



CITY OF WINDSOR MINUTES 09/14/2020

City Council Meeting

Date: Monday, September 14, 2020

Time: 11:00 o'clock a.m.

Location: Council Chambers, 1st Floor, 350 City Hall Square West

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Vacant

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

Clerk's Note: Councillors Gignac, Francis, Holt and McKenzie 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 Mayor calls the meeting to order at 11:37 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 August 24, 2020

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

That the minutes of the meeting of Council held August 24, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 270/2020

5. NOTICE OF PROCLAMATIONS

"Canada United Weekend" – August 28-30, 2020

Flag Raising Ceremony

"Windsor-Essex Pride Fest" – September 11, 2020

"Canadian Cancer Society CIBC Run for the Cure" – October 1, 2020

"Dreamer Day – International Day of the Girl" – October 9, 2020

Illuminations

"Franco-Ontarian Day" – September 25, 2020

"Canadian Cancer Society CIBC Run for the Cure" – October 1, 2020

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6. COMMITTEE OF THE WHOLE

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

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 125-2020.
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, September 14, 2020

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR447/2020

That the following Communication Items 7.1.2 through 7.1.5 and 7.1.7 through 7.1.11 inclusive as set forth in the Council Agenda **BE REFERRED** as noted, and that Items 7.1.1 and 7.1.6 be dealt with as follows:

7.1.1. Rail Safety Week will be held in Canada, the United States, and Mexico from September 21 to 27, 2020. CN is requesting that Council adopt the (attached) draft resolution in support of Rail Safety Week

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR448/2020

Whereas *Rail Safety Week* is to be held across Canada from September 21 to 27, 2020; and,

Whereas it is in the public's interest to raise citizens' awareness of the dangers of ignoring safety warnings at level crossings and trespassing on rail property to reduce avoidable deaths, injuries and damage caused by incidents involving trains and citizens; and,

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Whereas Operation Lifesaver is a public/private partnership whose aim is to work with the public, rail industry, governments, police services, media and others to raise rail safety awareness;

Therefore Be It Resolved that Windsor City Council **SUPPORT** CN's ongoing efforts to raise awareness, save lives and prevent injuries in communities, including the City of Windsor; and further,

That the City of Windsor **SUPPORT** national Rail Safety Week to be held from September 21 to 27, 2020.

Carried.

Clerk's File: MTR2020

7.1.6. Requests that Council provide direction regarding recommendations 10-12 of report s 60/2020, agenda item 8.11 of the August 24, 2020 City Council meeting regarding a Sanitary Sewer Local Improvement on Baseline Road from 7th Concession Road to 8th Concession Road

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR449/2020

That Item 7.1.6. on the communications section of the September 14, 2020 Council meeting agenda entitled "Corrections to agenda item 8.11 of the August 24, 2020 Council meeting regarding a Sanitary Sewer Local Improvement on Baseline Road from 7th Concession Road to 8th Concession Road" **BE CONSIDERED** during the "regular business items" section of the meeting.

Carried.

Clerk's File: SW/13662

No.	Sender	Subject
7.1.1	Canadian National Railway Company (CN)	Rail Safety Week will be held in Canada, the United States, and Mexico from September 21 to 27, 2020. CN is requesting that Council adopt the (attached) draft resolution in support of Rail Safety Week City Engineer MTR2020 COUNCIL DIRECTION REQUESTED, otherwise Note & File

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No.	Sender	Subject
7.1.2	Local Planning Appeal Tribunal	<p>1214621 Ontario Inc. (VIP Nite Club) v. City of Windsor case heard August 14, 2020 by video hearing. Memorandum of oral decision delivered by R.A. Beccarea on August 14, 2020 and order of the tribunal, Case No. LC160037</p> <p style="text-align: right;">City Solicitor Deputy City Solicitor MMA2020 Note & File</p>
7.1.3	Local Planning Appeal Tribunal	<p>Power Cycle Inc. v. City of Windsor case heard August 17, 2020 by telephone conference call. Memorandum of oral decision delivered by R.A. Beccarea on August 17, 2020 and order of the tribunal, Case No. LC150015</p> <p style="text-align: right;">City Solicitor Deputy City Solicitor GP2020 Note & File</p>
7.1.4	Town of Tecumseh	<p>Notice that the Town of Tecumseh will hold a virtual/electronic public meeting Tuesday, September 8, 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></p> <p style="text-align: right;">City Planner Deputy City Solicitor Chief Building Official Development Applications Clerk GM2020 Note & File</p>

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No.	Sender	Subject
7.1.5	Canadian Hemp Farmers Alliance	<p>The Canadian Hemp Farmers Alliance's mission is to mandate hemp in Canada. The Alliance is requesting municipal, provincial, and federal support from individual members or departments. Presentation and membership form attached for those interested and/or support hemp becoming a mandated crop in Canada</p> <p style="text-align: right;">City Planner ACO2020 COUNCIL DIRECTION REQUESTED, otherwise Note & File</p>
7.1.6	Project Administrator, Office of the City Engineer	<p>Requests that Council provide direction regarding recommendations 10-12 of report s 60/2020, agenda item 8.11 of the August 24, 2020 City Council meeting regarding a Sanitary Sewer Local Improvement on Baseline Road from 7th Concession Road to 8th Concession Road</p> <p style="text-align: right;">City Engineer SW/13662 COUNCIL DIRECTION REQUESTED, otherwise Note & File</p>
7.1.7	Manager of Urban Design	<p>Site Plan Approval, Airport Business Park Inc., 4325-4445 County Rd. 42, Proposed parking - 11 tractor and 10 standard spaces</p> <p style="text-align: right;">ZS/13903 Note & File</p>
7.1.8	Manager of Urban Design	<p>Site Plan Approval, 2693788 Ontario Inc. (Lisa Beckstette), 3085 Deziel Dr., Proposed manufacturing addition</p> <p style="text-align: right;">ZS/13901 Note & File</p>
7.1.9	Manager of Urban Design	<p>Site Plan Approval, Javed Ali and Aman Sethi, 600 Ouellette Ave., Proposed 16 storey 119 unit residential condo</p> <p style="text-align: right;">ZS/13905 Note & File</p>

