



CITY OF WINDSOR MINUTES 10/19/2020

City Council Meeting

Date: Monday, October 19, 2020

Time: 10:00 o'clock a.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Councillor Gill

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

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

Minutes

City Council

Monday, October 19, 2020

Page 2 of 27

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 10:00 o'clock a.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Francis discloses an interest and abstains from voting on Item 8.7 being the report of the Development and Heritage Standing Committee regarding "166 Tecumseh Rd W, St. Peter's Maronite Catholic Church (former Ste. Clare of Assisi Catholic Church) – Heritage Alternation Permit and Built Heritage Fund Request," as he is a parishioner of St. Peter's Church.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held September 28, 2020

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

That the minutes of the meeting of Council held September 28, 2020 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 296/2020

5. NOTICE OF PROCLAMATIONS

Illumination

"Community Living Windsor – National Disability Employment Awareness Day" – October 22, 2020

"Ontario Rett Syndrome Association – Rett Syndrome Awareness Month" – October 29, 2020

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Costante
Seconded by: Councillor Francis

Minutes

City Council

Monday, October 19, 2020

Page 3 of 27

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

- (a) communication items;
 - (b) consent agenda;
 - (c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
 - (d) hearing presentations and delegations;
 - (e) consideration of business items;
 - (f) consideration of Committee reports;
 - (g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and
 - (h) consideration of by-law 144-2020 through 147-2020 (inclusive).
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, October 19, 2020

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR501/2020

That the following Communication Items 7.1.1 through 7.1.5 and 7.1.8 through 7.1.14 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted, and that Items 7.1.6 and 7.1.7 be dealt with as follows:

7.1.6. Detroit City Council Member Raquel Castañeda-López informs the Mayor and City Council of a request by the Ambassador Bridge Company to lift restrictions on the transport of Class 3 (Flammable) and Class 8 (Corrosive) hazardous materials across the Ambassador Bridge. Raquel's office has introduced a resolution to oppose this request due to concerns about the risks to the residents should an accident occur. Raquel urges that the information she provided be reviewed.

Moved by: Councillor Gill
Seconded by: Councillor Francis

Decision Number: CR502/2020

WHEREAS Detroit City Council is being requested to oppose the latest effort by the Detroit International Bridge Company to allow hazardous materials to be transported across the 91-year old Ambassador Bridge, which connects Windsor Ontario, Canada with neighbouring Detroit, Michigan in the United States; and,

Minutes
City Council
Monday, October 19, 2020

WHEREAS the Bridge Company in May 2020, upon information and belief, is seeking to take advantage of a temporary emergency waiver solely for emergency supplies (such as large shipments of hand sanitizer containing flammable alcohol), requested that Michigan's Department of Transportation allow trucks to carry flammable, chemical or corrosive materials across the four-lane bridge connecting Detroit Michigan and Windsor, Ontario; and,

WHEREAS in 2014 the Michigan Department of Transportation ruled against permitting hazardous materials to be transported across the Ambassador Bridge following widespread political and community opposition to the request, in particular because the age and design of the structure make it inherently unsafe for such activity, primarily due to the inability of emergency personnel and equipment to reach the scene in the event of a serious accident; and,

WHEREAS transportation of such hazardous chemicals has long been, and is currently allowed across the Detroit River by the Windsor-Detroit Truck Ferry; and,

WHEREAS transporting of hazardous materials across the Ambassador Bridge has been ruled excessively dangerous due to the lack of necessary safety measures and emergency planning in case of an accident that would close the bridge, one of the busiest trade crossings in North America, should damage occur; and,

WHEREAS community feedback continues to vehemently oppose such transportation as little has changed in terms of emergency planning, including containment of a spill and/or fire, maintaining an adequate water supply and contamination of the Detroit River; and,

WHEREAS the bridge is in proximity to thousands of residents on both sides of the border and contaminants that would probably be released in an accident involving transportation of hazardous materials have been linked to severe health problems, including but not limited to testicular and kidney cancer, thyroid disease, and respiratory and immune system disorders;

THEREFORE BE IT RESOLVED that Windsor City Council **STRONGLY OPPOSES** any renewed efforts by the Detroit International Bridge Company leading to the authorization of the transport of any hazardous and toxic materials between Windsor, Ontario, Canada and Detroit, Michigan via the Ambassador Bridge; and,

BE IT FURTHER RESOLVED that Windsor City Council **REQUESTS** the senior levels of government to work to prevent the transport and/or disposal of hazardous or toxic materials on the Ambassador Bridge.

Carried.

Clerk's File: GM2020

7.1.7. As the pandemic evolves, many people remain hungry and will need continued access to a no contact drive-through food hub. The hub located at Adie Knox Herman Recreation Complex must endure through to the end of the year to help those in need. The use of Adie Knox is imperative to the UHC's distribution of emergency food assistance, food storage, and assembly space.

