/2022**) (**SCM 403/2021**)

8.6. Minutes of the Windsor Accessibility Advisory Committee of its meeting held November 18, 2021 (**SCM 7/2022**) (**SCM 405/2021**)

8.7. Increased Ministry of Long-Term Care Funding to support Resident Direct Care at Huron Lodge - City Wide (**SCM 8/2022**) (**S 172/2021**)

8.10. Rezoning - Chantelle Bayley - 2422 Rossini Blvd Z 035-21 [ZNG-6573] - Ward 5 (**SCM 21/2022**) (**S 166/2021**)

8.14. University Avenue and Wyandotte Street Community Improvement Plan (CIP) Application submitted by 2605385 Ontario Inc. on behalf of AIPL Holdings Inc. for 1200 University Avenue West (Ward 3) (**SCM 27/2022**) (**S 163/2021**)

8.15. Ford City/Building Facade Improvement CIP Application for 1093 Drouillard Road. Owner: Kyle McDonald – Ward 5 (**SCM 24/2022**) (**S 170/2021**)

8.16. Ford City/Building Facade Improvement CIP Application for 2778 Richmond Street. Owner: Kyle McDonald – Ward 5 (**SCM 25/2022**) (**S 169/2021**)

8.17. Minutes of the Property Standards Committee of its meeting held October 6, 2021 (**SCM 28/2022**) (**SCM 378/2021**)

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

10. **PRESENTATIONS AND DELEGATIONS**

DELEGATIONS: (5-minute maximum)

8.11. Rezoning - Brisson Property Management - 2920 Langlois - Z-033/21 ZNG/6544 - Ward 10 (**SCM 22/2022**) (**S 168/2021**)
a) Mike Stamp, consultant representing property owner (available for questions)

8.13. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Amy-Lynn and Gabriel Valente for 10965 Riverside Drive East (Ward 7) (**SCM 26/2022**) (**S 162/2021**)
a) Amy Valente-Sarkis and Gabe Valente, applicants (available for questions)

8.9. Rezoning Application for properties known as 3945 and 3985 Dougall Avenue; Applicant: 2319576 Ontario Ltd.; File No. Z-014/19, ZNG/5898; Ward 1 (**SCM 20/2022**) (**S 39/2020**)
a) Melanie Muir, Dillon Consulting representing Applicant
b) Gerald Trottier, Legal Counsel for Applicant 2319576 Ontario Limited (available for questions)

8.8. Rent Supplement Program Expiries and Mitigation Strategy - City Wide (**SCM 9/2022**) (**S 144/2021**)
Clerk's Note: Kristofer Jaques submitting the ***attached*** note received January 28, 2022.
a) Sarah Bondy, resident of City

8.12. Economic Revitalization Community Improvement Plan (CIP) application submitted by 2810859 Ontario Inc. for 10700 Tecumseh Road East (Ward 7) (**SCM 23/2022**) (**S 161/2021**)
a) Mark Recine, Chief Operating Officer, representing Surgical Eye Centres

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

7.2. 2022 BIA Interim Levy Approval Process (**C 2/2022**)

11.1. Windsor Public Library - Facility Plan Implementation and Temporary Relocation of Main Branch - Project Completion Report - City Wide (**C 104/2021**)
Clerk's Note: Administration providing additional information memo (**AI 3/2022**) (***previously distributed***)

11.2. Streamlining Approvals to Enable Rapid Execution of Council's Vision and Direction (**C 169/2021**)
Clerk's Note: Administration providing additional information memo (**AI 2/2022**) (***previously distributed***)

11.3. Declaration of Vacant Parcel Municipally Known as 1028-1030 Drouillard Road Surplus and Authority to Offer for Sale - Ward 5 (**C 201/2021**)

11.4. Declaration of a Vacant Parcel of Land Municipally Known as 0 Church Street Surplus and Authority to Offer for Sale - Ward 3 (**C 3/2022**)

11.5. February 2022 Business Licence Extension and Fee Deferral (**C 11/2022**) (***attached***)

12. CONSIDERATION OF COMMITTEE REPORTS

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

12.2. Minutes of the Housing & Homelessness Advisory Committee of its meeting held November 23, 2021 (**SCM 1/2022**)

12.3. Minutes of the meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held November 10, 2021 (**SCM 13/2022**)

12.4. Report of the Striking Committee of its meeting held January 17, 2022 (**SCM 29/2022**)

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

13.1 **By-law 29-2022** A BY-LAW TO AUTHORIZE THE TEMPORARY BORROWING OF MONEY FOR CURRENT EXPENDITURES FOR 2022 authorized by CR551/2021 dated December 20, 2021

13.2 **By-law 30-2022** A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH WINDSOR SPITFIRES INC. FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT THE WFCU CENTRE authorized by CR83/2011 dated February 28, 2011

13.3 **By-law 31-2022** A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH WINDSOR SPITFIRES INC. FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT THE WFCU CENTRE authorized by CR83/2011 dated February 28, 2011

13.4 **By-law 32-2022** A BY-LAW TO PROVIDE FOR INTERIM TAX LEVIES FOR 2022 authorized by CR573/2021 dated December 20, 2021

13.5 **By-law 33-2022** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 31st DAY OF JANUARY, 2022

14. MOVE BACK INTO FORMAL SESSION

15. NOTICES OF MOTION

16. THIRD AND FINAL READING OF THE BY-LAWS

By-laws 29-2022 through 33-2022 (inclusive)

17. PETITIONS

18. QUESTION PERIOD

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

Community Services and Parks Standing Committee – **CANCELLED**
Wednesday, February 2, 2022
9:00 a.m.

International Relations Committee
Wednesday, February 2, 2022
3:30 p.m., Zoom video conference

Development and Heritage Standing Committee
Monday, February 7, 2022
4:30 p.m., Zoom video conference

Property Standards Committee
Thursday, February 10, 2022
4:00 p.m., Zoom video conference

21. ADJOURNMENT

Committee Matters: SCM 32/2022

Subject: Adoption of the Windsor City Council meeting minutes held January 17, 2022

City Council Meeting

Date: Monday, January 17, 2022
Time: 1:00 o'clock p.m.

Members Present:

Mayor
Mayor Dilkens

Councillors
Ward 1 - Councillor Francis
Ward 2 - Councillor Costante
Ward 3 - Councillor Bortolin
Ward 4 - Councillor Holt
Ward 5 - Councillor Sleiman
Ward 6 - Councillor Gignac
Ward 7 - Councillor Gill
Ward 8 - Councillor Kaschak
Ward 9 - Councillor McKenzie
Ward 10 - Councillor Morrison

Clerk's Note: The Mayor and all members of Council participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 1:01 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Holt discloses an interest and abstains from voting on Item 11.5 being the report of the Office of the Chief Administrative Officer dated January 13, 2022 entitled "Business Community COVID-19 Support – City Wide," as he owns a business that may take advantage of some of the support measures that are being proposed for local businesses.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Special Meeting of Council minutes held December 13, 2021

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the minutes of the Special Meeting of Council held December 13, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 18/2022

4.2. Adoption of the Windsor City Council meeting minutes held December 20, 2021

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the minutes of the meeting of Council held December 20, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 19/2022

5. NOTICE OF PROCLAMATIONS

None.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Francis
Seconded by: Councillor 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 1-2022 through 28-2022 (inclusive).
Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence January 17, 2022

Moved by: Councillor Gill
Seconded by: Councillor Holt

Decision Number: CR1/2022
That the following Communication Items 7.1.1 through 7.1.5 and 7.1.10 through 7.1.14 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted; and that Items 7.1.6 through 7.1.9 be dealt with as follows:

7.1.7. AMCTO Advocacy Update regarding Joint and Several Liability Reform

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR2/2022
That the correspondence from the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) dated January 13, 2022 regarding Advocacy Update: Joint and Several Liability Reform **BE RECEIVED**; and further,

That the following resolution provided by AMCTO **BE ENDORSED** by Windsor City Council:

> Whereas municipal governments provide essential services to the residents and businesses in their communities; and,

Whereas the ability to provide those services is negatively impacted by exponentially rising insurance costs; and,

Whereas one driver of rising insurance costs is the legal principle of 'joint and several liability,' which assigns disproportionate liability to municipalities for an incident relative to their responsibility for it; and,

Whereas, the Government of Ontario has the authority and responsibility for the legal framework of 'joint and several liability;' and,

Whereas the Premier of Ontario committed to review the issue in 2018 with a view to helping municipal governments manage their risks and costs; and,

Whereas the Association of Municipalities of Ontario on behalf of municipal governments has provided recommendations in this source document to align municipal liability with the proportionate responsibility for incidents and capping awards;

Now, therefore be it resolved, that the City of Windsor does hereby support AMO's recommendations; and,

Further be it resolved that the City of Windsor does hereby call on the Attorney General of Ontario to work with municipal governments to put forward a plan of action to address "joint and several liability" before the end of the government's current term so that municipalities can continue to offer high quality services to their communities.

Carried.

Clerk's File: GM2022

7.1.8. AMO Call to Action regarding CN Rail and Drainage

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR3/2022
That the correspondence from the Association of Municipalities Ontario (AMO) dated January 5, 2022 regarding CN Rail and Drainage **BE RECEIVED** for information; and further,

That Administration **BE DIRECTED** to send a letter to CN Rail, as well as other recipients listed, as prepared by the AMO in support of the Ontario Minister of Agriculture, Food and Rural Affairs (OMAFRA)'s letter dated December 23, 2021, expressing concern that municipal governments across Ontario are experiencing significant issues with drainage maintenance work, construction of new drains, and the collection of assessed costs to *Railways for the Drainage Act*, and that its request that CN Rail comply with the Act so that municipalities and tax payers are not left carrying the costs of these works that should be borne by the railway.
Carried.

Clerk's File: GM2022

7.1.9. Letter regarding Gaming Industry Workers in Windsor

Moved by: Councillor Gignac
Seconded by: Councillor McKenzie

Decision Number: CR4/2022
That the correspondence from the President of Local 444 UNIFOR dated January 12, 2022, related to advocacy for all Caesers Windsor workers **BE RECEIVED** for information; and further,

That Administration **BE DIRECTED** to send a letter to the Federal Government advocating for support for the local Caesars Windsor employees as well as all local hospitality workers that are currently exempt from available COVID-19 funding benefits.
Carried.

Clerk's File: MH/13786

7.1.6. Letter regarding Small Business Support in Essex-Windsor

Moved by: Councillor McKenzie
Seconded by: Councillor Gill

Decision Number: CR5/2022
That the correspondence from the County of Essex Warden dated January 7, 2022 related to Small Business Support in Essex-Windsor **BE RECEIVED** for information; and further,

That Administration **BE DIRECTED** to send a letter to the Province of Ontario urging them to:

1. Expedite the rollout of the just-announced Ontario Small Business Support Grant and make it easy for small businesses to access.

2. Consider boosting the supports available under that program as well as implementing additional support programs for small business.

3. Provide small businesses immediate access to the government portal for grants and subisidies.

4. Urge the Federal Government to work with the Province to reinstate the commercial rent assistance program.

5. Provide financial assistance to businesses to implement new vaccine certificate protocols (implementing new QR code reader, staffing people to check vaccine passports, etc.).

Carried.

Clerk's File: GM2022

No.	Sender	Subject
7.1.1.	Minister of the Environment, Conservation and Parks AND Chief Drinking Water Inspector	Minister's Annual Report on Drinking Water (2021) AND 2020-2021 Chief Drinking Water Inspector Annual Report Commissioner, Infrastructure Services Senior Manager, Pollution Control/ Deputy City Engineer GP2022 Note & File
7.1.2.	Ministry of Health	Letter regarding Isolation and Recovery Centre for migrant workers Commissioner, Human & Health Services Fire Chief MH/13786 Note & File
7.1.3.	Member of Parliament (MP) – Windsor West	Letter regarding funding for Safe Voluntary Isolation Sites Program (SVIS) Commissioner, Human & Health Services Fire Chief MH/13786 Note & File
7.1.4.	Member of Provincial Parliament (MPP) - Windsor West AND Ministry of Municipal Affairs and Housing	Letters regarding the expiry of funding for housing programs in Ontario Commissioner, Human & Health Services Executive Director, Housing & Children Services GP2022 Note & File
7.1.5.	County of Essex	Letter regarding Consideration for support for Windsor-Essex Workers GM2022 Note & File
7.1.6.	County of Essex	Letter regarding Small Business Support in Essex-Windsor GM2022 Note & File

No.	Sender	Subject
7.1.7.	Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)	AMCTO Advocacy Update regarding Joint and Several Liability Reform Commissioner, Legal & Legislative Services Commissioner, Corporate Services, Chief Financial Officer/City Treasurer Deputy City Solicitor – Purchasing, Risk Management, and Provincial Offences GM2022 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.8.	Association of Municipalities Ontario (AMO) AND Town of Amherstburg AND NJ Peralta Engineering	AMO Call to Action regarding CN Rail and Drainage Commissioner, Infrastructure Services Engineer III GM2022 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.9.	Local 444 UNIFOR	Letter regarding Gaming Industry Workers in Windsor MH/13786 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.10.	City Planner/ Executive Director	Application for Draft Plan of Subdivision/ Condominium Application, Bellocorp Inc., 0, 1095, & 1185 North Talbot Road, Application to approve a Plan of Subdivision with 34 residential unit Z/14278 Note & File
7.1.11.	City Planner/ Executive Director	Application for Zoning Amendment, City of Windsor, 542 Dougall Avenue, Application to amend Zoning By-law 8600 to allow for the construction of a single unit dwelling Z/14280 Note & File

No.	Sender	Subject
7.1.12.	City Planner/ Executive Director	Application for Zoning Amendment, Avant Group Inc., 659 Alexandrine Street, Application to amend Zoning By-law 8600 to allow for the construction of a townhome dwelling with four dwelling units with attached garages Z/14281 Note & File
7.1.13.	City Planner/ Executive Director	Application for Zoning Amendment, 1731952 Ontario Ltd., 987 & 1003 California Avenue, Application to amend Zoning By-law 8600 to allow construction of two townhouse dwellings with three units each Z/14277 Note & File
7.1.14.	Committee of Adjustment / Consent Authority	Applications to be heard by the Committee of Adjustment / Consent Authority, Thursday, January 20, 2022 at, 3:30 p.m., through Electronic Meeting Participation Z2022 Note & File

Carried.

Report Number: CMC 1/2022

7.2. 2021 Audit Planning Report

Moved by: Councillor Gill
Seconded by: Councillor Holt

Decision Number: CR6/2022
That City Council **RECEIVE FOR INFORMATION** the 2021 KPMG Audit Planning Report for the year ending December 31, 2021.
Carried.

