



CITY OF WINDSOR MINUTES 07/13/2020

City Council Meeting

Date: Monday, July 13, 2020

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

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Vacant

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

Members Absent

Ward 4 - Councillor Holt

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

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 10:01 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 June 15, 2020

Moved by: Councillor Francis
Seconded by: Councillor Gignac

That the minutes of the meeting of Council held June 15, 2020 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 208/2020

4.2. Adoption of the Special Meeting of Council minutes held June 25, 2020

Moved by: Councillor Francis
Seconded by: Councillor Gignac

That the minutes of the Special Meeting of Council held June 25, 2020 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 209/2020

5. NOTICE OF PROCLAMATIONS

None presented.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Bortolin
Seconded by: Councillor Kaschak

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 89-2020 through 103-2020 (inclusive).
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.2. Council Question CQ 31-2019 - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Morrison

Decision Number: CR336/2020

That the report of the City Solicitor dated May 29, 2020 entitled "Council Question CQ31-2019" **BE RECEIVED**; and further,

That Administration **BE DIRECTED** to prepare a by-law prohibiting anyone from depositing refuse on private property even if they have the permission of the owner or occupant to do so; and further,

That Administration **BE DIRECTED** to review other tools from a by-law capacity that might be available to strengthen the ability to regulate the depositing of refuse on private property.

Carried.

Report Number: C 110/2020
Clerk's File: AB2020

7.1. Correspondence Monday, July 13, 2020

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR332/2020

That the following Communication Items 7.1.1 through 7.1.6, 7.1.8 and 7.1.9, 7.1.11, and 7.1.13 through 7.1.23 inclusive as set forth in the Council Agenda **BE REFERRED** as noted, and that Items 7.1.7, 7.1.10, and 7.1.12 be dealt with as follows:

7.1.7 Letter to the Premier of Ontario requesting that the Government of Ontario consider providing tax and/or other financial relief to community non-profit and service clubs and organizations due to their inability to operate as a result of the COVID-19 pandemic

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR333/2020

That a letter **BE SENT** to the Honourable Doug Ford, Premier of Ontario requesting the Province to look into all possible ways of providing tax and/or other financial relief to our community non-profit and service clubs and organizations as a result of those organizations not being able to operate and be open as a result of the COVID-19 pandemic; and further,

That a copy of this resolution of support **BE FORWARDED** to local MPPs and all County of Essex municipalities.

Carried.

7.1.10 Letter recommending the creation of a Task Force responsible for envisioning and planning post-pandemic Windsor while also highlighting and suggesting WDLC's involvement

Moved by: Councillor Kaschak
Seconded by: Councillor Gignac

Decision Number: CR334/2020

That the correspondence from Brian Hogan, Windsor and District Labour Council (WDLC), dated June 18, 2020 regarding "Pandemic: Task Force & Municipalities' Finances" **BE RECEIVED**; and further,

That this correspondence **BE REFERRED** to the WindsorEssex Economic Development Corporation (WEDC) for their review and consideration based on initiatives that they are undertaking.

Carried.

7.1.12 Interim Control By-Law 78-2019 Exemption Request, SBDRE (Windsor) Holdings Company Ltd. c/o Zelinka Priamo Ltd., 1790 Provincial Rd., Request to reconsider deferred report S 52/2020 and permit the establishment of a

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transport terminal (Report of Standing Committee and Administration attached)

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

Decision Number: CR335/2020

That the correspondence from Zelinka Priamo Ltd. Dated June 26, 2020 regarding “Interim Control By-law 78-2019 Exemption Request – 1790 Provincial Road Windsor, ON; SBDRE (Windsor) Holdings Company Ltd” requesting a reconsideration of a recent Council decision on this matter, **BE RECEIVED** for information.

Carried.