Minutes

City Council

Monday, October 19, 2020

Page 5 of 27

Over 75,000 individuals and families have received food assistance since the pandemic was declared on March 16. Without the use of Adie Knox, UHC would have to serve by appointment only, drastically reducing the number of people they can serve.

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR503/2020

That the correspondence from the CEO, Unemployed Help Centre (UHC) dated October 8, 2020 regarding their satellite drive-through hub located at the Adie Knox Herman Recreation Centre Complex **BE RECEIVED**, and further, that **APPROVAL BE GRANTED** to UHC to continue operating at this location for as long as possible through the end of the 2020 calendar year in order to properly provide healthy, nutritious food to those most in need during the ongoing COVID-19 pandemic.

Carried.

Clerk's File: MH/13786

No.	Sender	Subject
7.1.1	Local Planning Appeal Tribunal	Local Planning Appeal Tribunal decision issued for Amal Chams and Mohammed Chams v. City of Windsor re: Land Compensation, 6642 Tecumseh Rd. E., Case No. LC110040 City Solicitor Deputy City Solicitor City Planner SPL2020 Note & File
7.1.2	Local Planning Appeal Tribunal	Power Cycle Inc. v. City of Windsor case heard October 8, 2020 by telephone conference call. Memorandum of oral decision delivered by R.G.M. Makuch on October 8, 2020 and order of the tribunal, Case No. LC150015 City Solicitor Deputy City Solicitor SPL2020 Note & File

Minutes

City Council

Monday, October 19, 2020

Page 6 of 27

No.	Sender	Subject
7.1.3	Association of Municipalities of Ontario (AMO)	<p>The Province added new public health measures due to the rising number of COVID-19 cases; made changes to the COVID-19 testing procedures; distributed instructions for Phase 2 funding of the Safe Restart Agreement, which includes a Council resolution to request additional assistance and a formal application completed and submitted by a municipal treasurer no later than October 30, 2020; and appointed Devon Clunis as the Province's first Inspector General of Policing.</p> <p style="text-align: right;">City Solicitor Commissioner, Development & Health Chief Financial Officer / City Treasurer MMA2020 MH/13786 Note & File</p>
7.1.4	Association of Municipalities of Ontario (AMO)	<p>The Province announced Ontario's Main Street Recovery Plan and its intention to introduce the <i>Main Street Recovery Act, 2020</i>; an investment of an additional \$176 million this year to help expand access for critical mental health and addictions services during COVID-19; <i>Better for People, Smarter for Business Act, 2020</i> as part of a made-in-Ontario plan to strengthen the Province's economy; Ontario Fire Marshal Jon Pegg's interpretation of the <i>Fire Protection and Prevention Act</i>; and the release of two reports, <i>Strengthening Early Years and Child Care in Ontario</i> and the <i>Early Years and Child Care Annual Report 2020</i>, after reviewing <i>the Child Care and Early Years Act</i>.</p> <p style="text-align: right;">Chief Financial Officer / City Treasurer Commissioner, Development & Health City Solicitor MMA2020 MH/13786 Note & File</p>

Minutes
City Council
Monday, October 19, 2020

No.	Sender	Subject
7.1.5	Town of Tecumseh	<p>Notice that the Town of Tecumseh will hold a virtual/electronic public meeting Tuesday, October 13, 2020 at 5:00 p.m. to consider a proposed Housekeeping Zoning By-law Amendment to the Sandwich South Zoning By-law 85-18 pursuant to the provisions of the <i>Planning Act, R.S.O. 1990</i>. This meeting was originally scheduled for Tuesday, September 8, 2020 but had to be rescheduled due to technical difficulties.</p> <p style="text-align: right;">City Planner Deputy City Solicitor Chief Building Official Development Applications Clerk GM2020 Note & File</p>
7.1.6	City of Detroit	<p>Detroit City Council Member Raquel Castañeda-López informs the Mayor and City Council of a request by the Ambassador Bridge Company to lift restrictions on the transport of Class 3 (Flammable) and Class 8 (Corrosive) hazardous materials across the Ambassador Bridge. Raquel's office has introduced a resolution to oppose this request due to concerns about the risks to the residents should an accident occur. Raquel urges that the information she provided (attached) be reviewed.</p> <p style="text-align: right;">City Solicitor City Engineer GM2020 Note & File</p>