Report Number: C 199/2021
Clerk's File: AF/14041

8. CONSENT AGENDA

8.1. Roof Replacement – 4150 Sandwich Street – Tender No 148-21 Results - Ward 1

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR7/2022
That the following Low Tender for the replacement of the roof at 4150 Sandwich Street **BE ACCEPTED** and **AWARDED**:

TENDERER:	H & N Roofing & Sheet Metal Limited
TENDER NO.:	148-21
TOTAL TENDER PRICE:	$336,075.00 (plus applicable taxes)

and,

That $421,990 **BE CONFIRMED** as the overall project budget for the roof replacement project at 4150 Sandwich Street, including construction, contingency and internal project management costs; and,

That City Council **APPROVE** the transfer of $210,000 from Reserve Fund F145 for the replacement of the roof at 4150 Sandwich Street to the Corporate Facilities Roof Replacement Program (Project ID 7085008); and,

That City Council **APPROVE** a pre-commitment of Service Sustainability funds (Fund 221) in the amount of $210,000 from HCP-002-07 Corporate Facilities Roof Replacement Program (Project ID 7085008) for the roof at 4150 Sandwich Street; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with H & N Roofing & Sheet Metal Limited, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer and in technical content to the City Engineer.
Carried.

Report Number: C 197/2021
Clerk's File: SR/14275

8.2. Zoning By-law Amendment Application for property known as 739 Bridge Avenue, south of Wyandotte Street West, west side of Bridge Ave.; Applicant: Paul Mar Housing; File No. Z-038/21, ZNG/6589; Ward 2

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR8/2022 DHSC 349
That Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the west side of Bridge Ave., south of Wyandotte Street West, described as Plan 369, Lots 234 & 235 (PIN 01224-0375), from Residential District 1.3 (RD1.3) to Residential District 2.1 (RD2.1) in Zoning By-law 8600.
Carried.

Report Number: SCM 393/2021 & S 152/2021
Clerk's File: ZB/14030

8.3. AMENDMENTS to OFFICIAL PLAN and ZONING BY-LAW 8600; requested by 2800573 Ontario Inc. for the land municipally known as 3165 Walker Road; File Nos. OPA 151 (OPA/6502) and Z-027/21 (ZNG/6501); Ward 9

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR9/2022 DHSC 350

I. That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding a site specific policy as follows:

1. X **WEST SIDE OF WALKER ROAD, BETWEEN E.C. ROW EXPRESSWAY AND SYDNEY AVENUE**

1.X.1 The property described as Lots 810 to 814, Pt Lot 809 and Pt Closed Alley, Registered Plan 1126, designated as Part 2 on Plan 12R-13004 and Parts 5 to 10 on Plan 12R-18422, (PIN 01345-0220 LT and PIN 01345-0470 LT), located on the west side of Walker Road, between the E.C. ROW Expressway and Sydney Avenue, municipally known as 3165 Walker Road, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.X.2 Notwithstanding the policy in section 6.5.3.1 of the Official Plan, Volume I, *residential use in a combined use building* shall be an additional permitted use on the subject land and all residential units shall be located on the second floor above the non-residential uses on the main floor of a 2-storey building.

II. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning for the property described as Lots 810 to 814, Pt Lot 809 and Pt Closed Alley, Registered Plan 1126, designated as Part 2 on Plan 12R-13004 and Parts 5 to 10 on Plan 12R-18422, (PIN 01345-0220 LT and PIN 01345-0470 LT), located on the west side of Walker Road, between the E.C. ROW Expressway and Sydney Avenue, by adding the following site-specific zoning provisions to permit *dwelling units* in a *combined use building* as additional permitted use on the subject land:

"437. WEST SIDE OF WALKER ROAD, BETWEEN E.C. ROW EXPRESSWAY AND SYDNEY AVENUE

For the land comprising Lots 810 to 814, Pt Lot 809 and Pt Closed Alley, Registered Plan 1126, designated as Part 2 on Plan 12R-13004 and Parts 5 to 10 on Plan 12R-18422, (PIN 01345-0220 LT and PIN 01345-0470 LT) *Dwelling Units in a Combined Use Building* with any one or more of the commercial uses permitted in Section 16.2.1 except an existing *funeral establishment, existing gas bar, or existing service station,* shall be an additional permitted use and shall be subject to the following additional provisions:

a) All *dwelling units*, not including entrances thereto, shall be located above the non-residential uses;
b) Section 16.3.5 shall not apply to a *combined use building*;
c) Building Height – Maximum – 10 m
d) Building Setback from an Interior Lot Line – Minimum
   1. Where a *habitable room window* faces the *interior lot line* 6.0 m
   2. Where a *habitable room window* does not face the *interior lot line* 3.0 m from the west lot line; and 0 m from the north and south lot lines.
e) Landscape Open Space Yard – Minimum – 30% of Lot Area
f) Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited; and
g) *Parking spaces* for the *dwelling units* shall be clearly marked, assigned and set apart from other *parking spaces*.
[ZDM12; ZNG-6501]"

III. That the parcel described as Lots 810 to 814, Pt Lot 809 and Pt Closed Alley, Registered Plan 1126, designated as Part 2 on Plan 12R-13004 and Parts 5 to 10 on Plan 12R-18422, located on the west side of Walker Road, between the E.C. ROW Expressway and Sydney Avenue, **BE EXEMPT** from the provisions of section 45(1.3) of the *Planning Act*; and,

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

1) Noise mitigation measures recommended by JJ Acoustic Engineering Ltd.
2) Sanitary Sampling Manhole;
3) Record of Site Condition;
4) Parkland dedication;
5) Stormwater management – underground storage required (stormwater chambers);
6) Enbridge Gas minimum separation requirements;
7) Adequate clearance from existing ENWIN's pole lines and power lines; and
8) Canada Post requirements and guidelines for the proposed multi-unit.

Carried.

Report Number: SCM 394/2021 & S 158/2021
Clerk's File: ZO/14209 & ZB/14208

8.4. Rezoning - Orak - 1174 Curry - Z-019/21 ZNG/6443 - Ward 2

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR10/2022 DHSC 351
That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 36 to 37, Registered Plan 1168, (known municipally as 1174 Curry Avenue; Roll No. 040-430-12400; PIN 01217-0209)

situated on the east side of Curry Avenue between Grove Avenue & Pelletier Street) from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2).
Carried.

Report Number: SCM 395/2021 & S 155/2021
Clerk's File: ZB/14135

8.5. Request for Partial Demolition of a Heritage Listed Property - 1200 University Avenue West, S.W.&A. East Car Barn (Ward 3)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR11/2022 DHSC 352
That Council **BE INFORMED** of the proposed partial demolition (deconstruction) and reconstruction of the exterior brick wall and reinforcement of the foundation on the east facade of 1200 University Avenue West, S.W.&A. East Car Barn.
Carried.

Report Number: SCM 396/2021 & S 154/2021
Clerk's File: MBA/11662

8.6. Request for Partial Demolition of a Heritage Listed Property- 10150 Riverside Drive East, Monarch Liqueurs / W.L. Webster Mfg. Ltd. (Ward 7)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR12/2022 DHSC 353
That Council **BE INFORMED** of the proposed partial demolition of the one-storey addition at 10150 Riverside Drive East, Monarch Liqueurs / W.L. Webster Mfg. Ltd.
Carried.

Report Number: SCM 397/2021 & S 156/2021
Clerk's File: MBA/14260

8.7. Downtown CIP Grant Applications made by Roman Maev, owner of Tessonics Holding Corp. for 787 Ouellette, Ward 3

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR13/2022 DHSC 356
I. That the request for incentives under the Downtown Windsor Enhancement Strategy and Community Improvement Plan (CIP) made by Roman Maev, owner of Tessonics Holding

Corp. for the property located at 787 Ouellette Avenue **BE APPROVED** for the following programs:

i. *Commercial/Mixed Use Building Facade Improvement Program* for 50% of the eligible costs to a maximum of $30,000 for improvements to the Ouellette Avenue and Elliott Street West facades;

II. That funds in the amount of up to $30,000 under the *Commercial/Mixed Use Building Facade Improvement Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Downtown Windsor Enhancement Strategy and CIP (#7011022) once the work is completed;

III. That grants **BE PAID** to Roman Maev, owner of Tessonics Holding Corp., upon completion of the improvements to the existing three (3) storey building and property located at 787 Ouellette Avenue, from Downtown Windsor Enhancement Strategy Fund (Project # 7011022) to the satisfaction of the City Planner and Chief Building Official;

IV. That should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the *Commercial/Mixed Use Building Façade Improvement Grant Program* for 787 Ouellette be uncommitted and made available for other applications.

Carried.

Report Number: SCM 398/2021 & S 157/2021
Clerk's File: Z/14259

8.8. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 1762643 Ontario Inc. for 669 Tuscarora Street (Ward 4)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR14/2022 DHSC 354

I. That the request made by 1762643 Ontario Inc. 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 669 Tuscarora Street 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 $14,175 based upon the completion and submission of a Phase II Environmental Site Assessment completed in a form acceptable to the City Planner and City Solicitor;

III. That the grant funds in the amount of $14,175 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: SCM 399/2021 & S 150/2021
Clerk's File: Z/14257

8.9. Downtown CIP Grant Applications made by Jackie Lassaline for 493 University Avenue, Owner: 1233961 Ontario Ltd, Ward 3

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR15/2022 DHSC 355

I. That the request for incentives under the Downtown Windsor Enhancement Strategy and Community Improvement Plan (CIP) made by Jackie Lassaline Applicant for 2770722 ONTARIO Limited for the property located at 493 University Avenue West **BE APPROVED** for the following programs:

i. *Commercial/Mixed Use Building Facade Improvement Program* for 50% of the eligible costs of the façade improvements, up to $20,000 per property;

ii. *Building/Property Improvement Tax Increment Grant Program* for 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years in the amount of +/- $2,715.85 annually;

iii. *Upper Storey Residential Conversion Grant Program* for $15,000 ($5000 per new upper storey residential unit created).

II. That Administration **BE AUTHORIZED** to prepare the agreement between the City and 2770722 ONTARIO Limited to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications;

III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor;

IV. That funds in the amount of up to $20,000 under the *Commercial/Mixed Use Building Facade Improvement Program*, and funds under the *Upper Storey Residential Conversion Grant Program* in the amount of $15,000 **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Downtown Windsor Enhancement Strategy and CIP (#7011022) once the work is completed;

V. That *Commercial/Mixed Use Building Facade Improvement Program* and *Upper Storey Residential Conversion Grant Program* grants **BE PAID** to 2770722 ONTARIO Limited, upon completion of the improvements to the existing two (2) storey building and property located at 493 University Avenue West, from Downtown Windsor Enhancement Strategy Fund (Project # 7011022) to the satisfaction of the City Planner and Chief Building Official;

VI. That should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the *Commercial/Mixed Use Building Façade Improvement Grant Program* and *Upper Storey Residential Conversion Grant Program* for at 493 University Avenue West be uncommitted and made available for other applications;

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

VIII. That the City Planner **BE DELEGATED** authority to approve the Site Plan Control application for 493 University Avenue West.

Carried.

Report Number: SCM 401/2021 & S 124/2021
Clerk's File: Z/14258

11.1. Declaration of Vacant Parcel Municipally Known as 0 Randolph Avenue Surplus and Authority to Offer for Sale - Ward 10

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR16/2022

I. That the following City of Windsor (the "**City**") vacant parcel **BE DECLARED** surplus:
- Municipal address: **0 Randolph Avenue** – vacant land situate on the west side of Randolph Avenue, south of the unopened Manitoba Street right-of-way
- Legal Description: Part of Lot 395 on Registered Plan 973, Sandwich West as in R1001235 and Part Closed Alley on Registered Plan 973 designated as Part 5 on 12R-22457
- Approximate Lot size: 4.6 m (15 feet) x 32.6 m (107 feet)
- Approximate Lot area: 1,605 sq ft (149.1 m^2)

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

II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the vacant parcel of land identified in Recommendation I for sale to the abutting property owner at a price to be determined by the Manager of Real Estate Services.

Carried.

Report Number: C 198/2021
Clerk's File: APM2022

11.2. Declaration of Vacant Parcel Municipally Known as 0 Dougall Avenue Surplus and Authority to Offer for Sale - Ward 10

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR17/2022

I. That the following City of Windsor (the "**City**") vacant parcel **BE DECLARED** surplus:
   - Municipal address: **0 Dougall Avenue** – vacant land situated on the east side of Dougall Avenue, north of the E.C. Row Expressway
   - Legal Description: Part of Lot 80, Concession 2, Part of Lot 80, Concession 3, Part of Original Road Allowance Between Concessions 2 and 3, further designated as Parts 6 and 7 on 12R-20979
   - Approximate Lot area: 50,549.5 sq ft (4,696.2 m^2)
   (herein the "**Subject Parcel**"); and

II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the vacant parcel of land identified in Recommendation I for sale to the abutting property owner at a price to be determined by the Manager of Real Estate Services, commensurate with an independent appraisal, as appropriate.

Carried.

Report Number: C 200/2021
Clerk's File: APM2022

11.3. Confirm And Ratify Report – Appointment of Integrity Commissioner-City Wide

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR18/2022

That the results of the email poll conducted by the City Clerk on December 22, 2021, **BE CONFIRMED AND RATIFIED**:

That Council **EXTEND** Bruce Elman's appointment as the Integrity Commissioner for the City of Windsor until June 30, 2022 so as to facilitate a strong transition, and based on the terms and conditions as set out per CR610/2019, with the inclusion of the Town of Amherstburg and Town of Lakeshore being dependent upon the agreement of those municipalities to continuing the shared agreement arrangement; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a contract with Mr. Elman on the said terms and conditions, provided that such contract is approved as to form and technical content by the City Solicitor and as to financial content by the Chief Financial Officer & City Treasurer; and,

That Principles *Integrity* **BE APPOINTED** as the Integrity Commissioner for the City of Windsor, for a term commencing July 1, 2022 and ending on December 31, 2023, with the possibility of a two year renewal upon mutual agreement, on the terms set out in the proposal submitted by Principles *Integrity* in response to City of Windsor EOI# 151-21; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a contract with Principles *Integrity* on the said terms and conditions, subject to approval in form and technical content by the City Solicitor and as to financial content by the Chief Financial Officer & City Treasurer; and,

That all future contracts to engage an Integrity Commissioner **BE LIMITED** to a total four year term inclusive of any renewals, after which a Request for Proposals **SHALL BE CONDUCTED**. Any incumbent or former Integrity Commissioner for the City **SHALL NOT** be excluded from participating in that RFP.

Carried.

Report Number: C 4/2022
Clerk's File: GM/14272

11.4. CQ-14-2018 - Cabana Road East / Roseland Public School Pedestrians – Ward 9

Moved by: Councillor McKenzie
Seconded by: Councillor Francis

Decision Number: CR19/2022 CR543/2021

1. That the report of the Policy Analyst dated September 17, 2021 entitled "CQ-14-2018 - Cabana Road East / Roseland Public School Pedestrians – Ward 9" **BE RECEIVED** for information.

2. That previously-deferred reports S 156/2018, "CQ14-2018 Cabana Road East / Roseland Public School Pedestrians", S 29/2019, "Additional Information - CQ14-2018 Cabana Road East Roseland Public School Pedestrians"; and C 45/2019, "Second Additional Information - S 156/2018 CQ14-2018 Cabana Road East Pedestrians" **BE RECEIVED** for information.

