

# CITY OF WINDSOR MINUTES 08/26/2019

## City Council Meeting

Date: Monday, August 26, 2019

Time: 6:00 o'clock p.m.

### **Members Present:**

#### **Mayor**

Mayor Dilkens

#### **Councillors**

Ward 1 - Councillor Francis

Ward 4 - Councillor Holt

Ward 6 - Councillor Gignac

Ward 7 - Councillor Kusmierczyk

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

#### **Members Absent**

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 5 - Councillor Sleiman

## **1. ORDER OF BUSINESS**

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

Following the playing of the Canadian National Anthem, the Mayor calls the meeting to order at 6:30 o'clock p.m.

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

None disclosed.

### 4. ADOPTION OF THE MINUTES

#### 4.1. Adoption of the Windsor City Council meeting minutes held July 22, 2019

Moved by: Councillor Francis

Seconded by: Councillor Gignac

That the minutes of the meeting of Council held July 22, 2019 **BE ADOPTED** as presented.  
Carried

Report Number: SCM 253/2019

#### 4.2. Adoption of the Windsor City Council Special Meeting minutes held July 29, 2019

Moved by: Ward 1 - Councillor Fred Francis

Seconded by: Ward 6 - Councillor Jo-Anne Gignac

That the minutes of the special meeting of Council held July 29, 2019 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 255/2019

### 5. NOTICE OF PROCLAMATIONS

“Sickle Cell Awareness Month” - September 2019

“City of Windsor Performance and Learning Month” – September 2019

### 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

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;

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- (d) hearing presentations and delegations;
  - (e) consideration of business items;
  - (f) consideration of Committee reports:
    - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled); and
  - (g) consideration of by-laws 95-2019 through 104-2019 (inclusive).
- Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence Monday August 26, 2019

Moved by: Councillor Kusmierczyk  
Seconded by: Councillor McKenzie

Decision Number: CR387/2019

That the following Communication Items 7.1.1 through 7.1.7, and 7.1.9 through 7.1.15 inclusive as set forth in the Council Agenda **BE REFERRED** as noted, and that Item 7.1.8 be dealt with as follows:

#### 7.1.8 Letter summarizing the Fairness for Ontario Spirits campaign and requesting the City of Windsor to resend Spirit Canada's municipal resolution to the provincial government.

Moved by: Councillor Gignac  
Seconded by: Councillor McKenzie

Decision Number: CR388/2019

That the correspondence from Spirits Canada dated August 2019, indicating; "We call on the Ontario provincial government to provide equal retail access to the market for Ontario-made spirits and allow the up to 450 new LCBO authorized grocery stores to also sell distilled spirits products."

**BE APPROVED.**

Carried.

No.	Sender	Subject
7.1.1	Ministry of Municipal Affairs and Housing	Letter regarding launching a consultation on proposed policy changes to the Provincial Policy Statement (PPS).  City Planner City Solicitor GH2019 Note & File
7.1.2	Association of	Announcement regarding a plan to transition the

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No.	Sender	Subject
	Municipalities of Ontario (AMO)	management of Ontario's Blue Box Program to producers of plastic and other packaging.  City Engineer City Treasurer MMA2019 Note & File
7.1.3	Parks and Recreation Ontario (PRO)	Letter regarding Bill 108, <i>More Homes, More Choice Act, 2019</i> , which could have significant implications on how municipalities deliver parks and recreation facilities in their communities.  Corporate Leader of Parks, Recreation, Culture and Facilities GP2019 Note & File
7.1.4	Ministry of the Environment, Conservation and Parks	Environmental Compliance Approval for Sanitary and Storm Sewers on Northway Avenue.  City Engineer SW2019 Note & File
7.1.5	Town of Tecumseh	Notice of the passing of a Zoning By-Law Amendment 2019-58 by the Corporation of the Town of Tecumseh, pertaining to a 1.08 hectare parcel of land situated on the north side of the Tecumseh Road/Southfield Drive intersection.  City Planner Z2019 Note & File
7.1.6	Town of Tecumseh	Notice of Public Meeting for Proposed Official Plan Amendment and Zoning By-law Amendment, parcel of land situated on the south side of Dillon Drive, (12433 Dillon Drive,) Tuesday September 10 <sup>th</sup> , 2019 at 5:00 p.m., Council Chambers, 917, Lesperance Rd.  City Planner GM2019 Note & File
7.1.7	ENWIN Utilities	Interim Acceptance Letter of Certificate-Mountbatten Crescent – Phase 2, one year subdivision maintenance period has begun on August 13, 2019.

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No.	Sender	Subject
		City Solicitor SW/13122 Note & File
7.1.8	President & CEO of Spirits Canada	Letter summarizing the Fairness for Ontario Spirits campaign and requesting the City of Windsor to resend Spirit Canada's municipal resolution to the provincial government.  MD2019 Council Direction Requested; Otherwise Note & File
7.1.9	Manager of Urban Design	Application for Site Plan Approval, Mandhir Dhillon, proposed new 251.11M2 Tim Hortons with Drive Thru Consisting of 34 New Parking, 1 Loading & 3 Bicycle Spaces, 1537 Provincial Rd.  ZS/13568 Note & File
7.1.10	Manager of Urban Design	Application for Site Plan Approval, 1762643 Ontario Inc. – Dior Homes, Proposed New Multi-family Residential 6-Plex Dwelling, 1534 Howard Ave.  ZS/13572 Note & File
7.1.11	Planning & Building Department	Application for Exemption of Certain Lands from Part-Lot Control, 882885 Ontario Limited, to create 2 single detached dwelling units, 2868 & 2882 Norman Rd.  ZPLC/13575 Note & File
7.1.12	Manager of Urban Design	Application for Site Plan Approval, Flex-N-GATE HOWARD – DIVISION OF VENTRA GROUP, proposed new addition, 309 Ellis St. E./1425 Howard  ZS/13581 Note & File
7.1.13	Committee of Adjustment/Consent Authority	Applications heard by the Committee of Adjustment/Consent Authority, afternoon of Thursday, August 8, 2019, 3:30 p.m., Room 204 2 <sup>nd</sup> Floor, 350 City Hall Square West  ZC2019 Note & File
7.1.14	Committee of Adjustment/Consent Authority	Applications heard by the Committee of Adjustment/Consent Authority, afternoon of Thursday, August 22, 2019, 3:30 p.m., Room 204 2 <sup>nd</sup> Floor, 350 City Hall Square West  ZC2019

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No.	Sender	Subject
		Note & File
7.1.15	Committee of Adjustment/Consent Authority	Applications to be heard by the Committee of Adjustment/Consent Authority, afternoon of Thursday, September 5, 2019, 3:30 p.m., Room 204 2 <sup>nd</sup> Floor, 350 City Hall Square West  ZC2019 Note & File

Carried.