Minutes

City Council

Monday, October 19, 2020

Page 8 of 27

No.	Sender	Subject
7.1.7	Unemployed Help Centre (UHC)	<p>As the pandemic evolves, many people remain hungry and will need continued access to a no contact drive-through food hub. The hub located at Adie Knox Herman Recreation Complex must endure through to the end of the year to help those in need. The use of Adie Knox is imperative to the UHC's distribution of emergency food assistance, food storage, and assembly space. Over 75,000 individuals and families have received food assistance since the pandemic was declared on March 16. Without the use of Adie Knox, UHC would have to serve by appointment only, drastically reducing the number of people they can serve.</p> <p style="text-align: right;">Commissioner, Parks, Recreation, Culture, and Corporate Facilities Commissioner, Development & Health MH/13786 COUNCIL DIRECTION REQUESTED, otherwise Note & File</p>
7.1.8	Via Italia BIA	<p>Via Italia (Erie Street) BIA expresses gratitude for the ability to operate with extended patios and street closures throughout the summer of 2020. It was a successful summer. With the assistance of the Mayor, Councillors, the Windsor-Essex County Health Unit (WECHU), the Special Events Resources Team (SERT), and fire and police departments, the BIA felt supported. The BIA thanks Council for the support and opportunity to adapt in this unparalleled time.</p> <p style="text-align: right;">City Clerk / Licence Commissioner City Solicitor Chief Building Official MI2020 Note & File</p>

Minutes

City Council

Monday, October 19, 2020

Page 9 of 27

No.	Sender	Subject
7.1.9	United Way/Centraide Windsor-Essex County	<p>United Way/Centraide Windsor-Essex County expresses gratitude for the many community partners, including the City of Windsor, for helping in their response to the COVID-19 pandemic. City of Windsor helped by redeploying employees to support their Summer Eats and Backpacks for Success Programs, promoting these programs and raising awareness so that more than 13,000 local children were fed over the summer, and actively supporting the #YQG Stands Strong campaign.</p> <p style="text-align: right;">Commissioner, Development & Health APR2020 Note & File</p>
7.1.10	Manager of Environmental Quality / Senior Manager of Pollution Control & Deputy City Engineer	<p>The City of Windsor's response to Dragun Corporation's letter (attached) outlining their plans to submit a Record of Site Condition for the property located at 2400 Ouellette Avenue and 2465 McDougall Street to use the Full Depth Generic Site Condition Standard in a Non-Potable Groundwater Condition. The City of Windsor has no objection to the use of the MECP Non-Potable Water Site Condition Standard for a Record of Site Condition.</p> <p style="text-align: right;">Senior Manager of Pollution Control City Clerk City Engineer EI/11165 Note & File</p>
7.1.11	The Downtown Mission of Windsor AND City Planner	<p>Proposed Downtown Mission site: 1504/1540 McDougal Ave.</p> <p>AND</p> <p>Additional information memo provided by City Planner</p> <p style="text-align: right;">City Solicitor Commissioner, Development & Health City Planner SS/4274 COUNCIL DIRECTION REQUESTED, otherwise Note & File</p>

Minutes

City Council

Monday, October 19, 2020

Page 10 of 27

No.	Sender	Subject
7.1.12	Manager of Urban Design	Site Plan Approval, TELUS Communications Inc. c/o LandSolutions LP, 3496 Sandwich St., Telecommunications facility (equipment shelter within a locked and fenced compound) ZS/13935 Note & File
7.1.13	Manager of Urban Design	Site Plan Approval, Suburban Construction & Management Ltd. c/o Christian LeFave, 7887 Edgar St., Four storey residential apartment building with associated surface parking ZS/13936 Note & File
7.1.14	Committee of Adjustment / Consent Authority	Applications heard by the Committee of Adjustment/Consent Authority, Thursday, October 15, 2020, 3:30 p.m., through Electronic Meeting Participation Z2020 Note & File

Carried.

Report Number: CMC 17/2020

7.2. Response to CQ#29-2020 - Options to Install a Curling Rink in an Arena

Moved by: Councillor Morrison
Seconded by: Councillor Bortolin

Decision Number: CR504/2020

That the report of the Office of the Commissioner – Parks, Recreation, Culture and Corporate Facilities dated October 2, 2020 entitled “Response to CQ#29-2020 – Options to Install a Curling Rink in an Arena” **BE RECEIVED**; and further,

WHEREAS Windsor City Council fully respects the decision-making process of the Board of Directors of Roseland Golf and Curling Club;

BE IT RESOLVED THAT Windsor City Council **REQUESTS** a reconsideration of the Board’s decision to cancel the 2020-2021 curling season at their next board meeting, on or before October 30, 2020; and further,

That Administration **BE DIRECTED** to prepare a letter to the Board of Directors of the Roseland Golf and Curling Club indicating that City Council has formally voted on and endorsed their support to resume curling in a safe and restricted manner at the Roseland facility, as laid out by Curling Canada.

Carried.

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

Aye votes: Councillors Costante, Bortolin, Holt, Morrison, Kaschak and McKenzie.

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

Absent: None.

Abstain: None.