3. That the installation of speed control measures to include radar speed feedback signs, Community Safety Zone signs and School Area signs **BE APPROVED** on Cabana Road East in front of Roseland Public School.

4. That Traffic By-law 9148 **BE AMENDED** as listed and attached in Appendix 1 of this report.

5. That the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by-law.

6. That the installation of flexible bollards during non-winter months **BE APPROVED** on Cabana Road East in front of Roseland Public School to improve sight lines and increase safety.

7. That the annual operating cost requirements **BE REFFERED** to the 2023 budget.

8. That Administration **BE DIRECTED** to report back to Council with a by-law and policy amendment for Council consideration that provides for options to add signalized traffic management tools at school crossing checkpoints on arterial roadways where they do not currently exist and are not likely to meet the full scope of warrant criterion as is currently applied and that this information **BE BROUGHT FORWARD** to Council by the 2nd quarter of 2022.

9. That Administration **BE DIRECTED** to report back specifically related to the school crossing at the Cabana and Caron/Clara intersection with potential funding options to install a pedestrian acitivated traffic light at that location.

Carried.

Report Number: C 141/2021 & AI 1/2022
Clerk's File: ST2021

11.5. Business Community COVID-19 Support

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR20/2022
That City Council **APPROVE** waiving the fees associated with the BIA Parklet, Curbside and Sidewalk Cafes for 2022; and,

That City Council **APPROVE** increasing the current 15 minutes free parking via the City of Windsor Parking App to 60 minutes, and also include surface parking lots; and,

That in light of the ongoing COVID-19 Pandemic, City Council **DELEGATE** to the Chief Administrative Officer the authority through to December 31, 2022 to consider where circumstances warrant the provision of temporary financial relief to various City advertising, sponsorship, or lease revenue agreements on an as requested basis up to maximum of $25,000 per agreement; and,

That City Council **AUTHORIZE** a deferral of the February property tax instalment for those property owners subject to commercial property taxes, and that meet the following conditions:

- Total property tax levy for 2021 was $50,000 or less, and,
- Property owner has enrolled in or has submitted an application to enroll in a pre-authorized payment plan such that the deferred amount is then collected equally from the remaining approved Interim withdrawal dates; and,

That the financial impacts from these recommendations **BE REPORTED** to City Council as part of the 2022 Quarterly Variance reports as COVID 19 pandemic costs; and,

That the following recommendation **BE DEFERRED** to the January 31, 2022 Council Meeting to allow for administration to provide additional information related to the financial impacts of waiving

licence fees, and deferring the business licence deadline beyond June 30, 2022, to the next calendar year, including waiving penalties/interest charges:

> "That City Council **AUTHORIZE** the Licence Commissioner to extend the upcoming annual February 28 business licence deadline until **June 30, 2022** for the City's local hospitality and retail sectors."

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

Report Number: C 6/2022
Clerk's File: MH/13786

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

Stephen Laforet, Fire Chief, Community Emergency Management Coordinator – Windsor/Essex County

Stephen Laforet, Fire Chief, Community Engagement Management Coordinator – Windsor/Essex County, appears before Council to provide an update related to the COVID-19 pandemic and provides the following details related to the Province and our community:

- Late last year the Omicron variant become the predominant variant in the pandemic; This variant is highly transmissible, and they are seeing many cases in vaccinated individuals though the degree of illness is lower in these individuals.
- Where there were less than 1000 new cases in the province daily in early fall, with some days as low as 250, cases began to rise exponentially in December and January; Last week daily cases ranged from 13362 to 9706 over a five-day period.
- On December 31, the Province issued guidance related to testing and isolation; PCR tests are now being utilized for the health care sector and different vulnerable populations; Individuals with symptoms consistent with COVID-19 are now presumed positive and need to follow public health isolation and self-monitoring guidelines.
- Isolation for vaccinated individuals and children under 12 is now five days following onset of symptoms; These people can end isolation after five days if their symptoms are improving for at least 24 hours.
- Unvaccinated individuals, partially vaccinated individuals, or immunocompromised individuals must isolate for 10 days; Those that work or live in high risks settings must also isolate for 10 days.
- On January 3, the Province announced it was temporarily moving to Modified Step 2 of the Roadmap to Reopen, which includes:

  - Reduce indoor gatherings to 5 and outdoor gatherings to 10; Reduce outdoor organized activities to 10 people.
  - Limited capacity at weddings, funerals, and religious services.
  - Retail 50% capacity; Personal Care 50% capacity; Libraries 50% capacity.
  - Indoor dining closed.
  - Sport and recreation facilities closed, with exceptions for some high-level athletes.
  - Schools – remote learning from January 5th to January 17th.
  - Emergency Childcare for some workers.
  - These measures will continue until at least January 27th.
- The City of Windsor's Community Control Group continues to meet weekly.
- The greatest risk to the City currently is staffing, with all areas having plans in place for the worst case scenario.
- If the City experiences an emergency with staff in critical areas, they will work with WECHU to explore priority testing and/or alternative isolation requirements.
- All areas are monitoring staffing and no critical shortages are reported at this time; Absenteeism rates vary; Some departments are seeing 5% while others are seeing 10% or more; Where possible staff are working form home; Recreation services have been amended and the City is following the latest guidance of the Province; Given the high rate of transmissibility, staffing challenges can arise quickly.
- Only some staff are now eligible for PCR testing and all others must assume they are positive if symptomatic; they have lost some situational awareness due to limited PCR testing.
- Capacity levels at hospitals fluctuates and the biggest threat to healthcare is staffing; the Province has put a pause on some medical procedures and services.
- The City continues to support the vaccination effort.
  - They have redeployed a total of approximately 130 workers to assist on the floor registration, customer support, and support of clinical staff; on a daily basis, they have about 50 City staff on site.
- City staff continue to operate the call center with WECHU and Windsor Regional Hospital staff; details of the call centre statistics are provided.
- As a result of the temporary return to Step 2 and the availability of Emergency Childcare, Social Services have processed over 800 applications in a one-week period.
- Social Services and Human Resources staff continue to respond to changes in guidelines and public health measures.
- The City is seeing an increase in the number of intakes at the Isolation and Recovery Centre (IRC), and monitoring and testing at shelters continues.
- Last week the number of guests at the IRC increased to over capacity, and it was determined that given the transmissibility of Omicron and the current rise in cases and the congregate settings that Temporary Foreign Workers live in, additional IRC capacity was urgently required; WECHU and partners determined an overall capacity of 350 to 400 rooms is required now and the City is working with its partners to secure contracts for a temporary second site.
- Key partners in the effort are recognized as well as City Staff.

Moved by: Councillor Kaschak
Seconded by: Councillor Morrison

Decision Number: CR21/2022
That the presentation by Stephen Laforet, Fire Chief, Community Engagement Management Coordinator – Windsor/Essex County, regarding the COVID-19 pandemic **BE RECEIVED** for information.
Carried.

Clerk's File: MH/13786

10.1. Windsor-Essex County Health Unit – Materials to Support Request for City Council Endorsement to Apply for & Establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street

Eric Nadalin, Director of Health Promotion, and Nicole Dupuis, Chief Executive Officer, Windsor-Essex County Health Unit

Eric Nadalin, Director of Health Promotion, and Nicole Dupuis, Chief Executive Officer, Windsor-Essex County Health Unit, appear before Council to make a presentation entitled "Windsor-Essex County Health Unit – Materials to Support Request for City Council Endorsement to Apply for & Establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street" and thank City Administration for their continued assistance and provide highlights related to this initiative as follows: definition and details related to CTS; a harm reduction strategy aimed at reducing the risks associated with substance use and preventing drug-related morbidities and mortalities; legally operated indoor sites where people come to use their own pre-obtained substances under safe conditions and with the supervision of medically trained workers; sites provide access to harm reduction education and supplies; benefits of CTS sites are provided; an overview of other Consumption & Treatment Services in Ontario, including details regarding client visits, overdoses, overdose/emergency department interactions, referrals to Health & Social Services, safety and security and community impacts; information related to Supervised Consumption Sites in Canada, including details regarding perceived concerns, study example, measures and findings; details related to why a CTS in needed in Windsor/Essex County and in the City's downtown core; statistics related to whether the community supports a local CTS, including the community consultation process; renderings of a potential site at 628 Goyeau Street are provided; and conclude by providing next steps, including the request for the endorsement from City Council in the form of a resolution for a CTS site to be established at 628 Goyeau Street.

Joyce Zuk, Executive Director of Family Services Windsor Essex

Joyce Zuk, Executive Director of Family Services Windsor Essex, appears before Council regarding the presentation by the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street, and is available for questions.

Deputy Chief Jason Bellaire, Operations, Windsor Police Services

Deputy Chief Jason Bellaire, Operations, Windsor Police Services, appears before Council regarding the presentation by the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street, and is available for questions.

Robert Tomas, Solicitor; Daniela Maceroni, General Manager; Tom Tomas, Owner; and Tony Mujral, Owner representing Quality Inn and Suites at 675 Goyeau Street

Robert Tomas, Solicitor; Daniela Maceroni, General Manager; Tom Tomas, Owner; and Tony Mujral, Owner representing Quality Inn and Suites at 675 Goyeau Street, appear before Council regarding the presentation by the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and express concerns related to the potential CTS site which would negatively affect their business; concerns for the health and safety of their employees and guests; issues with theft and vandalism; and conclude by suggesting that the close proximity of the proposed site, visually, to the Windsor Detroit Tunnel exit may have a negative impact on the community and request that Council deny the proposed site.

Patrick Kolowicz, Director of Mental Health & Addictions of Hôtel-Dieu Grace Healthcare

Patrick Kolowicz, Director of Mental Health & Addictions of Hôtel-Dieu Grace Healthcare, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and concludes by providing details related to Hotel Dieu Grace Health care and addiction services, as well as details of the services provided outside of the hospital; and information related to the CTS evolution with a focus on treatment, which requires a comprehensive united community approach to address.

Bill Marra, President & CEO of Hôtel-Dieu Grace Healthcare

Bill Marra, President & CEO of Hôtel-Dieu Grace Healthcare, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and indicates that CTS is an important model with the location itself being as integral as the model of care; and concludes by providing details related to the request, which involves the need to establish an accessible environment and provide service to those facing challenges; and encourages Council to trust the detailed process that has taken place, which includes communication and extensive consultation, ensuring due diligence has occurred.

Michael Brennan, Executive Director of Pozitive Pathways Community Services

Michael Brennan, Executive Director of Pozitive Pathways Community Services, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council

endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and provides historical information related to his organization and their role in the community, including providing outreach and education to vulnerable populations and mitigating risks through harm reduction strategies; and concludes by suggesting that approval of the proposed CTS Site will provide for an accessible location which includes medical and social services which allows for a centered response to substance use.

Shawn Rumble, Addictions Support Worker Coordinator of Windsor-Essex Community Health Care

Shawn Rumble, Addictions Support Worker Coordinator of Windsor-Essex Community Health Care, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and provides a brief outline of his organization and their services; and concludes by suggesting that this site would provide a safe space for individuals struggling with substance use and addiction.

Rita Taillefer, RN MN, Executive Director of Windsor-Essex Community Health Care

Rita Taillefer, RN MN, Executive Director of Windsor-Essex Community Health Care, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and provides a brief overview of the operations of the CTS, including hours of operation; wrap around care onsite, including medical providers (NP, RN and/or RPN), harm reduction workers, addiction support workers, case managers, and security; drop in services related to ID/housing/income support/mental health and addictions/Hepatitis C; and concludes by providing details related to the Proposed Consumption and Treatment Site operations a client's journey.

Bob Cameron, Co-Director of Downtown Windsor Community Collaborative

Bob Cameron, Co-Director of Downtown Windsor Community Collaborative, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and indicates that there are concerns about increased drug use in the downtown neighbourhoods, and there have been discussions both for and against this type of treatment facility; and concludes by suggesting that providing a safe consumption site offers the residents another tool to address issues in the neighbourhood and is satisfied that this is a good option, a safe place for harm reduction, and an opportunity for change and restoration to health for the vulnerable population.

Kristen Stockford, Pastoral Support, Downtown Windsor Community Collaborative; Program Coordinator with REACT Windsor Essex

Kristen Stockford, Pastoral Support, Downtown Windsor Community Collaborative; Program Coordinator with REACT Windsor Essex, appears before Council in support of the Windsor Essex

County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and provides details of assistance that she received related to addiction; and concludes by suggesting a reactionary approach is harmful and creating a safe environment is key to the well-being for many in need.

Lindsey Sodtke, CTS Supervisor of Guelph Community Health Centre

Lindsey Sodtke, CTS Supervisor of Guelph Community Health Centre, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and provides a brief overview of the CTS site in Guelph and the process, including extensive consultation with the community, and concludes by providing details related to the facility and its proactive approach to the daily operation of the facility.

Bruce Krauter, Chief of Essex-Windsor EMS

Bruce Krauter, Chief of Essex-Windsor EMS, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and provides statistics related to responses by Essex-Windsor EMS to the downtown area related to opioid and substance overdoses; and concludes by suggesting that establishing this site should reduce the responses related to these types of calls.

Antoine Greige, Downtown Windsor Business Owner

Antoine Greige, Downtown Windsor Business Owner, appears before Council and expresses concern with the request by the Windsor Essex County Health Unit for their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street; and concludes by suggesting the current issues related to crime, garbage and public safety will increase should the request be approved and that a CTS facility at this location will negatively impact his business as well as all downtown businesses as well as the image portrayed to visitors using the Windsor Detroit Tunnel.

Dr. Robert McKay, methadone prescriber in the City of Windsor, Windsor Regional Hospital inpatient consultation services for addiction patients including withdrawal management

Dr. Robert McKay, methadone prescriber in the City of Windsor, Windsor Regional Hospital inpatient consultation services for addiction patients including withdrawal management, appears before Council in support of the Windsor Essex County Health Unit and their request for City Council endorsement to apply for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and concludes by suggesting this site would be an asset to the health care system and would assist the people with an opioid and IV drug dependency.

Mandeep Johar, Property Owner at 618 Goyeau

Mandeep Johar, property owner at 618 Goyeau, appears before Council and expresses concern with the request by the Windsor Essex County Health Unit for City Council endorsement to apply

for and establish a Consumption and Treatment Services (CTS) Site at 628 Goyeau Street and provides details related to her concerns and how they will affect her tenants and occupancy of her property; and concludes by indicating that she was not notified of this location being a potential CTS site; acknowledging it would be an important service for the community but have concerns as they were not involved in the process and not in favour of the potential location being next door to their property.

Mayor Dilkens leaves the meeting at 4:42 o'clock p.m. and Councillor Costante assumes the Chair.

Mayor Dilkens returns to the meeting at 6:00 o'clock p.m. via telephone with Councillor Costante chairing the meeting for the duration of the meeting.

