CITY OF WINDSOR AGENDA 09/09/2024

Final Consolidated City Council Meeting Agenda

Date: Monday, September 9, 2024
Time: 10:00 o'clock a.m.

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

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure Bylaw 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

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**
2.	**CALL TO ORDER - Playing of the National Anthem**

READING OF LAND ACKNOWLEDGEMENT

We [I] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

4. ADOPTION OF THE MINUTES *(previously distributed)*

4.1. Adoption of the Windsor City Council minutes of its meeting held July 22, 2024
(SCM 229/2024)

5. NOTICE OF PROCLAMATIONS

Proclamations

“Suicide Awareness Month” - September 2024

Illuminations

“Prostate Cancer Awareness Month” – September 9, 2024

“World Suicide Awareness Day” - September 10 – 12, 2024

“Mexican Independence Celebration” - September 13 – 17, 2024

6. COMMITTEE OF THE WHOLE

7. **COMMUNICATIONS INFORMATION PACKAGE** (This includes both Correspondence and Communication Reports) ***(previously distributed)***

7.1. Correspondence 7.1.1. through 7.1.9. **(CMC 12/2024)**

7.2. Update of Round 2 of the Arts, Culture and Heritage Fund 2024 – City Wide **(C 98/2024)**

7.3. Windsor Canada Utilities Ltd. 1st Quarter 2024 Financial Statements – City Wide **(C 99/2024)**

7.4. 2024 Sale of Lands for Tax Arrears - City Wide **(C 102/2024)**
Clerk's Note: P&C memo provided to Mayor and members of Council only.

7.5. Update on Provincial Housing Targets & Residential Development in the City of Windsor – City Wide **(C 105/2024)**

8. **CONSENT AGENDA** ***(previously distributed)***

8.1. Amendment of Council Resolution CR839/99 - Signing Officer for Municipal Capital Facility Agreement be replaced with Chief Administrative Officer and City Clerk **(C 94/2024)**

8.2. Canada Public Transit Fund (CPTF) Baseline Funding Application – Citywide **(C 101/2024)**

8.3. 2024 Second Quarter Operating Budget Variance - City Wide **(C 108/2024)**

8.4. Dedicated Locator Model Agreements **(C 106/2024)**

CONSENT COMMITTEE REPORTS

8.5. Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide **(SCM 165/2024) & (S 46/2024)**
Clerk's Note: P&C memo provided to Mayor and members of Council only.
Clerk's Note: Administration is providing the ***previously distributed*** additional information **(AI 14/2024)**

8.6. Minutes of the Environment & Climate Change Advisory Committee (ECCAC) of its meeting held May 21, 2024 **(SCM 235/2024) & (SCM 195/2024)**

8.7. Minutes of the Active Transportation Expert Panel of its meeting held May 30, 2024 **(SCM 236/2024) & (SCM 217/2024)**

8.8. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held May 7, 2024 **(SCM 237/2024) & (SCM 219/2024)**

8.9. Essex Windsor Solid Waste Authority (EWSWA) Annual Report - Essex-Windsor Residential Waste Diversion 2023 **(SCM 238/2024) & (SCM 220/2024)**

8.10. Bike Parking Policy - City Wide **(SCM 239/2024) & (S 75/2023) & (AI 16/2024)**

8.11. Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide **(SCM 240/2024) & (S 93/2024)**

8.12. Response to CQ 11-2024 School Safety: Students and Drivers – City Wide **(SCM 241/2024) & (S 94/2024)**

8.13. Niagara Street (Lincoln Road to Walker Road) Traffic Calming – Ward 4 **(SCM 243/2024) & (S 95/2024)**

8.15. Request for Partial Demolition and Removal from Municipal Heritage Register for Heritage Listed Property – 232 Thompson Boulevard, House (Ward 6) **(SCM 245/2024) & (S 90/2024)**