Report Number: CMC 13/2019

**7.2. Elimination of the Vacancy Rebate Program within Business Improvement Areas**

Moved by:Councillor Kusmierczyk  
 Seconded by:Councillor McKenzie

Decision Number: CR389/2019

That the report, Elimination of the Vacancy Rebate Program within Business Improvement Areas, written by Janice Guthrie, Deputy Treasurer, Taxation & Financial Projects to City Council **BE RECEIVED** for information.

Carried.

Report Number: CM 28/2019  
 Clerk's File: AF2019

**7.3. Windsor Canada Utilities Ltd. 1st Quarter 2019 Financial Statements - City Wide**

Moved by:Councillor Kusmierczyk  
 Seconded by:Councillor McKenzie

Decision Number: CR390/2019That City Council **RECEIVE** for information, the Windsor Canada Utilities Ltd. 1st Quarter 2019 Financial Statements.

Carried.

Report Number: C 112/2019  
 Clerk's File:AF2019

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### **7.4. Pay As You Go (PAYG) Transfer for Eligible 2018 Computer Equipment Related Expenses - Windsor Police Service (WPS) - City Wide**

Moved by:Councillor Kusmierczyk

Seconded by:Councillor McKenzie

Decision Number: CR391/2019

That in compliance with CR 139/2015, City Council **RECEIVE** for information this report confirming that an amount of \$1,006,452.11 was transferred from the Pay As You Go (PAYG) Leasing Reserve Fund 170 to the Windsor Police Service operating account Dept. ID 0192616, Class Code 18084, for eligible 2018 computer, printer, phone system upgrades, server and network related expenses.

Carried.

Report Number: CM 22/2019

Clerk's File:AF2019

### **7.5. Tender No. 28-19: West End Transit Terminal – General Contractor – Results Ward 2**

Moved by:Councillor Kusmierczyk

Seconded by:Councillor McKenzie

Decision Number: CR392/2019

That the report regarding the results and award of Tender No. 28-19, West End Transit Terminal – General Contractor, **BE RECEIVED** for information.

Carried.

Report Number: C 144/2019

Clerk's File: MT/13046

### **7.6. Emergency Purchase - Demolition of Building at 601-623 Chatham St. East Ward 4**

Moved by:Councillor Kusmierczyk

Seconded by:Councillor McKenzie

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Decision Number: CR393/2019

That the report regarding the Emergency Purchase Order issued for the demolition of the building at 601-623 Chatham St. East **BE RECEIVED** for information.

Carried.

Report Number: C 143/2019

Clerk's File:SB2019

### 7.7. Results of the Corporation of the City of Windsor's 2018 Workforce Census

Moved by:Councillor Kusmierczyk

Seconded by:Councillor McKenzie

Decision Number: CR394/2019

That the Results of the Corporation of the City of Windsor's 2018 Workforce Census **BE RECEIVED** for information.

Carried.

Report Number: CM 27/2019

Clerk's File: MB2019 AS2019

## 8. CONSENT AGENDA

### 8.1. Capital Budget Re-Allocation – Windsor Police Service (City Wide)

Moved by:Councillor Morrison

Seconded by:Councillor Francis

Decision Number: CR395/2019

That City Council **APPROVE** the reallocation of \$100,000 from the Windsor Police Services Telecommunication Project (ID# 7197005) and \$85,000 from the Police Specialized Equipment Project (ID# 7197003) to the Next Generation 911 Project (ID# 7197002).

Report Number: C 141/2019

Clerk's File:AFB/13207

### 8.2. Tender No. 105-19 - YQG Private Road Extension - General contractor Results - Ward 9

Moved by:Councillor Morrison

Seconded by:Councillor Francis



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Decision Number: CR396/2019

That the Tender No. 105-19 for general contracting services for the proposed YQG Private Road Extension Project in the amount of \$1,413,901, plus HST, **BE APPROVED**.

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

<b>TENDERER:</b>	<b>D'amore Construction (2000) Ltd.</b>
<b>TENDER NO.:</b>	<b>105-19</b>
<b>TENDER PRICE:</b>	<b>\$1,413,901 (excluding HST)</b>
<b>ACCOUNT CHARGED:</b>	<b>007 5410-7P01-02942-7181035</b>

AND That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with D'amore Construction (2000) Ltd. satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer; and

- II. That Council **APPROVE** funding of \$1,175,000, identified in 2022, for the City-Wide Streetscape Improvements project (ECP-014-07) to be redirected to project ID 7181035 and **PRECOMMITTED** for immediate use to address the additional funding required to do this work and;
- III. That Council **APPROVE** any surplus funding in project 7181035 be returned to the City-Wide Streetscape Improvements project (ECP-014-07)  
Carried.

Report Number: C 150/2019  
Clerk's File:SW/2019

### 8.3. Heritage Committee Orientation Presentation by Heritage Planner

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR397/2019 DHSC 63

That the presentation by the Heritage Planner regarding the Heritage Committee orientation **BE RECEIVED** for information. Carried.

Report Number: SCM 246/2019  
Clerk's File:MB2019

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### 8.4. 665 Kildare Rd (Alex Douglas House) - Demolition of Detached Garage of Heritage Listed Property (Ward 4)

Moved by: Councillor Morrison  
Seconded by: Councillor Francis

Decision Number: CR398/2019 DHSC 64

That the request to demolish the detached garage at 665 Kildare Road, a residence listed on the Windsor Municipal Heritage Register, **BE APPROVED**.  
Carried.

Report Number: S 117/2019  
Clerk's File: MB2019

### 8.5. Application by Marnac Development Corporation, on behalf of the owner of 3242 Sandwich Street, for Financial Incentives under the Sandwich Community Improvement Plan within the Sandwich Heritage Conservation District (Ward 2)

Moved by: Councillor Sleiman  
Seconded by: Councillor Morrison

Decision Number: CR399/2019 DHSC 65

That, the request for incentives under the Sandwich CIP Economic Incentive Program(s) "toolkit" made by MARNAC DEVELOPMENT CORPORATION (Steve Webster), owner of the property located at 3242 Sandwich Street for improvements to convert a vacant grocery store to a commercial Dollarama **BE APPROVED**, for the *Commercial/Mixed Use Building Facade Grant in the amount of \$25,000*.

Carried.

Councillor Holt voting nay.

