



CITY OF WINDSOR MINUTES 04/27/2020

Special Meeting of Council

Date: Monday, April 27, 2020

Time: 1:00 o'clock p.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Vacant

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

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

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1. ORDER OF BUSINESS

1.1. In the event of the absence of the Mayor, Councillor Gignac has been appointed Acting Mayor for the month of April, 2020 in accordance with By-Law 189-2014.

2. CALL TO ORDER - Playing of the National Anthem

The Mayor calls the meeting to order at 1:00 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. ADOPTION OF MINUTES

None.

5. NOTICE OF PROCLAMATIONS

“UNESCO World Poetry Day” – March 21, 2020

“National Poetry Month” – April 2020

“Run for Rocky Day” – April 9, 2020

“National Day of Mourning” – April 28, 2020

“75th Anniversary Commemoration of the end of The Battle of the Atlantic” – April 28-May 4, 2020

Flag Raising Ceremonies

“Run for Rocky Day” – April 9, 2020

“75th Anniversary Commemoration of the end of the Battle of the Atlantic” – April 28-May 4, 2020

6. COMMITTEE OF THE WHOLE

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

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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 43-2020 through 56-2020 (inclusive).
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, April 27, 2020

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR134/2020

That the following Communication Items 7.1.1 through 7.1.17 inclusive as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	Ministry of the Environment, Conservation and Parks	Environmental Compliance Approval of the establishment of wastewater infrastructure works located at 6791 Tranby Ave. City Engineer SW/13650 Note & File
7.1.2	Ministry of the Environment, Conservation and Parks	Environmental Compliance Approval of the establishment of wastewater infrastructure works located at South Neighbourhood Development, bounded by Clearwater Avenue, Firgrove Drive, Inverness Avenue, and Misty Dawn Street, Part of Lots 137-139, Concession 1 City Engineer SW2020 Note & File

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No.	Sender	Subject
7.1.3	Agriculture, Food and Rural Affairs Appeal Tribunal	Notice of public hearing to be held by the Agriculture, Food and Rural Affairs Appeal Tribunal regarding an appeal by Greg and Daphne Law of Windsor with respect to the Cahill Drain to be held on Thursday, May 7, 2020, 9:00 a.m., Suite 204, 2nd floor, Windsor City Hall Square West. City Engineer City Solicitor GP2020 Note & File
7.1.4	Town of Tecumseh	Notice of the passing of a zoning by-law amendment for area of land situated southeast of the Tecumseh Road/Southfield Drive intersection and 11917 Tecumseh Road by the Corporation of the Town of Tecumseh under Section 34 of the <i>Planning Act, R.S.O. 1990</i> City Solicitor City Planner Z2020 Note & File
7.1.5	Manager of Urban Design	Site Plan Approval, Sunshine Drugs Ltd. c/o Frank Murgic, 0 Seneca St., Proposed new 3-storey retirement home and 15 parking spaces ZS/13767 Note & File
7.1.6	Manager of Urban Design	Site Plan Approval, Abel Gebreyesus, 371 Wyandotte St. W., Combined Use – Residential/Commercial Space ZS/13785 Note & File
7.1.7	Manager of Urban Design	Site Plan Approval, 2605385 Ontario Inc. (AIPL CDA Holdings), 1100 University Ave. W., Business office and addition to an existing building ZS/13783 Note & File

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No.	Sender	Subject
7.1.8	Manager of Urban Design	Site Plan Approval, 1433310 Ontario Ltd. c/o Abdul Habib, 0 Daytona Ave., Residential – Proposed two buildings with four residential units per building (four plex) ZS/13784 Note & File
7.1.9	Manager of Urban Design	Site Plan Approval, ENWIN Utilities Ltd., 4545 Rhodes Dr., New drive-way and 63 new staff parking spaces ZS/13790 Note & File
7.1.10	Manager of Urban Design	Site Plan Approval, Castle Gate Towers Inc. c/o Abdul Habib, 4785 Walker Rd., Proposed changes to original site plan removal of underground parking, expansion of surface parking and reduction of mixed use buildings from three to two ZS/13794 Note & File
7.1.11	City Planner/Executive Director	Application for Zoning Amendment and Official Plan Amendment, Responsive Group Inc. c/o Greg Bowman, 3175, 3195, & 3215 Banwell Rd., to amend Zoning By-law 8600 to permit a 3-storey, 192 bed long-term care facility ZB/13757 ZO/13758 Note & File
7.1.12	City Planner/Executive Director	Application for Zoning Amendment, Al Shipley, 955 California Ave., application to amend Zoning By-law 8600 to allow a 6-unit dwelling ZB/13759 Note & File