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No.	Sender	Subject
7.1.10	City Planner/Executive Director	Application for Zoning Amendment and Official Plan Amendment, Clayland Development Inc., 825 Riverside Dr. W., Application to amend Zoning By-law 8600 to allow the development of five (5) 16-storey residential buildings and back-to-back townhouses ZB/13904 ZO/13906 Note & File
7.1.11	Committee of Adjustment / Consent Authority	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, September 17, 2020, 3:30 p.m., through Electronic Meeting Participation Z2020 Note & File

Carried.

Report Number: CMC 15/2020

7.2. Follow Up on the Financial Implications of Red Light Cameras and Automated Speed Enforcement Programs in the Windsor Essex *Provincial Offences Act* Agreement - City Wide

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR450/2020

That the report of the Senior Manager, Traffic Operations & Parking Services dated August 27, 2020 entitled "Follow Up on the Financial Implications of Red Light Cameras and Automated Speed Enforcement Programs in the Windsor Essex *Provincial Offences Act* Agreement – City Wide" **BE RECEIVED** for information.

Carried.

Report Number: C 172/2020
Clerk's File: ST/13765

8. CONSENT AGENDA

8.1. Application to demolish residential dwelling located at 1044-1054 Howard Avenue, which is subject to Demolition Control By-law 131-2017 (Ward 4)

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR451/2020

- I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for the residential dwelling located at 1044-1054 Howard Avenue to facilitate redevelopment of the property; and,
- II. That the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit, that:
 - a. Redevelopment be substantially complete within two years of demolition permit issuance; and,
 - b. If redevelopment, including construction of a new building, is not substantially complete within two years of the commencement of demolition the maximum penalty (\$20,000) shall be entered on the collectors roll of the property; and,
- III. That the City Solicitor **BE DIRECTED** to register a notice of condition detailed in Recommendation II (b) in the land registry office against the property, if the redevelopment is not substantially complete within two years of the commencement of demolition.

Carried.

Report Number: C 171/2020
Clerk's File: SB2020

8.2. Proposed Concrete Curb and Gutter, Storm Sewer, and Boulevard Restoration on Curry Ave. from Norfolk St. to Richardie Blvd. (Ward 1)

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR452/2020

- I. That Council **APPROVE** the construction of curb and gutter, storm sewer and boulevard restoration on Curry Avenue between Norfolk St. and Richardie Blvd., as shown on attached Drawing C-3571 and the attached memo from the City Engineer to address the requirements of Local Improvement Program under the provisions of the Ontario Regulation 586/06; and,
- II. That the requirements regarding the notices to the public and owners of the lots liable to be specially charged with respect to the work, as required by Section 6 of Ontario Regulation 586/06, **BE UNDERTAKEN**, said notices to be in content as per the report of the City Engineer and that this Local Improvement be made subject to the Local Improvement Policy; and,
- III. That the net City costs of approximately \$1,438,000 **BE FUNDED** from Project ID # 7171002- Local Improvement - Infrastructure.

Carried.

Report Number: C 179/2020
Clerk's File: ST2020

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8.3. Flu Vaccination Clinics 2020 - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR453/220

That City Council **RECEIVE FOR INFORMATION** the report from the Executive Director of Human Resources on Flu Vaccination Clinics to be made available for City Employees; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute contracts for the provision of Flu Vaccination Clinics, satisfactory in legal form to the City Solicitor, in technical content to the Executive Director of Human Resources, and in financial content to the Chief Financial Officer & City Treasurer, if applicable.

Carried.

Report Number: C 159/2020

Clerk's File: AS/13907

8.4. Cancellation of October 5, 2020 City Council Meeting due to Ward 7 By-Election-City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR454/2020

That the regular meeting of Council scheduled for Monday October 5, 2020 **BE CANCELLED** as the By-Election to fill the Vacant Ward 7 Seat is scheduled for that date.

Carried.

Report Number: C 181/2020

Clerk's File: ACO2020

8.5. Zoning By-law Amendment Application for north part of 1847 Meldrum Road and south part of 3121 Milloy Street; Applicant: The Corporation of the City of Windsor; File No. Z-005/20, ZNG/6052; Ward 5.

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR455/2020 DHSC 187

- I. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands located on the south side of Milloy Street, between Meldrum Road and Chandler Road as follows:
 - a) Lots 99 to 109; Lots 142 to 152 & Pt closed Alley, RP 1098, designated as PARTS 1 to 3 12R25458, and Lots 16 to 18, 220 to 222, Pt lot 219 and Pt closed Alley, RP 1098, from

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Residential District 1.1 (RD1.1) to Residential District 1.2 (RD1.2) with holding prefix, for the purpose of developing 28 single unit dwelling lots; and

- b) Lots 19, 20, 223 & 224 and Part closed Alley on RP 1098, from Residential District 1.1 (RD1.1) to Green District 1.5 (GD1.5), to accommodate required storm water management facility.