Moved by: Councillor Sleiman  
Seconded by: Councillor Holt

Decision Number: CR400/2019 DHSC 66

That, the request for incentives under the Sandwich CIP Economic Incentive Program(s) "toolkit" made by MARNAC DEVELOPMENT CORPORATION (Steve Webster), owner of the property located at 3242 Sandwich Street for improvements to convert a vacant grocery store to a commercial Dollarama **BE APPROVED**, for *Commercial Core Feasibility Grant up to a maximum amount of \$5,000*.

Carried.

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Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: CR401/2019 DHSC 67

That, the request for incentives under the Sandwich CIP Economic Incentive Program(s) "toolkit" made by MARNAC DEVELOPMENT CORPORATION (Steve Webster), owner of the property located at 3242 Sandwich Street for improvements to convert a vacant grocery store to a commercial Dollarama **BE APPROVED**, for the *Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP (+/- \$19,170)*.

Carried.

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: CR402/2019 DHSC 68

That, the request for incentives under the Sandwich CIP Economic Incentive Program(s) "toolkit" made by MARNAC DEVELOPMENT CORPORATION (Steve Webster), owner of the property located at 3242 Sandwich Street for improvements to convert a vacant grocery store to a commercial Dollarama **BE APPROVED**, for the *Revitalization Grant Program for 70% of the municipal portion of the tax increment for up to 10 years (+/- \$11,695 per year)*.

Carried.

Moved by: Councillor Morrison

Seconded by: Councillor Holt

Decision Number: CR403/2019 DHSC 69

That, the request for incentives under the Sandwich CIP Economic Incentive Program(s) "toolkit" made by MARNAC DEVELOPMENT CORPORATION (Steve Webster), owner of the property located at 3242 Sandwich Street for improvements to convert a vacant grocery store to a commercial Dollarama **BE APPROVED**, for the *Commercial/Mixed Use Building Improvement Loan Program in the amount of \$30,000*.

Carried.

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: CR404/2019 DHSC 70

That, the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program(s) Agreements in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implication.

Carried.

Report Number: S 92/2019

Clerk's File: ZS/13461

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### 8.6. Economic Revitalization Community Improvement Plan (CIP) Application submitted by 2632310 Ontario Inc. for 2679 Howard Avenue (Ward 10)

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR405/2019 DHSC 71

- I. That the request made by 2632310 Ontario Inc. to participate in the Business Development Grant Program **BE APPROVED** for 100% of the municipal portion of any tax increment resulting from the proposed development located at 2679 Howard Avenue for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. That, Administration **BE DIRECTED** to prepare an agreement between the City and 2632310 Ontario Inc. to implement the Business Development Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. That, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Development Grant Agreement.  
Carried.

Report Number: S 110/2019  
Clerk's File:Z/3286

### 8.7. Minutes of the International Relations Committee of its meeting held April 23, 2019

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR406/2019 DHSC 72

That the minutes of the Property Standards Committee of its meeting held June 6, 2019 **BE RECEIVED** for information.Carried.

Report Number: SCM 180/2019  
Clerk's File:MB2019

### 8.8. Minutes of the Windsor Bicycling Committee of its meeting held May 8, 2019

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Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR407/2019 ETPS 685

That the minutes of the Windsor Bicycling Committee of its meeting held May 8, 2019 **BE RECEIVED.**

Carried.

Report Number: SCM 181/2019

Clerk's File:MB2019

### 8.9. Report No. 5 - Town & Gown Committee 2019 Terms of Reference & Mandate

Moved by: Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR408/2019 ETPS 686

That Report No. 5 of the Town and Gown Committee indicating:

That the 2019 **Revised** Terms of Reference and Mandate for the Town and Gown Committee with minor amendments identified in bold and italics attached as Appendix A **BE APPROVED,**

**BE APPROVED.**

Carried.

Report Number: SCM 203/2019

Clerk's File:MB2019

### 8.10. Minutes of the Town & Gown Committee of its meeting held May 23, 2019

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR409/2019 ETPS 687

That the minutes of the Town and Gown Committee of its meeting held May 23, 2019 **BE RECEIVED.**

Carried.

Report Number: SCM 228/2019

Clerk's File:MB2019

### 8.11. Minutes of the Transit Windsor Advisory Committee of its meeting held May 28, 2019

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Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR410/2019 ETPS 688

That the minutes of the Transit Windsor Advisory Committee of its meeting held May 28, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 229/2019

Clerk's File:MB2019

### 8.13. Street Light Citywide LED Conversion Project Closeout Report

Moved by:Councillor Morrison  
Seconded by: Councillor Francis

Decision Number: CR412/2019 ETPS 689

1. That the Close Summary on the Street Light Citywide LED Conversion Project **BE RECEIVED** for information; and,
2. That the proposal by LED Roadway Lighting Ltd. (LRL) to provide all equipment, software and IT support for a streetlight controls (value equal to or greater than \$40,000) for a pilot project **BE ACCEPTED** in exchange for the \$40,000 credit owing for Street Light Citywide LED Conversion; and,
3. That **APPROVAL BE GIVEN** to allow pilot projects for retrofitting decorative fixtures and controls for streetlights. All pilots must **BE AUTHORIZED** through the CAO report process. Any costs associated must be in accordance with the City's Purchasing By-law and will be funded from the Street Lighting Capital Budget (project No. 7035011).

Carried.

Report Number: S 124/2019

Clerk's File:ST2019

### 8.16. Portability of Post-Retirement Benefits between Transit Windsor and the Corporation of the City of Windsor

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR415/2019 ETPS 692

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That City Council **BE REQUESTED** to approve the concept of the portability of corporate benefits including but not limited to post-retirement, vacation, and seniority benefits between employees of the Corporation of the City of Windsor and of Transit Windsor, and to give Administration direction to explore this possibility; and,

Subsequent to City Council concurrence, that:

- a) Discussions with the relevant employee unions, ATU Local 616, CUPE Local 82 and CUPE Local 543, **BE INITIATED** to consider amendments to the collective agreements allowing for this portability, by the City Clerk & Licence Commissioner - Corporate Leader of Public Engagement & Human Services, the Executive Director of Human Resources, and the Manager of Employee Relations; and that the CAO be informed of the results; and,
- b) A memorandum of agreement **BE REACHED** between Transit Windsor, the noted Unions, and the Corporation of the City of Windsor allowing for employee seniority recognition and for the retention of earned corporate employee benefits where an employment opportunity is accepted by the employee in either of the corporations; and,
- c) The noted draft amendments to the appropriate By-Laws **BE PROPOSED** to the Environment, Transportation & Public Safety Standing Committee and to City Council, should concurrence be achieved by the Parties; and,
- d) That the appointment of an authorized person to represent Transit Windsor for the implementation of any necessary decisions required to implement this change **BE REQUESTED** of the Standing Committee and City Council by the Executive Director of Human Resources.