7.1.11 Request to waive development charges for expansion of the Windsor Lifeline Outreach food bank, located at 4490 7th Concession Rd. and owned by Windsor Christian Fellowship, amid COVID-19 pandemic

Moved by: Councillor Costante

Seconded by: Councillor McKenzie

That the correspondence from Rosati Construction Inc., dated June 19, 2020 regarding a “request to waive Development Charges – Owner – Windsor Christian Fellowship; Tenant: Windsor Lifeline Outreach – 4490 7th Concession Rd. Windsor [“Property”]” **BE RECEIVED**; and further,

That Administration **BE DIRECTED** to report back on the current policy related to the Waiver of Fees and Grant Funding Policy, and if any adjustments need to be made to the subject policy.

The motion is **put** and is **lost** due to an equality of votes.

Aye votes: Councillors Costante, Kaschak, McKenzie, and Sleiman.

Nay votes: Councillors Francis, Bortolin, Gignac, and Morrison.

Absent: Councillor Holt.

Abstain: None.

No.	Sender	Subject
7.1.1	Member of Parliament for Windsor-Tecumseh	E-mail confirming receipt of the petition letter from City Council requesting reduction of speeds along the Detroit River GF2020 Note & File

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No.	Sender	Subject
7.1.2	Local Planning Appeal Tribunal	<p>Local Planning Appeal Tribunal notice of a Status Teleconference at 9:00 a.m. on Wednesday, July 8, 2020, Case No. LC150015 re: Land Compensation for 3140 Walker Rd.</p> <p style="text-align: right;">City Solicitor City Planner GP2020 Note & File</p>
7.1.3	Local Planning Appeal Tribunal	<p>Local Planning Appeal Tribunal notice of a Case Management Conference by video at 10:00 a.m. on Friday, August 14, 2020, Case No. LC160037 re: Land Compensation for 131 Riverside Dr. W.</p> <p style="text-align: right;">City Solicitor City Planner MMA2020 Note & File</p>
7.1.4	Ministry of Municipal Affairs and Housing	<p>On July 8, 2020, the Ontario government introduced the <i>COVID-19 Economic Recovery Act, 2020</i>, which addresses three needs: restarting jobs and development, strengthening communities, and creating opportunity for people. This letter summarizes its proposed changes at the municipal and provincial levels</p> <p style="text-align: right;">City Solicitor City Clerk / Licence Commissioner City Treasurer / Chief Financial Officer MH/13786 Note & File</p>

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No.	Sender	Subject
7.1.5	Ministry of the Environment, Conservation and Parks	<p>Letter summarizing the Ministry's next steps in the Made-in-Ontario Environment Plan commitment to build an environmental assessment (EA) program, including amending the <i>Environmental Assessment Act</i> (EAA), amending eight Class Environmental Assessments, and proposing regulatory exemptions from the EAA</p> <p style="text-align: right;">City Engineer Manager of Environmental Services GM2020 Note & File</p>
7.1.6	Town of Essex	<p>Letter to the Windsor-Essex County Health Unit (WECHU) detailing resolution R20-06-209 passed by Essex Town Council on June 15, 2020, which urges all levels of government and WECHU to support local farm workers, including migrant workers, as it relates to the COVID-19 pandemic. Suggestions include farm gate delivered mandatory testing, a plan of care for positive workers, and comprehensive tracking</p> <p style="text-align: right;">MH/13786 Note & File</p>
7.1.7	Town of Essex	<p>Letter to the Premier of Ontario requesting that the Government of Ontario consider providing tax and/or other financial relief to community non-profit and service clubs and organizations due to their inability to operate as a result of the COVID-19 pandemic</p> <p style="text-align: right;">City Clerk / Licence Commissioner MH/13786, GP2020, & MMA/6661 Note & File</p>

