

Final Consolidated Agenda ~ Special Meeting of Council

Date: Monday, July 26, 2021

Time: 11:30 o'clock a.m. (Note ***NEW*** start time)

Location: Council Chambers, 1st Floor, Windsor City Hall

All members will be participating electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings during a declared emergency. The minutes will reflect this accordingly.

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Rino Bortolin

Ward 4 – Councillor Chris Holt

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Jeewen Gill

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

- | Item # | Item Description |
|---------------|--|
| 1. | ORDER OF BUSINESS |
| 1.1. | In the event of the absence of the Mayor, Councillor Francis has been appointed Acting Mayor for the month of July, 2021 in accordance with By-Law 176-2018, as amended. |
| 2. | CALL TO ORDER |
| 3. | DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF |
| 4. | ADOPTION OF THE MINUTES |
| 4.1. | Adoption of the Windsor City Council meeting minutes held July 19, 2021
(SCM 257/2021) |
| 6. | COMMITTEE OF THE WHOLE |
| 7. | COMMUNICATIONS INFORMATION PACKAGE (This includes both Correspondence and Communication Reports) |
| 7.1. | Correspondence 7.1.1. (CMC 13/2021) |
| 7.2. | PC Maintenance/Support Transfer for 2020 Related Expenses City Wide (CM 17/2021) |
| 7.3. | Pay As You Go Transfer (PAYG) For Eligible 2020 Computer Equipment Related Expenses. City Wide (CM 18/2021) |
| 8. | CONSENT AGENDA |
| | CONSENT COMMITTEE REPORTS |
| 8.1. | Ward 7 Forest Glade Optimist Park Tennis and Pickleball Courts (SCM 227/2021)
(C 61/2021) |

- 8.3. Tree Trimming - Preventative Maintenance Program - City Wide (**SCM 229/2021**) (**S 79/2021**)
- 8.4. Elizabeth Kishkon Washroom Building - Ward 7 (**SCM 231/2021**) (**C 90/2021**)
- 8.5. Official Plan and Zoning By-law Amendments for the lands located at the northeast corner of Dominion Blvd and Northwood Street; Applicant: Windsor Islamic Association Foundation; File Nos. OPA147 (OPA/6392) and Z-020/20 [ZNG/6164] - Ward 10 (**SCM 230/2021**) (**S 78/2021**)
- 8.6. Zoning By-Law Amendment - 391 BRUCE AVE Z 015-21 [ZNG-6408] - Ward 3 (**SCM 235/2021**) (**S 84/2021**)
- 8.7. Zoning By-Law Amendment - 717 St Antoine St Z 018-21 [ZNG-6442] - Ward 2 (**SCM 236/2021**) (**S 83/2021**)
- 8.8. Rezoning - City of Windsor - Housekeeping Amendment 2021-1 - Z-001/21 ZNG/6276 - City Wide (**SCM 237/2021**) (**S 60/2021**)
- 8.9. Rezoning Application – 239-241 McEwan Avenue Z 008-21 [ZNG-6358] To add use to the existing zoning category with site specific regulations - Ward 2 (**SCM 238/2021**) (**S 82/2021**)
- 8.10. Official Plan Amendment and Rezoning Applications – 1246, 1256-1270 Erie St E Z-013_21 [ZNG6397] & OPA 148 [OPA6398] to add uses to the existing OP Designation and zoning category - Ward 4 (**SCM 239/2021**) (**S 85/2021**)
- 8.13. Request for Heritage Alteration Permit for Willistead Manor, 1899 Niagara Street - Ward 4 (**SCM 242/2021**) (**S 81/2021**)
- 8.14. Updates to the 2021 Ontario Heritage Act Amendments - City Wide (**SCM 243/2021**) (**S 87/2021**)
- 8.17. Brownfield Redevelopment Community Improvement Plan (CIP) Update and Initiation of the Review Process - City Wide (**SCM 246/2021**) (**S 71/2021**)
- 8.18. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2603184 Ontario Inc. (Nufusion Partners) on behalf of WinWest Enterprises Ltd. for 1504 McDougall Street and 1537 Mercer Street - Ward 3 (**SCM 247/2021**) (**S 74/2021**)