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No.	Sender	Subject
7.1.13	City Planner/Executive Director	Application for Zoning Amendment, Borys Sozanski, 1035 California Ave., application to amend Zoning By-law 8600 to allow a 4-unit double duplex ZB/13760 Note & File
7.1.14	City Planner/Executive Director	Application for Zoning Amendment, Corporation of the City of Windsor c/o Chris Carpenter, 1847 Meldrum Rd. & 3121 Milloy St., application to amend Zoning By-law 8600 to allow for a development of 29 single unit dwelling building lots with 40 ft. of lot frontage each ZB/13789 Note & File
7.1.15	City Planner/Executive Director	Application for Draft Plan of Subdivision/Condominium, Skyline Real Estate Holdings Inc. c/o Matthew Organ, 737 Ouellette Ave., Application to approve a Plan of Condominium ZP/13761 Note & File
7.1.16	Committee of Adjustment/Consent Authority	Applications heard by the Committee of Adjustment/Consent Authority, Thursday, March 19, 2020, 3:30 p.m., Room 204, 2 nd floor, Windsor City Hall, 350 City Hall Square West ZC2020 Note & File
7.1.17	Committee of Adjustment/Consent Authority	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, April 30, 2020, 3:30 p.m., through Electronic Meeting Participation ZC2020 Note & File

Carried.

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7.2. Update of Round 1 of the Arts, Culture and Heritage Fund 2020 - City Wide

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR135/2020

That the report from the Manager of Cultural Affairs regarding the update on Round 1 of funding of the Arts, Culture and Heritage Fund (ACHF) in 2020 **BE RECEIVED**.

Carried.

Report Number: S 44/2020
Clerk's File: SR2020

7.3. Response to CQ3-2020 – Extended Payment Terms for Drainage/Local Improvement Assessments

Moved by: Councillor Francis
Seconded by: Councillor Bortolin

Decision Number: CR136/2020

That the report of the City Engineer dated February 6, 2020 entitled "Response to CQ3-2020 – Extended Payment Terms for Drainage/Local Improvement Assessments" **BE RECEIVED**; and further,

That a 20-year payment option for property owners to repay special charges for drainage and local improvements **BE IMPLEMENTED** at interest rates deemed appropriate by administration.

Carried.

Report Number: S 26/2020
Clerk's File: SW2020

7.4. Response to CQ25-2019, Private Parks - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR137/2020

That the report of the Deputy City Solicitor dated February 13, 2020 entitled "Response to CQ25-2019, Private Parks" **BE RECEIVED**; and further,

That administration **BE DIRECTED** to prepare an additional report for Council's consideration on how best to observe the intent of the original plan of subdivision for Jefferson Private Park, so that Jefferson Private Park could somehow be titled to the people that have an easement over it (i.e., all the residents on Jefferson Avenue between Riverside Drive East and Wyandotte Street).

Carried.

Report Number: C 27/2020
Clerk's File: SR2020

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7.5. Response to CQ19-2019 Regarding A Flood Abatement By-Law

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR138/2020

That the report of the City Solicitor dated March 11, 2020 entitled "Response to CQ19-2019 regarding A Flood Abatement By-law" **BE RECEIVED**; and further,

That Council **APPROVE** utilizing local improvement charges to help finance and install (or upgrade) shoreline protection works, and that this be in accordance with **CR136/2020** whereby a 20-year payment option for property owners to repay special charges for drainage and local improvements **BE IMPLEMENTED** at interest rates deemed appropriate by administration.

Carried.

Report Number: C 46/2020
Clerk's File: SW2020

8. CONSENT AGENDA

8.1. Sandwich St. Sewer Rehabilitation Project - Pre-Approval - Ward 2

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR139/2020

That City Council **PRECOMMIT** a total of \$13,800,000 for the Sandwich St. Sewer Rehabilitation project included in the 2020 8-Year Capital Budget as follows:

1. Sandwich St. Sewer Rehabilitation project (ENG-013-20) in the amount of \$5,679,550 with funding as follows:
 - a. \$ 1,255,000 in 2020
 - b. \$ 2,710,800 in 2021
 - c. \$ 1,713,750 in 2024
2. Sewer Master Plan Implementation Project (ENG-002-19) in the amount of \$8,120,450 with funding as follows:
 - a. \$2,030,450 in 2020
 - b. \$2,030,000 in 2021
 - c. \$2,030,000 in 2022
 - d. \$2,030,000 in 2023; and,