Carried.

Report Number: S 116/2019  
Clerk's File:AS2019

### 8.17. Transit Windsor Fare Structure Review - City Wide

Moved by:Councillor Morrison

Seconded by:Councillor Francis

Decision Number: CR416/2019 ETPS 693

That the Environmental, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors **TABLE** the report, Fare Structure and Strategy Review by IBI Group, until August 25, 2019 in order to allow for comments; and

That the Fare Structure and Strategy Review report be **FORWARDED** to the Transit Windsor Advisory Committee for comments; and

That a report be **PROVIDED** to the Environmental, Transportation & Public Safety Standing Committee in September 2019 detailing recommendations of updated Fare structures and policies for Transit Windsor.

Carried.

Report Number: S 123/2019  
Clerk's File:MT2019

### **8.18. Transit Windsor and University of Windsor UPass Agreement - City Wide**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR417/2019 ETPS 694

That the Corporate Leader Environmental Protection and Infrastructure Services and the Executive Director of Transit Windsor **BE AUTHORIZED** to update the Universal Bus Pass (UPass) Agreement with the University of Windsor Students' Alliance (UWSA), the Graduate Student Society (GSS) and the Organization of Part Time University Students (OPUS) to make the UPass a permanent program; and,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the updated agreement with the UWSA, GSS and OPUS satisfactory in form to the City Solicitor, in financial content to the City Treasurer , and in technical content to the Corporate Leader of Environmental Protection and Infrastructure Services and the Executive Director of Transit Windsor.

Carried.

Report Number: S 120/2019  
Clerk's File:MT2019

### **8.19. The Contributory Pension Plan for Employees of Transit Windsor - Audited Financial Statements for the year ended December 31, 2018 - City Wide**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR418/2019 ETPS 695

That the Environmental, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors:

**APPROVE** the Audited Financial Statements as at December 31, 2018 of the Contributory Pension Plan Fund for Employees of Transit Windsor; and,

**DIRECT** the Executive Director of Transit Windsor, as the Plan Administrator, to file the financial statements with the Office of the Superintendent of Financial Institutions Canada (OSFI).

Carried.



**8.20. The Contributory Pension Plan for Employees of Transit Windsor - Actuarial Valuation as at December 31, 2018 - City Wide**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR419/2019 ETPS 696

That the Environment, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors:

- I. **APPROVE** the Actuarial Valuation of the Contributory Pension Plan for Employees of Transit Windsor as at December 31, 2018; and,
- II. **DIRECT** the Executive Director of Transit Windsor, as the Plan Administrator, to forward the Actuarial Valuation as at December 31, 2018 to the Office of the Superintendent of Financial Institutions and to the Canada Revenue Agency.

Carried.

Report Number: S 121/2019  
Clerk's File:AS2019

**8.21. PwC Internal Audit Quarterly Summary Report April 1 to June 30, 2019**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR420/2019 CSC 325

That the **attached** report provided by PricewaterhouseCoopers LLP (PwC) for the period April 1, 2019 to June 30, 2019 comprised of the following:

- a) Internal Audit Performance Dashboard 2018-19
- b) Concerned Citizen and Employee Hotline Status
- c) CHC Asset Management Housing Portfolio Internal Audit Report
- d) Hotline Investigation Report NTS-002-2018

**BE RECEIVED** for information; and further,

That City Council **AUTHORIZE** administration to proceed to implement the Management Action Plan as prescribed in the Hotline Investigation Report NTS-002-2018; and,

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That City Council **DIRECT** administration to report on the progress of the implementation of the Management Action Plans and that such reports should coincide with PricewaterhouseCoopers LLP's quarterly updates to Council.

Carried.

Report Number: SCM 244/2019  
Clerk's File:AF/11247

### 8.22. PwC Internal Audit Year in Review 2018-2019

Moved by:Councillor Morrison

Seconded by:Councillor Francis

Decision Number: CR421/2019 CSC 326

That the attached report provided by PricewaterhouseCoopers (PwC) entitled "Internal Audit Year in Review 2018-2019" dated June 30, 2019 **BE RECEIVED** for information.

Carried.

Report Number: SCM 245/2019  
Clerk's File:AF/11247

### 8.23. Status Report on Implementation of Audit Recommendations - 2019 Q2 - City Wide

Moved by:Councillor Morrison

Seconded by:Councillor Francis

Decision Number: CR422/2019 CSC 327

That City Council **RECEIVE FOR INFORMATION** the Status Report on Implementation of Audit Recommendations as of 2019 Q2 (attached as Appendix A).

Carried.

Report Number: S 126/2019  
Clerk's File:AF11247

### 8.24. Summary of Hotline Issues Referred to Management by PwC - 2019 Q2 - City Wide

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Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR423/2019 CSC 328

That City Council **RECEIVE FOR INFORMATION** the Summary of Hotline Issues Referred to Management by PwC from April 1, 2019 – June 30, 2019 (attached as Appendix A).

Carried.

Report Number: S 127/2019  
Clerk's File:AF/11247

### 8.26. The Corporation of the City of Windsor 2018 Consolidated Financial Statements

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR425/2019 CSC 330

That City Council **RECEIVE AND ACCEPT** the Audited Consolidated Financial Statements for the year ended December 31, 2018, including the City of Windsor Trust Fund Statements.

Carried.

Report Number: S 133/2019  
Clerk's File:AF/11247

### 8.27. Compliance with Applicable Laws & Regulations, 2019 Q2 - City Wide

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR426/2019 CSC 331

That City Council **RECEIVE FOR INFORMATION** the Status Report on Compliance with Applicable Laws and Regulations, 2019 Q2.

Carried.

Report Number: S 130/2019  
Clerk's File:AF/11247

### 8.28. 2019 Second Quarter Operating Budget Variance Report

Moved by:Councillor Morrison

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Seconded by:Councillor Francis

Decision Number: CR427/2019 CSC 332

That Council **RECEIVE FOR INFORMATION** the 2019 2<sup>nd</sup> Quarter Operating Budget Variance Report from the Chief Financial Officer and City Treasurer and;

That the Chief Administrative Officer and the Chief Financial Officer & City Treasurer **BE DIRECTED** to monitor the 2019 Operating Budget and continue to seek further means of offsetting any potential variances that may arise.

Carried.