9. **REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

10. **PRESENTATIONS AND DELEGATIONS**

DELEGATIONS: (5-minute maximum)

- 8.15. Request for Partial Demolition of a Heritage Listed Property- 4147 Riverside Drive East, Edmund C. Poisson House - Ward 5 (**SCM 244/2021**) (**S 89/2021**)
Clerk's Note: Kevin Flood submitting the signed letters as additional information (previously distributed).
a) Kevin Flood, owner and Anthony Gyemi, Architect (available for questions)
- 11.2. Approval of a Draft Plan of Subdivision on lands located on the south side of Plymouth Dr., east of Central Avenue; File No. SDN-002/20 [SDN/6119]; Applicant – Grand Central Business Park Inc., Ward 5 (**SCM 134/2021**) (**S 35/2021**) (**AI 4/2021**)
Clerk's Note: Administration providing a memo dated July 23, 2021 as additional information (**AI 6/2021**) (*attached*).
a) Melanie Muir and Kyle Edmunds, Dillon Consulting (available for questions)
b) Tony Rosati, Nick Rosati and David Mady, representing the Rosati Group
- 8.11. Rezoning - Vito Maggio Holdings Inc - 642 Windermere Road - Z-021/21 ZNG/6465 - Ward 4 (**SCM 240/2021**) (**S 77/2021**)
a) Jeffrey Nanson, Solicitor representing Vito Maggio Holdings Inc. (available for questions)
b) Lynne Pearlman, area resident
- 8.16. Close and Convey Part of the North/South Alley Between 0 Wyandotte Street East and 4620 Wyandotte Street East, North of Wyandotte Street East - Applicant: 2640285 Ontario Limited - SAA/6348 - Ward 5 (**SCM 245/2021**) (**S 70/2021**)
a) Art Ussoletti, TCI Titan Contracting Inc.
- 8.12. Rezoning – Bay 20 Inc. – 880 Ouellette Avenue - Z-038-20 [ZNG/6249] - Ward 3 (**SCM 241/2021**) (**S 86/2021**)
a) Hensey Khan, Hensey Financial Inc.
- 11.1. Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide (**C 98/2021**)
Clerk's Note: CMHA and Legal Assistance submitting the letters as additional information (previously distributed). Also, a P & C memo from Administration is provided to Mayor & Council only.
a) Luciano Carlone, Director, Corporate Services and Housing
b) Tamara Kowalska, Co-Founder and Former Director of Windsor Youth Centre
c) Stacey Yannacopoulos, Executive Director, New Beginnings
d) Joyce Zuk, Executive Director, Family Services Windsor-Essex
e) Marina Clemens, Chair, Housing & Homelessness Advisory Committee
f) Remy Sirls, Director of Operations and Strategy Management; and Leigh Vachon, Director of Enhanced Services and Partnership Development, Assisted Living Southwestern Ontario (ALSO)
g) Anna Angelidis and Lisa Bezaire, Homelessness and Housing Help Hub

The following person(s) contacted the Clerk's Office to register as a delegation after the Friday 12:00 o'clock noon deadline. In accordance with Section 10.9 of the Procedure By-law, a simple majority vote of Council is required to hear the delegation(s):

- 8.2. Fontainebleu splash pad - Ward 8 (**SCM 228/2021**) (**S 73/2021**)
a) Greg Lemay, resident of Ward 7

11. **REGULAR BUSINESS ITEMS**

- 11.3. 2021 Update of the Playground Replacement Program – City Wide (**C 95/2021**)

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 (if scheduled)

13. **BY-LAWS** (First and Second Readings)