Report Number: C 197/2020

Clerk's File: SR2020

8. CONSENT AGENDA

8.3. Revised Appointment of Drainage Engineer - Talsma and Janisse Drains - Ward 10

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR507/2020

That CR340/2020 **BE RESCINDED**; and,

That the firm of BairdAE Inc. **BE APPOINTED** as the engineer of record under the *Drainage Act* to prepare a report to inform Council of the drainage works project, if any, that is required to address the ongoing use of the Talsma and Janisse Drains and their designations as Municipal Drains.

Carried.

Report Number: C 198/2020

Clerk's File: AS2020

8.4. Provincial/Division Corridor Improvements Phase 2 Noise Bylaw Exemption - Ward 9

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR508/2020

I. That the following exemption requests to the provisions of the Noise By-law 6716 (as amended), **BE GRANTED** to permit for the operation of construction equipment required to complete the trunk storm sewer tunneling through CN Railway:

a. Specific exemption request:

Construction activities during the hours of 8 pm through to 6 am, to complete construction of a trunk storm sewer by tunneling through the CN Railway along west side of Provincial Road at Sixth Concession Drain.

Minutes

City Council

Monday, October 19, 2020

Page 12 of 27

b. Scope of Exemption:

The installation of the 2.1-metre in diameter and 70 metres in length trunk storm sewer through CN Railway for the connection of the storm sewer on Provincial Road to the North Roseland Pump Station.

c. Duration of Exemption:

The request is for a period of 30 days with the option for renewal to be approved by the CAO through delegation of authority report.

Carried.

Report Number: C 200/2020

Clerk's File: SW/13934

8.6. Official Plan Amendment and Zoning By-law Amendment - 7887 Edgar Street - Suburban Construction and Management Ltd. - Z012-20 [ZNG-6081] and OPA 133 [OPA-6082] - Ward 6

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR510/2020 DHSC 196

1. That Schedule D: Land Use of the City of Windsor Official Plan, Volume I **BE AMENDED** by designating the property described as Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, located on the south side of Edgar Street, west of Lauzon Road (shown as the subject lands on Appendix D to Report S90/2020) as Residential.
2. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, located on the south side of Edgar Street, west of Lauzon Road (shown as the subject lands on Appendix D to Report S90/2020), from CD2.1 to RD 3.1 and by adding a site specific provision to Section 20(1) as follows:

"395 SOUTH SIDE OF EDGAR STREET, WEST OF LAUZON ROAD

For the lands comprising Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, the following additional provisions shall also apply:

- a) Building Setback - minimum - 3.0 m from the northerly *lot line*;
- b) Building Height – maximum – 16 m
- c) Landscaped Open Space Yard – minimum – 29% of *lot area*;
- d) *Screening fence* minimum 1.8 metres in height and landscaping shall be installed along the westerly *lot line*.

[ZDM 14; ZNG/6081]"

Minutes

City Council

Monday, October 19, 2020

Page 13 of 27

3. That the following items **BE REFERRED** to the Site Plan Review Committee, for inclusion in a Site Plan Control Agreement:
- i) Mitigation measures as identified in noise report by JJ Acoustic Engineering Ltd. dated April 9th 2020.
 - ii) A gratuitous land conveyance for a 6.1m x 6.1m corner cut-off at the intersection of Lauzon Road and Edgar Street.
 - iii) The owner is to provide a minimum total of thirty (30) 70mm caliper trees on the site as a condition of Site Plan Approval. If the owner's landscape plan cannot support the minimum requirement of trees, then any deficiency to that requirement is to be compensated with Cash-in-lieu to the Parks Department (for trees to be planted elsewhere in the city) at a rate of \$450 per tree that is not able to be planted on the site.

Carried.

Report Number: SCM 281/2020 & S 90/2020
Clerk's File: ZO/13912 & ZB/13913

8.7. 166 Tecumseh Rd W, St. Peter's Maronite Catholic Church (former Ste. Clare of Assisi Catholic Church)- Heritage Alteration Permit and Built Heritage Fund Request (Ward 3)

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR511/2020 DHSC 197

- I. That a total grant of an upset amount of \$78,535 from the Built Heritage Fund (Reserve Fund 155), **BE GRANTED** to St. Peter's Maronite Catholic Church, for conservation work for the roofing, flashing, windows, masonry and concrete, at 166 Tecumseh Road West, subject to:
 - a. Submission of satisfactory product details
 - b. Determination by the City Planner that the work is completed to heritage conservation standards and the City Building Official for building code compliance (if required);
 - c. Owner's submission of paid receipts for work completed;
 - d. That the Built Heritage Fund (Reserve Fund 155), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date;
 - e. Any further minor changes to the scope of work be delegated to the City Planner; and,
- II. That a Heritage Alteration Permit for the, 166 Tecumseh Rd W, **BE GRANTED**, for the following:
 - a. Installation of flashing over the original windows to control water damage at the Church
 - b. Alterations to the Victoria Avenue and Tecumseh Road West concrete entrances subject to further restoration of the entrances to be confirmed with the City Planner or designate.

