



## CITY OF WINDSOR MINUTES 11/18/2019

### City Council Meeting

Date: Monday, November 18, 2019

Time: 6:00 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 -

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

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### 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 6:01 o'clock p.m.

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

None disclosed.

### 4. ADOPTION OF THE MINUTES

#### 4.1. Adoption of the Windsor City Council meeting minutes held October 7, 2019

Moved by: Councillor Sleiman  
Seconded by: Councillor Bortolin

That the minutes of the meeting of Council held October 7, 2019 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 389/2019

#### 4.2. Adoption of the Special Meeting of Council minutes held October 30, 2019

Moved by: Councillor Sleiman  
Seconded by: Councillor Bortolin

That the minutes of the Special Meeting of Council held October 30, 2019 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 404/2019

### 5. NOTICE OF PROCLAMATIONS

"Dress Purple Day" – October 24, 2019

"World Pancreatic Cancer Day" – November 21, 2019

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### Flag Raising Ceremony:

“NBA Trophy Visit to Windsor” – October 10-14, 2019

“76th Anniversary of Lebanon's Independence” – November 22, 2019

## 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Costante

Seconded by: Councillor Francis

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:
  - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled); and
- (g) consideration of by-law 119-2019 through 129-2019 (inclusive).

Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence 7.1.1 through 7.1.25

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR531/2019

That the following Communication Items 7.1.1 through 7.1.8, 7.1.10, 7.1.11, 7.1.13, and 7.1.15 through 7.1.25 inclusive as set forth in the Council Agenda **BE REFERRED** as noted, and that Item 7.1.14, 7.1.9, and 7.1.12 be dealt with as follows:

#### **7.1.14 Application for Cannabis Retail Store Authorization for Rose City Cannabis provided to Alcohol and Gaming Commission of Ontario, 545 Ouellette Avenue, File Number 723929**

Moved by: Councillor Gignac

Seconded by: Councillor Bortolin

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Decision Number: CR532/2019

That Rule 13.9 of the Procedure By-law **BE WAIVED** to introduce a motion for reconsideration of CR9/2019, which pertains to the delegation to administration of providing comments to the AGCO in respect to any applications for a retail cannabis license.

Carried.

Moved by: Councillor Bortolin

Seconded by: Councillor Mckenzie

Decision Number: CR533/2019

That CR9/2019 as follows, which was adopted on January 21, 2019 **BE RECONSIDERED**:

I That Council resolves that The Corporation of the City of Windsor **SHALL ALLOW** cannabis retail stores to be located in the municipality; and,

II. That Council **ADOPTS** the Policy Statement contained at Appendix "F" as a statement of the City's guiding principles with respect to the location of any cannabis store in the municipality, for the purposes of provision of comment to AGCO in respect of any proposed location; and,

III. That Authority **BE DELEGATED** to the City Planner and Executive Director of Development Services to provide comments to the AGCO in respect of any application for a retail cannabis licence after engaging all necessary technical resources to review the application, and in accordance with the Policy Statement; and,

IV. That any responses provided to **AGCO** in respect of any application for a retail cannabis license **BE POSTED** to the City's website in the interests of openness and transparency; and,

V. That Administration **BE DIRECTED** to report on the financial impacts of cannabis retail in the 2020 budget process; and further,

VI. That the City of Windsor **OPPOSE** the establishment of cannabis retail stores within 150 metres of an addiction treatment centre (amending bullet point 1.iii in the Draft Municipal Policy Statement).

Carried.

Clerk's File: GP/13047

Moved by: Councillor Bortolin

Seconded by: Councillor Francis

Decision Number: CR534/2019

I That Council resolves that The Corporation of the City of Windsor **SHALL ALLOW** cannabis retail stores to be located in the municipality; and,

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II. That Council **ADOPTS** the Policy Statement contained at Appendix “F” as a statement of the City’s guiding principles with respect to the location of any cannabis store in the municipality, for the purposes of provision of comment to AGCO in respect of any proposed location; and,

III. That in response to any future applications for a retail cannabis store licence for this term of Council, after engaging to review the application, that Administration **BE REQUESTED** to canvas information from all necessary technical resources, the surrounding Business Improvement Areas (BIA’s) and surrounding property owners and that the information **BE BROUGHT FORWARD** to City Council, at a special meeting if necessary, to provide comments to the AGCO in accordance with the Policy Statement; and,

IV. That any responses provided to AGCO in respect of any application for a retail cannabis license **BE POSTED** to the City’s website in the interests of openness and transparency; and,

V. That Administration **BE DIRECTED** to report on the financial impacts of cannabis retail in the 2020 budget process; and further,

VI. That the City of Windsor **OPPOSE** the establishment of cannabis retail stores within 150 metres of an addiction treatment centre (amending bullet point 1.iii in the Draft Municipal Policy Statement).

Carried.

Clerk’s File: GP/13047

### **7.1.9 Briefing note, Demand the right coalition of Ontario Municipalities, Giving Ontario Municipalities the “right to approve” landfill developments in their own communities**

Moved by: Councillor McKenzie

Seconded by: Councillor Francis

Decision Number: CR535/2019

That the correspondence from the Town of Ingersoll regarding the demand that Ontario Municipalities have the “right to approve” landfill developments in their own communities **BE RECEIVED**; and,  
That the following:

**MUNICIPALITIES CALL ON PROVINCE TO ENSURE ITS “MADE-IN-ONTARIO ENVIRONMENT PLAN” INCLUDES MUNICIPAL “RIGHT TO APPROVE” LANDFILL DEVELOPMENTS**

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS Ontario’s proposed “Made-in-Ontario Environment Plan” states that the province will grant municipalities a “greater say in siting of landfills”;

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AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, whether to host cannabis retail in their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND UNLESS significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

AND WHEREAS other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the City of Windsor calls upon the Government of Ontario, as part of its "Made-in-Ontario Environment Plan" to formally entrench the right of municipalities to approve or reject landfill projects in or adjacent to their communities;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the City of Windsor encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action;

AND THAT the MOTION adopted by Council BE FORWARDED to the DEMAND THE RIGHT COALITION OF ONTARIO MUNICIPALITIES

**BE APPROVED**; and further,

That the County of Essex **BE REQUESTED** to consider adopting a similar motion.  
Carried.

Clerk's File: GM2019

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### 7.1.12 The Royal Canadian Legion Ontario Command 7th Annual Military Service Recognition Book, copy provided of the Advertisement Letter, Rate Sheet, 1/2 page colour ad and business card from the last book printed to review

Moved by: Councillor McKenzie  
Seconded by: Councillor Francis

Decision Number: CR536/2019

That the correspondence from the Royal Canadian Legion Ontario Command regarding the 7<sup>th</sup> Military Service Recognition Book, **BE RECEIVED**; and further,

That **APPROVAL BE GIVEN** for a half page colour ad in the “Military Service Recognition Book” in the amount of \$940.00 (cost of \$831.86 plus \$108.14 HST), and that this amount **BE CHARGED** to the Budget Stabilization Reserve (BSR) Fund.

Carried.

Clerk’s File: APR2019

No.	Sender	Subject
7.1.1	Ontario Ministry of Natural Resources and Forestry	Environmental Registry notice (019-0732) by the Ministry of Natural Resources and Forestry regarding proposal to amend three statutes and make a new regulation  Corporate Leader Parks, Recreation, Culture & Facilities City Engineer GP2019 Note & File
7.1.2	Ontario Ministry of Municipal Affairs and Housing	Announcement of Regional Government Review, Renewal of funding programs to identify efficiencies, Municipal Fiscal Year, Voters’ List and Ontario Municipal Partnership Fund  City Clerk City Treasurer Manager of Records/Elections & Freedom of Information Coordinator GP2019 Note & File

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No.	Sender	Subject
7.1.3	Ontario Ministry of the Environment, Conservation and Parks	Director's Instructions on behalf of Enwin Utilities Ltd., Reference Number 1506-BHHJPX  City Engineer Fire Chief GP2019 Note & File
7.1.4	Ontario Energy Board and Enbridge Gas Inc.	Enbridge Gas filed an application on October 8, 2019, with the Board for interim and final Orders approving or fixing just and reasonable rates for the sale, distribution, transmission, and storage of gas commencing January 1, 2020. Ontario Energy Board Notice to Customers of Enbridge Gas Inc. has applied to raise its natural gas rates effective January 1, 2020  MU2019 Note & File
7.1.5	Association of Municipalities of Ontario	Announcement by the Minister of Municipal Affairs and Housing, several key announcements of interest to municipal governments across Ontario  City Treasurer City Clerk Manager of Records/Elections & Freedom of Information Coordinator MMA2019 Note & File
7.1.6	Terrapex Environmental Ltd.	Notification of Environmental Standards, Terrapex Environmental Ltd. has been retained by the property owner to conduct a Phase Two Environmental Site Assessment at 1110 Tecumseh Road, in Windsor, Ontario  City Planner City Engineer Manager, Environmental Quality EI/11165 Note & File