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No.	Sender	Subject
7.1.8	Town of Lakeshore	<p>Notice of the passing of a zoning by-law amendment regarding the production of cannabis by the Corporation of the Town of Lakeshore on June 23, 2020 under Section 34 of the <i>Planning Act</i>, R.S.O. 1990</p> <p style="text-align: right;">City Solicitor City Planner Chief Building Official Development Applications Clerk GM2020 Note & File</p>
7.1.9	Windsor-Essex County Health Unit (WECHU)	<p>Letter to the Chief Administrative Officer summarizing WECHU's response to the Alcohol and Gaming Commission of Ontario's announcements regarding the allowance of licensed patio extensions for the duration of 2020 and report C 108/2020, "Response to Correspondence from Spirits Canada Re: Municipal Liquor Policies to Support Local Bars and Restaurants"</p> <p style="text-align: right;">Corporate Leader, Parks, Recreation, Culture and Facilities City Clerk / Licence Commissioner ACLB2020 Note & File</p>
7.1.10	Windsor and District Labour Council (WDLC)	<p>Letter recommending the creation of a Task Force responsible for envisioning and planning post-pandemic Windsor while also highlighting and suggesting WDLC's involvement</p> <p style="text-align: right;">MH/13786 COUNCIL DIRECTION REQUESTED, otherwise Note & File</p>

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No.	Sender	Subject
7.1.11	Rosati Construction Inc.	<p>Request to waive development charges for expansion of the Windsor Lifeline Outreach food bank, located at 4490 7th Concession Rd. and owned by Windsor Christian Fellowship, amid COVID-19 pandemic</p> <p style="text-align: right;">City Solicitor City Planner Chief Building Official MH/13786</p> <p style="text-align: center;">COUNCIL DIRECTION REQUESTED, otherwise Note & File</p>
7.1.12	Zelinka Priamo Ltd.	<p>Interim Control By-Law 78-2019 Exemption Request, SBDRE (Windsor) Holdings Company Ltd. c/o Zelinka Priamo Ltd., 1790 Provincial Rd., Request to reconsider deferred report S 52/2020 and permit the establishment of a transport terminal (Report of Standing Committee and Administration attached)</p> <p style="text-align: right;">City Solicitor City Planner SPL2020</p> <p style="text-align: center;">COUNCIL DIRECTION REQUESTED, otherwise Note & File</p>
7.1.13	Manager of Urban Design	<p>Site Plan Approval, Jove Vasovski, 5951 Wyandotte St. E., New 166m2 paved parking lot & drain</p> <p style="text-align: right;">ZS/13841 Note & File</p>
7.1.14	Manager of Urban Design	<p>Site Plan Approval, Matthew Lubberts, 251 Watkins St., Proposed new 2 storey 6 plex</p> <p style="text-align: right;">ZS/13843 Note & File</p>
7.1.15	Manager of Urban Design	<p>Site Plan Approval, Duo Fratres Inc., 1370 Argyle Rd., New multi unit residential development</p> <p style="text-align: right;">ZS/13846 Note & File</p>

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No.	Sender	Subject
7.1.16	Manager of Urban Design	<p>Site Plan Approval, Windsor-Essex Catholic District School Board, 2465 McDougall St., New secondary school</p> <p style="text-align: right;">ZS/13855 Note & File</p>
7.1.17	Manager of Urban Design	<p>Site Plan Approval, Greater Essex County District School Board, 8465 Jerome St., Proposed bus bay project for Riverside Secondary</p> <p style="text-align: right;">ZS/13856 Note & File</p>
7.1.18	City Planner / Executive Director	<p>Application for Zoning Amendment and Official Plan Amendment, Suburban Construction & Management Ltd. c/o Christian LeFave, 7337 Edgar St., Application to amend Zoning By-law 8600 to allow a four storey residential apartment with surface parking</p> <p style="text-align: right;">ZB/13842 & ZB/13840 Note & File</p>
7.1.19	City Planner / Executive Director	<p>Application for Zoning Amendment and Official Plan Amendment, 2705285 Ontario Inc. c/o Zeshan Choudhry, 5787, 5791 & 5795 Tecumseh Rd. E., Application to amend Zoning By-law 8600 to allow a conversion of the commercial units to residential units on the main floor</p> <p style="text-align: right;">ZB/13835 & ZO/13836 Note & File</p>
7.1.20	City Planner / Executive Director	<p>Application for Zoning Amendment, Tosin Bello, 1090 North Talbot Rd., Application to amend Zoning By-law 8600 to allow a mixed use development, including main floor commercial with second and third floor residential and associated on-site parking</p> <p style="text-align: right;">ZB/13839 Note & File</p>