Moved by: Councillor Bortolin
Seconded by: Councillor McKenzie

Decision Number: CR22/2022
Whereas, opioid-related morbidity and mortality have been increasing steadily in Windsor-Essex County over the past several years and are currently at the highest levels ever recorded in the region, and,

Whereas, the onset of the COVID-19 pandemic in Ontario in March 2020 have contributed to substantial increases in opioid-related ED visits, opioid and drug overdose-related Emergency Medical Services (EMS) calls, hospitalizations, and deaths, and,

Whereas, the majority of opioid and drug overdose cases that present in the emergency department resided in downtown Windsor, and,

Whereas, Consumption and Treatment Services (CTS) sites have been established across the province to address opioid overdose and opioid related mortality, and,

Whereas, the Windsor-Essex County Health Unit has completed a feasibility study indicating community support for a CTS, and,

Whereas, the Windsor-Essex County Health Unit has established a Stakeholder Advisory Committee for the creation of a CTS in the downtown core of the City of Windsor, and,

Whereas, the WECHU, in collaboration with partners involved in the WECOSS and the CTS Stakeholder Advisory Committee, has completed a series of comprehensive community consultations (2018-2021) that supported the local feasibility, need, and site-selection for establishing a local CTS site at 628 Goyeau Street in the City of Windsor, and,

Whereas, the WECHU has obtained a local Board of Health resolution in support of proceeding with the federal and provincial application processes for establishing a CTS site at the location of 628 Goyeau Street, and,

Whereas, the application for a CTS to the provincial government requires the WECHU obtain and submit local municipal council support (i.e. council resolution) endorsing the CTS site at 628 Goyeau Street in the City of Windsor,

Now Therefore Be It Resolved that the City of Windsor Council **SUPPORT** the WECHU's applications to the Ontario Ministry of Health and Health Canada to operate a Consumption and Treatment Services site at the location of 628 Goyeau Street in the City of Windsor through a council resolution, and,

Be It Further Resolved that the City of Windsor Council **SUPPORT** the WECHU in establishing a CTS site at 628 Goyeau Street in the City of Windsor post-approval from the provincial and federal governments.
Carried.

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

Aye votes: Councillors Costante, Bortolin, Holt, Kaschak, McKenzie, and Morrison.
Nay votes: Councillors Francis, Sleiman, Gignac, Gill, and Mayor Dilkens.
Abstain: None.
Absent: None.

Clerk's File: MH/14274

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None.

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 Francis
Seconded by: Councillor Bortolin

Decision Number: CR23/2022
That the report of the In Camera meeting held January 17, 2022 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2022

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Bortolin
Seconded by: Councillor Morrison

That the following By-laws No. 1-2022 through 28-2022 (inclusive) be introduced and read a first and second time:

1-2022 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS CABANA ROAD WEST, IN THE CITY OF WINDSOR authorized by CR76/2011 dated February 28, 2011.

2-2022 A BY-LAW TO ADOPT AMENDMENT NO. 148 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR authorized by CR356/2021 dated July 26, 2021.

3-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR356/2021 dated July 26, 2021.

4-2022 A BY-LAW TO ADOPT AMENDMENT NO. 153 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR authorized by CR490/2021 dated November 1, 2021.

5-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR490/2021 dated November 1, 2021.

6-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR489/2021 dated November 1, 2021.

7-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN MARENTETTE AVENUE AND ELSMERE AVENUE, SOUTH OF LENS AVENUE, AND NORTH OF VIMY AVENUE, CITY OF WINDSOR authorized by CR613/2020 dated December 7, 2020.

8-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN MARENTETTE AVENUE AND ELSMERE AVENUE, SOUTH OF LENS AVENUE, AND NORTH OF VIMY AVENUE, CITY OF WINDSOR authorized by CR613/2020 dated December 7, 2020.

9-2022 A BY-LAW TO CLOSE, STOP UP AND RETAIN THAT PORTION OF THE RIGHT-OF-WAY LOCATED SOUTH OF HAVENS DRIVE, EAST OF HOWARD AVENUE, DESIGNATED AS PART 2 ON PLAN 12R28535, CITY OF WINDSOR authorized by CR21/2020 dated January 6, 2020.

10-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THAT PORTION OF THE RIGHT-OF-WAY LOCATED SOUTH OF HAVENS DRIVE, EAST OF HOWARD AVENUE, DESIGNATED AS PART 1 ON PLAN 12R28535, CITY OF WINDSOR authorized by CR21/2020 dated January 6, 2020.

11-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 3.05 METRE WIDE EAST/WEST ALLEY LOCATED SOUTH OF WYANDOTTE AVENUE, ABUTTING 814 JOS JANISSE AVENUE, CITY OF WINDSOR authorized by CR428/2021 dated October 4, 2021.

12-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.05 METRE WIDE EAST/WEST ALLEY LOCATED SOUTH OF WYANDOTTE AVENUE, ABUTTING 814 JOS JANISSE AVENUE, CITY OF WINDSOR authorized by CR428/2021 dated October 4, 2021.

13-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.88 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN 3930 & 3970 SEMINOLE STREET, CITY OF WINDSOR authorized by CR205/2021 dated May 3, 2021.

14-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.88 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN 3930 & 3970 SEMINOLE STREET, CITY OF WINDSOR authorized by CR205-2021 dated May 3, 2021.

15-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 3.66 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN TECUMSEH ROAD WEST AND LEDUC STREET, EAST OF CAMPBELL AVENUE, CITY OF WINDSOR authorized by CR612/2020 dated December 7, 2020.

16-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.66 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN TECUMSEH ROAD WEST AND LEDUC STREET, EAST OF CAMPBELL AVENUE, CITY OF WINDSOR authorized by CR612/2020 dated December 7, 2020.

17-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.33 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN 0 WYANDOTTE STREET EAST AND 4620 WYANDOTTE STREET EAST, NORTH OF WYANDOTTE STREET EAST, CITY OF WINDSOR authorized by CR362/2021 dated July 26, 2021.

18-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.33 METRE WIDE NORTH/SOUTH ALLEY LOCATED BETWEEN 0 WYANDOTTE STREET EAST AND 4620 WYANDOTTE STREET EAST, NORTH OF WYANDOTTE STREET EAST, CITY OF WINDSOR authorized by CR362/2021 dated July 26, 2021.

19-2022 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.88 METRE WIDE NORTH/SOUTH ALLEY LOCATED EAST OF MARENTETTE AVENUE, ABUTTING THE WEST SIDE OF 840 WYANDOTTE STREET EAST, FROM WYANDOTTE STREET EAST TO BRANT STREET, CITY OF WINDSOR authorized by CR611/2020 dated December 7, 2020.

20-2022 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.88 METRE WIDE NORTH/SOUTH ALLEY LOCATED EAST OF MARENTETTE AVENUE, ABUTTING THE WEST SIDE OF 840 WYANDOTTE STREET EAST, FROM WYANDOTTE STREET EAST TO BRANT STREET, CITY OF WINDSOR authorized by CR611/2020 dated December 7, 2020.

21-2022 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 By-law 98-2011 s.27.1(l) dated June 7, 2011.

22-2022 A BY-LAW TO AMEND INTERIM CONTROL BY-LAW 103-2020 SO THAT THE PROVISIONS OF BY-LAW 103-2020 SHALL NOT APPLY TO CERTAIN LANDS authorized by CR554/2021 (see S 122/2021 & AI 18/2021) dated December 20, 2021.

23-2022 A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS authorized by B27/2021 (see C 181/2021) dated December 13, 2021.

24-2022 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 B27/2021 (see C 181/2021) dated December 13, 2021.

25-2022 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 B27/2021 (see C 181/2021) dated December 13, 2021.

26-2022 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 B36/2021 (see 177/2021) dated December 13, 2021.

27-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 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 B46/2021 dated December 13, 2021.

28-2022 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 17th DAY OF JANUARY, 2022.
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Francis
Seconded by: Councillor Bortolin

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 Kaschak
Seconded by: Councillor Bortolin

Decision Number: CR24/2022
That City Council **ADVOCATE** and **PROVIDE** written correspondence to the Honourable Doug Ford, Premier of Ontario to take the necessary steps to work with the Federal Government on a bi-lateral agreement to ensure the National Childcare Program be made available to Windsor families and Ontarians as soon as possible.
Carried.

Clerk's File: GP2022

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Sleiman
Seconded by: Councillor Gill

That the By-laws No. 1-2022 through 28-2022 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 Bortolin
Seconded by: Councillor Kaschak

Decision Number: CR25/2022
That the petition presented by Councillor Kaschak on behalf of the residents of Pillette Road requesting a three-way stop at Pillette Road and Grand Marais Road **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Commissioner, Infrastructure Services for the purpose of an examination of the requested works or undertakings.
Carried.

Clerk's File: ST2022

18. QUESTION PERIOD

18.3. CQ 1-2022

Moved by: Councillor Gill
Seconded by: Councillor Kaschak

Decision Number: CR26/2022
That the following Council Question by Councillor Gignac **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 1-2022:
Assigned to City Engineer:

Asks Public Works if adjustment to snow incident response would be more effective if salting of residential streets at least once to prevent ice forming. Intention is not to increase budget to include additional salting but perhaps redirecting multiple salting of arterials to direct 1 to residential streets.
Carried.

Clerk's File: SW2022

21. ADJOURNMENT

Moved by: Councillor Gill
Seconded by: Councillor Sleiman

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.
Carried.

Accordingly, the meeting is adjourned at 6:37 o'clock p.m.

Mayor City Clerk

SPECIAL MEETING OF COUNCIL – IN CAMERA
January 17, 2022

Members participating via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency.

Meeting called to order at: 11:01 a.m.

Members in Attendance:

Mayor D. Dilkens
Councillor F. Francis
Councillor F. Costante
Councillor R. Bortolin
Councillor G. Kaschak
Councillor J. Gignac
Councillor K. McKenzie
Councillor J. Morrison
Councillor E. Sleiman
Councillor J. Gill
Councillor C. Holt

Also in attendance:

J. Reynar, Chief Administrative Officer
J. Payne, Commissioner, Human and Health Services
C. Nepsy, Commissioner, Infrastructure Services
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer
S. Askin-Hager, Commissioner, Legal and Legislative Services
R. Mensour, Commissioner, Community Services
S. Vlachodimos, City Clerk
W. Vendrasco, Deputy City Solicitor-Legal and Real Estate (Item 4)
J. Guthrie, Deputy Treasurer Taxation (Item 5)
M. Vujanovic, Senior Economic Development Officer (Item 6)
D. Paladino, Deputy City Solicitor, Purchasing, Risk Management (Item 1)

Verbal Motion is presented by Councillor Gill, seconded by Councillor Kaschak, 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**	**239(2)(a)(f)(i)**
2.	**Legal/property matter – lease amendment**	**239(2)(f)(c)**
3.	**Property matter – acquisition of land**	**239(2)(c)**
4.	**Property matter – disposition of land/plan**	**239(2)(c)(k)**
5.	**Legal matter – litigation**	**239(2)(e)**
6.	**Property matter – lease**	**239(2)(c)**

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 1, 2, 3, 4, 5 and 6)

Meeting recesses at 11:55 o'clock a.m.
Meeting reconvenes in open session at 1:00 o'clock p.m.

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

****SEE NOTE BELOW**
Moved by Councillor Francis, seconded by Councillor McKenzie,

THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held January 17, 2022, directly to Council for consideration at the next Regular Meeting.

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

2. That the recommendation contained in the in-camera report from the Lease Administrator, Manager of Real Estate Services, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a legal/property matter – lease amendment **BE APPROVED**.

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

4. That the recommendation contained in the in-camera report from the Deputy City Solicitor – Legal and Real Estate and Commissioner, Legal and Legislative Services respecting a property matter – disposition of land/plan **BE APPROVED**, and further that Administration **BE DIRECTED** to proceed in accordance with the verbal direction of Council.

5. That the recommendation contained in the in-camera report from the Deputy Treasurer Taxation and Financial Projects, Commissioner, Corporate Services CFO/City Treasurer and Commissioner, Legal and Legislative Services respecting a legal matter - litigation **BE APPROVED**.

6. That the recommendation contained in the in-camera report from the Chief Administrative Officer respecting a property matter - lease **BE APPROVED**.

Motion Carried.

Moved by Councillor Bortolin, seconded by Councillor Morrison,
That the special meeting of council held January 17, 2022 BE ADJOURNED.
(Time: 1:01 p.m.)
Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on January 17, 2022.**

THE CITY OF WINDSOR ONTARIO, CANADA

Correspondence Report: CMC 2/2022

ATTACHMENTS

Subject: Correspondence for January 31, 2022

No.	Sender	Subject
7.1.1.	Member of Parliament (MP) – Windsor West	Letter regarding the death of a temporary foreign migrant worker in the Windsor-Essex region Commissioner, Human & Health Services Fire Chief MH/13786 Note & File
7.1.2.	Ontario Land Tribunal	M. Cardial v. City of Windsor case heard in writing. Decision delivered by Jatinder Bhullar on January 18, 2022, Case No. PL200646 Commissioner, Legal & Legislative Services Deputy City Solicitor Senior Legal Counsel Development Applications Clerk Z2022 Note & File
7.1.3.	Town of Tecumseh	Notice of the passing of a zoning by-law amendment, By-law 2022-01, by the Corporation of the Town of Tecumseh under Section 34 of the *Planning Act, R.S.O. 1990* Chief Building Official City Planner Deputy City Solicitor Development Applications Clerk ZB2022 Note & File

No.	Sender	Subject
7.1.4.	Town of Caledon AND Town of Mono	Letter regarding the delays being experienced with Provincial Offences Act cases Commissioner, Legal & Legislative Services Deputy City Solicitor – Purchasing, Risk Management, and Provincial Offences GP2022 Note & File
7.1.5.	Town of Aurora	Letter requesting the dissolution of the Ontario Land Tribunal (OLT) Commissioner, Legal & Legislative Services City Planner Deputy City Solicitor Development Applications Clerk Z2022 Note & File
7.1.6.	County of Essex	Letter of support for the City of Windsor Resolution regarding Integrated Management Plan for Plastic Commissioner, Infrastructure Services Manager, Environmental Services Supervisor, Environmental Sustainability & Climate Change MB2022 Note & File
7.1.7.	Enbridge Gas Inc.	Letter of support for the City of Windsor's economic development goals – 'Windsor Works' Commissioner, Corporate Services/ Chief Financial Officer/City Treasurer Senior Manager, Asset Planning MU2022 Note & File

No.	Sender	Subject
7.1.8.	Ministry of the Environment, Conservation and Parks	Letter regarding Regulatory and Policy Proposals under the Conservation Authorities Act Commissioner, Infrastructure Services Commissioner, Legal & Legislative Services City Planner Deputy City Solicitor Senior Manager, Pollution Control/ Deputy City Engineer Supervisor, Environmental Sustainability & Climate Change GP2022 Note & File
7.1.9.	Town of LaSalle	Notice of Meeting to Consider the Engineer's Report regarding Cahill Drain Commissioner, Infrastructure Services Senior Manager, Pollution Control/ Deputy City Engineer Engineer III GM2022 Note & File

Brian Masse
Member of Parliament
(Windsor West)

HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

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January 21, 2022

The Honourable Jean-Yves Duclos, MP
Minister of Health
House of Commons
Ottawa, ON K1A 0A6

The Honourable Carla Qualtrough, MP
Minister of Employment, Workforce Development and Disability Inclusion
House of Commons
Ottawa, ON K1A 0A6

Dear Ministers,

I am writing today to you both about another death of a temporary foreign migrant worker in the Windsor-Essex region.