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No.	Sender	Subject
7.1.7	CN Regional Engineering Design & Construction	Snow Removal Operations, Rail-Road Crossings, letter to be reviewed by all Road Authorities to ensure proper procedures are followed when plowing or salting around the CN Rail tracks  City Engineer MT2019 Note & File
7.1.8	Landmark Engineers Inc.	Oldcastle Stormwater Master Plan, Class Environmental Assessment, Notice of Intent & Invitation to Comment, Public Information Centre on October 17, 2019  City Engineer SW2019 Note & File
7.1.9	Town of Ingersoll	Briefing note, Demand the right coalition of Ontario Municipalities, Giving Ontario Municipalities the "right to approve" landfill developments in their own communities  City Planner City Engineer GM2019 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.10	The Town of Lakeshore	Lakeshore 5-Year Official Plan Review, 3 <sup>rd</sup> Public Open House to review materials, speak with Town staff and consulting team, held on October 29, 2019  City Planner City Solicitor GM2019 Note & File
7.1.11	Woodbine Entertainment Group	Addition of a Champions Teletheatre at Breakaway Gaming Centre, 655 Crawford Avenue, Windsor  City Clerk/Licence Commissioner ACLL2019 Note & File

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No.	Sender	Subject
7.1.12	The Royal Canadian Legion Ontario Command	The Royal Canadian Legion Ontario Command 7th Annual Military Service Recognition Book, copy provided of the Advertisement Letter, Rate Sheet, 1/2 page color ad and business card from the last book printed to review  APR2019 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.13	City Engineer	Notice of Study Commencement and Public Information Centre, Class Environment Assessment, Wyandotte Street East and Jarvis Avenue  City Planner SW2019 Note & File
7.1.14	City Planner/Executive Director of Planning and Building Services	Application for Cannabis Retail Store Authorization for Rose City Cannabis provided to Alcohol and Gaming Commission of Ontario, 545 Ouellette Avenue, File Number 723929  City Solicitor GP/13047 Note & File
7.1.15	Manager of Urban Design	Site Plan Approval, 1362279 Ontario Ltd., Daniel & Lowie Habib, 840 Wyandotte Street East, proposed new 4 storey building  ZS/13615 Note & File
7.1.16	Manager of Urban Design	Site Plan Approval, Windsor Police Association, 0 Windsor Avenue, 33 car parking lot for use by members of the Windsor Police Association  ZS/13622 Note & File
7.1.17	Manager of Urban Design	Site Plan Approval, City of Windsor, 1650 Seneca Street, proposed new parking lot for Stodgell Park  ZS/13626 Note & File

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No.	Sender	Subject
7.1.18	Manager of Urban Design	Site Plan Approval, Rio Aiello, 1762643 Ontario Inc., 0 Pillette Road, proposed new three storey residential development  ZS/13625 Note & File
7.1.19	Manager of Urban Design	Site Plan Approval, Bettermade Properties Inc., 980 Lillian Avenue & 614 Erie E, proposed 16 car paved parking lot  ZS/13642 Note & File
7.1.20	City Planner/Executive Director	Application for Zoning Amendment and Official Plan Amendment, Farhi Holdings Corporation, 1600 Lauzon Road, to amend Zoning By-law 8600 to allow redevelopment of the subject site for a mix of residential, commercial and institutional uses  ZB/13624 Note & File
7.1.21	City Planner/Executive Director	Application for Draft Plan of Subdivision/Condominium, Eastside Horizons Inc. (Wing On Li), 1490, 1610 & 1676 Banwell Road, Application to approve a Plan of Condominium for a 180-unit residential development consisting of multiple dwellings  ZP/13639 Note & File
7.1.22	City Planner/Executive Director	Application for Zoning Amendment, Management & International Trading Inc. (Abe Taqtaq), 6550 & 6560 Wyandotte Street East, Application to amend Zoning By-law 8600 to allow a 7 storey multi-unit residential building with associated parking  ZB/13640 Note & File

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No.	Sender	Subject
7.1.23	City Planner/Executive Director	Application for Draft Plan of Subdivision/Condominium, 2595562 Ontario Ltd. (Fanelli Real Estate), Little River Boulevard & Florence Avenue, application to approve an Extension of Draft – Plan of Subdivision  ZP/13641 Note & File
7.1.24	Committee of Adjustment/Consent Authority	Applications heard by the Committee of Adjustment/Consent Authority, afternoon of Thursday, October 31, 2019, 3:30 p.m., Room 204, 2 <sup>nd</sup> floor, Windsor City Hall, 350 City Hall Square West  ZC2019 Note & File
7.1.25	Committee of Adjustment/Consent Authority	Applications to be heard by the Committee of Adjustment/Consent Authority, afternoon of Thursday, November 28, 2019, 3:30 p.m., Room 204, 2 <sup>nd</sup> floor, Windsor City Hall, 350 City Hall Square West  ZC2019 Note & File

Carried.

Report Number: CMC 17/2019

## 7.2. CQ16 - 2016 - Windsor / Detroit Pedestrian Ferry

Moved by: Councillor Holt

Seconded by: Councillor Bortolin

Decision Number: CR537/2019

That the report of the Corporate Leader Transportation Services dated October 7, 2019 entitled "CQ16 - 2016 - Windsor / Detroit Pedestrian Ferry" **BE RECEIVED** for information, and,

That Administration **BE REQUESTED** to send a letter to the Canada Border Service Agency (CBSA) and Detroit/Wayne County Port Authority (DWCPA) reaffirming the City's support of the Windsor / Detroit Pedestrian Ferry.

Carried.

Report Number: C 65/2019

Clerk's File: SR2019

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### 7.3. Your Quick Gateway (Windsor) Inc. 2nd Quarter 2019 Financial Statements - City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR538/2019

That City Council **RECEIVE** for information, the Your Quick Gateway (Windsor) Inc. 2<sup>nd</sup> Quarter 2019 Financial Statements.  
Carried.

Report Number: C 175/2019  
Clerk's File: APM/9795

### 7.4. Summary of Hotline Issues Referred to Management by PwC – 2019 Q3 - City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR539/2019

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

Report Number: S 180/2019  
Clerk's File: AF2019

### 7.5. Compliance with Applicable Laws & Regulations, 2019 Q3 - City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR540/2019

That City Council **RECEIVE FOR INFORMATION** the Status Report on Compliance with Applicable Laws and Regulations, 2019 Q3.  
Carried.

Report Number: S 181/2019  
Clerk's File: AF2019

### 7.6. 2018 Municipal Benchmarking Network of Canada (MBNCanada) Performance Measurement Report - City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

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Decision Number: CR541/2019

That the report of the Chief Financial Officer and City Treasurer dated November 3, 2019 regarding the 2018 Municipal Benchmarking Network of Canada (MBNCanada) Performance Measurement Report **BE RECEIVED** for information.

Carried.

Report Number: CM 35/2019

Clerk's File: GP/13566

## 8. CONSENT AGENDA

### 8.1. Status of the Corporation's Participation in Unpaid and Paid Student and Work Agency Programs in 2018 - City Wide

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR542/2019

That City Council **RECEIVE FOR INFORMATION** the report of the Human Resources Department dated October 11, 2019 entitled "Status of the Corporation's participation in Unpaid and Paid Student and Work Placement Agency Programs in 2018"; and,

That City Council **DIRECT** the Human Resources Department to report annually to City Council the Corporation's participation in Unpaid and Paid Student and Work Placement Agency Programs.

Carried.

