



CITY OF WINDSOR MINUTES 12/07/2020

City Council Meeting

Date: Monday, December 7, 2020

Time: 10:30 o'clock a.m.

Members Present:

Mayor Regrets

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis (Acting Mayor)

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Councillor Gill

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

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

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1. ORDER OF BUSINESS

2. CALL TO ORDER

The Acting Mayor calls the meeting to order at 10:41 o'clock a.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 November 23, 2020

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

That the minutes of the meeting of Council held November 23, 2020 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 349/2020

5. NOTICE OF PROCLAMATIONS

None presented.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Gill

Seconded by: Councillor McKenzie

That Council do now rise and move into Committee of the Whole with the Acting 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;

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(f) consideration of Committee reports:

(g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and

(h) consideration of by-law 157-2020 through 165-2020 (inclusive).

Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, December 7, 2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR592/2020

That the following Communication Items 7.1.1 through 7.1.5 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	Manager of Urban Design	Site Plan Approval, Stella Luxe Development Corporation – Murray Troup, 0 Lauzon Rd., 4-6 storey multi-residential buildings ZS/13980 Note & File
7.1.2	Manager of Urban Design	Site Plan Approval, Winwest Enterprises Ltd., 11365 Tecumseh Rd. E., Office addition ZS/13983 Note & File
7.1.3	Manager of Urban Design	Site Plan Approval, 5021089 Ontario Inc., 477 Pelissier St., Mixed use building with commercial office space and residential dwellings ZS/13971 Note & File
7.1.4	Manager of Urban Design	Site Plan Approval, Rosati Group, 3861 Howard Ave., Retail building ZS/13984 Note & File

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No.	Sender	Subject
7.1.5	Committee of Adjustment / Consent Authority	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, December 10, 2020, 3:30 p.m., through Electronic Meeting Participation ZC2020 Note & File

Carried.

Report Number: CMC 20/2020

7.2. CQ 27-2020 – Regulation of Landscape Overgrowth - City Wide

Moved by: Councillor Costante
Seconded by: Councillor Sleiman

Decision Number: CR593/2020

That Council **RECEIVE** the response to CQ 27-2020 pertaining to the regulation of landscape overgrowth for information; and,

That by-law #3-2006 – a by-law to establish standards respecting yard waste and exterior property maintenance and to prohibit littering in the City of Windsor – **BE AMENDED** as follows:

(a) amend subsection 3.1.2 (Hedges and Landscaping) to read something similar to:

“Every owner of property shall ensure that hedges, shrubs, plantings, trees and all other landscaping on a property shall be maintained in a neat, tidy and healthy condition that is not unsightly or unreasonably overgrown, is acceptable to the Officer, and does not:

1. obstruct or interfere with the safety and health of the public;
2. affect the safety of or obstruct the view of vehicular or pedestrian traffic;
3. detract from the neighbouring environment; or
4. wholly or partially conceal or interfere with the use of any public infrastructure.

Carried.

Report Number: C 227/2020
Clerk’s File: AB2020

7.3. Response to Council Directive CR137/2020 re Jefferson Private Park – Ward 6

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR594/2020

That City Council **RECEIVE** the response to Council Directive CR137/2020 for information pertaining to Jefferson Private Park.

Carried.

Report Number: C 231/2020
Clerk’s File: SR2020

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7.4. State of City Playgrounds Audit Update 2020 Responding to CQ-23-2020 - City Wide

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR595/2020

That the report from the Manager of Parks Development on the updated status of the playground audit report from 2015 and current playground inventory review **BE RECEIVED**.

Carried.

Report Number: CM 27/2020

Clerk's File: SR/12397

7.5. Summary of Hotline Issues Referred to Management by PwC – 2020 Q2 & Q3 - City Wide

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR596/2020

That City Council **RECEIVE FOR INFORMATION** the Summary of Hotline Issues Referred to Management by PwC from April 1, 2020 – June 30, 2020 (attached as Appendix A) and from July 1, 2020 – September 30, 2020 (attached as Appendix B).

Carried.

Report Number: CM 25/2020

Clerk's File: AF/11247

7.6. Status Report on Implementation of Audit Recommendations – 2020 Q3 - City Wide

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR597/2020

That City Council **RECEIVE FOR INFORMATION** the Status Report on Implementation of Audit Recommendations as of 2020 Q3 (attached as Appendix A).

Carried.

Report Number: CM 26/2020

Clerk's File: AF/11247

7.7. Banwell Road Capital Program - Ward 7

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

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Decision Number: CR598/2020

That the results from Banwell Road Improvements Consulting Services - Request For Proposal 110-19, Construction of Banwell Improvements Project Phase1 - Request For Tender 87-20, and Storm Water Management Study of Tecumseh Road E Corridor – Request For Proposal 72-20 **BE RECEIVED** for information.

Carried.

Report Number: C 223/2020

Clerk's File: SW/13707

8. CONSENT AGENDA

8.1. Demolition Control By-law Exemption-1155 McDougall St.

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR599/2020

- I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for the single detached dwelling located at 1155-1157 McDougall Street (see Appendix 'A'), to construct a semi-detached dwelling (includes two (2) primary units) with a total of four (4) Additional Dwelling Units (See Appendix 'B') to facilitate the redevelopment of the property; and,
- 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' be substantially complete within two (2) years following commencement of the demolition;
 - 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,
- IV. That the City Solicitor **BE DIRECTED** to register a notice of condition #2 in the land registry office against the property in the event that the redevelopment is not substantially complete within two (2) years following the commencement of the demolition.

Carried.

Report Number: C 226/2020

Clerk's File: SB2020

8.2. Update of Various Finance Policies

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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Decision Number: CR600/2020

That City Council **APPROVE** the updated Waiver of Fees and Grant Funding Policy, attached as Appendix A to this report; and,

That City Council **APPROVE** the updated Corporate Gift Policy, attached as Appendix B to this report; and,

That City Council **APPROVE** the updated Tangible Capital Assets Policy, attached as Appendix C to this report; and,

That City Council **APPROVE** the updated PSAB 3260 Contaminated Sites Accounting and Reporting Policy, attached as Appendix D to this report; and,

That Administration **BE DIRECTED** to amend the related Procedures and Forms as necessary, to facilitate compliance with the amended policies.