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No.	Sender	Subject
7.1.21	City Planner / Executive Director	Application for Zoning Amendment, 2605385 Ontario Inc. c/o AIPL Canada Holdings Inc., 1200 University Ave. W., Application to amend Zoning By-law 8600 to allow a site-specific Commercial District ZB/13838 Note & File
7.1.22	City Planner / Executive Director	Application for Zoning Amendment, 2356976 Ontario Inc. c/o Dr. Bhan Garg, 0 Hawthorne Dr., Application to amend Zoning By-law 8600 to allow three apartment buildings with 190 units or 66 townhomes ZB/13837 Note & File
7.1.23	Committee of Adjustment / Consent Authority	Applications heard by the Committee of Adjustment/Consent Authority, Thursday, July 9, 2020, 3:30 p.m., through Electronic Meeting Participation ZC2020 Note & File

Carried.

Report Number: CMC 11/2020

8. CONSENT AGENDA

8.1. Community Safety and Wellbeing Regional Plan - City Wide

Moved by: Councillor Sleiman
 Seconded by: Councillor Bortolin

Decision Number: CR337/2020

That the report of the Community Safety and Well-Being Project Manager **BE RECEIVED** for information and further;

That the deadline in the original Council Resolutions – CR340/2019 and CR543/2019 – **BE AMENDED** from January 1, 2021 to a date to be determined by the Province of Ontario.

Carried.

Report Number: S 87/2020
 Clerk's File: MH/13786

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8.2. Forest Glade Splash Pad Funding - Ward 7

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR338/2020

That City Council **APPROVE** a pre-commitment of \$250,000 in 2021 from Community Parks Rehabilitation Program (PFO-006-12) for the installation of a new splash pad at Forest Glade Optimist Park; AND further;

That the CAO and the City Clerk **BE AUTHORIZED** to sign a contract with YWI Landscapes Inc. for the complete construction of splash pad at Forest Glade Optimist Park as per RFP NO. 22-20 in the amount of \$212,969.21 (plus HST) which includes a \$10,000 contingency satisfactory in form to the City Solicitor, in technical content to the Corporate Leader of Parks, Recreation & Culture and Facilities and in financial content to the City Treasurer and Chief Financial Officer; AND Further;

That the CAO and the City Clerk **BE AUTHORIZED** to sign and **EXECUTE** any contract or agreements necessary to implement the splash pad and washroom facility improvements at Forest Glade Optimist Park provided tendered costs are within the approved project budget, satisfactory in form to the City Solicitor, in technical content to the Corporate Leader of Parks, Recreation & Culture and Facilities and in financial content to the City Treasurer and Chief Financial Officer.

PROJECT CHARGED:

Forest Glade Capital Improvement Project ID#7191039

Carried.

Report Number: C 128/2020

Clerk's File: SR/13847

8.3. Appointment of Drainage Engineer - Little River Steel Walls (Wards 6 and 7)

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR339/2020

That the firm of Landmark Engineers Inc. **BE APPOINTED** as the engineer of record to prepare a report under Section 78 of the *Drainage Act* to inform City Council on the drainage works project, if any, that is required to address in order to analyze the structural condition of the steel walls located at the shoreline of the Little River.

Carried.

Report Number: C 125/2020

Clerk's File: AS2020

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8.4. Appointment of Drainage Engineer - Talsma and Janisse Drains (Ward 10)

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

CR340/2020 RESCINDED BY CR507/2020 ADOPTED OCTOBER 19, 2020

Decision Number: CR340/2020

That the firm of BairdAE Inc. **BE APPOINTED** as the engineer of record to prepare a report under Section 78 of the *Drainage Act* to inform Council on the drainage works project, if any, that is required to address the ongoing use of the Talsma Drain and designation as a Municipal Drain.