Report Number: CM 34/2019

Clerk's File: GF/12481

### 8.2. Community Safety and Wellbeing Regional Plan - City Wide

#### CR543/2019 AMENDED BY CR337/2020 ADOPTED JULY 13, 2020

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR543/2019

That the report of the Commissioner of Community Development and Health Services regarding Community Safety and Well-Being planning **BE RECEIVED** for information; and,

That City Council **AUTHORIZE** the Commissioner of Community Development and Health Services to engage the County of Essex and its municipalities to develop a regional Community Safety and Well-Being Plan; and,

That subject to approval by City and County Councils, a matching contribution of \$200,000 from the County of Essex **BE ALLOCATED** to the City of Windsor for the development of the regional Community Safety and Well-Being Plan; and,

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That the Community Development and Health Commissioner or her designate **BE AUTHORIZED** to take such actions as required to implement, operationalize and manage the project, including signing and executing the necessary agreements and documents related to the Community Safety and Well-Being Plan, provided such agreements and documents comply with the governing program requirements, the City's Purchasing By-law and are in a form and content satisfactory to the City Solicitor, satisfactory in the financial content to the City Treasurer and satisfactory in technical content to the Manager of Social Policy and Planning and such that expenditures do not exceed the approved budget for the program; and further,

That Administration **BE DIRECTED** to bring the regional Community Safety and Well-Being Plan to City Council and Essex County Council in sufficient time to be considered prior to the Provincial government's deadline of January 1, 2021.

Carried.

Report Number: S 198/2019

Clerk's File: SS2019

### 8.3. 2019 Third Quarter Operating Budget Variance Report

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR544/2019

That Council **RECEIVE FOR INFORMATION** the 2019 3<sup>rd</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 184/2019

Clerk's File: AFB/13207

### 8.4. Consultation On Building Code Services Transformation - City Wide

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR545/2019

That the Mayor and Council **RECEIVE FOR INFORMATION** the discussion paper *Transforming and Modernizing the Delivery of Ontario's Building Code Services* prepared by the Ministry of Municipal Affairs and Housing; and,

That the Chief Building Official **BE AUTHORIZED** to provide feedback on the City's behalf to the Minister of Municipal Affairs and Housing before the close of the consultation Process on November 25, 2019 in reference to the same discussion paper.

arried.

Report Number: C 170/2019  
Clerk's File: SB2019

### **8.6. 2018 Investment Report & Policy Update**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR547/2019

That the 2018 Annual Investment Report for the year ending December 31, 2018 **BE RECEIVED** for information; and,

That City Council **APPROVE** the updated Investment Policy as presented in Appendix A, and further,

That administration **BE REQUESTED** to prepare a more detailed report that includes information regarding the specific asset mix that makes up the City's investment portfolio.

Carried.

Report Number: C 171/2019  
Clerk's File: AF2019

### **8.7. Ministry of Labour (MOL) Orders Issued to the Corporation October 3rd, 2019 - City Wide**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR548/2019

That City Council **RECEIVE FOR INFORMATION** this report from the Executive Director of Human Resources with respect to three orders issued to the Corporation by the Ministry of Labour (MOL) in relation to incidents that occurred at the Windsor Family Credit Union (WFCU Centre) site in October 2019: and further,

That Council and Administration **BE MADE AWARE** that Parks, Recreation and Culture, Facilities and the Human Resources Departments have taken action to address items noted in the MOL report and in doing so the Corporation has not appealed these orders.

Carried.

Report Number: CM 36/2019  
Clerk's File: GP2019

### **8.8. Maintenance Services for No. 1 Diesel Generator at the Lou Romano Water Reclamation Plant - City Wide**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie



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Decision Number: CR549/2019

- I. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with Toromont CAT for the purchase of Maintenance Services for the Overhaul of Generator No.1 at the LRWRP for an upset limit of \$230,000.00 plus HST, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer & City Treasurer and in technical content to the City Engineer.
- II. That Council **APPROVE** a transfer from the Sewer Surcharge Reserve, Fund 153, for any deficit resulting from this work to an upset limit of \$200,000.

Carried.

Report Number: C 181/2019

Clerk's File: SW/13385

### 8.9. Connecting Links Program Intake 5 (2020-2021) Grant Funding - Huron Church Road

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR530/2019

- 1) That City Council **AUTHORIZE** the Chief Administrative Officer to submit an application for the project outlined in this report, to the Connecting Links Program 2020-21 subject to the documents being satisfactory in technical content to the City Engineer and in financial content to the City Treasurer; and,
- 2) That City Council **APPROVE** the recommended funding sources as identified in the Financial Matters section of this report for the City portion of the eligible project costs and any ineligible costs and funding be moved to a new project ID in the 2020 8-year Capital Budget for the Connecting Links Intake 5 project and all funding **BE DEEMED** as placeholder funding; and,
- 3) That in the event the City receives written confirmation of the Grant funding being awarded to the City, that City Council **APPROVES** the following:
  - a) That City Council **PRECOMMIT** the following funding in the Connecting Links Intake 5 capital project so that these funds are available for immediate use:
    - i) 2021 Funding: \$995,000
    - ii) 2022 Funding: \$995,000
    - iii) 2023 Funding: \$1,019,930
  - b) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any agreements, declarations or approvals required resulting from receiving grant funding approval for the Connecting Links Program 2020-21 program subject to such documents being satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in Legal form to the City Solicitor; and,

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- c) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, progress reports and applicable schedules and other such documents as may be required as part of the request for payment to the City Engineer or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
- d) Administration **BE AUTHORIZED** to make any expenditures that are related to the Connecting Links Intake 5 project, provided such expenditures are within previously-approved budget amounts and that they are required to be made prior to the formal public announcements or agreement execution, due to project timelines; and further,
- e) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors/proponents/bidders satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
- f) The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specifications being satisfactory in technical content to the City Engineer and in financial content to the City Treasurer.

Carried.

Report Number: C 186/2019  
Clerk's File: SW/12414

### 8.10. Amendment - Relief from Property Taxation 2018 - Extreme Poverty and/or Sickness

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR550/2019

That City Council **ACCEPT** Administration's recommendation to approve one (1) application for property tax relief which was previously denied, in the amount of \$2,516.69 (inclusive of education portion).

Carried.

Report Number: C 185/2019  
Clerk's File: AF2019

### 8.11. 2020 Schedule of Council and Standing Committee Meetings

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR551/2019

That the schedule of City Council and Standing Committee meetings for 2020 attached as Appendix A, along with the "Deadlines for Submission of Reports Scheduled for Consideration at City Council & Corporate Services Standing Committee Meetings" attached as Appendix B, and "Deadlines for Submission of Reports Scheduled for Consideration at Standing Committee Meetings" attached as Appendix C for January 1, 2020 to December 31, 2020 **BE APPROVED**.

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Carried.

Report Number: C 168/2019  
Clerk's File: ACO2019

**8.12. Amendment to the Berkley B1 Fishing Agreement and Council Resolution**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR552/2019

That CR 508/2018 **BE AMENDED** as follows:

That City Council **APPROVE** a total maximum contribution of \$86,000 to act as the Host City of the Berkley B1 Fishing Championship for two years in 2020 and 2021 with funding to come from the Sports Tourism Event Bid capital project account (7121026) to cover a portion of the event cost for the Berkley B1 Fishing Championship to be expended as follows \$43,000 in 2019 and \$43,000 in 2021; and further,

That payment of the \$43,000 in 2021 **BE MADE** only after completion of the terms and conditions of the 2020 event satisfactory to the Executive Director of Recreation & Culture; and further

That City Council **AUTHORIZE** the Chief Administrative Officer and City Clerk to sign an amended agreement satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the Executive Director of Recreation & Culture.

Carried.

Report Number: C 183/2019  
Clerk's File: SR/13020

**8.14. Cross-Departmental Policy Updates - City Wide**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR554/2019

That Council **APPROVE** the updates to the Corporate Policy Library as outlined in APPENDICES A-J (attached).

Carried.

Report Number: S 168/2019  
Clerk's File: AF2019

**8.16. Rezoning of 1295 Wyandotte West Z 015-19 [ZNG-5911] - Ward 2**

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Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR556/2019 DHSC 96

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 34 To Lot 36; South Part Lot 33 and Part Closed Alley on Plan 454, (municipally known as 1295 Wyandotte Street West; PIN 012050196; Roll No. 3739- 040-220-14000-0000), situated at the south-east corner of the intersection of Wyandotte Street West and Cameron Avenue, from Residential District 3.1 (RD3.1) to Commercial District 2.2 (CD2.2)

[ZDM 3; ZNG/5911]

Carried.