- II. That the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding symbol and the following conditions are satisfied:
1. **General Provisions** – The applicant shall conform to the General Provisions of Council Resolutions 233/98 and any other specific requirements. Applicant shall submit proof of the said conformity, to the satisfaction of the City Engineer.
 2. **Servicing Study** – Prior to the issuance of a Street opening permit, the applicant shall review the existing and proposed sewer system for this development to determine its effect on the municipal sewer system. The study shall be done to the satisfaction of the City Engineer and the Chief Building Official. The applicant is required to demonstrate that no negative impacts will be realized by the existing surrounding community, before the proposed development will be allowed to proceed.
 3. **Stormwater Management Analysis** – The applicant shall complete storm water management analysis to the satisfaction of the City Engineer. Stormwater quality and stormwater quantity shall be addressed up to and including 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, 2003) and the “Windsor-Essex Region Stormwater Management Standards Manual”.
 4. **Street Opening Permit** – The applicant shall obtain street opening permits for sewer taps, drain taps, road construction, sidewalks, street lights, etc. from the City Engineer, prior to commencement of any construction on the public highway.
 5. **Sidewalks** – The applicant shall construct, at its entire expense, according to City of Windsor Standard Specifications and in a manner satisfactory to the City Engineer, a concrete sidewalk along the east side of Meighen Road from Milloy Street to the southerly limit of the Meighen Road extension.
 6. **Meighen Road Cul-De-Sac** – The applicant shall construct a cul-de-sac with a minimum radius of 9.5m at the southerly limit of the Meighen Road extension.
 7. **Reserve** – The applicant shall ensure that dead-ended highways terminate in 0.3 metre reserve block.
 8. **Street Lighting** – The applicant shall construct and install street lighting including all poles, wiring, fixtures, and conduits with design, location and specifications satisfactory to the City Engineer and EnWin Utilities Ltd. Should decorative poles be requested, the

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applicant shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.

9. **Traffic and On-street Parking Restrictions** – The applicant shall ensure that “No Parking” sign is installed on one side of Meighen Road including the cul-de-sac, and a “Stop” sign is installed at Milloy Street.

10. **Municipal Address Plan** – The applicant shall, prior to issuance of a Building Permit, submit a Municipal address plan for the subject lands.

III. That part of the closed Meighen Road on the south side of Milloy Street be established as a public highway.

Carried.

Report Number: SCM 245/2020 & S 96/2020
Clerk's File: ZB/13789

8.7. Rezoning - Green Smart Apartments Inc. - 1198 California - Z-013/20 ZNG/6084 - Ward 2

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR457/2020 DHSC 189

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lots 11 & 12 & Part of Alley, Registered Plan 1120, and Part of Lot 66, Concession 1, Sandwich West (known municipally as 1198 California Avenue; Roll No. 050-370-05100; PIN 01215-0533), situated on the east side of California Avenue, south of Girardot Street, from Residential District 1.3 (RD1.3) to Residential District 2.1 (RD2.1) and by adding a site specific exception to Section 20(1) as follows:

393. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF GIRARDOT STREET

For the lands comprising of Part of Lots 11 & 12 & Part of Alley, Registered Plan 1120, and Part of Lot 66, Concession 1, Sandwich West, for a *Semi-Detached Dwelling*, the following additional provisions shall apply:

- | | |
|---------------------------|-------------|
| a) Lot Width – minimum | As Existing |
| b) Lot Area – minimum | As Existing |
| c) Lot Coverage – maximum | 47.0 % |
- [ZDM 4; ZNG/6084]; and further,

That Administration **BE REQUESTED** to take into consideration Council's previous direction on Site Plan for recent California Avenue Projects.

Carried.

Report Number: SCM 247/2020 & S 94/2020
Clerk's File: ZB/13864

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8.8. To Close and Convey a Portion of the East/West Alley, South of Fazio Dr, East of Emilia Rd, Abutting 3180 Fazio Dr and 3156 Fazio Dr, To Close and Convey a Portion of the Emilia Rd Right-of-Way, Abutting 3180 Fazio Dr and To Convey a Portion of the 0.3m Reserve across Emilia Rd – Applicants: L. Baggio and G. Hinchliffe – SAA/5679 – Ward 1

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR458/2020 DHSC 192

- I. That the 5.64m wide portion of the Emilia Road Right-of-Way, abutting 3180 Fazio Drive, as shown as “Part 1” on Drawing No. CC-1741 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the abutting owner, 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. Windsor Utilities;
- II. That Conveyance Cost for “Part 1” as shown on Drawing No. CC-1741 *attached* **BE SET** as follows:
 - a) For land within the Emilia Road Right-of-Way, \$129 per m² without easements and \$64 per m² with easements;
- III. That the 4.57m wide east-west alley located south of Fazio Drive, east of Emilia Road, as shown as “Part 2” on Drawing No. CC-1741 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure;
- IV. That the 4.57m wide east-west alley located south of Fazio Drive, east of Emilia Road, as shown as “Part 2” on Drawing No. CC-1741 *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:
 - 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:
 - a. Bell Canada;
- V. That Conveyance Cost for “Part 2” as shown on Drawing No. CC-1741 *attached* **BE SET** as follows:
 - a) For land abutting properties zoned Residential RD1.1, \$1.00 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-1741, *attached* as Appendix “A”;

- VII. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- VIII. That, upon the registration of the necessary by-laws, the easterly portion of the 0.3m by 29.62m wide reserve shown as "Block 104" on Drawing No. CC-1741 *attached* as Appendix "A", **BE DECLARED** surplus;
- 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; and
- XI. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the vacant parcel land legally described as the easterly portion of Block 104, Plan 12M-254 shown as "Block 104" on Drawing No. CC-1741 *attached* as Appendix "A", all to be further described on a new reference plan of survey, for sale to the owner of 3180 Fazio Drive at a price of \$129 per m² without easements and \$64 per m² with easements, 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. Windsor Utilities.