Carried.

Report Number: C 126/2020

Clerk's File: AS2020

8.5. Updates to the Archaeological Management Plan

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR341/2020 DHSC 169

That the report of the Heritage Planner dated May 5, 2020 entitled, "Updates to the Archaeological Management Plan" **BE RECEIVED FOR INFORMATION**.

Carried.

Report Number: SCM 186/2020 & S 71/2020

Clerk's File: SPL2020

8.7. OPA & Rezoning – Responsive Group – 3175-3215 Banwell - OPA 131 OPA/6047 Z-004/20 ZNG/6046 -Ward 7

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR343/2020 DHSC 166

That Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designation of Part of Lots 143 and 144, Concession 1, designated as Parts 1 to 4, 11 to 15, and 26 to 30, Plan 12R-27789 (PIN 01566-0995; Roll No. 070-890-02411), situated on the west side of Banwell Road between Tecumseh Road East and Palmetto Street, on Schedule D: Land Use from "Commercial Corridor" to "Residential".

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lots 143 and 144, Concession 1, designated as Parts 1 to 4, 11 to 15, and 26 to 30, Plan 12R-27789 (PIN 01566-0995; Roll No. 070-890-02411), situated on the west side of Banwell Road between Tecumseh Road East and Palmetto Street, from HCD2.1 and S.20(1)181 to Residential District 3.20 (RD3.20) on the following basis:

12.20 RESIDENTIAL DISTRICT 3.20 (RD3.20)

12.20.1 PERMITTED USES
Lodging House
Residential Care Facility
Any use accessory to the above uses

12.20.5 PROVISIONS

.1	Lot Frontage – minimum	As existing
.2	Lot Area – minimum	As existing
.3	Lot Coverage – maximum	35.0%
.4	Main Building Height – maximum	14.0 m
.5	Front Yard Depth – minimum	3.50 m
.6	Rear Yard Depth – minimum	6.0 m
.7	Side Yard Width – minimum	6.0 m
.8	Landscaped Open Space Yard – minimum	25.0% of the <i>lot area</i>

[ZDM 15; ZNG/6046]

Carried.

Report Number: SCM 188/2020 & S 74/2020
Clerk's File: Z0/13758 & ZB/13757

8.8. Approval of a Plan of Condominium with Exemption under Section 9(3) of *The Condominium Act* – Skyline Real Estate Holdings Inc. 737 Ouellette Ave. – CDM 001-20 [CDM-6041] ; Ward 3

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR344/2020 DHSC 167

That the application of Skyline Real Estate Holdings Inc. for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of 10 additional dwelling units, as shown on the attached Maps No. CDM-001/20-1 to CDM 001/20-6, within in an existing condominium tenured Multiple Dwelling structure designated ; Essex Condominium Plan (ECP) 169, City of Windsor; located at 737 Ouellette Avenue **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: SCM 189/2020 & S 75/2020
Clerk's File: ZP/13761

8.9. Approval of a Plan of Condominium with Exemption under Section 9(3) of *The Condominium Act* – Piroli Construction Inc. 850 Wyandotte Street W – CDM 002-20 [CDM-6053]; Ward 3

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR345/2020 DHSC 168

That the application of Piroli Construction Inc. for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of 152 dwelling units, as shown on the attached Map No. CDM-002/20-1 and CDM-002/20-2 within in a newly constructed Multiple Dwelling structure on a parcel legally described as; Part of Lots 34 to 42, (inclusive) Registered Plan 71, Part of Lots 148 to 155 (Inclusive), Part of Alley, Part Lane, Registered Plan 282 and Part of Block 'Z', Registered Plan 469, City of Windsor; located at 850 Wyandotte Street West **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: SCM 190/2020 & S 76/2020

Clerk's File: ZP/13820

8.11. Application by the Registered Owner (1603965 Ontario Ltd.) of 3311 Peter Street for an exemption from Demolition Control By-law 20-2007 and an application for Financial Incentives under the Sandwich Community Improvement Plan (Ward 2)