8.16. Community Heritage Fund Request – 3069 Alexander Ave, Masson-Deck House (Ward 2) **(SCM 246/2024) & (S 99/2024)**

8.19. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Riverside Horizons Inc. for 3251 Riverside Drive East (Ward 5) **(SCM 249/2024) & (S 91/2024)**

8.20. Downtown CIP Grant Application Amendment made by Fouad Badour (Owner) for 509, 515, 521, 527 Marentette Avenue, Ward 3 **(SCM 250/2024) & (S 87/2024)**

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

13.17 **By-law 144-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62/2024 dated February 12, 2024.
Clerk's Note: Administration is requesting that this item be referred back to administration to allow for further review.

13.18 **By-law 145-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62/2024 dated February 12, 2024.
Clerk's Note: Administration is requesting that this item be referred back to administration to allow for further review.

10. PRESENTATIONS AND DELEGATIONS

DELEGATIONS (5 minutes)

8.14. Request for Heritage Permit – 567 Church Street, Revell-D'Avignon House (Ward 3) **(SCM 244/2024) & (S 72/2024) & (AI 17/2024)**

a) Xiaoling Duan, Property Owner, available for questions (via Zoom)

8.18. Amendment to Sign By-law 250-04 for 2545 Howard Avenue, File No. SGN-001/24 - Ward 10 **(SCM 248/2024) & (S 88/2024)**

a) David Meikle, business owner, Signal Out of Home, available for questions (in person)
b) Shawna Petzold, Applicant & General Manager, Permit World, available for questions (via Zoom)

13.7 **By-law 134-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by Section 95.5 in Zoning By-law 8600 dated April 22, 2024.

a) Naveed Ashraf, property owner, available for questions (via Zoom)

8.17. Zoning By-law Amendment Application for property known as 1920 Grove Avenue; Applicant: Olivia Construction Homes Ltd.; File No. Z-016/24, ZNG/7206; Ward 2 **(SCM 247/2024) & (S 96/2024)**

Clerk's Note: Nicole Cadarette, area resident submitting the ***previously distributed*** email dated August 6, 2024, as a written submission.

a) Tracey Pillon-Abbs, RPP Principal Planner, Pillon Abbs Inc. (via Zoom)
b) Crystal McKenzie, area resident, available for questions (in person)

11.3. Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9 **(SCM 211/2024) & (S 71/2024)**

Clerk's Note: The ***previously distributed*** written submissions were received from the following: Abdul Naboulsi; Carlos Grant; Duncan Lam; Osama Ragheb; Ray Drilleau; Satvir Sandhu; Slasvia Simovic; Steve Fraley; Terry & Sabrina Laframbois; The ***attached*** written submissions were received from the following: Annemarie Toldo; Lisa Quan; Afifa Rahman

Verbal Opposition Received from the Following: Citizens Paul and Daniela Kriz

a) David French, Agent: Storey Samways Planning Ltd., Bryan Pearce, Principal Planner, Baird Architectural Engineering, Shurjeel Tunio, Baird, Architecture / Engineering, Pawan Khichi, Avani Homes and Construction available for questions (via Zoom)
b) Daniela Fraley, area resident (in person)
c) Abdul Naboulsi, area resident (in person)
d) John Davis, area resident (in person)
e) Zeljko Petrovic, area resident (in person) (PowerPoint)
f) Duncan Lam, area resident (in person)
g) Daniel Bussey, area resident (in person)

h) Osama Ragheb, area resident (video presentation)
i) Vladimir Drobnjakovic, area resident (in person) (PowerPoint)
j) Brian Kukhta, area resident (in person)
k) Suzanne DeFroy, area resident (via Zoom) (PowerPoint)
l) Kevin Dunne, area resident (in person)

11. REGULAR BUSINESS ITEMS (Non-Consent Items) ***(previously distributed)***

11.1. Declaration of a Vacant Parcel of Land Municipally Known as 2121 York Street Surplus and Authority to Offer Same for Sale – Ward 3 **(C 103/2024)**