Report Number: SCM 380/2019 & S 174/2019

Clerk's File: ZB/13604

### **8.17. Application for Approval of a Plan of Condominium with Exemption under Section 9(3) of The Condominium Act - 955 Ouellette Inc. - 955 Ouellette Avenue - CDM-002/19 [CDM/5847]; Ward 3**

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR557/2019 DHSC 97

That the application of 955 Ouellette Inc. for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of 32 dwelling units, on a property legally described as; Lots 14; 15 and 16, in Block 4, Plan 256; as shown on the attached Map No. CDM-002/19, **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: SCM 381/2019 & S 171/2019

Clerk's File: ZP/13515

### **8.19. Brownfield Redevelopment Community Improvement (CIP) application submitted by the Windsor Essex Catholic District School Board for properties located at 2400 Ouellette Avenue and 2465 McDougall Street (Ward 10)**

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR559/2019 DHSC 99

- I. That the request made by The Windsor Essex Catholic District School Board to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study, Designated Substances and Hazardous Material Survey, and/or a Remedial Work Plan for properties located at 2400 Ouellette Avenue and 2465 McDougall Street pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,

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- II. That the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$25,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study, Designated Substances and Hazardous Material Survey, and/or Remedial Work Plan completed in a form acceptable to the City Planner and City Solicitor.

Carried.

Report Number: SCM 383/2019 & S 151/2019  
Clerk's File: Z/8955

### 8.20. Response to Council Question 26-2018 Regarding Adding Secondary Suites to Downtown CIP Incentive Packages

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR560/2019 DHSC 100

That the report of the Planner III Special Projects dated September 6, 2019 entitled "Response to Council Question 26-2018 Regarding Adding Secondary Suites to Downtown CIP Incentive Packages" **BE REFERRED** back to administration to report back after the incremental development workshops and clinics take place; and, that the report **PROVIDE** details related to the outcomes and possible obstacles related to holding back development of Secondary Suites and information related to other potential incentives such as Ontario Renovates.

Carried.

Report Number: SCM 384/2019 & C 159/2019  
Clerk's File: SPL2019

### 8.21. University Avenue and Wyandotte Street West Community Improvement Plan - Terms of Reference

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR561/2019 DHSC 101

- I. That the Terms of Reference for the University Avenue and Wyandotte Street West Community Improvement Plan attached as Appendix B to Report S173/2019 **BE APPROVED**.

Carried.

Report Number: SCM 385/2019 & S 173/2019  
Clerk's File: SPL/10759

### 8.22. Minutes of the Windsor BIA Advisory Committee of its meeting held August 20, 2019

Moved by: Councillor Kaschak

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Seconded by: Councillor McKenzie

Decision Number: CR562/2019 DHSC 102

That the minutes of the Windsor BIA Advisory Committee of its meeting held August 20, 2019 **BE RECEIVED** for information.

Carried.

Report Number: SCM 386/2019 & SCM 327/2019

Clerk's File: MB2019

### **8.23. Report No. 20 of the Windsor BIA Advisory Committee - Lane reduction on Wyandotte St. East from St. Luke to Lauzon**

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR563/2019 DHSC 103

That Report No. 20 of the Windsor BIA Advisory Committee – Lane reduction on Wyandotte indicating:

That Administration **BE REQUESTED** to report back on the feasibility of lane reduction on Wyandotte Street East from St. Luke to Lauzon Road in light of the passing of the Active Transportation Master Plan by City Council.

**BE APPROVED.**

Carried.

Report Number: SCM 387/2019 & SCM 328/2019

Clerk's File: MB2019

### **8.24. Report No. 21 of the Windsor BIA Advisory Committee - Increasing enforcement on Wyandotte St. East from Devonshire to Lauzon due to excessive speeding**

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR564/2019 DHSC 104

That Report No. 21 of the Windsor BIA Advisory Committee – Increasing enforcement on Wyandotte St. East from Devonshire to Lauzon indicating:

That Administration from Windsor Police Services **BE REQUESTED** to report back on the feasibility of increasing enforcement on Wyandotte Street East from Devonshire to Lauzon Road due to excessive speeding along this corridor.

**BE APPROVED.**

Carried.

Report Number: SCM 388/2019 & SCM 329/2019

Clerk's File: MB2019

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### 8.25. CQ24-2019 - Designating all BIA's as "Tourist Destinations" - City Wide

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR565/2019 ETPS 719

That the report of the Manager of Traffic Operations dated October 2, 2019 entitled, "CQ24-2019 - Designating all BIA's as "Tourist Destinations" – City Wide" **BE REFERRED** to the Windsor Business Improvement (BIA) Advisory Committee for comment.

Carried.

Report Number: SCM 392/2019 & S 179/2019  
Clerk's File: MI2019

### 8.26. EWSWA Regular Board Meeting Minutes July 10 2019

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR566/2019 ETPS 711

That the minutes of the EWSWA Regular Board Meeting held July 10, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 393/2019 & SCM 331/2019  
Clerk's File:MB2019

### 8.27. Minutes of the Transit Windsor Advisory Committee of its meeting held August 27, 2019

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR567/2019 ETPS 712

That the minutes of the Transit Windsor Advisory Committee of its meeting held August 27, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 394/2019 & SCM 347/2019  
Clerk's File: MT2019

### 8.28. Minutes of the Windsor Licensing Commission of its meeting held September 25, 2019

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

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Decision Number: CR568/2019 ETPS 713

That the minutes of the Windsor Licensing Commission of its meeting held September 25, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 395/2019 & SCM 368/2019

Clerk's File: MB2019

### 8.29. Minutes of the Windsor Essex County Environment Committee of its meeting held September 19, 2019

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR569/2019 ETPS 714

That the minutes of the Windsor Essex County Environment Committee of its meeting held September 19, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 396/2019 & SCM 367/2019

Clerk's File: MB2019

### 8.31. CQ26-2016 Riverside Drive Road Diet - WARDS 3 & 4 AND CQ26-2016 Riverside Drive Road Diet - Follow-up - Wards 3 & 4

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR571/2019 ETPS 716

That the report of the Transportation Planning Engineer dated January 6, 2017 entitled "CQ26-2016 Riverside Drive Road Diet" and the report of the Transportation Planning Engineer dated October 4, 2019 entitled "CQ26-2016 Riverside Drive Road Diet- Follow up" **BE RECEIVED** for information; and further,

That administration **BE REQUESTED** to provide specific information related to the traffic analysis study portion of the report and that this information **BE REFERRED** to the 2020 budget deliberations meeting.

Carried.

Report Number: SCM 398/2019, S 211/2016, & S 144/2019

Clerk's File: SW2019

### 8.32. Addressing Illegal Dumping - City Wide

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie



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Decision Number: CR572/2019 ETPS 717

That the report of the City Engineer dated September 5<sup>th</sup>, 2019 regarding Addressing Illegal Dumping **BE RECEIVED** for information; and further,

That administration **BE REQUESTED** to provide a report related to options of providing free bulk item pickup service and that this information **BE REFERRED** to the 2020 budget deliberation meeting.

Carried.

Report Number: SCM 399/2019 & S 167/2019

Clerk's File: SW2019

### 8.33. Consent for Breakwall Encroachment - 11770 Riverside Drive E - Ward 7

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR573/2019 ETPS 718

That the request by Mr. Michael Solcz, of 11770 Riverside Drive East, for the consent of the Corporation of the City of Windsor to cross the municipal break wall in order to install a seasonal boat lift, **BE APPROVED**; and,

That the CAO and Clerk **BE AUTHORIZED** to sign a consent:

- in form satisfactory to the City Solicitor and City Engineer,
- subject to the applicant indemnifying the Corporation of the City of Windsor against all claims which may arise by reason of occupation and use of the City's lands,
- subject to providing proof of General Liability insurance with limits of not less than \$2,000,000.00 per occurrence, naming The Corporation of the City of Windsor as an additional insured, including a cross-liability clause and a 30 day notice of material change or cancellation provision, in form satisfactory to the City Solicitor.

Carried.

Report Number: SCM 400/2019 & S 176/2019

Clerk's File: SE2019

### 11.2. 2020 Capital Budget Pre-Approval - CityWide

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR577/2019

- I. That City Council **PRE-COMMIT** an amount of \$7,655,095.00 from the 2020 Capital Budget, as detailed within Appendix A, for immediate use in order to take advantage of competitive bidding.

Carried.