The male worker, from Jamaica, arrived in Canada earlier this month to work at a greenhouse and faming business in the Kingsville and Leamington area. He was not tested at the airport upon arrival. At the farm he took a rapid antigen test and had a positive result. A subsequent polymerase chain reaction (PCR) test confirmed that the man had COVID-19. Supposedly, the employer immediately quarantined the man at a local hotel. But on Monday, he was found deceased in his room. An investigation is underway into his death.

As we are now in the Omicron wave of the COVID pandemic, the need for services and facilities that were essential in previous waves continue. Migrant farm workers are integral and essential for Canada's food supply. Approximately 20,000 migrant workers come to Ontario each year to work on farms and in greenhouses - many of them from Mexico, Guatemala, and the Caribbean. The COVID-19 pandemic has had a significant impact on migrant farm workers with outbreaks occurring on several farms in the Essex region. During the earlier part of the public health

emergency two workers passed away, 31-year-old Bonifacio Eugenio Romero died on May 30, 2020, and 24-year-old Rogelio Muñoz Santos died on June 5, 2020.

On June 17, 2020, in the House of Commons, I asked you Minister Qualtrough, the following:

"…When the minister signed access into our country, the issues around migrant workers, and the way they're treated in our country, are well documented by Migrant Workers Alliance and others for decades. When the minister signed them coming into this country, and the conditions of COVID-19, she signed their death warrant. What does the minister have to say about the fact they knew about these issues, and they did nothing about protecting the workers before they came into Canada?"

You responded with the following:

"…the temporary foreign worker program is in need of an overhaul, and we are working to make sure workers' rights are protected. We are working with employers, we are working with farmers, we are working with foreign government(s)…… We know that system is broken, and we are working hard to fix it."

Accordingly, with yet another death of a temporary foreign worker, alone, isolated, and away from their family, what have you done in the almost two years you had to address this so another tragedy would not take place. From the initial facts available it seems nothing has changed. Workers are still at significant risk. What are you going to do now to prevent other families from suffering the loss of their loved ones?

Furthermore, the migrant worker isolation centre to help combat COVID 19 is a fundamental public health measure and is part of the strategy to the pandemic. The Federal government had been paying the Canadian Red Cross, to manage the Migrant Farm Workers Isolation Centre in Windsor-Essex, with the provincial government providing support and coordination, however the funding arrangement with the Red Cross expired on September 30, 2020. The City of Windsor has taken over its operation since then, demonstrating local leadership, with the federal government continuing to fund this centre since it is their responsibility.

There have been multiple new outbreaks, in approximately 16 bunkhouses with an average of 22 people per bunkhouse. More assistance is needed immediately. Additionally, while PHAC said funds allocated can only be used until March 31, the need for the facility will exist past this date.

I support the City of Windsor's request for secure federal funding to meet the present needs and a federal commitment to fund its operation past March 31st. Furthermore, an application process for funding through the SVIS program to continue to operate the isolation centre needs to be initiated immediately.

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

Sincerely,

Brian Masse MP

Windsor West

NDP Innovation, International Trade, Economic Development, and Great Lakes Critic

cc: Mayor Dilkens, City of Windsor

Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: January 18, 2022 **CASE NO(S).:** PL200646

PROCEEDING COMMENCED UNDER subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Michael Cardinal
Applicant:	Wadah Al-Yassiri
Subject:	Minor Variance
Variance from By-law No.:	8600
Property Address/Description:	2400 Riverside Drive West
Municipality:	City of Windsor
Municipal File No.:	A-039/20
OLT Case No.:	PL200646
OLT File No.:	PL200646
OLT Case Name:	Cardinal v. Windsor (City)

Heard: Heard in writing

APPEARANCES:

Parties	**Counsel**
Michael Cardinal	Jeffrey J. Hewitt
City of Windsor	Patrick T. Brode

DECISION DELIVERED JATINDER BHULLAR AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] Michael Cardinal ("Cardinal"/"Appellant") brings a motion for an award of costs in favor of himself on a substantial indemnity basis pursuant to Tribunal's Rule 23 in the amount of $6,282.70 inclusive of HST and cost of their motion, payable by the City of Windsor (the "City") pursuant to s. 20 of the *Ontario Land Tribunal Act.* The request for

costs arises from the Tribunal's decision in this matter dated August 8, 2021 granting Cardinal appeal against the City.

[2] In this proceeding, the City has dual status. The City is an Applicant and also carries the role of defending the approval authority, the COA. The City decided to not attend the hearing in either capacity.

[3] The materials before the Tribunal on this Motion are the following:

a. Cardinal Motion Record dated August 9, 2021, including the Affidavit of Michael Cardinal, sworn on August 6, 2021;

b. The City's response to Cardinal's Motion dated September 1, 2021; and

c. Cardinal's reply to City's Response dated September 13, 2021.

[4] The Tribunal's Rule 23.9 states that the Tribunal may only order costs against a party if the conduct or course of conduct of a party has been unreasonable, frivolous, vexatious or if the party has acted in bad faith. Rule 23.9 also sets out some circumstances where a costs order may be made.

CARDINAL GROUNDS FOR THE MOTION

[5] Specifically, Cardinal alleges that based on City's actions leading up to the hearing and as outlined in the Motion record; the City and/or its representatives were unreasonable and demonstrated bad faith. These submissions are based on the Affidavit of Michael Cardinal, sworn, August 6, 2021 and the submission states;

a. The Appellant submits that the City's conduct of the proceeding (by withdrawing and by not consenting to an order) is the very definition of "unreasonable".

b. The Appellant further submits that, by proceeding in this fashion and considering the facts stated above, the City has acted in bad faith.

c. The Appellant further submits that, by proceeding in this fashion and considering the facts stated above, the City has abused the planning process, in particular the appeal process before this Tribunal.

d. Lastly, the Appellant submits that the conduct of the City creates a variation of the "chilling effect", whereby normally a private citizen is potentially discouraged from engaging the planning appeals process for fear of a cost award against him or her. Here, the chilling effect arises from a situation wherein a party actually commences an appeal and is now faced with thousands of dollars in legal and planning expenses against a municipality who simply decided it was cheaper not to show up and lose, than participate and lose.

[6] Cardinal submits that as a result of (i) the City's refusal to consent to an order allowing the appeal, and (ii) the need for a hearing, the Appellant was put to significant, and unnecessary costs in the amount of $5,282.70 (inclusive of HST and disbursements), to obtain a decision that was, for all practical purposes, inevitable given the City's position.

[7] Cardinal further contends that pursuant to Rule 23.09, this is a situation that is unreasonable and demonstrates bad faith. Accordingly, he should also be awarded his costs of the appeal (and of this Motion, if successful).

[8] The specific relief sought by the Appellant is as follows;

a. An order for costs of the appeal in the amount of $5,282.70, inclusive of HST and disbursements;

b. If successful on this Motion, an order for costs of the motion in the amount

of $1,000; and,

c. Such further and other relief as counsel may request and the Tribunal may order.

CITY RESPONSE TO CARDINAL MOTION

[9] The City submits the following:

a. The Appellant initiated the proceedings to contest a decision of the Committee of Adjustment for the City of Windsor to grant a minor variance.

b. On April 21, 2021, two days after a notice of appointment for hearing was issued, counsel for the City of Windsor ("City") provided a letter to the Appellant Michael Cardinal ("Cardinal") that the City did not intend to appear at the above noted hearing.

c. This notice was sent more than a month prior to the commencement of the hearing on May 26, 2021.

d. The hearing was scheduled to commence on May 26, 2021 and would have proceeded at that time whether or not the City consented to an order. Five participant requests were granted for the hearing and Cardinal, his expert witness and another witness gave evidence.

[10] The City contends that as result the City acted appropriately as per Rule 23.9 when it carried out the following actions:

a. Advising Cardinal that it would not appear or present evidence at the hearing and further so advised the Tribunal; and

b. This notice was given in a timely manner long before the hearing.

FINDINGS

[11] In the Motion of Cardinal and the response by the City there is little dispute about the basic facts of the case. These are;

a. Notice of appointment for a hearing was issued by the Tribunal around April 19, 2021;

b. The hearing was set for May 26, 2021

c. The City informed the Tribunal and Cardinal on April 21, 2021 that it will not attend.

d. The parties confirm that Cardinal approached the City to consent for an order of the Tribunal to allow the appeal as the City was not making a case at the May 21, 2021 hearing.

[12] The Tribunal notes that it was not engaged in any discussions regarding the establishment of a possible consent between the parties or was requested to consider alternate approaches.

[13] For the Tribunal to consider any award of costs, it must determine if the following submitted by Cardinal is established in evidence before it:

- Unreasonable; and/or
- Bad faith

UNREASONABLE

[14] The City submits that the hearing would have to proceed regardless any consent

established between the parties as there were participants who have tabled their inputs for Tribunal's consideration. The City contends that consideration of participant inputs would have required the hearing to be conducted. Cardinal states that the participants were in support of their position and as such the success of the appeal was also their objective. Whereas Cardinal may be stating its view of the participant statements, such interpretation can only be provided due weight in Tribunal's considerations when witnesses with appropriate qualification review participant inputs. The Tribunal notes that it is not uncommon in review of participant inputs that other matters become of important consideration and review. The Tribunal finds that consideration of participant statements at the hearing would have been a necessity.

[15] The City states that they had no obligations to attend the hearing but only to inform the parties and the Tribunal in a timely fashion, which they did. The City further adds that Cardinal is attempting to extend the meaning of the term "unreasonable" under Rule 23 by inferring an obligation to consent. It is noted that Cardinal chose to select and focus on getting consent. The Tribunal notes that even matter of consents require due scrutiny at a hearing, albeit of more focussed and lesser magnitude. Any consented resolutions require appropriate sworn Affidavit(s) of experts, presentation of expert testimony and associated expert opinions to assist the Tribunal in making its determinations. It is also common for the counsel for consenting parties to attend at the hearing.

[16] The Tribunal finds that whereas a possible consented approach could have been beneficial to Cardinal it would have added costs to City's processing and participation in a hearing on consent. If the City chooses, as it did in this case, the Tribunal cannot impose upon the City to participate or make a case or encumber costs in so doing.

[17] The Tribunal thus finds that the City did not act unreasonably in their approach when they duly and on a timely basis informed the Tribunal and Cardinal that they will not attend at the hearing on May 21, 2021.

BAD FAITH

[18] Cardinal has identified alleged bad faith by the City to following areas as in the sworn Affidavit of Mr. Cardinal, sworn on August 6, 2021

a. Withdrawing and not consenting;

b. The City stating to the media that they will save tens of thousands of dollars by not attending;

c. The City spokesperson speaking to the media that they will get it done other ways anyway.

[19] The Tribunal notes that it has no authority to:

a. force an Applicant to appear or cause them to provide consent if they determine to not appear; or

b. force a City to defend a COA decision or to provide consent if it decides not to defend the decision of a COA.

[20] The Tribunal notes that media communication by City personnel while may have felt bad to Mr. Cardinal; is of little consideration for Tribunal determination in this matter.

[21] The Tribunal has already addressed the question of City's withdrawal and refusal to consent to the Appellant as part of the reasoning in determination of "unreasonable". The analogous reasons apply for consideration of alleged bad faith as stated and submitted by Mr. Cardinal. The Tribunal finds that the City did not act in bad faith when it informed about its non-participation at the hearing and refused to provide consent as sought by Cardinal.

[22] The Tribunal based on these reasons finds that Cardinal has failed to establish

bad faith as a basis for any consideration of an award of costs by the Tribunal.

[23] In conclusion, the Tribunal having considered all the evidence before it and submissions by the parties, finds that Cardinal has not established either of the alleged elements for the consideration of an award of costs; i.e. the City's conduct was unreasonable and/or in bad faith.

[24] **THE TRIBUNAL ORDERS** that the motion is denied, and no costs are awarded.

"Jatinder Bhullar"

JATINDER BHULLAR
MEMBER

Z J ()

Item No. 7.1.3.

FORM 1

THE *PLANNING ACT, R.S.O. 1990*

NOTICE OF THE PASSING OF A ZONING BY-LAW AMENDMENT BY

THE CORPORATION OF THE TOWN OF TECUMSEH

TAKE NOTICE that the Council of the Town of Tecumseh has passed By-law 2022-01 on the 11th day of January, 2022 under Section 34 of the *Planning Act,* R.S.O. *1990;*

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

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

AND TAKE NOTICE that to file an appeal to the Ontario Land Tribunal, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection must be filed with the Clerk of the Corporation of the Town of Tecumseh not later than the **1st day of February, 2022.**

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

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

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

https://olt.gov.on.ca/wp-contenUuploads/2021/06/OLT-Fee-Reduction-Request-Form-June-2021 EN.html

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

DATED at the Town of Tecumseh this 12th day of January, 2022.

Laura Moy, Clerk
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario
N8N 1W9

CITY OF WINDSOR
COUNCIL SERVICES

RECEIVED

EXPLANATORY NOTE

By-law No. 2022-01 is an amendment to Zoning By-law No. 1746 pertaining to a 2054.3 square metre (22,113 square foot) property situated on the west side of Chene Street, approximately 21 metres (68 feet) north of its intersection with Dillon Drive (165 Chene Street) (see Key Map below for location).

The by-law changes the zoning of the subject property by:

i) rezoning the northern 1185.7 square metre (12,763 square foot) portion of 165 Chene Street from "Residential Zone 3 (R3-3)" to a site-specific "Residential Zone 3 (R3-20)" in order to:
   a) remove the currently permitted use of an automobile body repair garage in accordance with Condition 5 of Consent Application B-13-21; and
   b) establish regulations that would permit up to 46.4 square metres (500 square feet) of the existing 230.6 square metre (2,485 square foot) detached accessory structure to be used for a limited range of commercial uses; and

ii) rezoning the southern 868.6 square metre (9,350 square foot) portion of 165 Chene Street from "Residential Zone 3 (R3-3)" to a revised "Residential Zone 3 (R3-3)" in order to:
   a) remove the currently permitted use of an automobile body repair garage in accordance with Condition 5 of Consent Application B-13-21; and
   b) establish a maximum lot coverage of 40% to facilitate the construction of one single-unit dwelling;

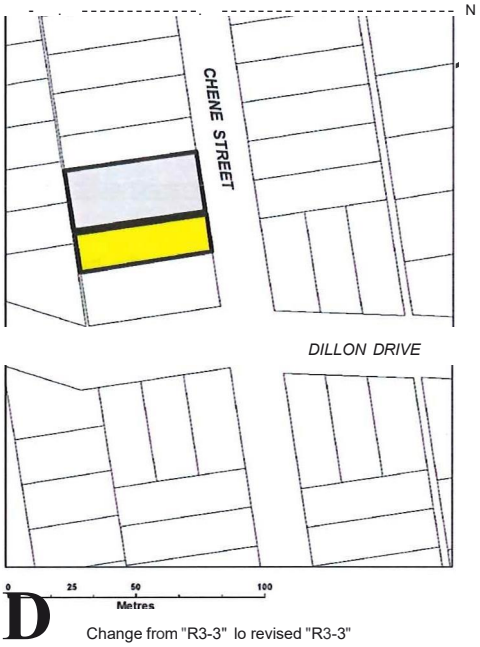
The subject property is also the subject of Consent Application B-13-21 which was approved by the Committee of Adjustment at its August 30, 2021 meeting thereby providing provisional consent to the creation of the aforementioned new residential lot.