Carried.

Report Number: S 162/2020

Clerk's File: AF/11921

8.3. Photocopier Lease Versus Buy Analysis – City Wide

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR601/2020

That the City of Windsor **CONTINUE TO SATISFY** its photocopier needs by leasing in accordance with the new Master Agreement from the Ministry of Government Services, Workplace Print and Services Vendor Of Record (VOR) Arrangement #11359 which remains in effect until February 28, 2023 and any subsequent renewal periods that may apply, and **FURTHER** that in those instances where the specific photocopier needs cannot be accommodated within the parameters of the Master Agreement from the Ministry of Government Services, that departments **BE AUTHORIZED** to satisfy such photocopier needs following normal protocols required under the City's Purchasing Bylaw.

Carried.

Report Number: C 225/2020

Clerk's File: AE2020

8.4. 2021 Interim Tax Bills - City Wide

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR602/2020

That City Council **DIRECT** Administration to prepare 2021 Interim property tax bills based upon 50% of the 2020 total levy inclusive of education tax; and,

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That City Council **ESTABLISH** the collection of the 2021 interim property taxes over three instalment dates being; February 17, March 17, and April 14, 2021; and,

That City Council **APPROVE** a rate of 1 ¼ % to be imposed as a penalty for non-payment of property taxes on the first day of default and a further rate of 1 ¼ % per month as interest on taxes due but unpaid; and,

That the City Solicitor **BE AUTHORIZED** to prepare the necessary by-law to enact the 2021 interim property tax bills.

Carried.

Report Number: C 230/2020

Clerk's File: AF/13698

8.5. Approval of Annual Temporary Borrowing By-Law for 2021

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR603/2020

That City Council **AUTHORIZE** the temporary borrowing of money for current expenditures for the year 2021, if and when required, as provided for under the provisions of Section 407 of the *Municipal Act*; and,

That City Council **AUTHORIZE** the CAO and City Clerk to execute the related banking agreements including any line of credit commitment letters as deemed necessary to establish/maintain the line of credit facility approved as to legal content by the City Solicitor and as to technical and financial content to the CFO/City Treasurer; and,

That City Council **AUTHORIZE** the CAO and CFO/City Treasurer to borrow on a temporary basis, such sums, if any, as considered necessary to meet the current expenditures of the Corporation for the year until the taxes are collected and other revenues are received; and to **EXECUTE** any such related banking agreements including but not limited to the Bank's Acceptance Agreement and Overdraft Lending Agreement approved as to legal content by the City Solicitor and as to technical and financial content to the CFO/City Treasurer; and,

That City Council **AUTHORIZE** the CAO and CFO/City Treasurer to sign the "Security Agreement - Municipalities and School Boards" banking document subject to approval for legal content by the City Solicitor and as to technical and financial content to the CFO/City Treasurer; and,

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

Carried.

Report Number: C 209/2020

Clerk's File: AFB/13698

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8.6. Award of Tender 143-20 - 2020 Goyeau Garage Rehabilitation and Elevator Upgrade - Ward: 3

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR604/2020

That City Council **APPROVE** a pre-commitment of the 2021 Parking Garage Improvement Capital Funding Budget (Project #7131114) in the amount of \$305,000 for immediate use; and,

That Council **APPROVE** the award of tender 143-20; and,

That the CAO and City Clerk **EXECUTE** an agreement/contract with Weathertech Restoration Services for the purpose of the 2020 Goyeau Garage Rehabilitation and Elevator Upgrade Project to an upset limit of \$1,216,590.00 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.

Carried.

Report Number: C 233/2020

Clerk's File: ST/13973

8.7. Zoning By-law Amendment - 333 McEwan Avenue - Philip Robins - Z 019-20 [ZNG-6162] - Ward 2

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR605/2020 DHSC 210

1. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Lot 7, Plan 312; located on the west side of McEwan Avenue, south of University Avenue West (shown as the subject lands on Appendix A to Report S 126/2020), from RD 1.3 to RD 2.2 and by adding a site specific provision to Section 20(1) as follows:

"401 WEST SIDE OF MCEWAN AVENUE, SOUTH OF UNIVERSITY AVENUE WEST

For the lands comprising Part Lot 7, Plan 312; for any permitted use in Section 11.2.1, save and except for a townhome dwelling, the following additional provisions shall also apply:

- a) Lot Width – minimum – 10.0 m
- b) Lot Area – minimum – 315 m²
- c) Front Yard Depth – minimum – 5.0 m
- d) Side Yard Width – minimum – 0.6 m for the structure existing at the time of this bylaw passing

[ZDM 3; ZNG/6162]"

Carried.

Report Number: SCM 333/2020 & S 126/2020

Clerk's File: ZB/13925

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8.8. Official Plan and Zoning By-Law Amendment; 1223-1233 University Ave W OPA 137 (OPA 6170) and Z-024/20 (ZNG/6169), Ward 3

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR606/2020 DHSC 212 DHSC 213

- I. That Schedule "A: Planning Districts and Policy Areas" of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to West Part Lot 1 ROW; Over South Part Lot 9, Registered Plan 683, known municipally as 1223 – 1233 University Avenue West;

- II. That Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - 1.48 South Side of University Ave West, West of Wellington Ave
 - 1.48.1 The property described as West Part Lot 1 ROW; Over South Part Lot 9, Registered Plan 683, known municipally as 1223 – 1233 University Avenue West is designated Mixed Use on Schedule A: Planning Districts and Policy Areas in Volume 1: The Primary Plan;
 - 1.48.2 Notwithstanding the "Mixed Use" designation, section 6.9.2.1 Permitted Uses and section 6.9.2.2 (a) Form of Mixed Use Areas of the Official Plan, Volume 1: The Primary Plan, "small scale Low Profile residential development" and "residential uses at grade level" shall be additional permitted uses on the subject property within the existing building.