Report Number: C 178/2019

Clerk's File: AF/13467

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### 11.3. Grand Marais Drain Provisional By-Law for Repair and Improvement - Wards 1, 5, 9 and 10

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR578/2019

That Council **ADOPT** the drainage report completed by Landmark Engineers Inc., dated October 14, 2019 (attached), for the Repair and Improvement to the Grand Marais Drain by giving first and second readings to Provisional By-law 119-2019 in accordance with Section 45 of the *Ontario Drainage Act*. Carried.

Report Number: C 179/2019  
Clerk's File: SW2019

### 11.4. Development Application 1600 Lauzon Road OPA/5773 (OPA 123) ZNG/5772 (ZNG004/19) SDN/5774 SDN 002/19 - Farhi Holdings Corporation - Ward 6

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR579/2019 DHSC 105

- I. That an amendment to the City of Windsor Official Plan **BE APPROVED** changing the land use designation of Part of Lots 128,129E, 129W, and 132 Concession 1 (McNiff's) known municipally as 1600 Lauzon Road as follows:
  - i. Block 24 on the proposed Land Use Plan (as identified on Appendix "A") from "Industrial" to "Commercial Corridor";
  - ii. Part 2 on Reference Plan 12R-27318 (as identified on Appendix 'E' from "Industrial" to "Commercial Corridor";
  - iii. Lots 1 to 22 and Blocks 1 to 23 (all inclusive) and as identified on Appendix "A" from "Industrial" to "Residential";
  - iv. Parts 1, 7, 8, 9, 10, 11, and 12, on Reference Plan 12R-27318 (as identified on Appendix "E") from "Industrial" to "Institutional".
  
- II That an amendment to the City of Windsor Official Plan **BE APPROVED** changing the land use designation of Part of Lots 129E, 132 and 133 Concession 1 (McNiff's) known municipally as 8787 McHugh Street (WFCU Centre) as follows:
  - i. Parts 2, 3 and 4 on Reference Plan 12R-22910 save and except Part 1 12R-27914 (as identified on Appendix "D") from "Industrial" to "Institutional".
  
- III That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lots 128,129E, 129W and 132 Concession 1 (McNiff's) known municipally as 1600 Lauzon Road as follows:

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- i. Block 24 on the draft Plan of Subdivision (SDN 002/19-1) and Part 2 on Reference Plan 12R-27318 from Manufacturing MD1.2, HMD1.2 and MD2.1 and S20(1) 199 to Commercial CD2.2;
- ii. Lots 1-22 and Blocks 1-18 (all inclusive) on the draft Plan of Subdivision (SDN 002/19-1) from Manufacturing MD2.1 and S20(1) 199 to Residential RD1.1;
- iii. Blocks 19, 20 and 21 on the draft Plan of Subdivision (SDN 002/19-1) from Manufacturing MD1.2 and S20(1) 199 to Residential RD3.1;
- iv. Parts 1, 7, 8, 9, 10, 11, and 12, as identified on Reference Plan 12R-27318 (Appendix E), from Manufacturing MD2.1 and S20(1) 199 to Institutional ID1.1;
- v. Blocks 22 and 23 on the draft Plan of Subdivision (SDN 002/19-1) from Manufacturing MD2.1, HMD1.2 and S20(1)199 to Green District GD1.5

**IV** That an amendment to the Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lots 129E, 132 and 133 Concession 1 (McNiff's) known municipally as 8787 McHugh Street (WFCU Centre) as follows:

- i. Parts 2, 3 and 4 on Reference Plan 12R-22910 save and except Part 1 12R-27914, (Appendix D) from Manufacturing MD1.2, HMD2.1 & S20(1)199 to Institutional ID1.1

**V** That the application of the Farhi Holdings Corporation for Draft Plan of Subdivision approval of Part of 128,129E, 129W, and 132 Concession 1 (McNiff's), City of Windsor; **BE APPROVED** on the following basis:

- A That this approval applies to the draft plan of subdivision, as shown on the attached Drawing SDN002/19-1 (prepared July 16, 2019, with internal reference date of October 2019), which will facilitate the construction of single unit, multiple unit dwellings and commercial blocks.
- B. That the Draft Plan Approval shall lapse on November 18, 2022.
- C. That the Owner(s) shall submit for approval of the City Planner, final draft M-Plans, which shall include the names of all road allowances within the plan, as approved by the Corporation.
- D. That the owner undertakes to provide the following matters prior to the registration of the final Plan of Subdivision:
  - a. The Owner will include all items as set out in the results of circularization and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
  - b. The Owner will create, prior to the issuance of a building permit, the following rights-of-way, in accordance with the approved Plan of Subdivision:
    - 20 m right-of-way for the extension of Darfield Road from the existing McHugh Street and Darfield Road intersection south to the new intersection at Street A;
    - 20m right of way for the new Street "A";
    - 20m right of way for the new Streets "B", "C", "D" and "E"

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- c. The Owner will convey a 2.0m road widening along the entire south limit of the McHugh Street Right of Way, to the satisfaction of then City Engineer.
- d. The Owner will provide the following corner cut-offs on the approved Plan of Subdivision:
  - 6.1mx6.1m – Intersection of Darfield Road and McHugh Street, and, Intersection of Street A and Lauzon Road
  - 4.5mx4.5m – Intersection of Street A and Darfield Road  
Intersection of Street C and Darfield Road  
Intersection of Street A and Street B  
Intersection of Street A and Street D  
Intersection of Street A and Street E  
Intersection of Street C and Street D  
Intersection of Street B and Street C
- e. The Owner(s) shall comply with all the following requirements relating to sidewalks:  
Sidewalk shall be constructed:
  - On both sides of Street A
  - On the East Side of new Darfield Road
  - On the East Side of Street B
  - On the East side of Street D
  - On the South side of Street C
  - On the East Side to Street Eto the satisfaction of the City Engineer and the City Planner;
- f. The Owner agrees to complete a revised Transportation Impact Study that considers the following:
  - i. Revise the analysis to reflect the diversion of WFCU Centre traffic – including traffic to the proposed parking expansion – to Street 'A'.
  - ii. Identify implementable mitigation for the Lauzon Parkway / Tecumseh Road East intersection to address any issues caused by site traffic and WFCU Centre diversion traffic.
  - iii. Identify appropriate intersection control and lane configurations for the Lauzon Road / Tecumseh Road East intersection.
  - iv. Identify appropriate cost-sharing for any mitigation.All to the satisfaction of the City Engineer and the Chief Building Official
- g. The Owner agrees to complete a sight line analysis for the intersection of Street 'A' and Street 'B', and agrees to implement mitigation to the satisfaction of the City Planner and City Engineer.

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- h. The Owner(s) shall provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems to the satisfaction of the City Engineer, prior to the issuance of a construction permit.
  - i. The study shall review the proposed impact and recommend solutions to addressing the problems and ultimate implementation of solutions should there be a negative impact to the system.
  - ii. The study shall be finalized to the satisfaction of the City Engineer.
- i. The Owner(s) will:
  - i. Undertake an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
  - ii. Install stormwater management measures identified above, as part of the development of the site, to the satisfaction of the City Engineer and the Essex Region Conservation Authority.
  - iii. Obtain the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.
- j. The Owner will provide the following noise mitigation as described in the Dillon Consulting Noise Assessment for 1600 Lauzon Road dated July 2019:
  - I. The owner will insert the following warning clause into all Agreements of purchase and sale, lease, and transfers/deeds of land for each lot, block or dwelling making prospective purchasers aware of the following:
    - a) "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."
    - b) "Purchasers/tenants are advised that due to the proximity of the adjacent facility (WFCU), noise from the facility (WFCU) may at times be audible."
    - c) "Purchasers/tenants are advised that sound levels due to the adjacent facility (WFCU) are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed."
    - d) "Purchasers/tenants are advised that sound levels due to increasing road and rail traffic may occasionally interfere with some activities of the

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dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

- ii. The Owner will include provision for the installation of central air conditioning for all areas of the development and indicate the same in all building permit applications.
  - iii. The Owner will provide upgraded windows on:
    - a) the south and west facades of any dwelling unit constructed on Block 19,
    - b) the south and west facade of any dwelling unit constructed on Lot 11, and Blocks 1,3,11,12 and 15 adjacent to Street A;and indicate the same on building permit application for these lands;
- k. The Owner(s) shall construct Street 'A' to the satisfaction of the City Engineer, to connect 8787 McHugh Street to Lauzon Road, prior to the issuance of any construction permits for the multiple dwelling buildings to be constructed on Block 21, identified as buildings B, C and D on the site plan proposed under SPC-024/19.
- l. It is agreed that the City is responsible for 100% of the costs associated with the design and construction of Street 'A'. The Owner shall agree to include the procurement and construction of Street 'A' in their scope of work, with costs to be paid by the Corporation to the Owner being based on a cost-sharing and tender process satisfactory to the City Engineer. Timing of payment of such costs will be subject to the approval by the Corporation's City Council.
- m. The Owner(s) shall agree to convey to the Corporation, 5% of the lands to be developed, for park purposes or equivalent cash-in-lieu of parkland as permitted in Section 51.1 of the *Planning Act* and in accordance with By-law 12780, as amended, or any successor by-law to the satisfaction of the Executive Director of Parks and the City Planner prior to the issuance of a construction permits.
- n. The Owners shall agree to convey gratuitously to the Corporation Blocks 22 and 23 on the draft Plan of Subdivision (SDN 002/19-1) for the purposes of municipal infrastructure (Storm Water Management) to the satisfaction of the City Engineer and the City Planner prior to the issuance of a construction permits.