Report Number: S 131/2019

Clerk's File:AFB/13207

### 8.29. Delegation of Authority Semi-Annual Report for the Period of January 1, 2019 - June 30, 2019 -- CITY WIDE

Moved by:Councillor Morrison

Seconded by:Councillor Francis

Decision Number: CR428/2019 CSC 333

That the Delegation of Authority Semi-Annual Report for the first half of 2019 (January 1, 2019 through June 30, 2019) **BE RECEIVED** for information.

Carried.

Report Number: CM 26/2019

Clerk's File: AFB/13207

### 8.30. Windsor Essex Community Housing Corporation - Annual General Meeting - City Wide

Moved by:Councillor Morrison

Seconded by:Councillor Francis

Decision Number: CR429/2019 CSC 334

That in accordance with the Shareholder Declaration, City Council **RECEIVE** the following documents as it relates to Windsor Essex Community Housing Corporation (WECHC) 2018 fiscal year end:

- Audited Financial Statements
- External Auditor Finding Report
- Management Letter

That City Council, acting as the shareholder for WECHC **APPROVE** the resolutions presented herein by WECHC; and,

That the Mayor **BE AUTHORIZED** to execute the shareholder's resolutions on behalf of The Corporation of the City of Windsor, in accordance with Council direction, with respect to all matters presented herein by WECHC for the year 2018.

Carried.

Report Number: C 140/2019  
Clerk's File: SS2019

### **8.31. Physician Recruitment and Retention - Psychiatry Resident Program - City Wide**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR430/2019 CSPA 53

That the report of the Commissioner of Community Development and Health Services regarding Physician Recruitment, Retention and Expansion efforts **BE RECEIVED** for information; and further,

That, subject to continued annual funding, the Commissioner of Community Development and Health Services **BE AUTHORIZED** to direct \$24,000 from the Physician Recruitment and Retention budget to the Schulich School of Medicine and Dentistry Windsor Campus medical residency programs, to be used at their discretion to fund programs based on the needs of the community, and further;

That City Council **AUTHORIZE** the Commissioner of Community Development and Health Services to support the Schulich School of Medicine and Dentistry's Windsor Campus projects through the one-time funding available within the Physician Recruitment and Retention program in any manner, which in her opinion furthers the recruitment and retention of top quality health professionals; and further,

That City Council **AUTHORIZE** the Commissioner of Community Development and Health Services to take any additional actions deemed appropriate to further physician recruitment and retention efforts in Windsor such that those actions do not exceed the total annual funding approved by Council; and further,

That the City Treasurer or designate **BE AUTHORIZED** to issue an annual grant to the Schulich School of Medicine and Dentistry for both the Family Medicine Residency and Psychiatric Residency programs, and upon receipt of a signed Letter of Understanding, release the funding to the School; and further,

That the Chief Administrative Officer and, City Clerk or designates **BE AUTHORIZED** to execute any documents required to bring effect to the decisions of the Commissioner of Community Development and Health Services, subject to the approval as to form by the City Solicitor, to financial content by the City Treasurer, and as to technical content by the Commissioner of Community Development and Health Services.

Carried.

Report Number: S 137/2019  
Clerk's File:MH2019

**8.33. Minutes of the Windsor Accessibility Advisory Committee of its meeting held May 29, 2019**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR432/2019 CSPS 55

That the minutes of the Windsor Accessibility Advisory Committee meeting, held May 29, 2019 **BE RECEIVED.**

Carried.

Report Number: SCM 214/2019  
Clerk's File:MB2019

**8.34. Minutes of the Committee of Management for Huron Lodge of its meeting held June 17, 2019**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR433/2019 CSPS 56

That the minutes of the Committee of Management for Huron Lodge meeting, held June 17, 2019 **BE RECEIVED.**

Carried.

Report Number: SCM 212/2019  
Clerk's File:MB2019

**8.35. Report No. 26 of the Seniors Advisory Committee - Revised SAC Terms of Reference & Mandate - June 2019**

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Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR434/2019 CSPS 57

That Report No. 26 of SAC indicating:

That the Revised Seniors Advisory Committee Terms of Reference and Mandate – June 2019 with minor edits to reflect the name change to the “Community Services & Parks Standing Committee”, a maximum of 5 voting members and the deletion of the inclusion of 1 representative (voting) from the Hotel-Dieu Grace Healthcare organization BE APPROVED.

**BE APPROVED.**

Carried.

Report Number: SCM 241/2019

Clerk's File:MB2019

### **8.36. Minutes of the Seniors Advisory Committee of its meeting held June 18, 2019**

Moved by:Councillor Morrison  
Seconded by:Councillor Francis

Decision Number: CR435/2019 CSPS 58

That the minutes of the Seniors Advisory Committee of its meeting held June 18, 2019 **BE RECEIVED** for information.

Carried.

Report Number: SCM 243/2019

Clerk's File:MB2019

### **8.37. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held June 13, 2019**

Moved by: Councillor Morrison  
Seconded by: Councillor Francis

Decision Number: CR436/2019 CSPS 59

That the minutes of the Executive Committee and Board of Directors, Willistead Manor Inc. meetings, held June 13, 2019 **BE RECEIVED.**

Carried.

Report Number: SCM 226/2019

Clerk's File:MB2019

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### 8.38. Minutes of the Housing Advisory Committee of its meeting held June 4, 2019

Moved by: Councillor Morrison  
Seconded by: Councillor Francis

Decision Number: CR437/2019 CSPS 60

That the minutes of the Housing Advisory Committee of its meeting held June 4, 2019 **BE**

**RECEIVED** for information.

Carried.

Report Number: SCM 227/2019

Clerk's File:MB2019

### 8.39. Windsor-Essex School-Based Child Care Capital Projects City Wide

Moved by: Councillor Morrison  
Seconded by: Councillor Francis

Decision Number: CR438/2019 CSPS 61

That City Council **APPROVE** the annual net City contribution of \$74,854 towards the municipal cost of the Child Care Expansion Plan funding with gross allocation of \$915,207 to support the five (5) School-Based Child Care Projects; and further,

That City Council **REQUEST** the Province to adjust the process regarding school-based child care capital projects that have not received Approval to Proceed (ATP) from the Ministry of Education by:

- a. Taking into consideration municipal annual budget approval requirements and allowing municipal councils the opportunity to consider and approve any operating and financial impacts associated with these new capital projects; and,
- b. Extending the deadline of August 30, 2019 to at least October 31, 2019 for service system managers and school boards to jointly confirm priority school based child care capital projects on a preliminary basis, subject to a municipal council's annual budget approval process; and further,

That the Executive Director of Housing and Children's Services or designate **BE AUTHORIZED** to sign the Ministry of Education's Joint Confirmation-Previously-Approved Child Care Capital Projects forms for the 5 School-Based Child Care Projects, which will be co-signed by the appropriate school boards and submitted to the Ministry of Education by their August 31<sup>st</sup> 2019 deadline.