- III. That Zoning By-law 8600 **BE AMENDED** by adding a site specific exception to Section 20(1) for Registered Plan 683 West Part Lot 1 ROW; Over South Part Lot 9 (municipally known as 1223-1233 University Avenue West) as follows:
 400. **SOUTH SIDE OF UNIVERSITY AVENUE WEST, WEST OF WELLINGTON AVENUE**
For the lands comprising of W PT Lot 1 ROW; Over S PT Lot 9, Registered Plan 683:
 - a) A *dwelling unit* on the main floor and/or in the basement shall be an additional permitted use and, that for the additional permitted use, no additional *amenity area* and no additional *parking space* are required.
 - b) Number of Dwelling Units – maximum – 8

and placing an H symbol on the subject parcel that shall be removed when certain conditions are completed to the satisfaction of the City Engineer.
[ZDM3; ZNG/6169]

- IV. That for any proposed alteration to the existing facade of the building at 1223-1233 University Avenue West, elevation drawings **SHALL BE REQUIRED** and subject to Site Plan Control to ensure that the proposed alteration is not irreversible to the commercial storefront facing University Avenue West.

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- V. That the lands affected **BE SUBJECT** to an H symbol and that it only be removed when the following conditions have been satisfied:
- i. The owner submits an application to remove the H holding symbol;
 - ii. (a) Encroachment Agreement
The owner submits an application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (i.e. private drain connection) to the satisfaction of the City Engineer.
 - (b) Existing Sewers and Connections
The owner further agrees, at its entire expense and to the satisfaction of the City Engineer:
 - 1. To undertake a video inspection of the mainline sewers that will be used by the subject property and all connections to the mainline sewers that service the subject property.
 - 2. Any redundant connections will be abandoned according to the City of Windsor Engineering Best Practice B.P.1.3.3.
 - 3. Any new connections to combined sewers will follow City of Windsor Engineering Best Practice B.P.1.1.1.
- VI. That Administration **BE REQUESTED** to report back to a future meeting of the Development & Heritage Standing Committee to quantify and qualify the impacts that commercial storefront conversions have on our main streets; and,
- VII. That Administration **DEVELOP** a policy to guide council in helping them decide where such residential conversions are appropriate; and,
- VIII. That Administration **REVIEW** and **COMMENT** on the impact of the *Landlord Tenant Act* and how a transition would happen, what is allowable and what is not; and further,
- IX. That the administrative report also **INCLUDE** whether or not Council can impose timelines, can gain more control over the process and can force the owner to convert the property back to commercial when appropriate.

Carried.

Report Number: SCM 334/2020 & S 153/2020

Clerk's File: ZO/13917 & ZB/13916

8.9. Development Application - 1680 Tecumseh Rd W. 1378, 1366 and 0 Campbell Avenue OPA 134 [OPA 6125] Z 015/20 [ZNG6124] To permit a Multiple Dwelling Development-Ward 2

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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Decision Number: CR607/2020 DHSC 215

- I. That By-law 103-20 (Residential Interim Control By-law) **BE AMENDED TO EXEMPT** that portion of Lots 9 and 10, and Part of Lots 11, 12, 13, 14 and 15, Registered Plan 931, Known Municipally as 1680 Tecumseh Road West; 1378 Campbell Street, 1366 Campbell Avenue and 0 Campbell Avenue subject to rezoning Z-015/20 ZNG/6124;
- II. That Schedule “A” of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to Lots 9 and 10, and Part of Lots 11, 12, 13, 14 and 15, Registered Plan 931, Known Municipally as 1680 Tecumseh Road West; 1378 Campbell Street, 1366 Campbell Avenue and 0 Campbell Avenue;
- III. That Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:

“1.X Northeast corner, Intersection of Tecumseh Road West and Campbell Avenue

1.X.1 The property described as Lots 9 and 10, and Part of Lots 11, 12, 13, 14 and 15, Registered Plan 931, Known Municipally as 1680 Tecumseh Road West; 1378 Campbell Street, 1366 Campbell Avenue and 0 Campbell Avenue. (Northeast corner, Intersection of Tecumseh Road West and Campbell Avenue), **IS DESIGNATED** Commercial Corridor on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;

1.X.2 Notwithstanding the “Commercial Corridor” designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, “Multiple Dwelling” shall be an additional permitted uses.”
- IV. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Lots 9 and 10, and Part of Lots 11, 12, 13, 14 and 15, Registered Plan 931, Known Municipally as 1680 Tecumseh Road West; 1378 Campbell Street, 1366 Campbell Avenue and 0 Campbell Avenue from Commercial District 2.1 (CD2.1) and Residential District 2.2 (RD 2.2) to Residential District (RD) 3.1, with the following additional site specific regulations:
 - i. Lot Frontage – Minimum - as existing
 - ii. Front Yard Depth – 0m
 - iii. Interior Side Yard width – Minimum – 3.6m
 - iv. Exterior Side Yard width– 0m
 - v. Required Parking – 1 space /unit
- V. That the building entrance adjacent to the Tecumseh Road West entrance **BE DESIGNED** so that the entrance is more prominent, facilitating more active use of the area adjacent to Tecumseh Road West, to the satisfaction of the Site Plan Control Officer.

Carried.

Report Number: SCM 335/2020 & S 152/2020

Clerk’s File: ZO/13900 & ZB/13896

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8.11. To Close and Convey Part of the Westerly Portion of North Terminal Rd, Northerly of Essex Terminal Railway - SAS/5711 - Applicant: B & S Dortmans – Ward 3

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR609/2020 DHSC 218

- I. That the portion of North Terminal Road east of Charl Avenue, labelled as “Part 1” as shown on Drawing No. CC-1751B *attached* as Appendix ‘A’, **BE ASSUMED** for subsequent closure;
 - II. That the portion of North Terminal Road east of Charl Avenue, labelled as “Part 1” as shown on Drawing No. CC-1751B *attached* as Appendix ‘A’, **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. An easement registered by The Corporation of the City of Windsor in the City’s standard form and in accordance with the City’s standard practice;
 - III. That Conveyance Cost **BE SET** at:
 - a. For property abutting Development Reserve DRD1.1, conveyance price will be \$10.76 per square metre without easements and \$5.38 per square metre with easements plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
 - IV. That the portion of North Terminal Road east of Charl Avenue, labelled as “Part 2” as shown on Drawing No. CC-1751B *attached* as Appendix ‘A’, **BE DENIED** for the following reasons:
 - a. The right-of-way does not meet the criteria for closure; it is deemed indispensable and not suitable for closure.
 - b. The right-of-way contains sewers and must remain accessible for servicing.
 - c. The right-of-way contains access to existing utility poles, guying, anchors, and 347/600V secondary distribution lines and must remain accessible for servicing.
 - V. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1751B *attached* as Appendix ‘A’;
 - VI. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
 - VII. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
 - VIII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
- Carried.