### NOTES TO DRAFT APPROVAL (File: SDN-002/19)

- 1. The applicant is directed to Section 51(39) of *The Planning Act* 1990 regarding appeal of any imposed conditions to the Ontario Municipal Board. Appeals are to be directed to the City Clerk and Licence Commissioner of the City of Windsor.
- 2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.

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3. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the *Certification of Titles Act*.
  4. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of *The Planning Act* 1990.
  5. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.
- VI** That the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of *The Planning Act*; and,
- VII** That the deed restrictions **BE REGISTERED** on title at the time of registration of Deeds/Transfers of Land prepared by the Owner in conjunction with the sale of said lands; and,
- VIII** That prior to the final approval by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied; and,
- IX** That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor; and,
- X** That Part of Lots 128,129E, 129W and 132 Concession 1 (McNiff's) known municipally as 1600 Lauzon Road, **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning).

Carried.

Report Number: SCM 406/2019 & S 202/2019

Clerk's File: ZP/13437

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

None requested.

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

### 10.1. Sean Costello, Firefighter and "Sparky" to kick off Sparky's Toy Drive

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### Sean Costello, Firefighter/Toy Drive Coordinator and Joshua Easby—Firefighter Windsor Fire and Rescue Services, along with Sparky the Fire Dog

Sean Costello, Firefighter/Toy Drive Coordinator and Joshua Easby, Firefighter, Windsor Fire and Rescue Services, along with Sparky the Fire Dog, appear before Council to kick-start the 2019 Sparky's Toy Drive campaign, promoting their website for more information: [www.sparkystoydrivewindsor.com](http://www.sparkystoydrivewindsor.com), which includes suggested gift items for various age categories, drop-off depots and the registration process.

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR575/2019

That the presentation by Sean Costello, Firefighter/Toy Drive Coordinator – Windsor Fire and Rescue Services, along with Sparky the Fire Dog to kick-start the 2018 Sparky's Toy Drive campaign, **BE RECEIVED** for information.

Carried.

Clerk's File: SF2019

### 8.5. Windsor Essex Community Housing Corporation Funding Application under the Canada Mortgage and Housing Corporation Repair and Renewal Fund

#### Anna Colombo, Staff Lawyer at Legal Assistance of Windsor

Anna Colombo, Staff Lawyer at Legal Assistance of Windsor appears before Council regarding the report entitled "Windsor Essex Community Housing Corporation Funding Application under the Canada Mortgage and Housing Corporation Repair and Renewal Fund" and concludes by suggesting that government funding should be leveraged to ensure repair and renewal funding is available to the City.

Moved by: Councillor Gignac

Seconded by: Councillor Morrison

Decision Number: CR546/2019

That City Council **AUTHORIZE** the Windsor Essex Community Housing Corporation to pursue a funding application for Canada Mortgage and Housing Corporation's Repair and Renewal Fund; and,

That City Council **AUTHORIZE** Windsor Essex Community Housing Corporation, to execute a Letter of Intent with Canada Mortgage and Housing Corporation with regards to Repair and Renewal Funding under the National Housing Co-Investment Fund for portfolio wide capital repair/retrofits; and,

That the Chief Administrative Officer and City Clerk or their authorized designates **BE AUTHORIZED** to execute a Letter of Intent with Canada Mortgage and Housing Corporation and Windsor Essex



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Community Housing Corporation with regards to Repair and Renewal Funding under the National Housing Co-Investment Fund for portfolio wide capital repair/retrofits provided that the Letter of Intent is in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and in technical content to the Executive Director of Housing and Children's Services; and,

That City Council **DIRECT** Administration to explore and report back in conjunction with the 2020 capital budget all appropriate funding strategies relative to the additional required municipal capital contribution required under this program; and,

That Administration's report back to Council **INCLUDE** funding options aimed at avoiding/reducing this new initiative's impact on projects previously approved by Council in principle within the 2019 seven-year capital plan.

Carried.

Councillor Sleiman was absent from the meeting when the vote was taken on this matter.

Report Number: C 173/2019

Clerk's File: GH/6905

### 8.34. CQ5-2019 Implementing Red Light Cameras and Photo Radar - City Wide

#### Michael George, Resident of Ward 4

Michael George, resident of Ward 4 appears before Council regarding the report entitled "CQ5-2019 Implementing Red Light Cameras and Photo Radar – City Wide" and concludes by suggesting that the importance of moving forward with the installation of red light cameras and photo radar would be to increase public safety.

#### Dan Shimski, Redflex Traffic Systems (Canada) Inc.

Dan Shimski, representing Redflex Traffic Systems (Canada) Inc. appears before Council regarding the report entitled "CQ5-2019 Implementing Red Light Cameras and Photo Radar – City Wide" and provides a brief history of his company and concludes by providing information related to reduced collisions, costing impact, decrease in annual collisions, benefits of red light cameras and concludes by providing information related to legislative requirements.

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR574/2019 ETPS 720

That the report of the Senior Manger of Traffic Operations & Parking dated August 28, 2019, entitled "CQ5-2019 Implementing Red Light Cameras and Photo Radar – City Wide" **BE RECEIVED** for information; and further,

That administration **BE REQUESTED** to provide a report related to reviewing the potential locations for the use of red light cameras, and automated speed enforcement including location and quantity

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recommendations and that this information, when it is available, **BE BROUGHT FORWARD** for Council's consideration.

Carried.

Report Number: SCM 401/2019 S 165/2019

Clerk's File: ST2019

### 8.15. Rezoning Z-009/19, ZNG/5843 3203 Peter St Ward 2

#### Terry Kennedy, Resident of Ward 2

Terry Kennedy, resident of Ward 2 appears before Council to provide comment regarding the administrative report entitled "Rezoning Z-009/19, ZNG/5843 3203 Peter Street, Ward 2" and concludes by indicating he is opposed to the rezoning request.

Moved by: Councillor Holt

Seconded by: Councillor Francis

Decision Number: CR555/2019 DHSC 95

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 5, Registered Plan 43 (Roll No. 050-220-13200), located on the East side of Peter and South side of Mill Street from Commercial District 1.6 (CD 1.6) to Residential District 2.2 (RD 2.2) and by adding a site specific provision to Section 20(1) as follows:

#### "382. EAST OF PETER STREET, SOUTH OF MILL STREET

For the lands comprising of Lot 5, Registered Plan 43, the following additional provisions shall also apply:

- a) Rear Yard Depth – minimum – 4.3 m
- b) Required Parking – minimum – 2 spaces

[ZDM 3; ZNG/5843]"

Carried.

Councillor Sleiman was absent from the meeting when the vote was taken on this matter.

Report Number: SCM 378/2019 & S 108/2019

Clerk's File: ZB/13516

### 8.30. Report No. 105 of the Windsor Essex County Environment Committee - Climate Change Emergency Declaration

#### Derek Coronado, Coordinator of Citizens Environment Alliance of Southwestern Ontario

Derek Coronado, Coordinator of Citizens Environment Alliance of Southwestern Ontario appears

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before Council regarding the report entitled "Report No. 105 of the Windsor Essex County Environment Committee – Climate Change Emergency Declaration" and concludes by providing background information related to emergencies and requests that Council support the request.

### **Mike Tessier, Resident of Ward 8**

Mike Tessier, resident of Ward 8 appears before Council to provide comment regarding the administrative report entitled "Report No. 105 of the Windsor Essex County Environment Committee – Climate Change Emergency Declaration" and concludes by indicating he opposes the request.