Minutes

City Council

Monday, October 19, 2020

Page 14 of 27

- III. That the City Planner or designate **BE DELEGATED** the authority to approve alteration details to the concrete entrances that are still to be determined, with the intent of restoration of the entrances, and approve minor changes to the heritage alterations associated with this phase and scope of conservation work as described for the property.

Carried.

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

Report Number: SCM 282/2020 & S 113/2020

Clerk's File: MBA/4897

8.8. 3203 Peter Street, Mason-Girardot Manor -Community Heritage Fund Request (Ward 2)

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR512/2020 DHSC 198

That the request by Aléthinos Properties Ltd, the owners of 3203 Peter Street, Mason-Girardot Manor, for a grant of an upset amount of \$23,943.54 from the Community Heritage Fund (Reserve Fund 157), for the repair and replacement of windows, **BE APPROVED**, subject to:

- a. Determination by the Chief Building Official (if part of building permit) and the City Planner that the work is completed to applicable codes and heritage conservation standards;
- b. Owner's submission of paid receipts for work completed;
- c. That the Community Heritage Fund (Reserve Fund 157) grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: SCM 283/2020 & S 115/2020

Clerk's File: MBA2020

8.9. Close and Convey Part of Daytona Avenue, West of 2640 Sorrento Court, South of Grand Marais Road West - Applicants: Namir Chahine and Racha Younes - SAA/5916 - Ward 1

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR513/2020 DHSC 199

- I. That the portion of the 7.01 metre wide north/south portion of Daytona Avenue located west of 2640 Sorrento Court and, south of Grand Marais Road West and shown as "Part 1" on Drawing No. CC-1763 *attached* as Appendix 'A', **BE ASSUMED** for subsequent closure.
- II. That the portion of the 7.01 metre wide north/south portion of Daytona Avenue located west of 2640 Sorrento Court and, south of Grand Marais Road West and shown as "Part 1" on

Minutes

City Council

Monday, October 19, 2020

Page 15 of 27

Drawing No. CC-1763 *attached* as Appendix 'A', **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, in a manner deemed appropriate by the City Planner.

- III. That Conveyance Cost **BE SET** at \$217.55 per square metre.
- IV. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1763, *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 284/2020 & S 119/2020
Clerk's File: SAA2020

8.10. Close and Convey the North/South Alley Between Northwood Street and EC Row Expressway, East of Rankin Avenue and West of Partington Avenue - SAA/6065 - Applicant: South Windsor Development Co. - Ward 10

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR514/2020 DHSC 200

- I. That the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Rankin Avenue and West of Partington Avenue, and shown on Drawing No. CC-1772 attached as Appendix "A", **BE ASSUMED** for subsequent closure.
- II. That the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Rankin Avenue and West of Partington Avenue, and shown on Drawing No. CC-1772 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:
 - i. Bell Canada, MNSi and Enwin Utilities Ltd.
- III. That Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD1.1 or Holding Residential HRD1.2: \$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.

Minutes

City Council

Monday, October 19, 2020

Page 16 of 27

- IV. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1772, *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 285/2020 & S 122/2020
Clerk's File: SAA2020

8.11. Close and Convey the North/South Alley Between Northwood Street and EC Row Expressway, East of Partington Avenue and West of Roxborough Boulevard - SAA/6066 - Applicant: South Windsor Development Co. - Ward 10

Moved by: Councillor Kaschak

Seconded by: Councillor Morrison

Decision Number: CR515/2020 DHSC 201

- I. That the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Partington Avenue and West of Roxborough Boulevard, and shown on Drawing No. CC-1773 attached as Appendix "A", **BE ASSUMED** for subsequent closure.
- II. That the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Partington Avenue and West of Roxborough Boulevard, and shown on Drawing No. CC-1773 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:
- b) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
- i. Enwin Utilities Ltd.
- III. That Conveyance Cost **BE SET** as follows:
- b. For alley abutting lands zoned Holding Residential HRD1.1 or Holding Residential HRD1.2: \$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-1773, *attached* as Appendix "A".
- V. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

Minutes

City Council

Monday, October 19, 2020

Page 17 of 27

- 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 286/2020 & S 123/2020
Clerk's File: SAA2020

8.12. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2236278 Ontario Ltd for 6160 Tecumseh Road East (Ward 8)

Moved by: Councillor Kaschak
Seconded by: Councillor Morrison

Decision Number: CR516/2020 DHSC 202

- I. That the request made by 2236278 Ontario Ltd. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 6160 Tecumseh Road East pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. That the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$15,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor to be funded from the Brownfield Strategy / Remediation Account (project # 7069003).

Carried.