Report Number: SCM 338/2020 & S 140/2020
Clerk’s File: MTR2020

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8.12. Close and Convey a Portion of the North/South Alley Between Crawford Avenue and Oak Street, From Montrose Street to Tecumseh Boulevard West and the East/West Alley Between 1370 Oak Street and 1380 Oak Street - SAA/4133 - Applicants: Richard & Adrienne Chene - Ward 3

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR610/2020 DHSC 219

- I. That the 4.57 metre wide east/west alley located between 1370 Oak Street and 1380 Oak Street, and shown as "Part 1" on Drawing No. CC-1776 *attached* as Appendix 'A', **BE ASSUMED** for subsequent closure.
- II. That the 4.57 metre wide east/west alley located between 1370 Oak Street and 1380 Oak Street, and shown as "Part 1" on Drawing No. CC-1776 *attached* as Appendix 'A', **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, in a manner deemed appropriate by the City Planner subject to the following:
 - a) Easement subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - a. Bell Canada.
- III. That Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD1.3: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. That the portion of the 2.13 metre wide north/south alley located between Crawford Avenue and Oak Street, from Montrose Street to Tecumseh Boulevard West, and shown as "Part 2", "Part 3" and "Part 4" on Drawing No. CC -1776 *attached* as Appendix 'A', **BE ASSUMED** for subsequent closure.
- V. That the 2.13 metre wide north/south alley located between Crawford Avenue and Oak Street, from Montrose Street to Tecumseh Boulevard West, and shown as "Part 2", "Part 3" and "Part 4" on Drawing No. CC-1776 *attached* as Appendix 'A', **BE CLOSED AND CONVEYED** in equal halves to the abutting property owners, and adjusted as necessary, in a manner deemed appropriate by the City Planner subject to the following:
 - a) Easement subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - a. Bell Canada, Enwin Utilities and Enbridge Gas.
- VI. That Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD1.3: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

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- b. For alley abutting lands zoned Manufacturing MD1.1: \$117.22 per square metre plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VII. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1776, *attached* as Appendix 'A'.
- VIII. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- IX. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- X. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
- XI. That Conveyance Cost for the portion of the alley abutting the property at 956 Tecumseh Boulevard West **BE SET** as follows:
\$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Carried.

Report Number: SCM 339/2020 & S 141/2020
Clerk's File: SAA2020

8.13. Close and Convey the North/South Alley East of Marentette Ave Abutting the West Side of 840 Wyandotte St E, From Wyandotte St E to Brant St - SAA/6060 - Applicant: Seiko Homes - Ward 4

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR611/2020 DHSC 220

- I. That the 4.88 metre wide north/south alley located east of Marentette Ave, abutting the west side of 840 Wyandotte St E, from Wyandotte St E to Brant St, and shown on Drawing No. CC-1769 *attached* as Appendix 'A', **BE ASSUMED** for subsequent closure.
- II. That the 4.88 metre wide north/south alley located east of Marentette Ave, abutting the west side of 840 Wyandotte St E, from Wyandotte St E to Brant St, and shown as "Part 2" on Drawing No. CC-1769 *attached* as Appendix 'A', **BE CLOSED AND CONVEYED** to the applicant, subject to the following:
- a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
- Bell Canada, MNSi and Enwin Utilities Ltd.
- III. That Conveyance Cost **BE SET** as follows:
- a. For alley abutting lands zoned Commercial CD2.2: \$172.22 per square metre without easements or \$86.11 per square metre with easements.

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- IV. That the 4.88 metre wide north/south alley located east of Marentette Ave, abutting the west side of 840 Wyandotte St E, from Wyandotte St E to Brant St, and shown as "Part 1" on Drawing No. CC-1769 *attached as Appendix 'A'*, **BE CLOSED AND CONVEYED** in two equal halves, along the centre of the subject alley to the abutting property owners, subject to the following:
- a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Bell Canada, MNSi and Enwin Utilities Ltd.
- V. That Conveyance Cost **BE SET** as follows:
- a. For alley abutting lands zoned Commercial CD2.2: \$172.22 per square metre without easements or \$86.11 per square metre with easements.
 - b. For lands abutting properties zoned Residential RD2.2: \$1 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VI. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1769, *attached as Appendix 'A'*.
- VII. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- IX. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 340/2020 & S 148/2020
Clerk's File: SAA2020

8.14. Close and Convey the North/South Alley Between Tecumseh Rd W and Leduc St, East of Campbell Ave, Abutting the West Side of 1636 Tecumseh Rd W - SAA/6067 - Applicants: Adeolu Ireymi and Redeemed Christian Church of God - Ward 2

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR612/2020 DHSC 221

- I. That the 3.66 metre wide north/south alley between Tecumseh Rd W and Leduc St, east of Campbell Ave, and shown on Drawing No. CC-1774 attached as Appendix 'A', **BE ASSUMED** for subsequent closure;
- II. That the 3.66 metre wide north/south alley between Tecumseh Rd W and Leduc St, east of Campbell Ave, and shown on Drawing No. CC-1774 attached as Appendix 'A', **BE CLOSED**

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AND CONVEYED in two equal halves, along the centre of the subject alley, to the abutting property owners, subject to the following:

- a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Bell Canada, MNSi, Enwin Utilities Ltd. and Enbridge (formerly Union Gas);

III. That Conveyance Cost **BE SET** as follows:

- a. For lands abutting properties zoned Residential RD2.2: \$1 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
- b. For lands abutting properties zoned Commercial CD2.1: \$172.22 per square metre without easements and \$86.11 per square metre with easements, deed and survey costs included;
- c. For lands abutting properties zoned Institutional ID1.1, as the abutting property is not an operating school, \$26.90 per square metre without easements and \$13.45 per square metre with easements, plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;

IV. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1774, attached as Appendix 'A';

V. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);

VI. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,

VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 341/2020 & S 137/2020
Clerk's File: SAA2020

8.15. Close and Convey the North/South Alley Between Marentette Avenue and Elsmere Avenue, South of Lens Avenue and North of Vimy Avenue - SAA/6075 - Applicant: Brenda Morris - Ward 4

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR613/2020 DHSC 222

- I. That the portion of the 4.27 metre wide north/south alley located between Marentette Avenue and Elsmere Avenue, south of Lens Avenue and north of Vimy Avenue, and shown on Drawing No. CC-1775 attached as Appendix 'A', **BE ASSUMED** for subsequent closure;

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- II. That the portion of the 4.27 metre wide north/south alley located between Marentette Avenue and Elsmere Avenue, south of Lens Avenue and north of Vimy Avenue, and shown on Drawing No. CC-1775 attached as Appendix 'A', **BE CLOSED AND CONVEYED** in two equal halves, along the centre of the subject alley, to the abutting property owners, subject to the following:
 - a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Bell Canada and Enwin Utilities Ltd.
- III. That Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1775, *attached* as Appendix 'A'.
- V. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 342/2020 & S 138/2020
Clerk's File: SAA2020

8.16. Close and Convey the North/South Alley Abutting the East Side of 3726 Howard Avenue - SAA/6095 - Applicant: 2601817 Ontario Ltd - Ward 9

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR614/2020 DHSC 223

- I. That the 4.88 metre wide north/south abutting the east side of 3726 Howard Avenue, and shown on Drawing No. CC-1777 *attached* as Appendix 'A', **BE ASSUMED** for subsequent closure;
- II. That the 4.88 metre wide north/south alley abutting the east side of 3726 Howard Avenue, and shown on Drawing No. CC-1777 *attached* as Appendix 'A', **BE CLOSED AND CONVEYED** to the applicant;
- III. That Conveyance Cost **BE SET** as follows:

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- a. For lands abutting properties zoned Residential RD1.1: \$1 plus deed preparation fee and all survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
- IV. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1777, *attached* as Appendix 'A';
- V. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- VI. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 343/2020 & S 139/2020
Clerk's File: SAA2020

11.2. 2021 Agency Grant Payments - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR619/2020

That Council **APPROVE** the funding for City Funded Agencies in 2021 up to a maximum of 50% of the 2020 approved grant amounts as outlined in this report.

Carried.

Report Number: C 229/2020
Clerk's File: AFB/13698

11.3. Parking By-law #9023 Amendment to Gross Vehicle Weight Rating and Public Utility Exemption - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR620/2020 CR413/2019 ETPS 690

That by-law 9023 **BE AMENDED** as follows:

DELETE:10(3). No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more at any time on any highway or portion of highway other than the highways set out in Schedule "AA" (Designated Truck Routes) hereof. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)(deleted & replaced B/L 57-2009, March 30/09)**

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10(4) No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more, during the hours 10:00 p.m. to 6:00 a.m., Monday to Sunday on any Highway within the City of Windsor. **(added B/L 283-2004, August 30/04) (deleted & replaced B/L 57-2009, March 30/09);**

And **REPLACE** with:

10(3). No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of four thousand five hundred kilograms (4,500 kg.) or more at any time on any highway or portion of highway other than the highways set out in Schedule "AA" (Designated Truck Routes) hereof. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)(deleted & replaced B/L 57-2009, March 30/09)**

10(4) No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of four thousand five hundred kilograms (4,500 kg.) or more, during the hours 10:00 p.m. to 6:00 a.m., Monday to Sunday on any Highway within the City of Windsor. **(added B/L 283-2004, August 30/04) (deleted & replaced B/L 57-2009, March 30/09);**

ADD:

10(9) Sections 10(3) and 10(4) above do not apply to the following vehicles which are parked or stopped on any highway at anytime within the City of Windsor:

- i. Marked vehicles actually engaged in works or on call, undertaken for or on behalf of The Corporation of the City of Windsor or a public utility, including utilities providing hydro, telephone, natural gas or internet service.

Carried.

Report Number: SCM 266/2019 & S 128/2019

Clerk's File: ST2019

11.4. Audit and Accountability grant 2020

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

Decision Number: CR621/2020

- I. That City Council **APPROVE** the submissions of two Expressions of Interest to the Province of Ontario's Audit and Accountability Fund for grant funding of a maximum of \$150,000 to undertake a review of the management and tracking of the City's Development Charge projects and funding allocations as well as a study of On Demand Service for Transit Windsor; and,
- II. That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required relative to this Expression of Interest; and,

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- III. That in the event the City receives confirmation, written or otherwise, of the Grant funding being awarded to the City, the grant funding awarded is no less than the Project's costs outlined in the Financial Matters section herein, implementation of the Project does not result in a need for additional city funding to be 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) That City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Audit and Accountability Fund, provided that the procurement(s) are within previously approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to City Treasurer, and in technical content for the DC study to the Senior Manager of Asset Planning and for the On Demand Study to the Executive Director of Transit Windsor; and,
 - b) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendations noted above and sign any required documentation or enter into agreements for the Audit and Accountability Fund, satisfactory in legal form to the City Solicitor, in technical content to the Senior Manager of Asset Planning for the DC study and the Executive Director of Transit Windsor for the On Demand Study and in financial content to the City Treasurer; and,
 - c) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in financial content to City Treasurer, and in technical content for the DC study to the Senior Manager of Asset Planning and for the On Demand Study to the Executive Director of Transit Windsor; and,
 - d) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, applicable schedules and other such documents required as part of the request for payment or the submission of a reporting package to the Senior Manager of Asset Planning or designate for the DC study and the Executive Director of Transit Windsor for the On Demand study, subject to financial content approval from the area's Financial Manager.