- 13.1 **By-law 129-2021** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" (**See Item 8.11, Report S 77/2021**)

- 13.2 **By-law 130-2021** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR301/2021 dated July 5, 2021

- 13.3 **By-law 131-2021** A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN PLAN OF SUBDIVISION 12M-678 IN THE CITY OF WINDSOR authorized by BL139-2013 dated August 26, 2013

- 13.4 **By-law 132-2021** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES approved by CAO 185-2021 dated July 20, 2021

- 13.5 **By-law 133-2021** A BY-LAW TO AMEND BY-LAW NUMBER 392-2002, BEING A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF FEES AND CHARGES B23/2021 dated February 22, 2021

- 13.6 **By-law 134-2021** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 26TH DAY OF JULY, 2021

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

16. **THIRD AND FINAL READING OF THE BY-LAWS**
By-laws 129-2021 through 134-2021 (inclusive)

17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

21. **ADJOURNMENT**

Subject: Additional Information Memo (Addendum to AI 4/2021) for Report S 35/2021; Draft Plan of Subdivision on lands located on the south side of Plymouth Dr., east of Central Avenue; File No. SDN-002/20 [SDN/6119]; Applicant: Grand Central Business Park Inc., Ward 5

Reference:

Date to Council: July 26, 2021
Author: Justina Nwaesei, MCIP, RPP
Senior Planner, Subdivisions
519 255-6543 ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: July 23, 2021
Clerk's File #: ZP/14066

To: Mayor and Members of City Council

Additional Information:

On July 19, 2021, Council deferred item 11.4 (being Report S 35/2021 & Additional Information Memo AI 4/2021) to the next Council meeting in response to the applicant's request. As a result, the matter is scheduled to return to the Special Council meeting scheduled for July 26, 2021.

Note that Additional Information Memo AI 4/2021, dated July 5, 2021, contains revised recommendation for approval of the draft Plan of Subdivision SDN-002/20.

Since the July 19, 2021 deferral, the applicant (Rosati) has been in discussions with City Administration regarding Recommendation I(E)14 [Required Road Improvements] of AI 4/2021 (see excerpt from AI 4/2021 below). The focus of the discussions was to identify the estimated costs of the modifications that could be attributed to the applicant for the accommodation of the proposed draft plan of subdivision.

Excerpt from AI 4/2021 - Recommendation I(E)14:

14. Required Road improvements: Prior to the issuance of a construction permit, the Owner(s) shall implement the following off-site improvements

(a) required as a result of the proposed development:

Central Avenue at Grand Marais Avenue East/Plymouth Drive intersection –

- (i) Lengthen the northbound right-turn lane by 20 metres at their expense to address the additional traffic demand to the site; and
- (ii) Extend the eastbound right-turn lane by 45 metres.

The above two required improvements shall be implemented at the applicant's expense, to the satisfaction of the City Engineer;

- (b) identified as required due to background conditions, but are relied upon to allow satisfactory traffic operations with the addition of site traffic from the proposed development:

Central Avenue at Grand Marais Avenue East/Plymouth Drive intersection –

- (i) Repurpose the eastbound double right-turn lane to provide a single right-turn lane with an additional through lane;
- (ii) Repurpose one of the two westbound through lanes to provide a protected double left-turn lane;
- (iii) Consider an additional eastbound signal head with a right-turn phase overlapping the protected northbound left-turn phase

The above three required improvements shall be implemented at the applicant's expense, unless an alternate funding source can be identified. The implementation shall be done to the satisfaction of the City Engineer.

Following the discussions, the applicant and the City Administration came to agreement with respect to the required road improvements and the estimated costs of fulfilling the work involved. The table below summarizes what was agreed upon.