Effect of Public Input on Council's -Decision

In accordance with the *Planning Act,* please note that the effect of public input on Council's decision on this application is described in report DS-2022-01, dated January 11, 2022.

A copy of this report is available for review at Town Hall or can be obtained by contacting the Town of Tecumseh Planning and Building Services Department at (519) 735-2184.

KEY MAP



From: Fred Simpson <fred.simpson@townofmono.com>
Subject: Letter to Attorney General, Addressing POA Court Backlog

Attached is a joint letter from the Mayor of the Town of Caledon and the Mayor of the Town of Mono to the Attorney General, regarding the unacceptable delays being experienced with Provincial Offences Act cases. The letter offers a series of recommendations on addressing these delays.

Fred Simpson
Clerk
Town of Mono
519.941.3599, 234

TOWN OF
MONO

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify fred.simpson@townofmono.com.

January 7, 2022

The Honourable Doug Downey, Attorney General
Ministry of the Attorney General
11th Floor, 720 Bay St.
Toronto, ON M7A 2S9

Dear Minister,

We, the Mayors of the Town of Caledon and the Town of Mono, respectfully submit this joint letter to provide you with our municipal perspectives, outline our unique challenges and frustrations, and also to propose solutions that would mitigate the serious issues facing our provincial offence comis in Dufferin and Caledon.

Municipal resources are being exhausted and pushed beyond capacity and the implications are profound. The info1mation we share below clearly indicates that the Caledon/Dufferin POA Comis are in a crisis. We are not alone in the Province nor are the problems described here solely attributable to COVID 19.

The critical challenges are:

Last minute cancellations due to a lack of judicial resources

This is resulting in a negative and compounding administrative impact to case management. As example, between September 10th and December 15th there were 3,038 docket lines cancelled and rescheduled. This one example equates to 26 closed court days.

A related frustration is that early resolution dockets are often cancelled, with the next available return date being in June pushing some matter 12 months before they are able to have an early resolution. Matters requesting trials are being scheduled up to 24+ months out.

Another troubling result of this issue is the capital and operating costs to run a court are essentially wasted when we are forced to reschedule due to lack of, or cancellation of, judicial resources. We have provided the comiroom and technology, the court clerks and prosecutors, and notified all the defendants, only to repeatedly cancel.

Reduction of Judicial availability for administrative functions such as swearing of informations, issuing of summons and review of applications

This is creating an enormous backlog and, in some cases, has resulted in the swearing of informations occuning *after* an appearance date causing inconvenience to defendants and the need to re-issue summonses with attendant multiple, unproductive court attendances.

Outlined below are some possible solutions that from our perspective would mitigate these issues.

- Assign Justices of the Peace to POA courts either in person or virtually. This should entail total mobility for all justices of_the peace regardless of region.

- There are currently over 80 per diem justices of the peace and they should be utilized to the fullest. Exemption from their presiding 'cap', something allowed for, should be considered to address backlog. Per diem justices of the peace willing to accept POA assignments would go a long way to addressing backlog.

- Allow e-Hub access for POA court matters immediately, for the swearing of informations and issuing of summons to start addressing the timeliness of judicial administrative functions and paperwork.

- Launch-early resolution, trial and paperwork blitzes to address backlog. Make judicial dependant paperwork a mandatory part of court assignments.

- Use your legislative authority as Attorney General to fast track°section 11 of the POA to proclaim the re-opening amendments and, amend the early resolution process in section *5* of the PA to permit the clerk of the court to enter convictions.

- Together with the Ontario Court of Justic_e, commit to convening a 'Justice Summit' on POA where al_l stakeholders can address the considerable issues facing our courts.

,

Minister,.it is not inconceivable that hundreds if not thousands of serious charges are at risk of being withdrawn either by prosecutors.or as the result of a court ruling on 11b of the Charter as it applies to old POA cases.

We are very willing to be part of the solution and welcome a further conversation with you or your staff on how we can work together. We look forward to your response.

Sincerely,

(7 / 4

OU

Mayor John Creelman
TownofMon0

Mayor Allan Thompson
Town of Caledon

Copy to:

The Honourable Sylvia Jones, MPP Dufferin Caledon

The Honourable Lise Maisonneuve, Chief Justice, Ontario Court of Justice

The Honourable Paul R. Cunie, Regional Senior Justice, Central West Judicial District

Her Worship Marsha Farnand, Regional Senior Justice of the Peace

From: Mrakas, Tom <TMrakas@aurora.ca>
Sent: Friday, January 21, 2022 12:17 PM
To: Holt, Chris <cholt@citywindsor.ca>; mayoro <mayoro@citywindsor.ca>; Sleiman, Ed <esleiman@citywindsor.ca>; Costante, Fabio <fcostante@citywindsor.ca>; Francis, Fred <ffrancis@citywindsor.ca>; Kaschak, Gary <gkaschak@citywindsor.ca>; Irek Kusmierczyk <irek@citywindsor.ca>; Morrison, Jim <jmorrison@citywindsor.ca>; Gignac, Jo-Anne (Councillor) <joagignac@citywindsor.ca>; Mckenzie, Kieran <kmckenzie@citywindsor.ca>; Bortolin, Rino <rbortolin@citywindsor.ca>
Subject: Dissolve the OLT (Ontario Land Tribunal)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day fellow elected official,

Successive provincial governments of all political stripes have failed to have due regard for municipal authority in local land use planning decisions. As a result, rather than approving much needed housing units, municipalities instead have spent decades mired in the red tape of costly, time consuming appeals hearings spending millions of taxpayer dollars defending Council decisions to uphold provincially approved Official Plans.

With delay upon delay, nothing gets built and the hope of developing the “missing middle” of housing looks at this stage, to be merely a pipe dream.

We are witnessing a crisis in attainable housing; a crisis fueled in part by a land use planning appeals process that supplants the rights of local municipalities to uphold their own provincially approved Official Plans with the power of an unelected, unaccountable third party – the OLT - to determine “good planning outcomes” for our communities.

If municipalities had the authority to enforce their provincially approved Official Plans, then thousands of units of housing could be built in York Region alone without any further delay.

To address the very real need for a diversity of attainable housing in communities across our province, we need to eliminate one of the key barriers to its realization – the Ontario Land Tribunal.

I have attached a Motion that I would respectfully ask you to put forward at your council.

This Motion requests the Government of Ontario to dissolve the OLT and recognize the authority of municipal councils in local land use planning decisions.

Please consider adding this Motion to your Council agendas. It is imperative that collectively our voices are heard. Local governments should have the authority to exercise greater control

over planning matters in their own communities. By working together, we can build a positive future for all Ontarians.

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

Whereas an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of (our) community"; and

Whereas our Official Plan includes zoning provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the (Your Municipality) *Official Plan; and*

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the (Your Municipality) *Official Plan; and*

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or "OMB"), an unelected, appointed body that is not accountable to the residents of (Your Municipality)*; and*

Whereas the OLT has the authority to make a final decision on planning matters based on a "best planning outcome" and not whether the proposed development is in compliance with municipal Official Plans and Provincial Planning Policy; and

Whereas all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process; and

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings; and

Whereas lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

1. Now Therefore Be It Hereby Resolved That (Your Municipality) requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and

2. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and

3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Regards,

Tom Mrakas
Mayor Town of Aurora
416-543-1624

Confidentiality Note: The information contained in this communication is confidential and is intended only for the use of the individual or entity to whom it is addressed. The contents of this communication may be subject to legal privilege, and all rights of that privilege are expressly claimed and not waived. This communication may also contain information exempt from disclosure under the *Municipal Freedom of Information and Protection of Privacy Act*. Any distribution, use or copying of this communication, or the information it contains, by anyone including the intended recipient, is unauthorized unless consent is received. If you have received this communication in error, please notify me immediately and destroy the communication without making a copy. Thank you.

Mary Birch
Director of Council and Community Services/Clerk
The Corporation of the County of Essex

January 26, 2022

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

VIA EMAIL – ministre-minister@ec.gc.ca

Dear Minister,

Re: County of Essex Support for City of Windsor Resolution RE Integrated Management Plan for Plastics

Essex County Council, at its Wednesday, December 15, 2021 meeting, unanimously adopted the following resolution:

> **263-2021**
> **Moved By** Richard Meloche
> **Seconded By** Aldo DiCarlo
>
> That Essex County Council support the City of Windsor Resolution regarding WECEC recommendations pertaining to single use plastics.
>
> **Carried**

Attached you will find City of Windsor Resolution CR501/2021 ETPS 847 for reference. Should you require any further information, please don't hesitate to contact me.

Sincerely yours,

Mary Birch

Mary Birch
Director of Council and Community Services/Clerk
Encl.

519-776-6441 ext. 1335
TTY 1-877-624-4832
360 Fairview Ave. W.
Suite # 202 Essex, ON N8M 1Y6
countyofessex.ca

CC:
Jennifer Nantais, WECEC Coordinator jnantais@citywindsor.ca
Karina Richters, Supervisor Environmental Sustainability and Climate Change
krichters@citywindsor.ca
Michelle Bishop, General Manager, Essex-Windsor Solid Waste Authority
Rebecca Belanger, Manager of Planning, County of Essex
Essex County Municipalities

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

City Council
Decision
Monday, November 1, 2021

Moved by: Councillor Sleiman
Seconded by: Councillor Gignac

Decision Number: CR501/2021 ETPS 847
That Report No. 111 of the Windsor Essex County Environment Committee (WECEC) of its meeting held June 24, 2021 indicating:

WHEREAS plastic pollution is recognized by the Government of Canada, as well as governments and scientists around the world, as damaging to the environment; and

WHEREAS Canada lacks a comprehensive and coordinated approach to addressing the growing problem of plastic pollution; and

WHEREAS global annual production of plastic products is expected to double in the next decade, to 800 million tonnes in 2030; and

WHEREAS some 40 per cent of plastic production generates “single-use” items that are used once and thrown away, which runs counter to the principles of a circular economy; and

WHEREAS the majority of plastics produced are not currently suitable for reuse or recycling and some 8,000 tonnes of Canadian plastic waste end up in landfills, incinerators or the natural environment every day; and

WHEREAS municipalities are in the position of managing the end of life of products that are not adequately managed by the producers that put them on the market; and

WHEREAS investing in the circular economy creates jobs;

THEREFORE BE IT RESOLVED that the City of Windsor:

1. Endorse the integrated management plan for plastics proposed by the federal government, which includes:

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

a. Adding plastic manufactured items as a toxic substance to Schedule 1 of the *Canadian Environmental Protection Act (*CEPA)
b. Banning six single-use items: checkout bags, stir sticks, six-pack rings, cutlery, certain takeout containers and straws
c. Establishing a minimum requirement for recycled plastic content in new plastic products.

2. Ask the federal government to implement this important management plan as soon as possible and, in any case, no later than the end of the year.

3. Urge the federal government to establish a registry that publicly reports on:
   a. Descriptions of the plastic manufactured items put on the market each year in Canada
   b. A list of chemicals found in each product
   c. The amount of plastic that enters the waste stream in Canada each year, broken down by how and where the waste is processed (e.g. landfill, incineration/waste-to-energy, recycling, domestic vs. export)

4. Further urge the government to establish a framework for the adoption of Extended Producer Responsibility regulation across the country to ensure producers are responsible for the full lifecycle of the products they put on the market in Canada;

5. Further urge the federal government to set a national recycling target for plastic products;

6. Further urge the federal government to work with municipalities to explore, with a view to investing in, reuse systems to replace single-use plastic products; and,

7. That the County of Essex BE REQUESTED to consider adopting the resolution as outlined above.

BE APPROVED.
Carried.

Report Number: SCM 302/2021, SCM 268/2021, & AI 15/2021
Clerk's File: MB2021 8.17

Anna Ciacelli
Deputy City Clerk
November 12, 2021

Enbridge Gas Inc.
109 Commissioners Road West
London, ON N6J 1X7

January 26, 2022

City of Windsor
Mayor Drew Dilkens
350 City Hall Square West,
Windsor, Ontario N9A 6S1

RE: Supporting the City of Windsor's economic development goals – 'Windsor Works'

Dear Mayor Dilkens and Members of City Council,

Enbridge Gas commends the City of Windsor on the development of its Windsor Works Plan. As an energy utility, we continually aim to meet the economic development needs of Municipalities across Ontario. Through the Windsor Works Plan, we recognize two key components featured in the L.I.F.T. Strategy–Infrastructure and Future Economy–where we can greatly support the city's economic development goals.

To that end, Enbridge Gas is currently advancing plans to expand our energy capacity in Windsor and Essex County to meet the city's current and future needs.

Our proposed Panhandle Regional Expansion Project, subject to Ontario Energy Board approval, is an investment of over $200 million dollars that will increase access to affordable and reliable energy in Windsor, which is critical as the city grows and diversifies its economy.

Panhandle Regional Expansion is an investment in the future of Windsor and Essex County.

Not only will the project ensure that Enbridge Gas continues to meet the ongoing needs of longstanding businesses and industries in Windsor, it's also critical for attracting future developments by guaranteeing increased access to energy for all sectors of the local economy – including the power generation, industrial, commercial, residential, and greenhouse sectors.

While increasing our energy capacity in the local area, Enbridge Gas is also leading the transition to a greener energy future for Ontario.

On Nov. 6, 2020, Enbridge announced a plan to reach net-zero emissions in its operations by 2050, and a 35 percent reduction in greenhouse gas emissions intensity by 2030. In addition to reducing the carbon footprint of our own operations, Enbridge Gas is focused on helping Ontario communities meet their carbon reduction goals, while keeping energy affordable and reliable for energy consumers.

We are doing so by advancing energy conservation, carbon neutral fuels like renewable natural gas and renewable hydrogen, and innovative and collaborative energy solutions such as geothermal and thermal heat pumps, solar photovoltaic (PV) technology, wastewater energy transfer, compressed natural gas for vehicles, and carbon capture for large industries, with

Enbridge Gas Inc.
109 Commissioners Road West
London, ON N6J 1X7

municipalities and other stakeholders. More information is available at enbridgegas.com/environment.

Enbridge Gas has a longstanding positive relationship with the City of Windsor, and we look forward to continuing to support the city's economic development goals.