11.2. Winter Control Maintenance of Municipal Roads - Execution of Contract 14-24 – City Wide **(C 107/2024)**

12. CONSIDERATION OF COMMITTEE REPORTS ***(previously distributed)***

12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)

12.2. Report of the Special Meeting of Council – In-Camera of its meeting held July 22, 2024 (Session 1) **(SCM 274/2024)**

12.3. Report of the In-Camera Striking Committee of its meeting held July 22, 2024 **(SCM 275/2024)**

12.4. Report of the Striking Committee of its meeting held July 22, 2024 **(SCM 276/2024)**

12.5. Report of the Special Meeting of Council – In-Camera of its meeting held July 22, 2024 (Session 2) **(SCM 281/2024)**

13. BY-LAWS (First and Second Reading) ***(previously distributed)***

13.1 **By-law 128-2024** - A BY-LAW TO AMEND BY-LAW 12417, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY AND PART OF THE EAST/WEST ALLEY NORTH OF PITT STREET EAST, BETWEEN OUELLLETTE AND GOYEAU, authorized by CAO 141/2024 dated July 11, 2024.

13.2 **By-law 129-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY, AND THE TWO PORTIONS OF 4.27 METRE EAST/WEST ALLEYS NORTH OF HAIG AVENUE, EAST OF PRINCESS AVENUE, SOUTH OF JOINVILLE AVENUE, AND WEST OF WESTMINISTER BOULEVARD, CITY OF WINDSOR, authorized by CR436/2023 dated October 30, 2023.

13.3 **By-law 130-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY AND THE TWO PORTIONS OF 4.27 METRE EAST/WEST ALLEYS NORTH OF HAIG AVENUE, EAST OF PRINCESS AVENUE, SOUTH OF

JOINVILLE AVENUE, AND WEST OF WESTMINISTER BOULEVARD, CITY OF WINDSOR, authorized by CR436/2023 dated October 30, 2023.

13.4 **By-law 131-2024** - A BY-LAW TO AMEND BY-LAW 12027, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY WEST OF PRADO PLACE, FROM EDGAR TO RAYMOND, authorized by CAO 157/2024 dated July 15, 2024.

13.5 **By-law 132-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR326/2024 dated July 22, 2024.

13.6 **By-law 133-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR326/2024 dated July 22, 2024.

13.8 **By-law 135-2024** - A BY-LAW TO AMEND BY-LAW NUMBER 208-2008, BEING A BY-LAW TO DELEGATE TO ADMINISTRATION THE AUTHORITY TO PROCESS, MAKE DECISIONS ON, AND TO EXECUTE AGREEMENTS FOR CERTAIN MATTERS, authorized by CR311/2024 & CR230/2023 dated July 22, 2024 & May 29, 2023.

13.9 **By-law 136-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.57 METRE EAST/WEST ALLEY AND THE 4.57 METRE NORTH/SOUTH ALLEY NORTH OF E.C. ROW, EAST OF ALEXANDRA AVENUE, SOUTH OF NORTHWOOD STREET AND WEST OF ACADEMY DRIVE, CITY OF WINDSOR, authorized by CR416/2023 dated October 16, 2023.

13.10 **By-law 137-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.57 METRE EAST/WEST ALLEY AND THE 4.57 METRE NORTH/SOUTH ALLEY, NORTH OF E.C. ROW, EAST OF ALEXANDRA AVENUE, SOUTH OF NORTHWOOD STREET AND WEST OF ACADEMY DRIVE, CITY OF WINDSOR, authorized by CR416/2023 dated October 16, 2023.

13.11 **By-law 138-2024** - A BY-LAW TO ADOPT AMENDMENT NO. 179 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR325/2024 & DHSC628 dated July 22, 2024.

13.12 **By-law 139-2024** - A BY-LAW TO ADOPT AMENDMENT NO. 181 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR333/2024 & DHSC622 dated July 22, 2024.