Carried.

Report Number: C 235/2020

Clerk's File: AF/11247

11.5. Investing in Canada Infrastructure Program (ICIP)–COVID-19 Resilience Infrastructure Grant Funding-Local Government and Long Term Care Intakes

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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Decision Number: CR622/2020

- I) That City Council **APPROVES** Administration to submit the necessary applications to Investing in Canada Infrastructure Program (ICIP) – COVID-19 Resilience Infrastructure Stream-Local Government and Long-Term Care intakes (the “Grants”) leveraging the funding allocation of \$3,204,307 in the Local Government intake and requesting funding of up to \$1,144,082 under the Long-Term Care intake; and,
- II) That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the applications to the Grants subject to all documentation being satisfactory in legal form to the City Solicitor, in financial content to the City Treasurer; and in technical content to the appropriate Executive Director and or Corporate Leader for their respective projects; and,
- III) 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 Grants, subject to all documentation being satisfactory in legal form to the City Solicitor, in financial content to the City Treasurer; and in technical content to the appropriate Executive Director and or Corporate Leader for their respective projects; and,
- IV) That City Council **APPROVE** total City funding in the amount of \$750,000 to cover ineligible costs as well as providing for a contingency for any project costs which may come in over anticipated budgets to be funded from the previously reported capital project surpluses being held in the Pay-as-you-go reserve for COVID-19 financial pressures; and,
- V) That City Council **DIRECT** the Senior Manager of Asset Planning, to develop a process to manage the allocation of the City funding amount of \$750,000 as required and appropriate to the various projects; and,
- VI) That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the projects submitted under the Grants, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to City Treasurer, and in technical content to the appropriate Executive Director or Corporate Leader for their respective projects; and,
- VII) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted above and sign any required documentation/agreement(s) for the projects submitted to these Grants, satisfactory in legal form to the City Solicitor, in technical content to appropriate Executive Director or Corporate Leader for their respective projects and in financial content to the City Treasurer; and,
- VIII) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in technical content to the appropriate Executive Director or Corporate Leader for their respective projects; in financial content to the City Treasurer; and further,

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IX) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of claims and applicable schedules and other such documents required as part of the requires for the awarded projects to the appropriate Executive Director or Corporate Leader for their respective projects, or designates, and to, subject to financial content approval from the area's Financial Manager.

Carried.

Report Number: C 222/2020
Clerk's File: MH/13786

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

8.10. Close and Convey the North/South Alley Between Blackburn Court and Huron Church Road - Ward 2 - Applicant: E. Selaya - 3769 Blackburn Court - SAA/5612

Brian Chillman, Solicitor representing Khahra Real Estate Corp. and Huron Church Animal Hospital

Brian Chillman, Solicitor representing Khahra Real Estate Corp. and Huron Church Animal Hospital (owners of the properties known municipally as 1797 Huron Church Road, Windsor, Ontario and the vacant land abutting 1797 Huron Church Road to the south), appears before Council and requests that Council refer the report of the Development and Heritage Standing Committee pertaining to the request to Close and Convey the North/South Alley Between Blackburn Court and Huron Church Road, back to the Standing Committee to allow them to make a presentation to the Committee.

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

Decision Number: CR608/2020 DHSC 217

That the report of the Development and Heritage Standing Committee regarding the request to Close and Convey the North/South Alley Between Blackburn Court and Huron Church Road, **BE REFERRED** back to the Standing Committee at the next available meeting in 2021, to allow for Brian Chillman, Solicitor representing Khahra Real Estate Corp. and Huron Church Animal Hospital (owners of the properties known municipally as 1797 Huron Church Road, Windsor, Ontario and the vacant land abutting 1797 Huron Church Road to the south), to appear as a delegation, as technical difficulties at the November 16, 2020 prevented the delegation from taking place at that time.

Carried.

Report Number: SCM 337/2020 & S 9/2020
Clerk's File: SAA2020

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10. PRESENTATIONS AND DELEGATIONS

10.1. Annual Sponsor Recognition Presentation – Jason Moore

Jason Moore, Senior Manager, Communications and Customer Service

Jason Moore, Senior Manager, Communications and Customer Service, appears before Council to present the Corporation of the City of Windsor's Annual Sponsor Recognition as follows:

- Team Goran Remax Care Realty
- Solcz Family Foundation
- Windsor Spitfires Foundation
- Zehrs
- Green Shield Canada
- CTV Windsor

Moved by: Councillor McKenzie

Seconded by: Councillor Holt

Decision Number: CR615/2020

That the presentation by the Senior Manager, Communications and Customer Service regarding the Corporation of the City of Windsor's 2020 Sponsor Recognition **BE RECEIVED FOR INFORMATION**, noting the following recipients:

- Team Goran Remax Care Realty
- Solcz Family Foundation
- Windsor Spitfires Foundation
- Zehrs
- Green Shield Canada
- CTV Windsor

Carried.

Clerk's File: APR2020

10.2. 2020 Development Charges Study & Bylaw Update - City Wide

Craig Binning, Partner, Hemson Consulting Ltd; and Julia Cziraky, Consultant

Craig Binning, Partner, Hemson Consulting Ltd; and Julia Cziraky, Consultant, appear before Council to provide an overview of the 2020 Development Charges Study and By-law Update, including a background of Development Charges in Windsor; three Development Charges Service areas (city-wide; city-wide excluding Sandwich South; and Sandwich South); Capital Programs Summary; Calculated City-wide Development Charges; Calculated Sandwich South Development

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Charges; Residential Rate Comparisons; Non-Residential Rate Comparisons; Non-Residential Rate Comparison; Key Policy Direction; and Next Steps.