That City Council **APPROVE** the reallocation of \$3,084,000 in 2025 funding from the Sandwich St. Sewer Rehabilitation project (ENG-013-20) and \$5,036,450 in 2027 funding from the City Wide Sewer Rehabilitation (ECP-035-07) to replenish the Sewer Master Plan Implementation Project

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(ENG-002-19) funding of \$8,120,450 used now to fund the Sandwich St. Sewer Rehabilitation project; and,

That subject to the RFP or tender results for the Sandwich St. Sewer Rehabilitation project, falling within the approved budget, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the requisite contract/agreement, satisfactory in legal form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreement or applications necessary to achieve the above purposes, subject to the contract being within the approved budget, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number: C 51/2020

Clerk's File: SW/13791

8.2. Application by the Owner of 3842 Peter Street for an exemption from Demolition Control By-law 20-2007 (Ward 2)

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR140/2020

- I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for the two (2) storey single unit detached dwelling located at 3842 Peter Street (see Appendix 'A'), for the expansion of the existing industrial operation (C.K. Mechanical located at 3846 Peter Street) to the south as identified on Appendix 'B' when an executed Site Plan Control Agreement has been registered on title with the appropriate securities to ensure the redevelopment occurs within a specified time period to fulfill the conditions of the Site Plan Control Agreement have been submitted;
- II. That any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit;
- III. That the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit,
 - i. The Redevelopment identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;
 - ii. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the maximum penalty Twenty Thousand Dollars (\$20,000) shall be entered on the collectors roll of the property; and,

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- IV. That the City Solicitor **BE DIRECTED** to register a notice of condition #2 in the land registry office against the property.

Carried.

Report Number: C 32/2020

Clerk's File: SB2020

8.3. Application to demolish residential dwelling located at 652 Bridge Avenue, which is subject to Demolition Control By-law 131-2017 (Ward 2)

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR141/2020

- I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for the residential dwelling located at 652 Bridge Avenue to facilitate redevelopment of the property; and,
- II. That the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit, that:
 1. Redevelopment be substantially complete within two years of demolition permit issuance; and
 2. If redevelopment, including construction of a new building, is not substantially complete within two years of the commencement of demolition the maximum penalty (\$20,000) shall be entered on the collectors roll of the property; and
- III. That the City Solicitor **BE DIRECTED** to register a notice of condition # 2 in the land registry office against the property.

Carried.

Report Number: C 53/2020

Clerk's File: SB2020

8.4. Appointment of Drainage Superintendent

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR142/2020

That By-law 114-2018, appointing Fahd Mikhael as Drainage Superintendent, **BE RESCINDED**; and further,

That M. Andrew Dowie **BE APPOINTED** by By-law as the Drainage Superintendent for all prescribed duties assigned under Section 93 of the *Drainage Act*; and,

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That the Drainage Superintendent **BE DELEGATED** all responsibilities of the municipal Tile Drain Inspector position as described under Section 4 of the *Tile Drainage Act*; and,

That day-to-day responsibilities of the municipality as described in the *Drainage Act*, including those residing with the City Clerk and the City Treasurer, **BE DELEGATED** to the Drainage Superintendent.

Carried.

Report Number: C 43/2020

Clerk's File: AS2020

8.5. Appointment of Drainage Engineer - Little River Dyke Flood Protection System - Ward 7

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR143/2020

That the firm of R.C. Spencer Associates Inc. **BE APPOINTED** as Drainage Engineer under Section 78 of the *Drainage Act*, in order to undertake a topographic survey of the Little River Dyke Flood Protection System to identify the extent of obstructions, encroachments and damage to the dyke system, to prepare tender documents and to provide project administration and inspection for the work required.

Carried.

Report Number: C 48/2020

Clerk's File: SW2020

8.6. Corporate Projects – WFCU New Parking Lot Project - Pre-Commitment of Funds - City Wide

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR144/2020

1. That Council **PRE-COMMIT** \$2,400,000 within the 2020 – 8 Year Capital Budget for the design and construction of a new Parking Lot at WFCU Centre from HCP-005-08 Corporate Facilities Paving Program for immediate use, as per the Financial Matters section; and,
2. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low bidder, subject to the tender results falling within the approved budget satisfactory in legal form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,
3. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreement or applications necessary to achieve the above purposes, subject to the contract being within the approved budget, satisfactory in legal form to the City Solicitor, in financial

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content to the Chief Financial Officer and City Treasurer, and in technical content to the City Engineer; and,

4. That the City Planner **BE DELEGATED THE AUTHORITY** to approve the Site Plan Control Application.

Carried.