13.13 **By-law 140-2024** - A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS MEADOWBOOK LANE IN THE CITY OF WINDSOR, authorized by CR76/2011 dated February 28, 2011.

13.14 **By-law 141-2024** - A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 1196 IN THE CITY OF WINDSOR, authorized by By-law 139-2013 dated August 26, 2013.

13.15 **By-law 142-2024** – A BY-LAW TO AMEND BY-LAW 223-2007, BEING A BYLAW TO CLOSE, DECLARE SURPLUS AND CONVEY THE 4.27 METRE (14 FEET) WIDE NORTH/SOUTH ALLEY AND EAST/WEST ALLEY BETWEEN RANDOLPH AVENUE AND RANKIN AVENUE SOUTH OF TECUMSEH ROAD WEST, SOUTHERLY TO ALGONQUIN STREET, IN THE CITY OF WINDSOR, authorized by CAO 169/2024 dated August 9, 2024.

13.16 **By-law 143-2024** - A BY-LAW TO AMEND BY-LAW 55-2012, BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE (14 FEET) WIDE NORTH/SOUTH ALLEY BETWEEN WALKER ROAD AND TURNER ROAD FROM LEDYARD AVENUE SOUTHERLY TO MOXLAY AVENUE, CITY OF WINDSOR, authorized by CAO 170/2024 dated August 16, 2024.

13.17 **By-law 144-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62/2024 dated February 12, 2024
Clerk's Note: See Deferral Stage.

13.18 **By-law 145-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62/2024 dated February 12, 2024.
Clerk's Note: See Deferral Stage.

13.19 **By-law 146-2024** - A BY-LAW TO ADOPT AMENDMENT NO. 187 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR289/2024 dated July 8, 2024.

13.20 **By-law 147-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR289/2024 dated July 8, 2024.

13.21 **By-law 148-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 9TH DAY OF SEPTEMBER 2024.

14. MOVE BACK INTO FORMAL SESSION

15. NOTICES OF MOTION

16. THIRD AND FINAL READING OF THE BY-LAWS

By-laws 128-2024 through 148-2024 (inclusive)

17. PETITIONS

18. QUESTION PERIOD *(previously distributed)*

18.1. Summary of Outstanding Council Questions as of August 28, 2024 **(SCM 255/2024)**

18.2. Outstanding Council Directives as of August 20, 2024 **(SCM 100/2024)**

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

Committee of Management for Huron Lodge
Thursday, September 12, 2024
9:00 a.m., Meeting Room 140, 350 City Hall Square West

Environment & Climate Change Advisory Committee
Tuesday, September 17, 2024
5:00 p.m., via Zoom

City Council Meeting
Monday, September 23, 2024
10:00 a.m., Council Chambers

21. ADJOURNMENT

Package E contains the attached written submissions to members of City Council at their meeting held September 9, 2024 regarding **Item 11.3** - Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9 (SCM 211/2024) & (S 71/2024) as part of the Final Consolidated Agenda.

Dear Mayor and Councillors, at your Council meeting on September 9 is the proposed development of 4170/4190 6th Concession.

I am opposed to the proposal for one very specific reason and that is 6th Concession itself.

I have lived in the 900 block of Morand St since the 1960's. 6th Concession is one block from my home and the primary road I use to access Provincial Rd, Division Rd, Cabana Rd, Walker Rd, North Talbot Rd, Hwy #3, Hwy 401 and all the various businesses and shopping centres. To say I know 6th Concession is an understatement.

While North Roseland and the neighbourhoods on both sides of 6th Concession have seen significant change since the 1960's, the one thing that hasn't changed is 6th Concession itself.

It is the same rough, single lane road with no walking path, no bike path and a deep ditch on one side.

In the past I would regularly include 6th Concession in my nightly walk.

Today, with the high volume of traffic, I don't risk walking on 6th Concession unless it's a necessity.