William Balazs, President, 386823 Ontario Limited

William Balazs, President, 386823 Ontario Limited, appears before Council to provide comment regarding the 2020 Development Charges Study and By-law Update, specifically regarding to the Sandwich South Planning District Storm Sewer and Municipal Drains Infrastructure, suggesting it is important that three individual breakdown amounts be provided.

Moved by: Councillor McKenzie

Seconded by: Councillor Holt

Decision Number: CR616/2020

That City Council **APPROVE** the November 5, 2020 Development Charges (DC) Background Study prepared by Hemson Consulting Ltd., along with recommendations endorsed by Development Charges Task Force, and that a new DC Bylaw, being a Bylaw to Impose DCs in Windsor **BE BROUGHT BACK** to City Council for Final Approval in January 18, 2021.

1. That City Council **PASS** Bylaw #XX-2021, being a Bylaw to Impose Development Charges in Windsor effective January 18, 2021 with the rates outlined below, and policies & CPI indexing as recommended by the DC Task Force and approved by City Council.

The schedule of development charges imposed by Schedule "A" for City Wide and Schedule "B" for the affected Sandwich South Planning District Area as outlined in Schedule D of Bylaw #XX-2021 are as follows:

City Wide

Single Detached Units	\$30,488 / unit
Semi, Row Units	\$17,158 / unit
Other Residential	\$14,110 / unit
Industrial Development	\$0 / Square Metre of GFA
Other Non-Residential Development	\$146.68 / Square Metre of GFA or \$13.62 / Square Foot of GFA

NOTE: Rates include the Parking Development Charges rates as per Bylaw 60-2015, which will continue to apply until the earlier of September 18, 2022 or adoption of a Community Benefits Charge Bylaw.

Sandwich South Planning District

Single Detached Units	\$47,735 / unit
Semi, Row Units	\$26,856 / unit
Other Residential	\$22,091 / unit
Industrial Development	\$0 / Square Metre of GFA
Other Non-Residential Development	\$212.10 / Square Metre of GFA or \$19.70 / Square Foot of GFA

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NOTE: Rates include the Parking Development Charges rates as per Bylaw 60-2015, which will continue to apply until the earlier of September 18, 2022 or adoption of a Community Benefits Charge Bylaw.

2. That City Council **APPROVE** the new 2021 Development Charges (DC) Bylaw based on the following main parameters:
 - a. **Maintain Area Specific Rating for the Sandwich South Planning District**
The new bylaw will maintain the area-specific approach to engineered services rates for the Sandwich South Planning District that was implemented in 2018. This policy reflects the increased infrastructure requirements, as a result of projected growth, for Roads & Related, Sanitary Sewers, Storm Sewer & Municipal Drains and Water.
 - b. **Infill Development Exemption for Core Area.** The currently defined core area detailed by Schedule "C" will be subject to a full exemption on DCs payable. The boundaries in Schedule C may be modified with a future comprehensive Planning Study, as approved by Council, that may recommend changes based on a thorough review of all the factors that can impact on development activity in the various City neighborhoods.
 - c. **Industrial development exemption policy.** The current practice of exempting all industrial development from development charges will continue in the 2021 bylaw.
 - d. **Annual Indexing of DC rates.** The council approved DC rates will continue to be adjusted annually in accordance with the 2nd Quarter annual change in Statistics Canada Quarterly Construction Price Statistics (Catalogue No. 62-007). This will allow the DC revenue's purchasing power to keep pace with the increasing costs of development expenditures. The annual date for adjustment will be moved from June 1st to November 1st to facilitate the administrative change.
3. That City Council **INDICATES ITS INTENT** to ensure that the increase in the need for services attributable to the anticipated development, including any capital costs, will be met, by updating its capital budget and forecast where appropriate;
4. That City Council **INDICATES ITS INTENT** that the future excess capacity identified in the Development Charges Background Study, dated November 5, 2020, prepared by Hemson Consulting Ltd., shall be paid for by development charges or other similar charges;
5. That no further public meeting pursuant to Section 12 of the *Development Charges Act, 1997* **IS NECESSARY** prior to the passage of Bylaw #XX-2021; and further,
6. That administration **BE DIRECTED** to report back at a high level on the economic impact and any perceived impacts on development if Council were to revisit eliminating the industrial exemption.

Carried.

Report Number: C 54/2020
Clerk's File: GPL/3905

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10.3. PwC Internal Audit Summary Report May 1, 2020 to October 31, 2020 Prepared November 20, 2020

Christopher O'Connor, Auditor General

Christopher O'Connor, Auditor General, appears before Council to provide an overview of the PwC Internal Audit Summary Report, May 1, 2020 to October 31, 2020, prepared November 20, 2020, specifically the internal audit performance and status summary; Fraud Risk mitigation review; and COVID-19 Health & Safety – re-opening of workplace and facilities.

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR617/2020

That the attached report provided by PricewaterhouseCoopers LLP (PwC) for the period May 1, 2020 to October 31, 2020 comprised of the following:

- a) Internal Audit Performance and Status Summary
- b) Fraud Risk Mitigation Review (Sprint 1 & 2)
- c) COVID-19 Health & Safety – Reopening of Workplace and Facilities (Sprint 1)

BE RECEIVED for information; and further,

That City Council **AUTHORIZE** administration to proceed to implement the Management Action Plans as prescribed in the internal audit reviews; and

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

Carried.

Report Number: SCM 331/2020

Clerk's File: AF/11247

11.1. Response to CQ22-2020 Regarding Clothing Donation Bins - City Wide

Simon Langer, National Manager Government and Strategic Partnerships, Diabetes Canada

Simon Langer, National Manager Government and Strategic Partnerships, Diabetes Canada, appears before Council to provide comment regarding the administrative response pertaining to CQ22-2020 on Clothing Donation bins, requesting that the City of Windsor participate in Diabetes Canada's used textile diversion program, which would identify the economic, environmental and social impacts of textile diversion for municipalities.