Report Number: C 67/2020
Clerk's File: SR2020

8.7. Extension of Interim Control By-law 78-2019 - City Wide

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR145/2020

That Council **PASS** By-law 55-2020 being a by-law to amend Interim Control By-law 78-2019 to extend the period of time which Interim Control By-law 78-2019 is in effect from one year to two years from the date of the passing of Interim Control By-law 78-2019.

That the City Clerk **BE AUTHORIZED** to provide the required notice of the passage of this by-law.
Carried.

Report Number: S 50/2020
Clerk's File: Z2020

8.8. Waiver of penalty for any late payments pertaining to Interim Tax Bill due March, 2020- Confirm & Ratify-City Wide

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR146/2020

That the results of the email poll conducted by the Deputy City Clerk on March 18, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

That Council, in light of the ongoing COVID-19 pandemic, and the rapid rate at which the situation is changing, **APPROVE** waiving the penalty for any late payments not received for the "Interim Tax Bill - second regular tax payment" due in March, 2020.

Carried.

Report Number: C 73/2020
Clerk's File: AF2020

8.9. Application for a Cannabis Retail Store Authorization at 1565 Wyandotte St E Confirm & Ratify--City Wide

Moved by: Councillor Costante
Seconded by: Councillor Francis

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Decision Number: CR147/2020

That the results of the email poll conducted by the Deputy City Clerk on April 7, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

THAT City Council **RECEIVE** the collected comments as requested through CR534/2019 for information; and,

THAT City Council **SUPPORT** the Retail Cannabis Application requested by The We Store regarding the site located at 1565 Wyandotte St E; and,

THAT City Council **DIRECT** the Chief Administrative Officer to **RETURN** their decision along with this report and Appendices A and B to the Alcohol and Gaming Commission of Ontario for consideration regarding the Retail Cannabis Application and for delivery to the Applicant, The We Store, no later than April 9, 2020.

Carried.

Report Number: C 74/2020

Clerk's File: MH/13786

8.10. Application for a Cannabis Retail Store Authorization at 6038 Tecumseh Rd E - Confirm & Ratify-Ward 8

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR148/2020

That the results of the email poll conducted by the Deputy City Clerk on April 7, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

THAT City Council **RECEIVE** the collected comments as requested through CR534/2019 for information; and,

THAT City Council **SUPPORT** the Retail Cannabis Application requested by The We Store regarding the site located at 6038 Tecumseh Rd E;

THAT City Council **DIRECT** the Chief Administrative Officer to **RETURN** their decision along with this report and Appendices A and B to the Alcohol and Gaming Commission of Ontario for consideration regarding the Retail Cannabis Application and for delivery to the Applicant, The We Store, no later than April 9, 2020.

Carried.

Report Number: C 75/2020

Clerk's File: GF/13997

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8.12. Application for a Cannabis Retail Store Authorization at 1800 Huron Church Road, Unit B - Confirm & Ratify--Ward 10

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR150/2020

That the results of the email poll conducted by the Deputy City Clerk on April 14, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

THAT City Council **RECEIVE** the collected comments as requested through CR534/2019 for information; and,

THAT City Council **SUPPORT** the Retail Cannabis Application requested by The We Store regarding the site located at 1800 Huron Church Road, Unit B; and,

THAT City Council **DIRECT** the Chief Administrative Officer to **RETURN** their decision along with this report and Appendices A and B to the Alcohol and Gaming Commission of Ontario for consideration regarding the Retail Cannabis Application and for delivery to the Applicant, The We Store, no later than April 15, 2020.

Carried.