Report Number: SCM 287/2020 & S 114/2020
Clerk's File: Z/8955

11.4. Connecting Links Program Intake 6 (2021-2022) Grant Funding - Huron Church Road

Moved by: Councillor Kaschak
Seconded by: Councillor Morrison

Decision Number: CR521/2020

- 1) That City Council **AUTHORIZE** the Chief Administrative Officer to submit an application for the project outlined in this report, to the Connecting Links Program 2021-22 subject to the documents being satisfactory in technical content to the City Engineer and in financial content to the City Treasurer; and,
- 2) That City Council **APPROVE** the recommended funding sources as identified in the Financial Matters section of this report for the City portion of the eligible project costs and any ineligible

Minutes

City Council

Monday, October 19, 2020

Page 18 of 27

costs and funding be moved to the Connecting Links Intake 6 project (OPS-002-21) and all funding **BE DEEMED** as placeholder funding; and,

- 3) That in the event the City receives written confirmation of the Grant funding being awarded to the City, that City Council **APPROVES** the following:
- a) That City Council **PRECOMMIT** the funding for the Connecting Links Intake 6 capital project (OPS-002-21) so that these funds are available for immediate use:
 - i) 2022 Funding: \$825,000
 - ii) 2023 Funding: \$1,500,000
 - iii) 2024 Funding: \$2,500,000
 - iv) 2025 Funding: \$500,000
 - b) That the funding identified in 2026 **BE DEEMED** precommitted and available for immediate use once funding falls within the 5 years, which would be 2022:
 - i) 2026 Funding \$310,255
 - c) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any agreements, declarations or approvals required resulting from receiving grant funding approval for the Connecting Links Program 2021-22 program subject to such documents being satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in Legal form to the City Solicitor; and,
 - d) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, progress reports and applicable schedules and other such documents as may be required as part of the request for payment to the City Engineer or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
 - e) Administration **BE AUTHORIZED** to make any expenditures that are related to the Connecting Links Intake 6 project, provided such expenditures are within previously-approved budget amounts and that they are required to be made prior to the formal public announcements or agreement execution, due to project timelines; and further,
 - f) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors/proponents/bidders satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
 - g) The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specifications being satisfactory in technical content to the City Engineer and in financial content to the City Treasurer.
- 4) That City Council **DIRECT** that should the City not be successful in their application that all funding be returned to the original funding sources.

Carried.

11.6. Safe Restart Funding Update

Moved by: Councillor Kaschak
Seconded by: Councillor Morrison

Decision Number: CR523/2020

That City Council **RECEIVE** this report and **ENDORSE** the actions recommended by Administration within the report.

Carried.

Report Number: C 201/2020
Clerk's File: AFB/13467 & MH/13786

11.8. Confirm and Ratify Report regarding Report No. 7 of the Diversity Committee - City Wide

Moved by: Councillor Kaschak
Seconded by: Councillor Morrison

Decision Number: CR525/2020

That the results of the email poll authorized by Mayor Drew Dilkens on Tuesday, October 6, 2020, approving the following resolution **BE CONFIRMED AND RATIFIED**:

THAT City Council approve the recommendation of the Diversity Committee contained in Report No. 7 as attached which reads as follows:

That the Letter of Support for the Social Sciences and Humanities Research Connection grant application from Dr. Jane Ku (Sociology/Women's and Gender Studies) along with colleagues at the University of Windsor to hold a conference on racism and antiracism with an emphasis on local experience in Windsor Essex **BE APPROVED**.

Carried.

Report Number: C 204/2020
Clerk's File: ACO2020

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

Minutes

City Council

Monday, October 19, 2020

Page 20 of 27

10. PRESENTATIONS AND DELEGATIONS

10.1 Transit Windsor Update

Pat Delmore, Executive Director – Transit Windsor

Pat Delmore, Executive Director – Transit Windsor, appears before Council to provide an update on the slight delay to front door boarding by Transit Windsor passengers and the resumption of fare collection, which were supposed to commence on October 19, 2020 but are being delayed for approximately one week to allow for the installation of plexi-glass/driver barriers on all buses.

Moved by: Councillor Francis

Seconded by: Councillor Kaschak

Decision Number: CR517/2020

That the presentation by Pat Delmore, Executive Director – Transit Windsor, providing an update to Council on the slight delay to front door boarding by Transit Windsor passengers and the resumption of fare collection, which were supposed to commence on October 19, 2020 but are being delayed for approximately one week to allow for the installation of plexi-glass/driver barriers on all buses, **BE RECEIVED** for information.

Carried.

Clerk's File: MT/13786 & MT2020

11.1. Integrity Commissioner Report to Council regarding activities from January 1, 2018 to December 31, 2019

Bruce Elman, Integrity Commissioner

Bruce Elman, Integrity Commissioner, appears before Council and is available for questions regarding his report on "Activities from January 1, 2018 through December 31, 2019."

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR518/2020

That the report of the Integrity Commissioner to Council regarding "Activities from January 1, 2018 through December 31, 2019" **BE RECEIVED**.

Carried.