Sincerely,

Steven Jelich
Director, Southwest Region Operations
Enbridge Gas Inc.
Steven.Jelich@enbridge.com

From: ca.office (MECP) <ca.office@ontario.ca>
Sent: Wednesday, January 26, 2022 11:42 AM
Subject: Regulatory and Policy Proposals under the Conservation Authorities Act – Ministry of the Environment, Conservation and Parks

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ministry of the Environment, Conservation and Parks
Conservation and Source Protection Branch
14th Floor
40 St. Clair Ave. West
Toronto ON M4V 1M2

Ministère de l'Environnement, de la Protection de la nature et des Parcs
Direction de la protection de la nature et des sources
14e étage
40, avenue St. Clair Ouest
Toronto (Ontario) M4V 1M2

Ontario

Our government is committed to ensuring that conservation authorities are focused on helping protect people and property from natural hazards, the conservation and management of conservation authority-owned lands, and their roles in drinking water source protection.

To implement recent changes made to the *Conservation Authorities Act* (CAA), three new regulations were filed on October 1, 2021 as part of the first phase of regulations. These regulations set out details of the new framework for programs and services that support the core mandate of conservation authorities and consolidated the 'conservation area' regulations.

Building on that progress and to support a smooth transition by conservation authorities to the new funding framework by January 1, 2024, the second phase of regulatory and policy proposals have been posted for consultation on the Environmental Registry of Ontario (notice number 019-4610). The government is making these proposals to improve overall governance, oversight, transparency, and accountability of conservation authority operations, and the proposals include municipal levy provisions, proposed budget process, and classes of programs and services for which conservation authorities can charge a fee.

The government is proposing regulations and a policy that would include:

- Details, through a Lieutenant Governor in Council regulation, governing the

apportionment by conservation authorities of their capital costs and operating expenses to be paid by their participating municipalities through municipal levies, as well as related conservation authority budgetary matters, including requirements that conservation authorities distribute their draft and final budgets to relevant municipalities and make them publicly available – i.e. 'Municipal Levies regulation';
- Details, through a Minister's regulation, governing the methods available for CAs to determine costs specified municipalities may need to contribute for the authority's mandatory programs and services under the *Clean Water Act, 2006*, and the *Lake Simcoe Protection Act, 2008* – i.e. 'Determining Amounts Owed by Specified Municipalities regulation';
- Classes of programs and services, through a Minister's published list, in respect of which a conservation authority may charge a user fee – i.e. 'Fee Classes Policy', and
- Requirements to increase transparency of authority operations.

The ministry will be hosting a webinar focused for municipalities and municipal associations, as well as general webinars, to provide an overview of the proposals and answer any technical questions you may have about the proposals. Please distribute this email to relevant municipal staff. These webinars will take place on the dates and times listed below:

- Municipalities Focused Webinar: February 8, 2022, 2:00 p.m. – 3:30 p.m.
- Webinar Session 1: February 4, 2022, 10:00 a.m. – 11:30 a.m.
- Webinar Session 2: February 10, 2022, 10:30 a.m. – 12:00 p.m.

If you wish to attend a webinar, please register by emailing ca.office@ontario.ca with the subject line "CAA Phase 2 Webinars" and indicate your preferred session date. You will receive a reply to your email with information on how to join.

Thank you in advance for your input. You can reach the Conservation Authorities Office at ca.office@ontario.ca if you have any questions.

Sincerely,

Kirsten Corrigal
Director, Conservation and Source Protection Branch

Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario N9H 1S4
Phone: 519-969-7770 Fax: 519-969-4029 www.lasalle.ca

January 28, 2022

Sent Via Email Only

Steve Vlachodimos, Clerk, City of Windsor at svlachodimos@citywindsor.ca
Laura Moy, Clerk, Town of Tecumseh at lmoy@tecumseh.ca

Dear Mr. Vlachodimos and Ms. Moy,

Re: Cahill Drain – Notice of Meeting to Consider the Engineer's Report

Please find enclosed a copy of correspondence regarding the Notice of a Meeting to Consider the Engineer's Report for the **Cahill Drain** in accordance with section 42 of the *Drainage Act* which has been mailed to all affected landowners in the Town of LaSalle. Landowners whose land may be affected by the proposed drainage works are invited to attend the Meeting to Consider scheduled for February 22, 2022 at 4:00 p.m. virtually via Zoom.

It has been identified that landowners in the City of Windsor and Town of Tecumseh will also be affected by the proposed drainage works. In this regard, I kindly request that you notify the affected landowners in your respective municipalities of the scheduled Meeting to Consider. Questions with respect to this correspondence can be directed to me by email at jastorlogo@lasalle.ca

Sincerely,

Jennifer Astrologo
Director of Council Services/Clerk
Town of LaSalle
519-969-7770

cc. Jonathan Osborne, Director of Public Works, Town of LaSalle
Michael Cappucci, Manager of Engineering, Town of LaSalle

Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario N9H 1S4
Phone: 519-969-7770 Fax: 519-969-9852 www.lasalle.ca

Public Works Department

Notice of Meeting to Consider the Engineer's Report
Drainage Act, R.S.O. 1990 c. D.17, s.42

RE: Cahill Drain
Report Filed with the Town: May 25th 2021

In accordance with section 42 of the *Drainage Act*, you, as an owner of the land affected by the proposed drainage works for the Cahill Drain, are invited to attend a meeting of Council to consider the final report filed with the Town of LaSalle.

Take notice that the Council of The Corporation of the Town of LaSalle will meet:

Date:	**February 22, 2022**
Time:	**4pm**
Location:	**Electronic Meeting (Zoom Platform)**

To consider the Engineering Report, dated May 25, 2021, prepared by Dillon Consulting and J . P. Peralta Engineering, for the **Cahill Drain.** The Council meeting will be streamed live on the Town's YouTube Channel at: https://www.youtube.com/c/TownofLaSalleOntario/featured

A copy of the report is available at https://www.lasalle.ca/en/town-hall/municipal-drainage.aspx If you are unable to access this link, please contact the Town of LaSalle and we will make arrangements to provide you a copy of the report.

The purpose of the Meeting to Consider is:

- To have the Engineer present the report to Council
- To consider technical merits of the report
- Council to decided whether or not to proceed with the project
- If proceeding, then provisionally adopt the report by by-law

Please note that there is no right to appeal assessments at the Meeting to Consider. Those appeals can be made at a later time in the procedure, when the matter goes before the Court of Revision.

If you wish to provide a written submission and/or wish to speak at the meeting, requests can be made online through our portal at https://www.lasalle.ca/en/town-hall/municipal-drainage.aspx . These requests must be in by noon, Friday February 18th.

Thank you,

Michael Cappucci
Manager of Engineering
Town of LaSalle
mcappucci@lasalle.ca

Jennifer Astrologo
Director of Council Services/Clerk
Town of LaSalle
jastrologo@lasalle.ca

Jonathan Osborne
Director of Public Works
Town of LaSalle
josborne@lasalle.ca

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 11/2022

Subject: February 2022 Business Licence Extension & Fee Deferral - City Wide

Reference:

Date to Council: January 31, 2022
Author: Craig Robertson
Licence Commissioner (A)
519-255-6100 ext. 6869
crobertson@citywindsor.ca
Policy, Gaming, Licensing & By-Law Enforcement
Report Date: 1/25/2022
Clerk's File #: MH/13786

To: Mayor and Members of City Council

Recommendation:

That City Council **APPROVE** a business licence renewal extension of four months to mitigate the impacts on municipally licensed businesses caused by the COVID-19 pandemic for all classes associated with the February 2022 licence deadline as prescribed under City of Windsor Business Licensing By-law No. 395-2004.

Executive Summary:

N/A

Background:

At its meeting held on August 4, 2020, City Council adopted resolution **CR392/2020** which allows the City's Licence Commissioner to modify and adjust business and public vehicle licence deadlines as deemed necessary due to the impacts on municipally licensed businesses caused by the COVID-19 pandemic. In part, CR392/2020 states,

> *"That City Council **APPROVE** the Licence Commissioner to **MODIFY** the licence deadlines regulated under Business Licensing By-law 395-2004 and Public Vehicle Licensing By-law 137-2007 as amended by By-law 150-2018 as deemed necessary, in the event there are further impacts on the issuance of municipal licences due to the COVID-19 pandemic."*

At its meeting held January 17, 2022, City Council was presented with an Administrative report **C6/2022** entitled *"Business Community COVID-19 Support"* from the Economic Development Department which presented a number of relief initiatives for this year to support our municipality's business community. Within the report, the City's Licence Commissioner agreed to a four (4) month business licence renewal application and fee payment extension for businesses captured under the annual February licence deadline

which is mostly comprised of the City's hospitality and retail sector. As a result, City Council adopted resolution **CR20/2022** which states,

> *"That City Council **APPROVE** waiving the fees associated with the BIA Parklet, Curbside and Sidewalk Cafes for 2022; and,*
>
> *That City Council **APPROVE** increasing the current 15 minutes free parking via the City of Windsor Parking App to 60 minutes, and also include surface parking lots; and,*
>
> *That in light of the ongoing COVID-19 Pandemic, City Council **DELEGATE** to the Chief Administrative Officer the authority through to December 31, 2022 to consider where circumstances warrant the provision of temporary financial relief to various City advertising, sponsorship, or lease revenue agreements on an as requested basis up to maximum of $25,000 per agreement; and,*
>
> *That City Council **AUTHORIZE** a deferral of the February property tax instalment for those property owners subject to commercial property taxes, and that meet the following conditions:*
>
> - *Total property tax levy for 2021 was $50,000 or less, and,*
> - *Property owner has enrolled in or has submitted an application to enroll in a pre-authorized payment plan such that the deferred amount is then collected equally from the remaining approved Interim withdrawal dates; and,*
>
> *That the financial impacts from these recommendations **BE REPORTED** to City Council as part of the 2022 Quarterly Variance reports as COVID 19 pandemic costs; and,*
>
> ***That the following recommendation BE DEFERRED to the January 31, 2022 Council Meeting to allow for administration to provide additional information related to the financial impacts of waiving licence fees, and deferring the business licence deadline beyond June 30, 2022, to the next calendar year, including waiving penalties/interest charges:***
>
> ***"That City Council AUTHORIZE the Licence Commissioner to extend the upcoming annual February 28 business licence deadline until June 30, 2022 for the City's local hospitality and retail sectors."***

This report specifically provides options for Council's consideration as it relates to a business licence renewal extension and fee payment deferral for all business classes associated with the February 2022 municipal licence deadline as prescribed under City of Windsor Business Licensing By-law No. 395-2004.

Discussion:

The City of Windsor issues an average of **1,500** municipal business licences that fall under the annual February deadline (as prescribed under the City's Business Licensing Bylaw) primarily consisting of our community's hospitality and retail business sector. An average total of just over **$480,000** annually is collected for the February deadline

business licence fees based on a cost recovery model which provides for the administration and inspection approval processes of these licences for the purposes of health and safety, consumer protection, and nuisance prevention.

The COVID-19 pandemic has caused unprecedented times and challenges for our municipality's hospitality and related business classes. Administration recognizes the challenges faced by small businesses within our community and has identified that some form of relief or deferral of licensing requirements may be justifiable. Based on the purposes and thresholds for municipal licensing, Administration does not recommend waiving any municipal business licensing application fees, which would include the recovery costs for the administration and annual inspections and approvals of the licence. Administration does however support a business licence application extension and a deferral of licence renewal fees in an effort to support the business classes that have been mostly impacted by the COVID-19 pandemic.

In an effort to support the business classes that have been significantly impacted by the COVID -19 pandemic, Licensing Administration provides City Council with the following business licence application and fee payment deferral options:

Option 1 – Business Licence Renewal Extension

Businesses that are normally required to renew their municipal licence and pass inspection by February 28/29 annually under the City's Business Licensing Bylaw will receive a four (4) month extension to complete the business licensing process, being June 30th 2022. Should further implications of the pandemic negatively impact the targeted industry, the Licence Commissioner may under previous authority from Council, extend the business licence deadline to a further suitable date.

Option 2 – Business Licence Renewal Extension and Fee Deferral

Businesses that are normally required to renew their municipal licence and pass inspection by February 28/29 annually under the City's Business Licensing Bylaw will receive a four (4) month extension, being June 30th 2022. In addition, all applicants will be provided an option to defer their business licensing payment (without penalty) until December 1, 2022. Annual inspections and approvals will not be deferred and will still occur throughout the year once the renewal application is submitted to the Licensing Division. It is important to note that the annual inspections and approvals are critical to ensure that the business is operating safely, even at reduced capacity or with intermittent closures. It ought to be known and understood that business licences under this option will not be formally issued until all inspections have been approved and full payment has been received.

Risk Analysis:

Below is an analysis of the risks associated with the options provided to Council pertaining to the proposed business licence deadline extension and deferral of fee payments.

Option 1 – Business Licence Renewal Extension

An extension of the 2022 February business licence deadline to the end of June presents very minimal to risk to the Corporation. Licence inspections and approvals would be conducted as usual and licence fees would still be collected but subject to penalty if a licensee fails to submit their renewal application prior to the modified deadline. This option simply provides business owners with a four (4) month relief period to comply with municipal licensing requirements and fee payments. This initiative should not have any significant impact on revenues, however, there could be a very minor financial variance as extending the deadline could decrease the application of some late penalties. The possible variance is discussed further in the Financial Matters section of this report.

Option 2 – Business Licence Renewal Extension and Fee Deferral

Similar to that of Option 1, the 2022 February business licence deadline would be extended to June 30, 2022. There could potentially be an increased financial risk under this model in that licence inspections will still take place but the manner in which the fees may be collected is quite different. Under this initiative, applicants will be provided an option to "pay now" (at the time of application) or to defer their business licensing payment, without penalty until December 1st, 2022. This option provides business owners with a four (4) month relief period to comply with application requirements and a nine (9) month relief period to pay the associated licence fee. The risks to consider under this model is that essentially, late penalty fees will be waived for these business classes and there is the potential for the cost of inspections and approvals to go unpaid in the event a business closes or changes ownership prior to payment being made for the business licence. The increased financial risks are not considered to be significant, however, they are discussed further in the Financial Matters section of this report. It should be noted that deferring the 2022 deadline to the end of this year may place a burden on the business community in 2023 when next year's fees will also be due at the beginning of the year.

There could be a significant reputational risk to the Corporation should Council decide not to adopt either option to provide impacted business owners with additional compensation and relief during this time of crisis.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The City's municipal business licensing fees governed under By-law # 395-2004 are calculated and based on a cost recovery model in an effort to fund the administration, enforcement and necessary inspections of each licence. Licensees who do not renew

their licence on time or fail to meet the requirements to obtain a licence prior to their deadline are liable to pay the licence fee along with a fifty percent (50%) penalty of the base fee. The financial implications for both model options being proposed for Council's consideration are discussed further below.