### **Rosanna DeMarco, Resident of Ward 4**

Rosanna DeMarco, resident of Ward 4 appears before Council regarding the report entitled "Report No. 105 of the Windsor Essex County Environment Committee – Climate Change Emergency Declaration" and concludes by urging Council to continue to take preventative measures related to Climate Change.

### **Claire Sanders, Climate Change Specialist of Essex Region Conservation Authority**

Claire Sanders, Climate Change Specialist of Essex Region Conservation Authority appears before Council regarding the report entitled "Report No. 105 of the Windsor Essex County Environment Committee – Climate Change Emergency Declaration" and commends administration for their work to date and concludes by suggesting that she supports the request.

### **Adrian Halpert and Sharath Voleti, Students from Windsor Law Cities and Climate Action Forum**

Adrian Halpert and Sharath Voleti, Students from Windsor Law Cities and Climate Action Forum appear before Council regarding the report entitled "Report No. 105 of the Windsor Essex County Environment Committee – Climate Change Emergency Declaration" and conclude by suggesting that they support the request and urge Council to support the request.

Moved by: Councillor McKenzie

Seconded by: Councillor Francis

Decision Number: CR570/2019

That report no. 105 of the Windsor Essex County Environment Committee – Climate Change Emergency Declaration indicating:

That the following Climate Change Emergency Declaration prepared by the Air Subcommittee of the Windsor Essex County Environment Committee BE APPROVED:

WHEREAS the most recent report by the UN Intergovernmental Panel on Climate change (IPCC) has indicated that within less than 12 years, in order to keep the global average temperature increase to 1.5 degrees Celsius and maintain a climate compatible with human civilization, there

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must be a reduction in carbon emissions of about 45% from 2010 levels, reaching net zero carbon emissions by 2050; and

WHEREAS based on current projections of the future impacts of human caused climate change, climate change will adversely impact Windsor-Essex's local economy, damage local infrastructure and property, put a strain on municipal budgets and result in significant economic and health burdens for the constituents of Windsor-Essex, particularly our vulnerable populations; and

WHEREAS climate change will jeopardize the health and survival of many local plant and animal species as well as their natural environments and ecosystems; and

WHEREAS Windsor-Essex is already experiencing large and increase climate change impacts including but not limited to overland flooding, heavy rain event flooding, emergence of invasive species, an increased number of high heat days, the rise of vector borne diseases, the re-emergence of blue-green algae and harmful algal blooms in our lakes and rivers; and

WHEREAS municipalities are understood to produce and/or have regulatory jurisdiction over approximately 50% of carbon emissions in Canada; and

WHEREAS the City of Windsor join the Government of Canada and 444 Canadian municipalities (including Vancouver, Ottawa, Montreal, and 18 other Ontario municipalities, among them Chatham-Kent, Sudbury, Sarnia, Guelph, and Kingston) that have declared climate emergencies, some of which are also implementing strategic plans in order to help reduce global carbon emissions and mitigate the impacts of climate change; and

WHEREAS the City of Windsor, the Essex Region Conservation Authority (ERCA) and the Windsor Essex County Health Unit (WECHU) are committed to and currently undertaking city and regional climate change planning, encompassing both mitigation and adaptation, in partnership with others; and

WHEREAS this emergency is an opportunity to bring together County, City and Town governments as well as regional stakeholders to work together on climate change planning and implementation with the aim of protecting our region and contributing to greater national and global climate change response; and

WHEREAS implementing climate action and making a transition to a low-carbon economy also represents a significant opportunity to stimulate economic growth, increase job opportunities and develop new technologies;

THEREFORE BE IT RESOLVED that the City of Windsor declare a Climate Emergency in the knowledge that this is an emergency with no foreseeable conclusion which will require robust and permanent changes in how the City and County conduct their business; and further,

That in response to this emergency, the need to reduce overall emissions from the City of Windsor and the County of Essex as well as continue to prepare for Windsor-Essex County's climate

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future are deemed to be high priorities when considering budget direction and in all decisions of council; and further,

That the City of Windsor administration BE DIRECTED to prepare reports for consideration by their respective Councils within 90 days containing recommendations for priority actions items, implementation measures, cost requirements to accelerate and urgently work towards the reduction of emissions and preparing for our climate future and include any initiatives that we are aware of by our Detroit neighbours and any other neighbouring municipalities across the border

**BE APPROVED**; and,

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

Carried.

Report Number: SCM 397/2019 & SCM 362/2019

Clerk's File: MB2019

### 11.5. Ward 7 Vacancy on City Council - By-Election vs. Appointment

#### Mike Tessier, Resident of Ward 8

Mike Tessier, resident of Ward 8 appears before Council and provides comment regarding the administrative report entitled "Ward 7 Vacancy on City Council – By-Election vs. Appointment" and concludes by suggesting there have been too many elections and requests that Council support the appointment of a candidate.

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR580/2019

That the Ward 7 seat in the Office of Councillor for the 2018 to 2022 term **BE DECLARED** officially vacant; and,

That Council **DIRECT** that the vacant Ward 7 seat in the Office of Councillor for the remainder of the 2018 to 2022 term be filled through a by-election; and,

That the Administration recommended timelines as described in this report, with the by-election to be held on April 27, 2020 **BE ADOPTED**; and,

That Administration **BE DIRECTED** to conduct a by-election as set out in the *Municipal Elections Act* and that the by-election **BE FUNDED** from the Municipal Election Reserve Account (#1762); and further,

That the necessary by-law, **BE ADDED** to the list of by-laws to be considered in first, second and third reading at the January 13, 2020 special meeting of City Council.

Carried.

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Report Number: C 191/2019

Clerk's File: ACEE/13644

### 8.18. Request for Heritage Alteration Permit for 3285 Russell Street - Sandwich HCD

Moved by: Councillor Kaschak

Seconded by: Councillor Francis

Decision Number: CR558/2019 DHSC 98

- I. That the Heritage Alteration Permit for the exterior alterations proposed at 3285 Russell Street, including the following items:
  - Two new dormers on the east elevation
  - Two new dormers on the west elevation
  - New exterior stairwell and access door to second floor on the east elevation
  - Replacement of front porch
  - New windows in dormers and on main floor for Bedroom #2**BE APPROVED** as per plans in Appendix C; AND
- II. That all approvals **BE SUBJECT** to the provision and approval of building material samples and colour samples by the City to be confirmed on site prior to issuance of building permits, as determined by the City Planner or his designate; and,
- III. That the City Planner or his designate **BE DELEGATED** the authority to approve further minor changes to the heritage alterations for this property.

Carried.

Report Number: SCM 382/2019 & S 172/2019

Clerk's File: MBA/9191

### 8.13. Lakeview Park Marina Floating Docks - Additional Funding

Moved by: Councillor Gignac

Seconded by: Councillor Morrison

Decision Number: CR553/2019

That City Council **APPROVE** additional funding of \$2,000,000 for the replacement of docks at Lakeview Park Marina (LPM), to be funded from the following sources:

- Currently available Federal Gas Tax funding of \$418,000 and;
- Pre-commitment of funding in 2023, which is being recommended in the 2020 8-year Capital Budget for Lakeview Park Marina Upgrades capital project (REC-002-007) to a maximum of \$900,000 and;
- The remaining balance of \$682,000 to be funded firstly from any proceeds resulting from the current insurance claim for the Marina with any remaining amounts to be funded from the Lakeview Park Marina Reserve (Fund 165) and;

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That Council **APPROVE** Tender 138-19, Lakeview Park Marina to Facca Incorporated to an upset limit of \$600,000 (excluding HST); and,

That the CAO and City Clerk **BE AUTHORIZED** to execute an agreement with Facca Incorporated for the provision of dock removal and demolition to an upset limit of \$600,000 (excluding HST), satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Corporate Leader of Parks, Recreation & Culture and Facilities; and,

That Council **APPROVE** Tender 134-19, Lakeview Park Marina to Kehoe Marine Construction Ltd. to an upset limit of \$4,225,000 (excluding HST); and,

That the CAO and City Clerk **BE AUTHORIZED** to execute an agreement with Kehoe Marine Construction Ltd., for the provision of floating docks fabrication and installation to an upset limit of \$4,225,000 (excluding HST); satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Corporate Leader of Parks, Recreation & Culture and Facilities.

Carried.