Report Number: SCM 275/2020
Clerk's File: GM/10017 & GM/12076

Minutes

City Council

Monday, October 19, 2020

Page 21 of 27

8.5. Interim Control By-law Exemption 2020-10 - Titanium Trucking Services Inc. - 0 Devon Drive - Ward 9

Jeff Libby, Manager Windsor Operations – Titanium Trucking Services Inc.

Jeff Libby, Manager, Windsor Operations – Titanium Trucking Services Inc. appears before Council and is available for questions regarding their request for Interim Control By-law exemption 78-2019 for 0 Devon Drive.

Moved by: Councillor McKenzie

Seconded by: Councillor Holt

Decision Number: CR509/2020 DHSC 195

That the request of Titanium Trucking Services Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for the property at 0 Devon Drive (east side of Devon Drive at Foster Avenue) **BE DENIED**.

Carried.

Report Number: SCM 280/2020 & S 110/2020

Clerk's File: SPL2020

8.1. A Provisional By-Law for the Repair and Improvement to the Marentette-Mangin Drain - Ward 1

George Popmarkov and Steve Popmarkov, Property Owners

George Popmarkov and Steve Popmarkov, property owners, appear before Council to provide comment regarding the proposed provisional by-law for the repair and improvement to the Marentette-Mangin Drain, asking for clarification as to how their property would be impacted.

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR505/2020

I That Council **ADOPT** the drainage report entitled, "*Drainage Report for the Marentette-Mangin Drain in the City of Windsor, County of Essex*", dated May 1, 2020, as prepared by Landmark Engineers Inc., by Provisional By-law 144-2020 in accordance with Section 45 of the *Drainage Act*; and

II That Council **APPROVE** the estimated cost of \$113,438.66 to proceed with the recommended repairs and improvements outlined in this report to be charged to project # 007-2950-9998-02942-7086004 (Drain Maintenance).

Carried.

Report Number: C 189/2020

Clerk's File: SW2020

Minutes

City Council

Monday, October 19, 2020

Page 22 of 27

8.2. Award of RFP Number 132-20 - Organics and Biosolids Waste Management and Processing Consultant - City Wide

Howard Weeks, Resident of Ward 4

Howard Weeks, resident of Ward 4, appears before Council to provide comment regarding the award of RFP Number 132-20 pertaining to organics and biosolids waste management and processing consultant, suggesting the cost of a consultant is both repetitive and redundant as in-house expertise should be used and thus, saving taxpayer dollars.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: CR506/2020

- I. That **APPROVAL BE GIVEN** to enter into an agreement with GHD Limited for the provisions of consulting services related to Organics and Biosolids waste management and processing in the amount of \$132,500 plus applicable taxes and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the agreement with GHD Limited, satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,
- II. That Council **APPROVE** the funding for preliminary consulting services and internal project management with the balance being applied to additional future study costs from the following funding sources:
 - a) That \$100,000 in 2021 funding, previously approved in principle in the 2020 8-year Capital Plan, **BE PRECOMMITTED** to project 7184005 (Food and Organic Waste Study) from project OPS-006-19 (Food and Organic Waste Collection and Treatment); and,
 - b) That \$100,000 **BE TRANSFERRED** from the Landfill #3 Perpetual Care Reserve (account #1790) to project 7184005 (OPS-006-19); and,
 - c) That the balance in project 7161018 (Bio-Solids Disposal Strategies) **BE TRANSFERRED** to project 7184005 (OPS-006-19) and project 7161018 **BE CLOSED**; and,
- III. That Council **DIRECT** Administration to pursue funding from the Essex Windsor Solid Waste Authority to partially offset the costs of the consulting services related to Organics and Biosolids waste management and processing.

Carried.

Report Number: C 194/2020
Clerk's File: SW/13940

Minutes

City Council

Monday, October 19, 2020

Page 23 of 27

11.2. Regulation of Short Term Rental Housing - City Wide

Tamara Murray, Resident

Tamara Murray, resident, appears before Council to state support for the proposed framework for regulating short term rental accommodations as the safety of residents and the impact of absentee landlords needs to be addressed.

Raymond Quenneville, Resident of Ward 6

Raymond Quenneville, resident of Ward 6, appears before Council to provide comment regarding the proposed regulation of short term rental housing, suggesting that regulatory measures adopted by the municipality of Vaughan would be ideal for the City of Windsor.

Mayor Dilkens leaves the meeting at 11:28 o'clock a.m. and Councillor Bortolin assumes the Chair.

Mayor Dilkens returns to the meeting at 11:33 o'clock a.m. and Councillor Bortolin returns to his seat as a Councillor.

Moved by: Councillor Gignac

Seconded by: Councillor Costante

Decision Number: CR519/2020

That administration **BE DIRECTED** to bring back for Council's consideration a draft by-law for short-term rentals that would mirror for the most part the municipality of Vaughan's regulations.