Option 1 – Business Licence Renewal Extension

Significant impacts to revenue is not anticipated by simply extending the business licence deadline by four (4) months. As previously mentioned, there could be a very minor variance as extending the deadline could decrease the application of some late penalties. On average, the City collects approximately **$11,000** in February deadline late fees and earns 0.5% interest annually on these fees. It is difficult to determine how many business owners will choose to defer their application and fee payment until after June 30th, 2022 so therefore any variance to the above number is challenging to predict. Penalty fees will continue to be applied to business owners who fail to meet the modified June deadline date. A reasonable estimation from Administration is that the shortfalls under Option 1 should remain under **$10,000** (including forgone interest revenue).

Option 2 – Business Licence Renewal Extension and Fee Deferral

As previously mentioned, the City collects approximately **$480,000,** exclusive of approximately **$11,000** in late penalties for business classes that fall under the annual February deadline. Under this option, business owners will have a choice to pay their licence fees at the time of application or defer them (without penalty) until December 1st, 2022. Again, it is difficult to determine how many business owners will choose to defer their fee payment so therefore any variance is challenging to predict. Council can expect a shortfall of at least the February business class late penalty fees and 0.5% interest annually on the monies that would have been collected for licence payments throughout the year. In addition, the City may be faced with situations where the cost to perform a licence inspection goes unrecovered in the event a business closes or changes ownership prior to payment being remitted for the actual business licence. It should be noted that late penalties and enforcement standards will be applied after the modified December deadline to ensure that the businesses are fully licensed and all payments have been received. A reasonable estimation from Administration is that the shortfalls under Option 2 should remain under **$25,000** (including forgone interest revenue).

Consultations:

MBNCANADA - Licensing Networking Group

Alexandra Taylor – Financial Planning Administrator

Rob Vani, Manager of Inspections & Deputy Chief Building Official

Mike Coste, Chief Fire Prevention Officer

Conclusion:

In times of crisis such as what we are presently experiencing due to the ongoing COVID-19 pandemic, our ongoing obligation as a municipality and regulatory body to act in good faith is of critical importance when dealing with our licensed business community who may be facing a range of challenges.

Licensing Administration has recognized these challenges and has prepared some options for Council's consideration that are in line with a majority of municipal licensing authorities across Canada. Municipalities are providing financial and operational relief to their municipal licensees the only way they can, by extending renewal deadlines and waiving penalty fees. Administration's recommendation of a four month extension creates a positive business relationship with our licensees during these trying times and at the same time ensures that municipal licences are still being issued in accordance with by-law mandates by ensuring public safety, consumer protection and nuisance control.

Planning Act Matters:

N/A

Approvals:

Name	Title
Craig Robertson	Licence Commissioner (A)
Alexandra Taylor	Financial Planning Administrator
Steve Vlachodimos	City Clerk
Shelby Askin Hager	Commissioner – Legal & Legislative Services/ City Solicitor
Joe Mancina	Commissioner – Corporate Services CFO/City Treasurer
Jason Reynar	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

BY-LAW NUMBER 29-2022

A BY-LAW TO AUTHORIZE THE TEMPORARY BORROWING OF MONEY FOR CURRENT EXPENDITURES FOR 2022

Passed the 31st day of January, 2022.

WHEREAS pursuant to the provisions of section 407 of the *Municipal Act*, 2001 as amended, Council may, either before or after the passing of the by-law for imposing the rates for the current year, borrow such sums as Council considers necessary to meet, the current expenditures of the Corporation for this year;

AND WHEREAS it is deemed expedient to authorize the temporary borrowing of money to meet current expenditures for this year;

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

1. (a) The City of Windsor is hereby authorized to borrow on the credit of the Corporation from time to time by way of a promissory note or bankers' acceptance signed by them on behalf of the Corporation, a sum or sums of money not exceeding, from January 1 to September 30 of this year, fifty percent (50%) of the total of the estimated revenues of the Corporation as set forth in the budget estimates adopted by Council for this year and not exceeding, from October 1 to December 31 of this year, twenty-five percent (25%) of the total of the estimated revenues of the Corporation as set forth in the budget estimates adopted by Council for this year.

1. (b) For the purposes of subsections (a) and (b) hereof, estimated revenues shall not include revenues derivable or derived from the following:

    (i) any borrowing, including through any issue of debentures;
    (ii) a surplus, including arrears of taxes, fees or charges; or
    (iii) a transfer from the capital fund, reserve funds or reserves.

2. The Chief Administrative Officer and the City Clerk are hereby authorized to execute any related banking agreements for the above, includi ng any line of credit commitment letters as deemed necessary to establish and maintain lines of credit.

3. The Chief Administrative Officer and City Clerk are further authorized to execute the "Security Agreement – Municipalities and School Boards."

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

DREW DILKENS, MAYOR

CITY CLERK

First Reading - January 31, 2022
Second Reading - January 31, 2022
Third Reading - January 31, 2022

BY-LAW NUMBER 30-2022

A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH WINDSOR SPITFIRES INC. FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT THE WFCU CENTRE

Passed the 31st day of January, 2022.

WHEREAS Section 110(1) of the *Municipal Act, 2001* provides that the Council of a municipality may enter into agreements for the provision of municipal capital facilities by any person and may pass by-laws exempting from property taxation for municipal and school purposes land, or a portion of it, on which municipal capital facilities are located;

AND WHEREAS Paragraph 16 of Section 2(1) of Ontario Regulation 603/06, as amended, prescribes municipal facilities for cultural, recreational or tourist purposes as eligible municipal capital facilities;

AND WHEREAS Windsor Spitfires Inc. (the "Spitfires") will be occupying a portion of the premises known as the WFCU Centre, located at 8787 McHugh Street, Windsor, being more particularly described as the Windsor Spitfires Blade Pro Shop (the "Premises"), owned by The Corporation of the City of Windsor, for cultural, recreational, or tourist purposes;

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

1. The Corporation of the City of Windsor is authorized to enter into an agreement pursuant to section 110 of the *Municipal Act, 2001* as amended, with the Spitfires for the provision of a municipal capital facility for a cultural, recreational or tourist facility at the Premises, in accordance with Ontario Regulation 603/06, as amended (the "Agreement").

2. The Premises are exempt from taxation for municipal and school purposes.

3. This by-law shall be deemed repealed if:

    a. the Spitfires or any approved successor ceases to use the Premises for cultural, recreational or tourist purposes; or,

    b. if the Agreement is terminated for any reason.

4. (1) Sections 1 and 3 of this by-law shall come into force on the day that the by-law is enacted.

(2) Section 2 of this by-law shall come into force on the day that the Agreement is entered into between The Corporation of the City of Windsor and the Spitfires.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - January 31, 2022
Second Reading - January 31, 2022
Third Reading - January 31, 2022

BY-LAW NUMBER 31-2022

A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH WINDSOR SPITFIRES INC. FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT THE WFCU CENTRE

Passed the 31st day of January, 2022.

WHEREAS Section 110(1) of the *Municipal Act, 2001* provides that the Council of a municipality may enter into agreements for the provision of municipal capital facilities by any person and may pass by-laws exempting from property taxation for municipal and school purposes land, or a portion of it, on which municipal capital facilities are located;

AND WHEREAS Paragraph 16 of Section 2(1) of Ontario Regulation 603/06, as amended, prescribes municipal facilities for cultural, recreational or tourist purposes as eligible municipal capital facilities;

AND WHEREAS Windsor Spitfires Inc. (the "Spitfires") will be occupying a portion of the premises known as the WFCU Centre, located at 8787 McHugh Street, Windsor, being more particularly described as the Windsor Spitfires Fan Zone, being the space formerly known as the Training Facility Blade (the "Premises"), owned by The Corporation of the City of Windsor, for cultural, recreational, or tourist purposes;

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

1. The Corporation of the City of Windsor is authorized to enter into an agreement pursuant to section 110 of the *Municipal Act, 2001* as amended, with the Spitfires for the provision of a municipal capital facility for a cultural, recreational or tourist facility at the Premises, in accordance with Ontario Regulation 603/06, as amended (the "Agreement").

2. The Premises are exempt from taxation for municipal and school purposes.

3. This by-law shall be deemed repealed if:

    a. the Spitfires or any approved successor ceases to use the Premises for cultural, recreational or tourist purposes; or,

    b. if the Agreement is terminated for any reason.

4. (1) Sections 1 and 3 of this by-law shall come into force on the day that the by-law is enacted.

(2) Section 2 of this by-law shall come into force on the day that the Agreement is entered into between The Corporation of the City of Windsor and the Spitfires.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - January 31, 2022
Second Reading - January 31, 2022
Third Reading - January 31, 2022

BY-LAW NUMBER 32-2022

A BY-LAW TO PROVIDE FOR INTERIM TAX LEVIES FOR 2022

Passed the 31st day of January, 2022.

WHEREAS section 317 of the *Municipal Act*, 2001 S.O. 2001, c.25, as amended, provides that the council of a local municipality, before the adoption of estimates for the year under section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

AND WHEREAS Part X of the *Municipal Act* provides for the issuance of tax bills and the collection and administration of tax amounts, including amounts that become due and remain unpaid;

AND WHEREAS The Council of the Corporation of the City of Windsor deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

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

1. In this by-law the following words shall be defined as:

   "Act" shall mean the *Municipal Act*, 2001 S.O. 2001, c.25, as amended;

   "Corporation" shall mean The Corporation of the City of Windsor;

   "Delegate" shall mean any person or persons upon whom the City of Windsor has conferred the duties and powers of the Treasurer with respect to tax collection pursuant to Section 286 of the Act;

   "Minister" shall mean the Minister of Finance;

   "MPAC" shall mean the Municipal Property Assessment Corporation;

   "Previous Taxation Year" shall mean the 2021 Taxation Year; and

   "Treasurer" means the treasurer of the Corporation.

2. The total amount levied by the municipality shall be the sum of the amounts levied on each individual property, which shall be calculated in accordance with the following:

   a) An amount equal to fifty per cent (50%) of the total taxes for municipal and school purposes levied on a property for the Previous Taxation Year; or

   b) If any taxes for municipal and school purposes were levied on a property for only part of Previous Taxation Year because assessment was added to the tax roll with an effective date after January 1st of that year, fifty per cent (50%) of the taxes that would have been levied against the property in the Previous Taxation Year, had the additional assessment been applicable for the entire taxation year; or

   c) If any taxes for municipal and school purposes that were originally levied on a property for the Previous Taxation Year were reduced as of an effective date after January 1st of that year, fifty per cent (50%) of

the taxes that would have been levied against the property in the Previous Taxation Year, had the reduced taxes been applicable for the entire taxation year.

3. The provisions of this by-law apply in the event that assessment is added for the Previous Taxation Year to the tax roll after the date this by-law is passed and an interim levy shall be imposed and collected.

4. All taxes levied under this by-law shall be payable into the hands of the Treasurer.

5. All taxes imposed by this by-law shall be payable in the proportions and upon the dates set out below:

   a) In three installments upon the following dates, that is to say:
      i) One-third (1/3) thereof on the 16th day of February of 2022;
      ii) One-third (1/3) thereof on the 16th day of March of 2022; and
      iii) One-third (1/3) thereof on the 13th day of April of 2022.

   b) Under the City's Mid-Month 10 Month Preauthorized Payment Plan in five installments upon the following dates, that is to say:
      i) One-fifth (1/5) thereof on the 15th day of February of 2022;
      ii) One-fifth (1/5) thereof on the 15th day of March of 2022;
      iii) One-fifth (1/5) thereof on the 19th day of April of 2022;
      iv) One-fifth (1/5) thereof on the 16th day of May of 2022; and
      v) One-fifth (1/5) thereof on the 15th day of June of 2022.

   c) Under the City's End-Month 10 Month Preauthorized Payment Plan in five installments upon the following dates, that is to say:
      i) One-fifth (1/5) thereof on the 28th day of February of 2022;
      ii) One-fifth (1/5) thereof on the 31st day of March of 2022;
      iii) One-fifth (1/5) thereof on the 29th day of April of 2022;
      iv) One-fifth (1/5) thereof on the 31st day of May of 2022; and
      v) One-fifth (1/5) thereof on the 30th day of June of 2022.

6. Despite section 5 of this by-law, upon approved application to participate in City's 2022 February deferral Preauthorized Payment Plan for certain commercial class properties, the proportions noted in that section shall be adjusted to reflect the following:

   a) The proportions under 5 a) shall be:
      i) Zero (0/1) for the February installment; and
      ii) One-Half (1/2) for each of the March and April installments.

   b) The proportions under 5 b) and 5 c) shall be
      i) Zero (0/1) for the February installment; and
      ii) One-Quarter (1/4) for all subsequent installments.

7. Penalty and interest shall be imposed in accordance with the following against amounts that become due under this by-law and remain unpaid:

   a) Any installment of taxes payable and remaining unpaid after the dates specified in Section 5 shall be subject to a penalty for non-payment of one and one-quarter per cent (1¼%) on the first day of default.

   b) Any and all taxes and installments that remain unpaid after the first day of default shall be subject to interest for non-payment which will be calculated at a rate of one and one-quarter per cent (1¼%), per month and imposed on the first day of each calendar month subsequent to the date of default.

c) Any charges imposed under this section are deemed to be part of the taxes on which the charges have been imposed.

8. The Treasurer or delegate is hereby authorized to accept part payment from time to time on account of taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectable under Section 7 hereof in respect of non-payment of any taxes or any class of taxes or any installment thereof.

9. The Treasurer or delegate may mail or cause to be mailed to the address of the residence or place of business of each person taxed, a notice specifying the amount of taxes payable by such person.

10. That failure to receive a tax notice does not exempt the property owner from penalty and interest changes as outlined in Section 7 of this by-law.

11. Nothing herein contained shall prevent the Treasurer or delegate from proceeding at any time with the collection of any rate, tax or assessment, or any part thereof, in accordance with the provisions of the Statutes and by-laws governing the collection of taxes.

12. The final property tax levy for the year 2022 to be made under the Act shall be reduced by the amount to be raised under this by-law.

13. The provisions of s. 317 of the Act, apply to this by-law with necessary modifications.

14. In the event of any conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.

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

DREW DILKENS, MAYOR

CITY CLERK

First Reading - January 31, 2022
Second Reading - January 31, 2022
Third Reading - January 31, 2022

BY-LAW NUMBER 33-2022

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 31st DAY OF JANUARY, 2022

Passed the 31st day of January, 2022.

WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

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

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this special meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.

2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.

3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - January 31, 2022
Second Reading - January 31, 2022
Third Reading - January 31, 2022

January 31, 2022
Council Meeting
Item 8.8 – Written Submission

Dear City Council

Hi my name is Kris Jaques. I have been In the rent subsidy program for 10 years. It allows me to be a productive person in society and maintain a home I can afford. I have a part-time job that I work four hours a day because that's all I can handle with my special-needs. You see I am in a unique situation because I have cerebral palsy and my landlord has taken the time and expense to put in ramps ,ceiling lifts ,roll in showers and most importantly a sprinkler system for fire. These are all things that are very important when you have a disability or are wheelchair bound by a disability . Ending this subsidy program will force me to move from where I'm currently living. I need this funding to continue so I can continue to afford my home. My question to you is who's going to pay for all disability modifications and find me housing I can afford if the rent subsidy program comes to an end?

Sincerely, Kristofer Jaques

Sent from my iPhone