Carried.

Report Number: SCM 248/2020 & S 98/2020
Clerk's File: SAA2020

8.9. Brownfield Redevelopment Community Improvement Plan application submitted by 1762643 Ontario Inc. for 1534 Howard Avenue (Ward 4)

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR459/2020 DHSC 194

- I. That the request made by 1762643 Ontario Inc. (Dior Investments) to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study and Remedial Work Plan for property located at 1534 Howard Avenue 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 \$13,750 based upon the completion and submission of a Phase II Environmental Site Assessment completed in a form acceptable to the City Planner and City Solicitor.

Carried.

Report Number: SCM 249/2020 & S 97/2020
Clerk's File: Z/8955

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8.10. University Avenue West and Wyandotte Street West Community Improvement Plan – Background Report, Ward 2 and Ward 3

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR460/2020 DHSC 190

That the University Avenue West and Wyandotte Street West Community Improvement Plan – Background Report attached as Appendix A **BE RECEIVED** for information; and,

That City Council **REFER** the matter of funding for financial incentives for the University Avenue West and Wyandotte Street West Community Improvement Plan to the 2021 Budget process.

Carried.

Report Number: SCM 250/2020 & S 101/2020

Clerk's File: SPL/10759

8.11. Downtown CIP Grant Application under the Building/Property Improvement Tax Increment Grant Program made by Sarah Cipkar for 524 Bruce Avenue, Ward 3

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR461/2020 DHSC 191

- I. That the request made by Sarah Cipkar (Owner) for the proposed development at 524 Bruce Avenue to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development of a second residential unit in an accessory structure for five (5) years in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- II. That Administration **BE DIRECTED** to prepare an agreement between the City and Sarah Cipkar (Owner) to implement the Building/Property Improvement Tax Increment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreements.
- IV. That should the proposed development not be completed in one (1) year, City Council **AUTHORIZE** that the funds be uncommitted and made available for other applications.

Carried.

Report Number: SCM 251/2020 & S 93/2020

Clerk's File: SPL/13877

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8.12. Close and Convey the East/West Alley Between Fifth Street and Sixth Street, North of Amy Lynn Park Drive and South of Lambton Street, and Close and Convey a portion of the Sixth Street Right-of-Way, North of Amy Lynn Park Drive and South of Lambton Street - SAA/5928 - Applicant: Gregory Zimmer - 2158 Amy Lynn Park Drive – Ward 1

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR462/2020 DHSC 193

- I. That the portion of the 4.57 metre wide east/west alley located between Fifth Street and Sixth Street, North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 1” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure.
- II. That the portion of the 4.57 metre wide east/west alley located between Fifth Street and Sixth Street, North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 1” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the owners of 2158 Amy Lynn Park Drive, 2164 Amy Lynn Park Drive and 2170 Amy Lynn Park Drive, and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- III. That Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD1.1 and Green District GD1.4: \$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 5.82 metre wide by 4.50 metre long portion of the Sixth Street right-of-way North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 2” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure.
- V. That the 5.82 metre wide by 4.50 metre long portion of the Sixth Street right-of-way North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 2” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the owner of 2158 Amy Lynn Park Drive, and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- VI. That Conveyance Cost **BE SET** at \$1.00 plus deed preparation fee and proportionate share of survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VII. That the 4.24 metre wide by 2.25 metre long portion of the Sixth Street right-of-way North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 3” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE CLOSED AND RETAINED** and adjusted as necessary, in a manner deemed appropriate by the City Planner.

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- VIII. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1766, *attached* as Appendix "A".
- IX. That the owners of 2158, 2164 and 2170 Amy Lynn Park Drive **BE REQUIRED** to install non-permeable fences where no fence exists between their properties and the Spring Garden Natural Area.
- X. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- XI. 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.
- XII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 252/2020 & S 99/2020
Clerk's File: SAA2020

8.13. EWSWA Regular Board Meeting Minutes - May 5, 2020

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR463/2020 ETPS 776

That the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) of its Regular Board meeting held May 5, 2020 **BE RECEIVED**.
Carried.

Report Number: SCM 255/2020 & SCM 206/2020
Clerk's File: MB2020

8.14. Waiver of School Neighbourhood Policy - New James L. Dunn Public School - Ward 3

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR464/2020 ETPS 777

1. That the School Neighbourhood Policy **BE WAIVED** to allow a time-limited accessible parking zone on McDougall Street at the Windsor Residence (1101 McDougall Street); and,
2. That Parking By law 9023 **BE AMENDED** as listed and attached in Appendix 1 of this report; and,
3. That Traffic By-law 9148 **BE AMENDED** as listed and attached in Appendix 2 of this report; and,

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4. That the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by law; and,
 5. That a pre-commitment of \$7,003 against 2022 for the School Neighbourhood Policy program (project OPS-001-18) **BE APPROVED**; and,
 6. That Administration **BE REQUESTED** to provide the active transportation analysis for this area when this report proceeds to Council for their consideration.
- Carried.

Report Number: SCM 256/2020 & S 56/2020

Clerk's File: ST2020

8.15. Wyandotte Street East Road Narrowing - Environmental Assessment Requirements - Ward 6

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR465/2020 ETPS 778

That the report of the Transportation Planning Senior Engineer dated July 15, 2020 entitled "Wyandotte Street East Road Narrowing - Environmental Assessment Requirements – Ward 6" **BE RECEIVED** for information.