Report Number: C 77/2020
Clerk's File: GF/13781

8.13. Enhanced ACHF Funding Round in Response to COVID-19 - Confirm & Ratify-City Wide

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR151/2020

That the results of the email poll conducted by the Deputy City Clerk on April 8, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

THAT the report from the Manager of Cultural Affairs and the Cultural Development Coordinator regarding the ACHF COVID-19 Emergency Round proposal **BE RECEIVED**; and further,

THAT the recommendation for a one-time enhancement and immediate bring forward of the second round of ACHF funding in response to the COVID-19 crisis **BE APPROVED**; and further,

THAT the recommendation to increase the funding level to a total of \$60,000 for one-time only utilizing an additional \$16,400 from the Cultural Affairs Operating Budget **BE APPROVED**; and further,

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THAT the recommendation to provide a one-time honorarium of \$500 payable to each of the five jurors who will adjudicate the funding round, utilizing \$2,500 from the Cultural Affairs Operating Budget **BE APPROVED**; and further,

THAT Administration **BE DIRECTED** to administer the round from launch to completion – including the online call for applications, online jury adjudication, and the preparation and distribution of funds to grant recipients

Carried.

Clerk's Note: Councillors Gignac and Francis voting nay on the actual motion being confirmed and ratified.

Report Number: C 78/2020

Clerk's File: MH/13786

8.14. Application for the Southwestern Ontario Development Fund – Confirm & Ratify Report Ward 9

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR152/2020

That the results of the email poll conducted by the Deputy City Clerk on April 16, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

I) THAT City Council **APPROVE** Administration to submit an application for the Southwestern Ontario Development Fund (the "Grant") for the project identified in this report; and,

II) THAT City Council **CONFIRM** their commitment to the Project submission in the amount of \$4,000,000 (2020 dollars) as outlined in the Financial Matters section of this report that is consistent with the proposed phased development and that would also allow for additional site development; and,

III) THAT the funding plan **BE PRESENTED** and City Council **APPROVE** the following funding totalling \$2,500,000 as the City's matching funding for the municipal services work required in this area:

a) \$600,000 of the approved 2020 Sewer Surcharge funding from the Grant Matching and Mitigating Inflationary Pressures project (FIN-001-19) and;

b) \$1,900,000 identified in 2024 Pay-As-You-Go funding for the Central Box EA and Road Infrastructure project (ENG-005-17) be pre-committed and directed to this project, and;

IV) THAT City Council **DIRECT** Administration to ensure during the 2021 Capital Budget development, funding in the amount of \$1,900,000 to be allocated to the

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Central Box EA and Road Infrastructure project (ENG-005-17) to replenish the total funding being utilized for this project; and,

V) THAT the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the application to the Grant; and,

VI) THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer; and,

VII) THAT in the event the City receives written confirmation of the Grant funding being awarded to the City, the Project's costs are within the respective budget as outlined in the Financial Matters section herein, implementation of the Project does not result in a need for additional City funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:

- a) The Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents 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,
- b) The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreements or contracts with successful vendors / proponent / bidders satisfactory in technical content for all projects to the City Engineer, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,
- c) The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders or RFPs as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the City Engineer, in legal content to the City Solicitor and in financial content to the City Treasurer.

Carried.

Clerk's Note: Councillors Costante, Bortolin and Holt voting nay on the actual motion being confirmed and ratified.

Report Number: C 79/2020

Clerk's File: GP/13792

8.15. Minutes of the Windsor Licensing Commission of its meeting held January 22, 2020

Moved by: Councillor Costante

Seconded by: Councillor Francis

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Decision Number: CR153/2020 ETPS 739

That the minutes of the Windsor Licensing Commission of its meeting held January 22, 2020 **BE RECEIVED**.

Carried.

Report Number: SCM 68/2020 & SCM 36/2020

Clerk's File: MB2020

8.16. Windsor Bicycling Committee 2019 Annual Report

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR154/2020 ETPS 740

That the Windsor Bicycling Committee 2019 Annual Report **BE APPROVED** as presented.

Carried.

Report Number: SCM 69/2020 & SCM 29/2020

Clerk's File: MB2019

8.17. Essex Windsor Solid Waste Authority Plastic Bag Ban in Recycling

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR155/2020 ETPS 743

That the report from the City Engineer dated January 30th, 2020 regarding the Essex Windsor Solid Waste Authority Plastic Bag Ban in Recycling **BE RECEIVED** for information.

Carried.

Report Number: SCM 72/2020 & S 21/2020

Clerk's File: SW2020

8.18. Transit Windsor Ridership Statistics as at December 31, 2019 - City Wide

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR156/2020 ETPS 747

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the year to date ridership information as of December 31, 2019.

Carried.