Off-site improvement (all at Central/Grand Marais/Plymouth intersection)	Estimated Cost	Responsibility	Remarks
1) Repurpose the eastbound double right-turn lane to provide a single right-turn lane with an additional through lane;	\$2,000 - \$3,000	100% developer (Rosati)	Rec. I (E) 14 (b)(i) of AI 4/2021
2) Extend the eastbound right-turn lane by 45 metres;	N/A (not required anymore)	N/A	Rec. I (E) 14 (a)(ii) of AI 4/2021 Following the July 19, 2021, Council meeting, Dillon provided a geometric review confirming that while the 95th percentile queue will spill back beyond the right turn lane storage, it won't spill back far enough to block eastbound through traffic.
3) Repurpose one of the two westbound through lanes to provide a protected double left-turn lane;	\$8,000 - \$11,000	100% developer (Rosati)	Rec. I (E) 14 (b)(ii) of AI 4/2021
4) Implement split phasing when double left turn is installed.	Note: City's Traffic Operations staff confirmed that there is no additional cost	100% City	New Recommendation Dillon's original proposal (lead/lag operation) was not

Note: this is to address a conflict in swept paths for the Eastbound and Westbound left turns with the added dual left by ensuring that the Eastbound and Westbound lefts are not operating simultaneously.	for wiring changes for a split phase approach. What we have there is capable of doing the split phase		supported by Traffic Operations, but Dillon's review found that split phasing would work.
5) Consider an additional eastbound signal head with a right-turn phase overlapping the protected northbound left-turn phase;	\$7,000 - \$8,000	100% developer (Rosati)	Rec. I (E)14 (b)(iii) of AI 4/2021
6) Lengthen the northbound right-turn lane by 20 metres	\$48,000 - \$ 63,000	100% developer (Rosati)	Rec. I (E) 14 (a)(i) of AI 4/2021

As shown in the above table, Dillon's estimate for Rosati's overall cost is \$65,000 - \$85,000 for the implementation of those improvements that are the applicant's responsibility. It has been confirmed that the estimated total cost is acceptable to the applicant/developer (Rosati).

An updated detailed cost breakdown (agreed upon for the required improvements with respect to the Grand Central draft plan of subdivision development) was received from Dillon on July 23, 2021, and is attached as **Appendix I** to this Additional Information Memo.

Dillon is requesting that the improvements be implemented through a cash contribution from Rosati rather than having the developer/applicant construct the improvements themselves.

The Senior Manager of Traffic Operations and Parking Services states as follows: *"My staff has confirmed that there is no additional cost for wiring changes for a split phase approach. I am in support of that concept as long as we are doing cash in lieu and can determine if/when this change is actually needed to be implemented. The costs Dillon has proposed are fine."*

Based on the above areas of agreement between the applicant and Administration, Planning staff recommends that Recommendation I(E)14 of AI 4/2021 **BE DELETED and REPLACED** with the following:

14. **Required Road improvements:** Prior to the issuance of a construction permit, the following off-site improvements shall be implemented as stipulated below:

(1) Prior to the issuance of a construction permit, the Owner shall implement the following off-site improvements, at its entire expense:

(a) required as a result of the proposed development:

Central Avenue at Grand Marais Avenue East/Plymouth Drive intersection –

(i) lengthen the northbound right-turn lane by 20 metres, to address the additional traffic demand to the site. The required improvement shall be constructed to the satisfaction of the City Engineer;

OR

Pay to the Corporation, the sum of \$63,000.00, being the Owner's contribution towards the future implementation of the required improvements stated in this paragraph. If the actual cost of required improvements is less than \$63,000, the Corporation shall refund to the Owner the cost difference between the estimated cost and the actual cost of the improvements; and

(b) identified as required due to background conditions, but are relied upon to allow satisfactory traffic operations with the addition of site traffic from the proposed development:

Central Avenue at Grand Marais Avenue East/Plymouth Drive intersection –

(i) Repurpose the eastbound double right-turn lane to provide a single right-turn lane with an additional through lane;
(ii) Repurpose one of the two westbound through lanes to provide a protected double left-turn lane; and
(iii) Consider an additional eastbound signal head with a right-turn phase overlapping the protected northbound left-turn phase;
All work shall be done to the satisfaction of the City Engineer;

OR

Pay to the Corporation, the sum of \$22,000.00, being the Owner's contribution towards the future implementation of the required improvements stated in this paragraph. If the actual cost of the required improvements is less than \$22,000, the Corporation shall refund to the Owner the difference between the estimated cost(s) and the actual cost(s) of the improvements.