Carried.

Report Number: C 182/2020

Clerk's File: SPL2020

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.3. Repurposing Septic Tanks - City Wide

Moved by: Councillor McKenzie

Seconded by: Councillor Bortolin

Decision Number: CR520/2020

That the report of the Chief Building Official dated October 2, 2020 entitled "Repurposing Septic Tanks" **BE RECEIVED** for information.

Carried.

Report Number: C 196/2020

Clerk's File: SW/13663

Minutes

City Council

Monday, October 19, 2020

Page 24 of 27

11.5. 2021 Capital Budget Pre-Approval – City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Morrison

Decision Number: CR522/2020

- I. That City Council **PRE-COMMIT** an amount of \$15,530,000 in 2021 funding previously approved in principle in the 2020 8-Year Capital Budget, as well as an additional \$116,476 in 2021 funding from the Parks Equipment Replacement Reserve (Fund 197) for the Parks Equipment Replacement, for immediate use in order to take advantage of competitive bidding, and as detailed in Appendix A.

Carried.

Report Number: C 199/2020
Clerk's File: AFB/13698

11.7. 2020 Holiday Lighting Displays

Moved by: Councillor Francis
Seconded by: Councillor Kaschak

Decision Number: CR524/2020

That City Council **APPROVE** the enhancement of holiday lighting displays at secured City of Windsor facilities using Bright Lights displays and existing funding from the 2020 Holiday Lights Operating Budget; and further,

That City Council **APPROVE** transferring \$180,000 from the 2020 Holiday Lights Operating budget (001-4245-5610-14100-0280601) to the Holiday Lights Capital Budget (project #717089) to invest in additional holiday displays as follows:

\$20,000 **BE MADE AVAILABLE** to each BIA equally, pending a plan from the respective BIA that is verified and approved by administration; and that in the event that there are any excess funds, that Administration **BE AUTHORIZED** to re-direct in a pseudo-manner either to another BIA's plan if so determined that it is warranted or it be used for any other public spaces to essentially highlight the festival of lights across the city.

That Administration **BE AUTHORIZED** to apply for the Reconnect Festival and Event Program grant, subject to being able to meet the application requirements, in order to provide enhanced holiday programming for 2020; and further,

That City Council **APPROVE** the use of the funding identified in this report as the City's matching and ineligible portion for the grant submission; and further,

That the CAO and City Clerk **BE AUTHORIZED** to sign any required agreements should the funding application be successful; and further,

Minutes

City Council

Monday, October 19, 2020

Page 25 of 27

That should the funding application not be successful, Administration **PROCEED** with offering Holiday Lighting and the BIA Matching Partnership Program only.

Carried.

Report Number: C 202/2020
Clerk's File: SR2020 & MH/13786

12. CONSIDERATION OF COMMITTEE REPORTS

12.2. Special Meeting of Council, October 7, 2020, In-Camera Meeting minutes

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR526/2020

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

Carried.

Report Number: SCM 294/2020
Clerk's File: ACO2020

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Costante

Seconded by: Councillor Francis

That the following By-laws No. 144-2020 through 147-2020 (inclusive) be introduced and read a first and second time:

144-2020 A PROVISIONAL BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE MARENTETTE-MANGIN DRAIN, First and Second Readings only, See Item 8.1 – October 19, 2020 agenda.

145-2020 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS CAMERON AVENUE, IN THE CITY OF WINDSOR, authorized by CR50/2020 dated February 3, 2020.

146-2020 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR457/2020 dated September 14, 2020.

147-2020 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 19TH DAY OF OCTOBER, 2020.

Carried.

Minutes

City Council

Monday, October 19, 2020

Page 26 of 27

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Gignac

Seconded by: Councillor Holt

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

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Holt

Seconded by: Councillor Costante

Decision Number: CR527/2020

That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration by Council without prior notice regarding the extension of the Parklet Pilot Project.

Carried.

Moved by: Councillor Holt

Seconded by: Councillor Costante

Decision Number: CR528/2020

That the City of Windsor **EXTEND** its Parklet Pilot Project, including the licensing of Lanspeary Park as well as Maiden Lane (and any others that are also in this manner), until Dec 31, 2020, without the need to provide patio heaters after Nov 30, 2020, after which time all patios encroaching on the public right-of-way (ROW) shall be removed; and further,

That parklet owners **INDEMNIFY** the city against possible snow removal damage (includes personal and property) if a snow event occurs.

Carried.

Clerk's File: MH/13786 & ACO2020

Minutes

City Council

Monday, October 19, 2020

Page 27 of 27

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Kaschak

Seconded by: Councillor Gill

That the By-laws No. 145-2020 through 147-2020 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

None registered.

21. ADJOURNMENT

Moved by: Councillor Costante

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 1:16 o'clock p.m.

Mayor

City Clerk