Report Number: SCM 76/2020 & S 10/2020

Clerk's File: MT/13708

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8.19. Transit Windsor - Complimentary Charter Request - City Wide

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR157/2020

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors **APPROVE** the request for complimentary charter service on April 26, 2020 for an Arbor Week Earth Day event; and,

That the Essex Region Conservation Authority (ERCA) **BE REQUESTED** to pay the cost of the charter (to an upset limit of \$1,500); and,

That, if the Essex Region Conservation Authority (ERCA) does not agree to pay the cost of the charter, that City Council **AUTHORIZE** the cost of the charter **BE CHARGED** to the Budget Stabilization Reserve Fund (BSR).
Carried.

Report Number: SCM 77/2020 & S 11/2020

Clerk's File: MT/13708

8.21. Minutes of the Seniors Advisory Committee of its meeting held December 10, 2019

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR159/2020 CSPS 106

That the minutes of the Seniors Advisory Committee of its meeting held December 10, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 87/2020 & SCM 61/2020

Clerk's File: MB2019

8.22. Minutes of the Community Public Art Advisory Committee of its meeting held January 16, 2020

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR160/2020 CSPS 107

That the minutes of the Community Public Art Advisory Committee of its meeting held January 16, 2020 **BE RECEIVED**.

Carried.

Report Number: SCM 88/2020 & SCM 28/2020

Clerk's File: MB2020

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8.23. Minutes of the BIA Advisory Committee of its meeting held November 26, 2019

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR161/2020 DHSC 149

That the minutes of the Windsor BIA Advisory Committee of its meeting held November 26, 2019 **BE RECEIVED** for information.

Carried.

Report Number: SCM 120/2020 & SCM 7/2020
Clerk's File: MB2019

9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

None.

11. REGULAR BUSINESS ITEMS

8.11. Extension of due date for the 2020 1st Quarter remittance of the Municipal Accommodation Tax (MAT) - Confirm & Ratify-City Wide

Moved by: Councillor Holt
Seconded by: Councillor Francis

Decision Number: CR149/2020

That the results of the email poll conducted by the Deputy City Clerk on April 8, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

That, consistent with CR 127/2020 which provided all taxpayers property tax relief in the form of an extension for payment of the third interim tax instalment, City Council **EXTEND** the due date for the 2020 1st quarter remittance of the Municipal Accommodation Tax (MAT) from April 30, 2020 to June 30, 2020; and further,

That there **WILL BE NO** late payment charges in either form, penalty and/or interest through the period June 30, 2020; and further,

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That the City Solicitor **AMEND** By-law 133-2018;

and further,

That administration **BE DIRECTED** to prepare a report for Council's consideration, as soon as possible, on options available for the City of Windsor to use the Municipal Accommodation Tax (MAT) to help the local hospitality industry as a result of the ongoing COVID-19 pandemic.

Carried.

Report Number: C 76/2020
Clerk's File: MH/13786 & AF2020

8.20. CQ30-2019 - Discounted Fares Offered to Transit Windsor Riders - City Wide

Moved by: Councillor Holt
Seconded by: Councillor McKenzie

Decision Number: CR158/2020 ETPS 749

That the report of the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors, **RECEIVE** for information the report of the Executive Director of Transit Windsor dated January 27, 2020 entitled "CQ30-2019 – Discounted Fares Offered to Transit Windsor Riders"; and further,

That City Council **APPROVE** using, on a go-forward basis, the discounted fares that occur annually and on specific dates throughout the calendar year, as outlined in the administrative report of the Executive Director of Transit Windsor, and which are incorporated into the annual operating budget with limited financial impact.

Carried.

Report Number: SCM 78/2020 & S 12/2020
Clerk's File: MT/13708

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. Report of the Special In-Camera Meeting

Moved by: Councillor Morrison
Seconded by: Councillor Francis

Decision Number: CR162/2020

That the report of the In Camera meeting held April 27, 2020 **BE ADOPTED** as presented.

Carried.

Clerk's File: ACO2020

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12.2. Report of Striking Committee of its meeting held March 2, 2020

Moved by: Councillor Morrison
Seconded by: Councillor Francis

Decision Number: CR163/2020

That the report of the Striking Committee held March 2, 2020 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 99/2020
Clerk's File: ACO2020

13. BY-LAWS (First and Second Readings)

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the following By-laws No. 43-2020 through 56-2020 (inclusive) be introduced and read a first and second time:

43-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.57 METRE EAST/WEST ALLEY LOCATED NORTH OF ARMANDA STREET, SOUTH OF JOYCE STREET, EAST OF WATERLOO AVENUE AND WEST OF WERNER AVENUE, CITY OF WINDSOR authorized by CR282/2019, adopted June 3, 2019.