Report Number: C 187/2019  
Clerk's File: SW/13634

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

### 11.1. Student Lottery Program Update - City Wide

Moved by: Councillor Holt

Seconded by: Councillor Costante

Decision Number: CR576/2019

That the report by the Executive Director of Human Resources providing Council with an update on the Student Lottery Program **BE RECEIVED** for information by City Council; and,

That the Human Resources Department **BE RESPONSIBLE** for the annual advertisement, application details, acceptance of applications, the rules governing eligibility, the execution of the lottery program and the manner in which hiring will be completed for the student lottery program; and,

That CR569/2006 establishing the current hiring practice for summer employment **BE RESCINDED**; and that the following option #3 as outlined in the administrative report **BE APPROVED**:

That City Council **AMEND** the student lottery program to allow for qualified students to be considered for re-employment notwithstanding their numerical position in the lottery draw with the ratio of returning students to the total number of students hired not to exceed forty (40) percent with the understanding that eligible students will be hired for a maximum of three (3) summer work terms.

Carried.

Councillor Francis voting nay.

Report Number: C 169/2019  
Clerk's File: AS2019

## **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 Bortolin  
Seconded by: Councillor Costante

Decision Number: CR581/2019

That the report of the In Camera meeting held November 18, 2019 **BE ADOPTED** as presented.  
Carried.

Clerk's File: ACO2019

### **12.2. Report of the Striking Committee of its meeting held October 7 2019**

Moved by: Councillor Bortolin  
Seconded by: Councillor Costante

Decision Number: CR582/2019

That the report of the Striking Committee meeting held October 7, 2019 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 376/2019  
Clerk's File: ACO2019

### **12.3. Minutes of the Development Charges Task Force of its meeting held September 26, 2019**

Moved by: Councillor Bortolin  
Seconded by: Councillor Costante

Decision Number: CR583/2019

That the minutes of the Development Charges Task Force of its meeting held September 26, 2019 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 375/2019  
Clerk's File: MB2019



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

Moved by: Councillor Francis

Seconded by: Councillor Gignac

That the following By-laws No. 119-2019 through 129-2019 (inclusive) be introduced and read a first and second time:

**119-2019** A PROVISIONAL BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE GRAND MARAIS DRAIN (**See Item 11.3**)

**120-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR455/2019, adopted September 9, 2019

**121-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR444/2019, adopted August 26, 2019

**122-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR496/2019, adopted October 7, 2019

**123-2019** 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 BL98-2011 s. 27.1(l)(i), adopted June 7, 2011

**124-2019** 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 142/2019, adopted November 1, 2019

**125-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR497/2019, adopted October 7, 2019

**126-2019** A BY-LAW TO AMEND BY-LAW NUMBER 139-2013, BEING A BY-LAW TO DELEGATE AUTHORITY TO THE CITY PLANNER TO APPROVE AND PROCESS CERTAIN APPLICATIONS UNDER *THE PLANNING ACT* AND PERMITS UNDER *THE ONTARIO HERITAGE ACT* authorized by CR9/2018, adopted February 5, 2018 and by CR453/2019, adopted September 9, 2019

**127-2019** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS NORTH TERMINAL STREET, IN THE CITY OF WINDSOR authorized by CR353/2019 adopted July 8, 2019

**128-2019** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR456/2019, adopted September 9, 2019

**129-2019** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 18th DAY OF NOVEMBER, 2019

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### 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

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 presented)
- 2) Consent Agenda (as presented)
- 3) Items Deferred (as presented)  
Items Referred
- 4) Consideration of the Balance of Business Items (as presented)
- 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 McKenzie

Seconded by: Councillor Morrison

That the By-laws No. 120-2019 through 129-2019 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

#### 18.3. CQ 31-2019

Moved by: Councillor Costante

Seconded by: Councillor Francis

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Decision Number: CR584/2019

That the following Council Question by Councillor Bortolin **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 31-2019:

### Assigned to City Solicitor

Asks that Administration review By-laws that deal with dumping on private property. Currently we do not have By-laws restricting dumping on private property if done so with permission. Asking that legal come back with options to create a By-law not allowing dumping on vacant properties in any way.

Carried.

Clerk's File: AB2019

**Clerk's Note:** The following Council Question put forward by Councillor Francis was responded to verbally by the City Clerk and former Councillor Kusmierczyk's list of outstanding Council Questions will be maintained.

Asks that Council Questions asked by Councillor Kusmierczyk that are deemed ready to be presented to City Council continue to come to City Council for review.

Clerk's File: ACOQ2019

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

### Assigned to City Treasurer

Asks that administration conduct an assessment of the investment policy landscape for municipalities in Ontario to determine the level of adoption of a socially responsible investment policy, and further,  
That administration consult with the Association of Municipalities of Ontario on the feasibility and risks involved with the adoption of such a policy and report back to Council on this in the 2019 Investment Report Policy update to be brought forward in 2020.

The motion is **put** and **lost**.

Aye votes: Councillor McKenzie, Holt, Costante, Bortolin, and Kaschak.

Nay votes: Councillors Morrison, Sleiman, Francis, Gignac, and Mayor Dilkens.

Abstain: None.

Clerk's File: ACOQ2019

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## 21. ADJOURNMENT

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 8:45 o'clock p.m.

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Mayor

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City Clerk

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Adopted by Council at its meeting held November 18, 2019 (CR581/2019)  
VC/bm

### SPECIAL MEETING OF COUNCIL – IN CAMERA November 18, 2019

Meeting called to order at: 4:00 p.m.

#### Members in Attendance:

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

#### Also in attendance:

O. Colucci, Chief Administrative Officer  
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  
S. Askin Hager, City Solicitor and Corporate Leader Economic  
Development and Public Safety  
V. Vendrasco, Deputy City Solicitor  
J. Wilson, Corporate Leader, Parks, Facilities, Recreation and Culture  
D. Wright, Lease Administrator (Items 4 and 5)  
F. Scarfone, Manager of Real Estate Services (Items 2, 3, 4, 5 and 6)  
J. Guthrie, Deputy Treasurer Taxation & Financial Projects (Items 4, 5  
and 7)  
D. Paladino, Deputy City Solicitor, Purchasing, Risk Management & POA  
(Item 3)  
T. Hunt, City Planner (Items 4 and 5)

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- D. Cercone, Executive Director of Housing (Items 4 and 5)  
N. Robertson, Manager Urban Design/Deputy City Planner (Items 4 and 5)  
A. Vucinic, Purchasing Manager (Items 4 and 5)

**Verbal Motion is presented by Councillor McKenzie, seconded by Councillor Holt, to move in Camera for discussion of the following item(s):**

<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 – lease extension	2 3 9 ( 2 ) ( c )
4.	Property matter – disposition of land	2 3 9 ( 2 ) ( c )
5.	Property matter – disposition of land	2 3 9 ( 2 ) ( c )
6.	Property matter – sale of land	2 3 9 ( 2 ) ( c )
7.	Legal matter – settlement of appeal	2 3 9 ( 2 ) ( e )

**Motion Carried.**

### **Declarations of Pecuniary Interest:**

Councillor Francis discloses an interest and abstains from voting on Item 5 as one of the proponents works in the same sector as the Councillor works in.

**Discussion on the items of business. (Items 1, 2, 3, 4, 5, 6 and 7)**

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

**Motion Carried.**

**Moved by Councillor McKenzie, seconded by Councillor Gignac,**

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**THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held November 18, 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, 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 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**.

3. That the recommendation contained in the in-camera report from the Lease Administrator, 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 – lease extension **BE APPROVED**.

4. That the confidential report from the Lease Administrator, 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 –disposition of land **BE RECEIVED** and further that Administration **PROCEED** on the verbal direction of Council.

5. That the confidential report from the Lease Administrator, Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety, Corporate Leader, Parks, Facilities, Recreation and Culture, Community Development and Health Commissioner and Corporate Leader Social Development, Health, Recreation and Culture, and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter –disposition of land **BE RECEIVED** and further that Administration **PROCEED** on the verbal direction of Council.

6. 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, and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale of land **BE APPROVED**.

7. That the recommendation contained in the in-camera report from the Deputy Treasurer Taxation and Financial Projects, and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal matter – settlement of appeal **BE APPROVED**

**Motion Carried.**

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**Moved by Councillor Sleiman, seconded by Councillor Francis,  
That the special meeting of council held November 18, 2019 BE ADJOURNED.**

**(Time: 5:31 p.m.)**

**Motion Carried.**