Carried.

Report Number: SCM 257/2020 & S 95/2020

Clerk's File: ST2020

8.16. Windsor Deep Energy Efficiency Retrofit Program Grant Opportunity

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR466/2020 ETPS 779

1. That the report of the Community Energy Plan Administrator dated August 6, 2020 entitled Windsor Deep Energy Efficiency Retrofit Program Grant Opportunity **BE RECEIVED** for information.
2. That City Council **DIRECT** Administration to submit an application to the Federation of Canadian Municipalities' Community Efficiency Financing program (the "FCM CEF Program") for grant funding ("the Grant") in order to complete a Program Design Study, along with the following recommendations:
 - a. That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the application for the Grant;
 - b. 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

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recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer;

- c. That in the event the City receives written confirmation of the Grant being awarded to the City, implementation of the DEER Project does not result in a need for additional City funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:
 - i. The Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents required as part of the request for payment to the Supervisor, Environmental Sustainability & Climate Change or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
 - ii. The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors / proponent / bidders satisfactory in technical content for all projects to the City Engineer, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,
 - iii. The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders or RFPs as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the City Engineer and in financial content to the City Treasurer.

3. That City Council **APPROVE** the transfer of surplus funds of \$72,722 from the Corporate and Community Climate Change Mitigation (Project ID #7159001) to a new project ID for the development of the Deep Energy Efficiency Retrofit ("DEER") Business Plan.

Carried.

Report Number: SCM 258/2020 & S 107/2020
Clerk's File: MU/8327

8.18. CQ 5-2020 Additional Metered Parking Spaces in the Wyandotte Street West Business Area - Ward: 2

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR468/2020 ETPS 781

That the report of the Coordinator, Parking Services dated August 7, 2020 entitled "CQ5-2020 Additional Metered Parking Spaces in the Wyandotte Street West Business Area - Ward: 2" **BE RECEIVED** for information; and further,

That Option A, which includes the addition of the following locations of thirteen (13) new metered spaces with normal operating hours from 9:00 a.m. to 6:00 p.m. **BE APPROVED:**

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BRIDGE AVE.

North of Wyandotte

- Potential number of new meter spaces: 2

South of Wyandotte

- Potential number of new meter spaces: 2

PARTINGTON AVE.

North of Wyandotte

- Potential number of new meter spaces: 1

South of Wyandotte

- Potential number of new meter spaces: 2

RANKIN AVE.

North of Wyandotte

- Potential number of new meter spaces: 2

South of Wyandotte

- Potential number of new meter spaces: 2

RANDOLPH AVE.

North of Wyandotte

- Potential number of new meter spaces: 2

South of Wyandotte

- Potential number of new meter spaces: 0

ASKIN BLVD.

North of Wyandotte

- Potential number of new meter spaces: 0

Carried.

Report Number: SCM 260/2020 & S 106/2020

Clerk's File: ST2020

8.19. CQ 6-2020 New Residential Permit Areas - City Wide

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR469/2020 ETPS 782

That should Council wish to make changes to the existing Residential Parking Permit process or area restrictions, that Administration **BE REQUESTED** to recommend updating the Parking Control Changes Policy to include the residential permit program.

Carried.

8.20. The Contributory Pension Plan for Employees of Transit Windsor - Actuarial Valuation as at December 31, 2019 - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR470/2020 ETPS 783

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

- I. **APPROVE** the Actuarial Valuation of the Contributory Pension Plan for Employees of Transit Windsor as at December 31, 2019; and,
 - II. **DIRECT** the Executive Director of Transit Windsor, as the Plan Administrator, to forward the Actuarial Valuation as at December 31, 2019, to the Office of the Superintendent of Financial Institutions and to the Canada Revenue Agency; and,
 - III. **APPROVE** the reduction of the established Letter of Credit by \$153,931.
- Carried.

8.21. The Contributory Pension Plan for Employees of Transit Windsor - Audited Financial Statements for the year ended December 31, 2019 - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR471/2020 ETPS 784

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

- APPROVE** the Audited Financial Statements as at December 31, 2019, of the Contributory Pension Plan Fund for Employees of Transit Windsor; and,
- DIRECT** the Executive Director of Transit Windsor, as the Plan Administrator, to file the financial statements with the Office of the Superintendent of Financial Institutions Canada (OSFI).
- Carried.

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11.1. Declaration of Vacant Lands Municipally Known as 601 Chatham Street East, 623 Chatham Street East and 641 Chatham Street East Surplus and Authority to Offer for Sale-Ward 4

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR472/2020

- I. That the following City of Windsor (the “**City**”) vacant parcels of land **BE DECLARED** surplus:

PARCEL #1:

- Municipal address: **601-623 Chatham Street East** – situate on the southeast corner of Aylmer Avenue and Chatham Street East
- Legal Description: West Part Lot 8 in Block 8 on Registered Plan 126 as in R1259135
- Approximate Lot size: 77.5 feet x 35.5 feet (23.62 m x 10.82 m)
- Approximate Lot area: 2,751 sq ft (255.6 m²)

PARCEL #2:

- Municipal address: **629-639 Chatham Street East** – situate on the southeast corner of Aylmer Avenue and Chatham Street East
- Legal Description: East Part Lot 7 and East Part Lot 8 in Block 8 on Registered Plan 126 as in R608109
- Approximate Lot size: 53 feet x 43 feet (16.18 m x 13.11 m)
- Approximate Lot area: 2,279 sq ft (212 m²)

PARCEL #3:

- Municipal address: **641-643 Chatham Street East** – situate on the southeast corner of Aylmer Avenue and Chatham Street East
- Legal Description: South Part Lot 7 in Block 8 on Registered Plan 126 as in R608109
- Approximate Lot size: 53 feet x 28 feet (16.18 m x 8.53 m)
- Approximate Lot area: 1,484 sq ft (137.9 m²) (herein the “**Subject Parcels**”); and,

- II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the vacant parcels of land identified in Recommendation I for sale (as one combined parcel) on the MLS at a price to be determined by the Manager of Real Estate Services commensurate with an independent appraisal.