(2) The Corporation shall implement split phasing when the double left turn is installed to address a conflict in swept paths for eastbound and west bound left turns with the added dual left by ensuring that the eastbound and westbound lefts are not operating simultaneously.

Approvals:

Name	Title
Michael Cooke, MCIP, RPP	Manager Planning Policy / Deputy City Planner
Thom Hunt, MCIP, RPP	City Planner
Mark Winterton	City Engineer
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	City Solicitor
Jason Reynar	Chief Administrative Officer

Appendices:

- 1 Appendix I - Grand Central 07-23-2021 Cost Estimates

Memo



To: Justina Nwaesei, MCIP RPP
From: Kyle Edmunds, P. Eng.
Date: July 23, 2021
Subject: Grand Central Industrial Park – High Level Traffic Cost Estimate
Our File: File #19-1998 (17-6424)

Dillon Consulting Limited (Dillon) completed a Traffic Impact Study (TIS) in March 2020 for the Grand Central Industrial Park to be developed by Rosati Construction Inc. (Rosati). The City of Windsor requested that the TIS include a safety review of the study area. The TIS recommended roadway modifications to accommodate background traffic, future traffic generated by the proposed industrial park, and additional modifications to improve traffic safety. Intersection improvements were recommended for the Central Avenue at Plymouth Drive/Grand Marais Road East and Plymouth Drive at Grand Marais Road East intersections. Sightline improvements were also recommended along Plymouth Drive.

On June 14, 2021, Dillon provided a memo which summarized the proposed intersection modifications and recommended which organization should be responsible to implement each recommendation, either the City of Windsor or the Grand Central Industrial Park. The City has indicated that their current budget forecast does not include intersection modifications within the study area.

This memorandum is intended to identify (at a high level), the potential costs of the proposed modifications that could be attributed to Rosati are required to accommodate the Grand Central Industrial Park.

Intersection Modification	Cost
1) Repurpose the eastbound double right-turn lane to provide a single right-turn lane with an additional through lane; Proposed works: Modify the existing pavement markings, include line removal and new markings.	\$2,000 - \$3,000
2) Repurpose one of the two westbound through lanes to provide a protected double left-turn lane; Proposed works: Modify the existing pavement markings, include line removal and new markings. Remove two – 5 section signal heads, replace with three – 3 section signal heads	\$2,000 - \$3,000 \$6000- \$8,000

<p>3) Consider an additional eastbound signal head with a right-turn phase overlapping the protected northbound left-turn phase;</p> <p>Proposed works: Provide one Type 12 signal head and new 7 conductor wire.</p>	<p>\$7,000 – 8,000</p>
<p>4) Central Avenue at Grand Marias Road East/Plymouth Drive intersection:</p> <p>Proposed works: Lengthen the northbound right-turn lane by 20 metres includes:</p> <ul style="list-style-type: none"> • Grading, granular, asphalt and new curb • Relocate one street light pole, assume salvaged pole and luminaire, new conduit and wiring, 1 span in each direction ~150 m 	<p>\$30,000 - \$40,000</p> <p>\$18,000 - \$23,000</p>
<p>Total</p>	<p>\$65,000 - \$85,000</p>

Should you have any questions, feel free to contact the undersigned and we request that you inform us when this matter will be forwarded to Council.

Yours sincerely,

DILLON CONSULTING LIMITED



Kyle Edmunds, P.Eng.
Associate