Carried.

Report Number: S 138/2019



#### **8.40. Atkinson Skate Park Bowl - Additional Info Memo**

Moved by: Councillor Morrison  
Seconded by: Councillor Francis

Decision Number: CR439/2019 CSPS 62

That the offer of a Skateboard Bowl in Atkinson Park donated by the Friends For Atkinson Park Inc. **BE APPROVED**; and further,

That authorization **BE GIVEN** to the City Solicitor or designate to develop an Agreement, or Agreements, between the Corporation of the City of Windsor and the Friends For Atkinson Park and/or any other parties as may be required, to include the scope for the installation of a skateboard bowl in Atkinson Park, obligations and responsibilities, the transference of ownership of the skateboard bowl and other rights to the City of; and further,

That the CAO and City Clerk **BE AUTHORIZED** to sign the Agreement(s), satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Corporate Leader of Parks Recreation & Culture and Facilities.  
Carried.

Report Number: S 115/2019  
Clerk's File: SR/13530

#### **8.41. Agreement with ERCA to Complete the Peche Island Aquatic Habitat Project**

Moved by: Councillor Morrison  
Seconded by: Councillor Francis

Decision Number: CR440/2019 CSPS 63

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign Maintenance Agreements with the Essex Region Conservation Authority (ERCA), satisfactory in form to the City Solicitor, in technical content to the Corporate Leader of Parks, Recreation & Culture and Facilities and in financial content to the City Treasurer, for the improvements and maintenance repairs and related engineering studies set out in the Peche Island Aquatic Habitat Project ERCA report dated June 7, 2019  
Carried.

Report Number: S 132/2019  
Clerk's File:EI/13466

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### 11.1. City Hall Square and Civic Esplanade Design - City Wide

Moved by: Councillor Morrison

Seconded by: Councillor Francis

Decision Number: CR443/2019

- I. That City Council **APPOINT** up to five Council members, with the Mayor sitting ex-officio as per standard practice, to form a Steering Committee for the New City Hall Square Plaza and Civic Esplanade Project; and,
- II. That Administration **BE DIRECTED** to prepare a Project Charter to the satisfaction of the Steering Committee.

Carried.

Report Number: C 114/2019

Clerk's File: APM/9120

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

### 8.15 Free Accessible Parking Pilot Project

Moved by: Councillor McKenzie

Seconded by: Councillor Holt

Decision Number: CR 414/2019 ETPS 691

That the report of the Environment Standing Committee entitled CQ10-2016 Free Accessible Parking Pilot Project **BE REFERRED** back to the Windsor Accessibility Advisory Committee and the New City Hall Project Steering Committee related to the Civic Plaza when it is struck for their consideration.

Carried.

Report Number: S 202/2018

Clerk's File: ST2019

### 8.32 Report No. 125 of the Windsor Accessibility Advisory Committee - One Year Pilot Accessible Parking Program

Moved by: Councillor McKenzie

Seconded by: Councillor Holt

Decision Number: CR 431/2019 CSPA 54

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That Report No. 125 of WAAC indicating:

That City Council BE REQUESTED to consider the implementation of a One Year Pilot Program waiving parking charges (impact of six parking spaces) for accessible permit holders on the west side of McDougall Street directly adjacent to 400 City Hall Square West.

**BE REFERRED** back to the Windsor Accessibility Advisory Committee and the New City Hall Project Steering Committee related to the Civic Plaza when it is struck.

Carried.

Report Number: SCM 215/2019

Clerk's File:MB2019

### 8.14 Parking By-law #9023 amendment to Gross Vehicle Weight Rating and Public Utility Exemption - City Wide

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Holt

Decision Number: CR 413/2019 ETPS 690

That the report of the Supervisor of Parking Enforcement dated July 8, 2019 entitled "Parking By-law # 9023 amendment to Gross Vehicle Weight Rating and Public Utility Exemption- City Wide"

**BE REFERRED** back to administration to meet with the proponents and consider some of the concerns that the residents have had and **PROVIDE** some recommendations for safeguards and also consider permitting the trucks that are on call to park on municipal properties.

Carried.

Report Number: S 128/2019

Clerk's File:ST2019

### 8.12 Report No. 103 of the Windsor Essex County Environment Committee - Temporary Road Closures at the Ojibway Prairie Complex

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: CR 411/2019 ETPS 684

That the Report No. 103 of the Windsor Essex County Environment Committee (Temporary Road Closures at the Ojibway Prairie Complex) **BE REFERRED** to the Sept 9, 2019 City Council Meeting to allow administration **TO PROVIDE** information on the implications of only closing Malden Road from Todd Lane to Armanda Street beginning on September 1, 2019 and extending to October 27, 2019 (8 weeks); and,

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That the information **INCLUDE** results of consultation with emergency services regarding vehicle response.

Carried.

Report Number: SCM 239/2019

Clerk's File: MB2019

## 10. PRESENTATIONS AND DELEGATIONS (5 Minute maximum per delegate)

### 10.1. Sewer Master Plan Project - Sixth Quarterly Update - City wide

**Flavio Forest, Dillon Consulting**

Flavio Forest, Dillon Consulting appears before Council regarding the administrative report Sewer Master Plan Project-Sixth Quarterly Update and provides a brief history of the Master Plan project and long term review and completion. Mr. Forest provides highlights of the Public consultation process; short term alternative solutions; Sewer & Surface Drainage Modelling Works completed; Problem areas including surface flooding and basement flooding are identified; and concludes by highlighting Long Term Alternative Solutions with 3 key themes—solutions rely on partnering approach, solutions will reduce, but not completely eliminate flooding risks and long-term solutions are expected to require an extended period of time to implement due to the scope and costs including next steps and additional Public Information sessions.

Moved by:Councillor Gignac

Seconded by:Councillor Morrison

Decision Number: CR441/2019

That the sixth quarterly update of the Sewer Master Plan project **BE RECEIVED** for information.

Carried.

Report Number: C 148/2019

Clerk's File:SW/12983

### 10.2. Front Yard Parking at 1850 Gladstone Avenue, One Year Follow Up - Ward 4

**Haidar Aouli, owner and Hilary Payne, agent**

Haidar Aouli, owner and Hilary Payne, agent appear before Council regarding the administrative report Front Yard Parking at 1850 Gladstone Avenue, One Year Follow Up (Ward 4) requesting that Council approve the front yard parking and concludes by indicating that he disagrees with

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administrations suggestion that adequate on street parking exists and indicates that he requires the front yard parking due to a disability.