Carried.

Report Number: C 174/2020

Clerk's File: APM2020

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9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

11.3. City of Windsor Requested to Support the Agri-sector Isolation & Recovery Centre - City Wide

David Musyj, President and CEO – Windsor Regional Hospital; Bruce Krauter – County of Essex; and Dr. Wajid Ahmed, Medical Officer of Health – Windsor Essex County Health Unit

David Musyj, President and CEO – Windsor Regional Hospital; Bruce Krauter – County of Essex; and Dr. Wajid Ahmed, Medical Officer of Health – Windsor Essex County Health Unit, appear before Council and are available for questions regarding the requested support for the agri-sector isolation and recovery centre.

Shelley Gilbert, Coordinator of Social Work Services – Legal Assistance of Windsor

Shelley Gilbert, Coordinator of Social Work Services – Legal Assistance of Windsor, appears before Council to provide comment regarding the City of Windsor being requested to support the agri-sector isolation & recovery centre and states support that Council approve the Commissioner of Community Development and Health Services and the Fire Chief/CEMC operating the centre for agricultural sector workers and/or vulnerable population groups, as everyone needs to be treated with dignity and respect, in a coordinated and collaborative approach.

Moved by: Councillor McKenzie

Seconded by: Councillor Francis

Decision Number: CR474/2020

That the report from the Commissioner of Community Development and Health Services regarding the COVID-19 isolation and recovery centre **BE RECEIVED**, and that City Council **APPROVE** the report as presented, and that the Commissioner and Fire Chief/CEMC proceed with operating the centre for agricultural sector workers and/or vulnerable population groups, subject to the following conditions:

- a) that the City of Windsor **RECEIVE CONFIRMATION** in writing from the Province of Ontario or Government of Canada that the isolation and recovery centre will be fully funded supplementary to the Social Services Relief Fund and Reaching Home funding as previously communicated, in addition to the current Provincial transfer payment agreements for delivering mandated services, and any other existing operating agreements and funding streams;

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- b) that the City of Windsor **SUCCESSFULLY NEGOTIATE** an agreement with the Canadian Red Cross (CRC) on terms satisfactory to the Commissioner of Community Development and Health Services;
- c) that confirmation of continuing medical supports for the isolation and recovery centre **BE RECEIVED** in writing; and further, subject to satisfaction of the above conditions,

That City Council **AUTHORIZE** the Commissioner of Community Development and Health Services to secure the human resources (direct and supporting) required to support the operations of the isolation and recovery centre; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign, amend, and execute any agreements/documents/attestations/memoranda, and take any such actions as required to bring effect to these resolutions, subject to approval as to form by the City Solicitor, technical content by the Commissioner of Community Development and Health Services, and approval to financial content by the City Treasurer; and further,

That City Council **AUTHORIZE** the Commissioner of Community Development and Health Services, or the Executive Director of Housing and Children's Services, or the Fire Chief/CEMC or designates, to sign all related financial and/or operational submissions and reports, subject to approval of financial content by the City Treasurer as applicable; and further,

That City Council **AUTHORIZE** the Commissioner of Community Development and Health Services to cease operations and withdraw from the isolation and recovery centre model at such time which, in her discretion after consultation with the Fire Chief/CEMC, and/or Medical Officer of Health and/or governing tables, it is appropriate to do so.

Carried.

Report Number: C 180/2020

Clerk's File: MH/13786

8.6. Zoning By-Law and Official Plan Amendment Z-008-20 [ZNG-6087] and OPA 132 [OPA-6059] for 5787, 5791, and 5795 Tecumseh Road East, 2705285 Ontario Inc., Ward 8

Hilary Payne, Agent; Tracey Pillon Abbs, Principal Planner; and Zeshan Choudhry, Applicant

Hilary Payne, Agent; Tracey Pillon Abbs, Principal Planner; and Zeshan Choudhry, Applicant, appear before Council to provide comment regarding report entitled, "Zoning By-Law and Official Plan Amendment Z-008-20 [ZNG-6087] and OPA 32 [OPA-6059] for 5787, 5791, and 5795 Tecumseh Road East, 2705285 Ontario Inc., Ward 8," suggesting that the requirement to provide construction drawings as part of the Site Plan Review process to ensure that alterations will not be irreversible to the commercial storefront facing Tecumseh Road East is totally unnecessary because there is no intention whatsoever of altering the storefront.