I contend that the proposal for 4170/4190 6th Concession has nothing to do with housing, with Windsor's housing crisis, or with the development and improvement of Windsor.

It is about and only about 6th Concession.

6th Concession cannot handle the additional burden of this proposal, let alone the two other proposals which will appear before you in the future (Masotti, Habib).

Until 6th Concession is improved, the wise decision would be to put all development of 6th Concession on hold.

Have you spent any time observing automobile traffic on 6th Concession?

I mean really observing it?

Have you parked your car or pulled out a chair and sat at Morand/6th Concession, Ducharme/6th Concession, Scofield/6th Concession, Wallace/6th Concession, or Holburn and 6th Concession?

Not for 10 minutes but a few hours?

Have you tried to cross 6th Concession on foot?

If not you are making a decision without truly understanding the situation.

I cannot fathom the increase in traffic and potential accidents that we'll be facing if this proposed development is allowed as well as the Masotti and Habib proposals.

Because we all know 4170/4190 6th Concession is the linchpin in this scenario and the other two developers are waiting to see what you decide.

So I ask you not to fall for the argument that this proposal is only about providing needed housing for Windsor.

First and foremost, this is about 6th Concession, a beat up old road that is already over burdened and at this time cannot handle the traffic from this proposed development.

Thank you for your time,

Annemarie Toldo

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom this may concern,

I am a resident on Spago Cres., where the proposed townhouses are to be built on the properties 4170 and 4190 Sixth Concession. My husband and I strongly oppose the building of these townhouses for a number of reasons;

1. The area isn't bigenough to build for 5 buildings and 27 dwellings.

2. This area is already densely populated with the with all the recently new builds plus the addition of the condominiums off Walker Rd and Ducharme.

3. My children attend Talbot Trail Public School. That school is newer buy already has 7 portables and over 1000 children attending, what will happen to the children (each family as min 2 children) of these new condos and townhouses? Willnew school zoning be needed?

4. Sewage and storm drainage issue. There has been so many new homes in the area, the ground is no longer able to absorb as much as it use too plus more families in the area will strain the sewage system and possibly cause more issues in the future.

5. Traffic. Yes Spago is a side street and not as busy as Ducharme but with 27 new dwellings there could bean increase of 54 vehicles if each family has 2 cars, where are these cars going to park? Our street is full daily! Secondly, we picked this area because the streets are quiet and we felt it was safer for our kids to grow up on, now with these new townhouses, traffic on our street with increase.

6. These townhouses will notbeaffordable housing! The houses in this area easily go for $500,000, the new condos cost just as much! If the company wants to "fit in", they will definately NOT be affordable.

I am not against building new houses as many new ones have gone up in the last few years but putting27 dwellings in an area where there use to be 2 properties is crazy and it's like packing people in like Sardines! Please reconsider what you are proposing to do here, it does not make sense!

Thank you for your time

Lisa Quan

From: Afifa Rahman
Sent: Monday, September 9, 2024 2:47 AM
To: clerks <clerks@citywjndsor.ca>
Subject: City Hall meeting for Sept 9th

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

I am a resident at [redacted] I could not attend today's meeting as I am currently away on vacation.

I want to document my objections to building the condominium complex behind our property. We bought this 1.1 million upper end property because of its current quiet location and the builder stated those plots behind were slated for even bigger sized upper end independent houses.

Undoubtedly, we were shocked to hear the proposition for a condominium complex behind our house. This will significantly reduce the value of our property. We moved from one street over at Rockport St to this location last year just for its quieter location. We would never have bought this property at peak prices had the builder disclosed such plans. That is not fair business practice and we will suffer from significant loss in our property values.

The overall area will also take a significant hit due to being congested and with increased noise pollution and traffic. This will take a tollontheenvironment also.

We find this proposition unacceptable on many levels. So please consider the petition that we have filed to not move forward with this proposition.

Thank you

Afifa Rahman