44-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE EAST/WEST ALLEY LOCATED NORTH OF ARMANDA STREET, SOUTH OR JOYCE STREET, EAST OF WATERLOO AVENUE AND WEST OF WERNER AVENUE, CITY OF WINDSOR authorized by CR282/2019, adopted June 3, 2019.

45-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE EAST/WEST ALLEY AND THE 2.13 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF WYANDOTTE STREET EAST, EAST OF ELINOR STREET, NORTH OF JEROME STREET AND WEST OF CLOVER AVENUE, CITY OF WINDSOR authorized by CR335/2019, adopted July 8, 2019.

46-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE EAST/WEST ALLEY AND THE 2.13 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF WYANDOTTE STREET EAST, EAST OF ELINOR STREET, NORTH OF JEROME STREET AND WEST OF CLOVER AVENUE, CITY OF WINDSOR authorized by CR335/2019, adopted July 8, 2019.

47-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.88 METRE EAST/WEST ALLEY AND THE 4.88 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF RIVERSIDE DRIVE EAST, EAST OF WATSON AVENUE, NORTH OF CLAIRVIEW AVENUE AND WEST OF DIEPPE PLACE, CITY OF WINDSOR authorized by CR188/2019, adopted April 15, 2019.

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48-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.88 METRE EAST/WEST ALLEY AND THE 4.88 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF RIVERSIDE DRIVE EAST, EAST OF WATSON AVENUE, NORTH OF CLAIRVIEW AVENUE AND WEST OF DIEPPE PLACE, CITY OF WINDSOR authorized by CR188/2019, adopted April 15, 2019.

49-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 3.66 METRE EAST/WEST ALLEY AND THE 4.00 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF WYANDOTTE STREET EAST, NORTH OF ONTARIO STREET, EAST OF BUCKINGHAM ROAD AND WEST OF FORD BOULEVARD, CITY OF WINDSOR authorized by CR668/2018, adopted December 17, 2018.

50-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY CLOSURE THE 3.66 METRE EAST/WEST ALLEY AND THE 4.00 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF WYANDOTTE STREET EAST, NORTH OF ONTARIO STREET, EAST OF BUCKINGHAM ROAD AND WEST OF FORD BOULEVARD, CITY OF WINDSOR authorized by CR668/2018, adopted December 17, 2018.

51-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.57 METRE EAST/WEST ALLEY AND THE 3.53 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF COLLEGE AVENUE, EAST OF CAMPBELL AVENUE, NORTH OF LAING STREET AND WEST OF CURRY AVENUE, CITY OF WINDSOR authorized by CR107/2019, adopted March 4, 2019.

52-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE EAST/WEST ALLEY AND THE 3.53 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF COLLEGE AVENUE, EAST OF CAMPBELL AVENUE, NORTH OF LAING STREET AND WEST OF CURRY AVENUE, CITY OF WINDSOR authorized by CR107/2019, adopted March 4, 2019.

53-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 2.18 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF CABANA ROAD WEST, NORTH OF KENNEDY BOULEVARD, EAST OF LONGFELLOW AVENUE AND WEST OF CASGRAIN DRIVE CITY OF WINDSOR authorized by CR669/2018, adopted December 17, 2018.

54-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 2.18 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF CABANA ROAD WEST, NORTH OF KENNEDY BOULEVARD, EAST OF LONGFELLOW AVENUE AND WEST OF CASGRAIN DRIVE, CITY OF WINDSOR authorized by CR669/2018, adopted December 17, 2018.

55-2020 A BY-LAW TO EXTEND THE PERIOD OF TIME DURING WHICH INTERIM CONTROL BY-LAW 78-2019 WILL BE IN EFFECT, BY ONE ADDITIONAL YEAR, TO JUNE 2, 2021, **see Item 8.7 (S 50/2020)**.

56-2020 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 27TH DAY OF APRIL, 2020.

Carried.

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14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Costante

Seconded by: Councillor Sleiman

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 presented)
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 amended)

Carried.