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Moved by: Councillor Kaschak

Seconded by: Councillor Bortolin

Decision Number: CR456/2020 DHSC 188

That an amendment to the City of Windsor Official Plan **BE APPROVED**, by applying a Special Policy Area to Part Lot 4, Plan 867 Sandwich East as in R1238383; (PIN 01367-0237), known municipally as 5787, 5791, and 5795 Tecumseh Road East situated on the south side of Tecumseh Road East on the block between Jos St. Louis Avenue and Clemenceau Boulevard to permit a Commercial/Multi-unit dwelling; and,

That Zoning By-law 8600 **BE AMENDED** by changing the zoning on Part Lot 4, Plan 867 Sandwich East as in R1238383; known municipally as 5787, 5791, and 5795 Tecumseh Road East situated on the south side of Tecumseh Road East on the block between Jos St. Louis Avenue and Clemenceau Boulevard, from Commercial District 2.1 (CD2.1) to Commercial District 2.2 (CD2.2) and by adding the following site specific provision to Section 20(1):

394. **SOUTH SIDE OF TECUMSEH ROAD EAST BETWEEN JOS ST. LOUIS AVE. AND CLEMENCEAU BOULEVARD**

For the lands comprising Part Lot 4, Plan 867 Sandwich East as in R1238383; Windsor (PIN 01367-0237), known municipally as 5787, 5791, and 5795 Tecumseh Road East:

- a) A *multiple dwelling* shall be an additional permitted use.
- b) Section 15.2.5.15 shall not apply.
- c) The maximum number of *dwelling units* shall be 7.
- d) Section 15.2.5; Provisions .9, Amenity Area shall not apply
[ZDM 11; ZNG/6058]

and,

That the owner of the property located at 5787, 5791, and 5795 Tecumseh Road East **BE REQUIRED** to provide elevation drawings as part of the Site Plan Review process if changes to the facade(s) are proposed, to ensure that alterations will not be irreversible to the commercial storefront facing Tecumseh Road East when converting the existing commercial units to residential.

Carried.

Report Number: SCM 246/2020 & S 89/2020
Clerk's File: ZO/13836 & ZB/13835

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11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.2. Proposed Expropriation of lands on Provincial and Division Roads for the Cabana/Division Corridor Improvements Project, Phase 2 to 4 - Ward 4

Moved by: Councillor Bortolin
Seconded by: Councillor Morrison

Decision Number: CR473/2020

That the City Council of the City of Windsor sitting as an Expropriation Authority under the *Expropriations Act* **APPROVE** the taking of the lands as shown on Schedule "A" (excepting No. 35), in the City of Windsor for the Cabana/Division Corridor Improvements.

Carried.

Report Number: C 177/2020
Clerk's File: APM2020

11.4. Purchase of Twelve (12) SUV - Mid Size Crossover Vehicles for the By-Law Enforcement Division - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR475/2020 CR424/2020

That City Council **APPROVE** a pre-commitment of the 2021 Fleet Replacement Capital Budget in amount of \$124,554.24 (\$122,400 for four (4) units plus nonrefundable HST) for immediate use in order to take advantage of competitive bidding; and,

That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the purchase of twelve (12) SUV – Mid Size Crossover Vehicles, 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 the Chief Financial Officer and City Treasurer, and in technical content to the to the City Engineer; and,

That the Purchasing Manager **BE AUTHORIZED** to issue a purchase order to the successful vendor in the amount not to exceed \$369,600.00 (excluding HST) for the purchase of the twelve (12) SUV type vehicles identified in the request as a result of the tendering process, subject to approval as to technical content by the City Engineer and in financial content to the Chief Financial Officer and City Treasurer; and further,

That the additional information report on the Purchase of Twelve (12) SUV – Mid Size Crossover Vehicles for By-Law Enforcement Division **BE RECEIVED** for information.

Carried.

Councillors Francis and Gignac voting nay.

Report Number: C 157/2020 & C 176/2020
Clerk's File: AL2020

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7.1.6 Requests that Council provide direction regarding recommendations 10-12 of report s 60/2020, agenda item 8.11 of the August 24, 2020 City Council meeting regarding a Sanitary Sewer Local Improvement on Baseline Road from 7th Concession Road to 8th Concession Road

Moved by: Councillor McKenzie

Seconded by: Councillor Kaschak

Decision Number: CR476/2020

- I. That Council **APPROVE** as a local improvement works on private property under the provisions of Part III of O. Reg. 586/06 under the *Municipal Act*, for the decommissioning of septic systems and construction of sanitary private drain connections on private property, to be completed by the property owners. This applies to the properties abutting Baseline Road from 7th Concession Road to 8th Concession Road when property owners request and consent to this work and that Notice of Intention to pass Local Improvement Charges By-law **BE GIVEN** to the public and affected owners in accordance with section 36.6 of O. Reg. 586/06.
- II. That for local improvement works on private property, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements, not to exceed 20 years, with property owners that consent to their lots being specially charged to raise the cost of the work related to decommissioning of septic systems and construction of sanitary private drain connections on private property abutting Baseline Road from 7th Concession Road to 8th Concession Road which agreement shall be satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer.
- III. That for local improvement works on private property, Council **BE AUTHORIZED** to pass by-laws as required for the decommissioning of septic systems and construction of sanitary private drain connections on private property abutting Baseline Road from 7th Concession Road to 8th Concession Road as a local improvement in accordance with Part III of O. Reg. 586/06 under the *Municipal Act*; and at an interest rate deemed appropriate by Administration.

Carried.

Councillors Gignac and Francis voting nay.

Clerk's File: SW/13662
Report Number: CMC 15/2020

8.17. Response to Council Directive Requesting Administration to Report Back to Council with Gap-Filling Opportunities in Community Gardens on Municipal Property Policy- City-Wide

Moved by: Councillor Bortolin

Seconded by: Councillor Kaschak

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Decision Number: CR467/2020 ETPS 780

- I. That the report of the Environment & Sustainability Coordinator dated August 6, 2020, entitled "Response to Council Directive Requesting Administration to Report Back to Council with Gap-Filling Opportunities in Community Gardens on Municipal Property Policy" **BE RECEIVED**.
 - II. That Option 2: City Led Community Gardens **BE APPROVED**.
 - III. That Administration **BE DIRECTED** to update the Community Gardens on Municipal Property Policy.
 - IV. That the proposed annual gardener fee of \$40 **BE WAIVED**.
- Carried.