Moved by:Councillor Holt

Seconded by:Councillor Kusmierczyk

Decision Number: CR442/2019

That the decision of the previous Council **BE UPHOLD** and that the report of the Engineer II Development, Projects and Right of Way dated June 28, 2019 entitled "Front Yard Parking at 1850 Gladstone Avenue, One Year Follow Up- Ward 4" **BE RECEIVED** for information; and,  
That Council **APPROVE** the installation of a second on street accessible parking spot as close to 1850 Gladstone as possible; and,

That the application **BE REVIEWED** in 2 years.

Carried.

Councillor McKenzie voting nay.

Councillor Francis voting nay.

Report Number: C 135/2019

Clerk's File:ST2019

### 8.25. Corporate Asset Management Plan

Moved by:Councillor Morrison

Seconded by:Councillor Francis

Decision Number: CR424/2019 CSC 329

That City Council **RECEIVE** and **APPROVE** the attached Asset Management Plan for the City of Windsor in compliance with Ontario Regulation 588/17 – Asset Management Planning for Municipal Infrastructure; and further,

That the report of the Manager of Asset Planning dated July 8, 2019 entitled "Corporate Asset Management Plan" **BE DEFERRED** to the 2020 Budget Deliberations to allow Council to consider the additional recommendations in the report.

Carried.

Councillor McKenzie voting nay.

Councillor Holt voting nay.

Report Number: S 129/2019

Clerk's File:AF11247

### 11.2. Additional Information RE: DHSC – Report S 19/2019 - 0 Seneca Street-Sunshine Drugs - Rezone to permt Residential Care Facility - Z010/18 [ZNG5577] - Ward 4

Karl Tanner, Dillon Consulting, Agent representing applicant

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Karl Tanner, Dillon Consulting, Agent representing applicant appears before Council in support of the administrative recommendation in the report Additional Information re: Report S 19/2019 – 0 Seneca Street – Sunshine Drugs, Rezone to permit Residential Care Facility (Ward 4) and concludes by providing a brief overview of the application and that the application was amended several times based on the residents' concerns.

### **Gerald Trottier, Solicitor representing: Windsor Mold Group; and 2609096 Ontario Inc. and Motipark Limited (part of the ETR Group)**

Gerald Trottier, Solicitor representing: Windsor Mold Group; and 2609096 Ontario Inc. and Motipark Limited (part of the ETR Group) appears before Council and expresses concern with the administrative recommendation in the report Additional Information re Report S 19/2019 – 0 Seneca Street – Sunshine Drugs, Rezone to permit Residential Care Facility (Ward 4) and concludes by indicating that the site is too small to permit this rezoning and the site lacks adequate parking for this use.

Moved by:Councillor Holt

Seconded by:Councillor McKenzie

Decision Number: CR444/2019

That Report S 19/2019 for the Zoning By-law Amendment Application submitted by Sunshine Drugs Ltd. **BE AMENDED** by deleting recommendations and substituting the following:

- (A) That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Block B, Registered Plan 1475 (PIN 011290073), situated on the south side of Seneca Street, between Durham Place and Turner Road, from Residential District 1.2 (RD1.2) and Commercial District 1.7 (CD1.7) to Residential District 3.3 (RD3.3) and by adding a site specific provision as follows:

“363. For the lands comprising Block B, Registered Plan 1475 (PIN 011290073), situated on the south side of Seneca Street, between Durham Place and Turner Road, despite the provisions of the Residential District 3.3 (RD3.3) zone category a Residential Care Facility shall be THE ONLY PERMITTED USE, subject to the following additional provisions:

- a) Lot Area – minimum - As Existing
- b) Rear Yard Depth – minimum - 10.0 m
- c) Number of Beds in a Residential Care Facility – maximum - 56 Beds

[ZDM 7; ZNG/5577]

- (B) That Report S 019/2019 for the Zoning By-law Amendment Application submitted by Sunshine Drugs Ltd. **BE AMENDED** by adding the following additional recommendations:

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- (i) That Block B, Registered Plan 1475 (PIN 011290073), situated on the south side of Seneca Street, between Durham Place and Turner Road, **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning).
  
- (ii) That a hold prefix **BE PLACED** on the proposed RD3.3 zone to be removed when the following conditions are met:
  - a) An application is made to remove the Hold;
  - b) A Noise and Vibration study is completed for the development;
  - c) A Site Plan Control Agreement that includes mitigation identified in the required noise and vibration study is registered on title.
  
- (iii) That the Site Plan Approval Officer **BE DIRECTED** to incorporate additional, or modify existing, mitigation measures that may include:
  - a) brick exterior cladding of the structure;
  - b) Double-glazed sealed windows, air conditioning and fresh air exchange in every unit;
  - c) foundation vibration isolation features;
  - d) Warning clauses recorded on title and to be included in all purchase agreements, leases and mortgages identifying potential nuisances, and potential expansion or alteration of manufacturing uses on nearby lands designated and zoned for Industrial purposes, and;
  - e) the prohibition of exterior balconies on the North side of the structure;
  
- (iv) That the Site Plan Approval Officer **BE FURTHER DIRECTED** to incorporate additional, or modify existing, mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 in the site plan approval and the site plan agreement,
  
- (v) That the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that incorporates noise mitigation measures to 2609096 ONTARIO INC. and WINDSOR MOLD INC”

II That Site Plan Control **BE FORWARDED** to City Council for consideration.  
Carried.

Report Number: C 149/2019  
Clerk's File:ZB/13256

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

None Presented.

## **12. CONSIDERATION OF COMMITTEE REPORTS**

### **12.1. (i) Report of the Special In-Camera meeting**

Moved by:Councillor Kaschak  
Seconded by:Councillor Kusmierczyk

Decision Number: CR445/2019That the report of the In Camera meeting held August 26, 2019 **BE ADOPTED** as presented.  
Carried.

Clerk's File:ACO 2019

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

Moved By: Councillor McKenzie  
Seconded By: Councillor Morrison

That the following By-laws No. 95-2019 through 104-2019 (inclusive) be introduced and read a first and second time:

**95-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR327/2019, adopted July 8, 2019.

**96-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR328/2019, adopted July 8, 2019.

**97-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR329/2019, adopted July 8, 2019.

**98-2019** 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 CAO 54/2019, adopted July 22, 2019.



**99-2019** A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 12 FOOT WIDE ALLEY SYSTEM LOCATED SOUTH OF WYANDOTTE STREET EAST AND NORTH OF ONTARIO STREET, EAST OF BUCKINGHAM ROAD AND WEST OF FORD BOULEVARD, CITY OF WINDSOR, authorized by CR668/2018, adopted December 17, 2018.