15. NOTICES OF MOTION

None presented.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Morrison

Seconded by: Councillor McKenzie

That the By-laws No. 43-2020 through 56-2020 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

18.1. CQ 8-2020

Moved by: Councillor Morrison

Seconded by: Councillor McKenzie

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Decision Number: CR164/2020

That the following Council Question by Councillor Francis **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 8-2020:

Assigned to Chief Administrative Officer

Asks Administration to prepare a report for Council's consideration regarding new initiatives, put in place to battle Covid19, that can remain in place to increase safety measures, efficiencies, environmental measures and cost savings moving forward. These measures might include paperless agendas and digital participation in meetings of council, among others.

Carried.

Clerk's File: MH/13786

18.2. CQ 9-2020

Moved by: Councillor Morrison

Seconded by: Councillor McKenzie

Decision Number: CR165/2020

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 9-2020:

Assigned to City Engineer; Community Leader Parks; City Solicitor

In light of the current state of emergency, along with orders asking for social distancing, during this COVID-19 Pandemic, I ask that administration consider a procedure to allow for the closure of some or part of city streets to be used for pedestrian and cycling traffic as is being done in numerous other cities across Canada. This would not take up entire streets (unless specifically warranted) as we do with Open Streets but simply the closure of lanes or part of lanes to allow for more room for pedestrians and cyclists. Also ask that we provide proper signage for both drivers and pedestrians to highlight the delineation between vehicle space and pedestrian space. This process may include input from the various BIAs, calls from 311, and input from Council. These closures would be temporary and only last as long as social distancing regulations were in place from the Province of Ontario.

I ask that administration report back for the next meeting (May 4th) how to implement lane closures along Riverside Dr. from Devonshire to Caron Ave reducing Riverside Dr. to two lanes. This specific location was chosen because of the extremely high usage rates of the

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riverfront trails causing great concern for people looking to get exercise and fresh air but continue to follow social distancing rules.

Carried.

Councillors Francis, Sleiman and Mayor Dilkens voting nay.

Clerk's File: MH/13786

21. ADJOURNMENT

Moved by: Councillor Bortolin

Seconded by: Councillor Francis

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 2:48 o'clock p.m.

Mayor

City Clerk

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Adopted by Council at its meeting held April 27, 2020 (CR 162/2020)
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA April 27, 2020

Meeting called to order at: 12:17p.m.

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

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 (at 12:19 p.m.)
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public Engagement
and Human Resources
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
J. Wilson, Corporate Leader, Parks, Facilities, Recreation and Culture
A. Teliszewsky, Mayor's Chief of Staff

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Property matter – sale of land	239(2)(c)(j)
2.	Legal matter – settlement	239(2)(e)
3.	Personal matter – about identifiable individuals/labour relations	239(2)(a)(b)(d)
4.	Personal matter – labour negotiations	239(2)(d)
5.	Legal matter – advice subject to solicitor-client privilege – verbal report	239(2)(f)
6.	Legal matter – expropriation update – verbal report	239(2)(e)(f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

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

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Gignac, seconded by Councillor Costante, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held April 27, 2020 directly to Council for consideration at the next Regular Meeting.

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1. That the recommendation contained in the in-cam3.era report from the Coordinator of Housing Administration and Development, Executive Director of Housing and Children's Services, 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 – sale of land **BE APPROVED**.
2. That the recommendation contained in the in-camera report from the Manager Process Engineering & Maintenance, Senior Manager Pollution Control/Deputy City Engineer, City Engineer and Corporate Leader Environmental Protection and Transportation, City Solicitor and Corporate Leader Economic Development and Public Safety, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal matter - settlement **BE APPROVED**.
3. That the recommendation contained in the in-camera report from the Deputy City Clerk and Senior Manager of Council Services and City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Resources respecting a personal matter about identifiable individuals/labour relations **BE APPROVED**.
4. That the recommendation contained in the in-camera report from the Deputy City Clerk and Senior Manager of Council Services and City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Resources respecting a personal matter - labour relations **BE APPROVED**.
5. That the confidential verbal report Corporate Leader, Parks, Facilities, Recreation and Culture respecting a legal matter – advice subject to solicitor-client privilege **BE DEFERRED** to the May 4, 2020 in-camera meeting.
6. That the confidential verbal report from the City Solicitor and Corporate Leader Economic Development and Public Safety respecting a legal matter – expropriation update **BE RECEIVED**.

Motion Carried.

**Moved by Councillor Gignac, seconded by Councillor Bortolin,
That the special meeting of council held April 27 2020 BE ADJOURNED.**

(Time: 12:33 p.m.)

Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on April 27, 2020.**