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Moved by: Councillor Bortolin

Seconded by: Councillor McKenzie

Decision Number: CR618/2020 CR486/2020

That the report of the Policy, Gaming, Licensing and By-law Enforcement division dated August 27, 2020 entitled "Response to CQ22-2020 Regarding Clothing Donation Bins" **BE RECEIVED**; and further,

That administration **BE DIRECTED** to enact a licensing classification similar to that in the City of London, and that administration **REPORT BACK** on a proposed fee structure; and further,

That administration **BE AUTHORIZED** to engage in discussions with representatives from Diabetes Canada on a potential partnership with them on their used textile diversion program, and that Administration **REPORT BACK** on those discussions for Council's consideration.

Carried.

Report Number: C 173/2020

Clerk's File: APM2020

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None presented.

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 Gill

Seconded by: Councillor McKenzie

Decision Number: CR623/2020

That the report of the In Camera meeting held December 7, 2020 **BE ADOPTED** as presented.

Carried.

Clerk's File: ACO2020

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

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✓CLERK'S CORRECTION**

That the following By-laws No. ~~157-2019 through 165-2019~~ ✓157-2020 through 165-2020✓ (inclusive) be introduced and read a first and second time:

157-2020 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 CR464/2020, dated September 14, 2020.

158-2020 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF Windsor, authorized by CR464/2020 dated September 14, 2020.

159-2020 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 B53/2020, dated January 27, 2020.

160-2020 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR549/2020, dated November 9, 2020.

161-2020 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR550/2020, dated November 9, 2020.

162-2020 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR552/2020, dated November 9, 2020.

163-2020 A BY-LAW TO AMEND INTERIM CONTROL BY-LAW 78-2019 SO THAT THE PROVISIONS OF BY-LAW 78-2019 SHALL NOT APPLY TO CERTAIN LANDS authorized by CR551/2020, dated November 9, 2020.

164-2020 A BY-LAW TO AMEND BY-LAW 214-2007, BEING A BYLAW TO CLOSE, DECLARE SURPLUS AND CONVEY THE RIGHT-OF-WAY ADJACENT TO 130-140 OUELLETTE PLACE, IN THE CITY OF Windsor authorized by CAO 220/2020 approved September 24, 2020.

165-2020 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 7TH DAY OF DECEMBER, 2020.

Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) Communication Items (as amended)
- 2) Consent Agenda (as amended)
- 3) Items Deferred
Items Referred
- 4) Consideration of the Balance of Business Items (as amended)
- 5) Committee Reports (as presented)
- 6) By-laws given first and second readings (as presented)

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Holt

Seconded by: Councillor McKenzie

Decision Number: CR624/2020

That Rule 13.9 of the Procedure By-law **BE WAIVED** to allow for a motion to be introduced for consideration without prior notice regarding possible carry-forwards in 2021 for remaining balances for advisory committees of Council.

Carried.

Clerk's File: ACO2020

Moved by: Councillor Holt

Seconded by: Councillor McKenzie

Decision Number: CR625/2020

That administration **BE DIRECTED** to prepare a summary report for Council's consideration at the January 18, 2021 meeting of Council on the possibility of allowing advisory committees, in light of the ongoing Covid19 pandemic, to carry forward any remaining funds to 2021.

Carried.

Clerk's File: ACO2020

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

That the By-laws No. 157 through 165-2020 having been read a first and second time be now read a third time and finally passed and that the Acting Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

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17. PETITIONS

Moved by: Councillor Gill

Seconded by: Councillor McKenzie

Decision Number: CR626/2020

That the petition presented by Councillor Gill from supporters of the renewal of the Forest Glade Tennis Courts, seeking to have their designated outdoor tennis courts remain for the sport of tennis only, as well as suggested investments **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Commissioner of Parks, Recreation, Culture and Corporate Facilities for the purpose of an examination of the requested works or undertakings.

Carried.

Clerk's File: ACO/13690

18. QUESTION PERIOD

18.3. CQ 32-2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR627/2020

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:

CQ 32-2020:

Assigned to City Planner and City Forester

That Administration review and report back to Council on tree protection and replacement policies as it relates to the City of Windsor's land development bylaws. The review should include information pertaining to replacement ratios and the mechanisms by which trees are protected and required to be protected through the development process as well as the extent to which development is impacting the total tree count under our current framework along with options for Council to consider in terms of protecting trees and increasing tree cover through land development policy.

Carried.

Clerk's File: SRT2020

18.4. CQ 33-2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

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Decision Number: CR628/2020

That the following Council Question by Councillor Sleiman **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 33-2020:

Assigned to Chief Building Official

I ask the City Administration to report back with a written report outlining the number of days it takes to get a building permit and compare it to other municipalities of similar size. I also ask Administration to devise methods of improving the speed of the permitting process.

Carried.

Clerk's File: SB2020

21. ADJOURNMENT

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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 1:34 o'clock p.m.

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adopted by Council at its meeting held December 7, 2020 (CR623/2020)

VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA December 7, 2020

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

Meeting called to order at: 10:00 a.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
Councillor J. Gill

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 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, Commissioner, Parks, Recreation, Culture and Facilities
A. Teliszewsky, Mayor's Chief of Staff
Chief P. Mizuno and M. Brimley, Windsor Police Service (Item 2)

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

2. Position/plan – contract negotiations.

Motion Carried.

Verbal Motion is presented by Councillor Sleiman, seconded by Councillor Gill, 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.	Personal matter – about an identifiable individual	239(2)(b)
2.	Position/plan – contract negotiations - ADDED	239(2)(j)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 2 and 1)

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

Motion Carried.

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****SEE NOTE BELOW**

Moved by Councillor Sleiman, seconded by Councillor Holt,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held December 7, 2020 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Senior Manager of Parks, Executive Director of Recreation & Culture, Commission Parks, Recreation, Culture and Corporate Facilities respecting a personal matter – about an identifiable individual **BE APPROVED**.
2. That the confidential verbal report from the Mayor and Chief of Police respecting a position/plan – contract negotiations **BE RECEIVED** and that Administration **PROCEED** on the verbal direction of Council.

Motion Carried.

Moved by Councillor Kaschak, seconded by Councillor McKenzie,
That the special meeting of council held December 7, 2020 BE ADJOURNED.
(Time: 10:34 a.m.)

Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on December 7, 2020.**