Report Number: SCM 259/2020 & C 158/2020
Clerk's File: SR2020

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 Morrison
Seconded by: Councillor Sleiman

Decision Number: CR477/2020

That the report of the In Camera meeting held September 14, 2020 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2020

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the following By-law No. 125-2020 be introduced and read a first and second time:

125-2020 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 14TH DAY OF SEPTEMBER, 2020.

Carried.

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14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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

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

Carried.

15. NOTICES OF MOTION

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

In an effort to increase the availability of affordable housing stock in the City of Windsor and in municipalities across Ontario, that Administration **BE DIRECTED** to prepare a letter on behalf of Council asking the Province to work with AMO and other municipal partners to facilitate the enactment of Inclusionary By-laws in municipalities across Ontario.

Carried.

Clerk's File: GH/6905

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

That the By-law No. 125-2020 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

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

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Decision Number: CR478/2020

WHEREAS City Council, at its meeting held August 24, 2020 adopted the following motion:

Decision Number: CR443/2020

That the petition presented by Councillor Costante on behalf of Mr. Kim Elliott compelling the City of Windsor to review the Police Complaint of firefighter Mr. Kim Elliott BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Diversity Committee for the purpose of an examination of the requested works or undertakings.

Carried.; and,

WHEREAS it has since been confirmed by Administration that this petition falls outside the jurisdiction of the Diversity Committee;

THEREFORE BE IT RESOLVED that the direction to forward the petition to the Diversity Committee for the purpose of an examination of the requested works or undertakings, **BE REVOKED**.

Carried.

Clerk's File: ACO/13690

18. QUESTION PERIOD

18.3. CQ 25-2020

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR479/2020

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

CQ 25-2020:

Assigned to City Engineer

As a result of heavy rainfall that occurred on Friday, August 28, 2020, many homes in South Windsor experienced significant basement flooding. In addition, to sustaining property damage, residents also incurred substantial loss of personal property. In many cases, the losses experienced will be far greater than what their insurance will cover. While other areas of the City received significant amounts of rain and experienced some basement flooding, the greatest concentration of basement flooding occurred in Ward 1. As a result, I request that Administration provide a full analysis of why and how flooding occurred in Ward 1 on August 28, 2020. Please include within your analysis all contributing factors from outside jurisdictions and further, please identify any immediate

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improvements necessary to mitigate future risks of basement flooding. Please also identify any elements of the Sewer Master Plan that, once in place, will reduce future instances of basement flooding within this area.

Carried.

Clerk's File: SW/12983

18.4. CQ 26-2020

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR480/2020

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 26-2020:

Assigned to City Solicitor

That Administration bring back a report that outlines the challenges and opportunities to develop a local procurement policy.

Carried.

Clerk's File: AL2020

18.5. CQ 27-2020

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR481/2020

That the following Council Question by Councillor Costante **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 27-2020:

Assigned to City Solicitor

Asks administration to REPORT BACK to City Council on opportunities to expand our bylaw # 3-2006 – a bylaw to establish standards respecting yard waste and exterior property maintenance and to prohibit littering in the city of Windsor – to assist in better enforcing overgrowth of all types of landscaping, and any overgrowth in general that is neglected by the property owner.

Carried.

Clerk's File: AB2020

18.6. CQ 28-2020

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR482/2020

That the following Council Question by Councillor Costante **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 28-2020:

Assigned to City Engineer

Asks administration to REPORT BACK to City Council on strategies to enforce overgrowth in alleys and resources needed for the same. In addition and included in the report a complete list of 311 complaints over the past year on right-of-way infractions both in alleys and outside of alleys and action taken on the same.

Carried.

Clerk's File: GM2020

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 2:43 o'clock p.m.

Mayor

City Clerk

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Adopted by Council at its meeting held September 14, 2020 (CR477/2020)
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA September 14, 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: 9:30 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

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
A. Teliszewsky, Mayor's Chief of Staff
P. Brode, Senior Legal Counsel (Item 3)
J. Guthrie, Deputy Treasurer Taxation & Financial Projects (Item 4)
A. Dumont, Boyden Consultants (Item 5)

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Property matter – sale of land	239(2)(c)
2.	Property matter – sale of land	239(2)(c)
3.	Legal matter – settlement	239(2)(e)(f)
4.	Legal matter – application	239(2)(e)
5.	Personal matter – about an identifiable individual – verbal and powerpoint	239(2)(b)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

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

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Kaschak, seconded by Councillor Costante, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held September 14 directly to Council for consideration at the next Regular Meeting.

Minutes

City Council

Monday, September 14, 2020

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

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

3. That the in-camera report from Senior Legal Counsel, City Solicitor and Corporate Leader Economic Development and Public Safety, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal matter - settlement **BE NOTED AND FILED**.

Councillors Francis, Gignac, Sleiman and Mayor Dilkens voting nay

4. That the in-camera report from the Deputy Treasurer Taxation and Financial Projects, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and City Solicitor and Corporate Leader Economic Development and Public Safety respecting a legal matter – application **BE RECEIVED**.

5. That the confidential verbal and powerpoint presentation by the Mayor respecting a personal matter about an identifiable individual **BE RECEIVED** and further that Administration **BE AUTHORIZED TO PROCEED** on the verbal direction of Council.

Motion Carried.

**Moved by Councillor Sleiman, seconded by Councillor Francis,
That the special meeting of council held September 14, 2020 BE ADJOURNED.
(Time: 11:26 a.m.)**

Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on September 14, 2020.**