**100-2019** A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 12 FOOT WIDE ALLEY SYSTEM LOCATED SOUTH OF WYANDOTTE STREET EAST AND NORTH OF ONTARIO STREET, EAST OF BUCKINGHAM ROAD AND WEST OF FORD BOULEVARD, CITY OF WINDSOR, authorized by CR668/2018, adopted December 17, 2018.

**101-2019** A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 1107 IN THE CITY OF WINDSOR, authorized by BL 139-2013, adopted August 26, 2013.

**102-2019** A BY-LAW TO ADOPT AMENDMENT NO.124 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR330/2019, adopted July 8, 2019.

**103-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR330/2019, adopted July 8, 2019.

**104-2019** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWENTY SIXTH DAY OF AUGUST, 2019.

#### **14. MOVE BACK INTO FORMAL SESSION**

Moved By: Councillor Francis

Seconded By: Councillor Gignac

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 (as amended)  
Items Referred
- 4) Consideration of the Balance of Business Items (as amended)
- 5) Committee Reports (as presented)
- 6) By-laws given first and second readings (as presented)

Carried.

#### **15. NOTICES OF MOTION**

None presented.

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

Moved by:Councillor Holt  
Seconded by:Councillor Kaschak

That the By-laws No. 95-2019 through 104-2019 having been read a first and second time be now read a third time and finally passed and That the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.  
Carried.

## **17. PETITIONS**

None presented.

## **18. QUESTION PERIOD**

None registered.

## **21. ADJOURNMENT**

Moved By: Councillor Gignac  
Seconded By: Councillor Holt

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 8:03 o'clock p.m.

---

Mayor

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City Clerk

Adopted by Council at its meeting held August 26, 2019(CR 445/2019)

VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**August 26, 2019**

**Meeting called to order at: 4:30 p.m.**

**Members in Attendance:**

Mayor D. Dilkens  
Councillor F. Francis  
Councillor C. Holt  
Councillor G. Kaschak  
Councillor J. Gignac  
Councillor K. McKenzie  
Councillor J. Morrison  
Councillor I. Kusmierczyk

**Members Absent:**

Councillor F. Costante  
Councillor R. Bortolin (bereavement)  
Councillor E. Sleiman (illness)

**Also in attendance:**

O. Colucci, Chief Administrative Officer

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J. Payne, Community Development and Health Commissioner and  
Corporate Leader Social Development, Health, Recreation and Culture

M. Winterton, City Engineer and Corporate Leader Environmental Protection and  
Transportation

V. Critchley, City Clerk/Licence Commissioner and Corporate Leader  
Engagement and Human Resources Public

J. Mancina, Chief Financial Officer/City Treasurer and Corporate Leader  
Finance and Technology

W. Vendrasco, Acting City Solicitor and Corporate Leader Economic  
Development and Public Safety

J. Wilson, Corporate Leader, Parks, Facilities, Recreation and Culture

Verbal Motion is presented by Councillor Francis, seconded by Councillor Gignac, that Rule 3.3 (c) of the *Procedure By-law, 98-2011*, BE WAIVED to add the following Agenda items:

10. Legal Matter – Questions on Item 8.12 on open agenda.

Motion Carried.

Verbal Motion is presented by Councillor Kaschak, seconded by Councillor Morrison, to move in Camera for discussion of the following item(s), adding Item 10:

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Property matter – sale of land	2 3 9 ( 2 ) ( c )
2.	Property matter – sale of land	2 3 9 ( 2 ) ( c )
3.	Property matter –acquisition of land	2 3 9 ( 2 ) ( c )
4.	Property matter – exchange of land	2 3 9 ( 2 ) ( c )
5.	Property matter – sale/lease of land <u>(report to be distributed at meeting)</u>	2 3 9 ( 2 ) ( c )
6.	Property matter – lease	2 3 9 ( 2 ) ( c )

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7.	Personal issue – about an identifiable individual	2 3 9 ( 2 ) ( b )
8.	Legal matter – negotiations – verbal report	2 3 9 ( 2 ) ( k )
9.	Property matter – economic development – verbal report	2 3 9 ( 2 ) ( i )
10.	Legal matter – questions on Item 8.12 on open agenda – verbal – ADDED	2 3 9 ( 2 ) ( f )

**Motion Carried.**

### Declarations of Pecuniary Interest:

Councillor Kusmierczyk declares an interest and abstains from voting on Item 6 as it involves a client of his employer.

### Discussion on the items of business. (Items 1, 2, 3, 6, 7, 8, 9, 4, 5,10)

**Verbal Motion is presented by Councillor Gignac, seconded by Councillor Morrison, to move back into public session.**

**Motion Carried.**

**Moved by Councillor Francis, seconded by Councillor Gignac, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held August 26, 2019 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale of land **BE APPROVED.**

2. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale of land **BE APPROVED.**

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3. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety, Corporate Leader, Parks, Facilities, Recreation and Culture and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – acquisition of land **BE APPROVED**.

4. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology, City Engineer and Corporate Leader Environmental Protection and Transportation and Corporate Leader, Parks, Facilities, Recreation and Culture respecting a property matter – exchange of land **BE APPROVED**.

5. That the in-camera report from the Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety, Corporate Leader, Parks, Facilities, Recreation and Culture, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale/lease of land **BE RECEIVED** and that Administration **PROCEED** on the verbal direction of Council.

6. That the recommendation contained in the in-camera report from the CEO Your Quick Gateway, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter - lease **BE APPROVED**.

7. That the recommendation contained in the in-camera report from the Executive Director of Human Resources and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a personal matter about an identifiable individual **BE APPROVED**.

8. That the confidential verbal report from the City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Resources respecting a legal matter - negotiations **BE RECEIVED** and further that Administration **PROCEED** on the verbal direction of Council.

9. That the confidential verbal report from Mayor Dilkens respecting a property matter – economic development **BE RECEIVED** and further that Administration **PROCEED** on the verbal direction of Council.

**Councillor Holt voting nay**

10. That the confidential verbal report from the Acting City Solicitor respecting a legal question on Item 8.12 on the open agenda **BE RECEIVED FOR INFORMATION**.

**Motion Carried.**

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**Moved by Councillor Holt, seconded by Councillor Morrison,  
That the special meeting of council held August 26, 2019 BE ADJOURNED.**

**(Time: 5:45 p.m.)**

**Motion Carried.**