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR347/2020 DHSC 171

- I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the registered owner (1603965 Ontario Ltd.), under an Agreement of Purchase and Sale, to demolish a one (1) storey single unit detached dwelling located at 3311 Peter Street (see Appendix 'A'), to construct a one (1) storey single family residential dwelling with a secondary suite when an executed Site Plan Control Agreement has been registered on title with the appropriate securities to ensure the redevelopment occurs within a specified time period to fulfill the conditions of the Site Plan Control Agreement; and,
- II. That any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit; and,
- III. That the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:
 - i. The Redevelopment identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;
 - ii. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the Clerk enter the sum of Twenty Thousand Dollars (\$20,000) on the collectors roll of the property and prepare a certificate for registration; and,
- IV. That the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the property; and,

- V. That the request for incentives under the Sandwich Incentive Program made by the registered owner (1603965 Ontario Ltd.), of the property located at 3311 Peter Street, **BE APPROVED** for the following programs:
- i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP (+/-**\$11,823.00**);
 - ii. *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-**\$1,561.00** per year); and,
- VI. That the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne 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 implication; and,
- VII. That grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: SCM 192/2020 & S 69/2020
Clerk's File: ZS/13670

8.12. Close the Westerly 6.1m Portion of Belle Isle View Boulevard ROW and 4.87m wide East/West Alley, Abutting the Property Known as 7467 St. Rose Avenue - Applicant: Glenn Murray - SAA/5550 - Ward 6

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR348/2020 DHSC 172

- I. That the portion of the 4.87m wide east/west alley east of the existing Alley Closure By-law 774 A between Fairview Boulevard and Belle Isle View Boulevard, south of St. Rose Avenue, labelled as "Part 1" and shown on Drawing No. CC-1733 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure; and,
- II. That the portion of the 4.87m wide east/west alley east of existing Alley Closure By-law 774A between Fairview Boulevard and Belle Isle View Boulevard, south of St. Rose Avenue, labelled as "Part 1" and shown on Drawing No. CC-1733 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the applicant subject to the following:
- a) Easement subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - a. Bell Canada, Cogeco Connexion, and Enwin Utilities Ltd; and
 - b) That the applicant enter an agreement with The Corporation of the City of Windsor to purchase the portion of the alley shown as PART 1 on Drawing No. CC-1733 *attached* as Appendix "A"; and,

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- III. That Conveyance Cost for “Part 1” shown on Drawing No. CC-1733 *attached* as Appendix “A” **BE SET** for alleys abutting lands zoned Residential RD1.2 at \$1.00 plus deed preparation fee and proportionate fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. That the westerly 6.1m portion of Belle Isle View Boulevard right-of-way, south side of St. Rose Avenue, labelled as “Part 2” and shown on Drawing No. CC-1733 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure; and,
- V. That the westerly 6.1m portion of Belle Isle View Boulevard right-of-way, south side of St. Rose Avenue, labelled as “Part 2” and shown on Drawing No. CC-1733 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the applicant subject to the following:
- a) Easement, subject to their being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
 - a. Cogeco Connexion, Enbridge Gas and Enwin Utilities Ltd; and
 - b) That the applicant enter an agreement with The Corporation of the City of Windsor to purchase the portion of the right-of-way shown as PART 2 on Drawing No. CC-1733 *attached* as Appendix “A”; and,
- VI. That Conveyance Cost for “Part 2” shown on Drawing No. CC-1733 *attached* as Appendix “A” **BE SET** at \$3,937 per front metre without easements and \$1,969 per front metre with easements, survey cost included; and,
- VII. That the portion of the 4.87m wide east/west alley east of the existing Alley Closure By-law 774 A between Fairview Boulevard and Belle Isle View Boulevard, south of St. Rose Avenue, labelled as “Part 3” and shown on Drawing No. CC-1733 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure; and,
- VIII. That the portion of the 4.87m wide east/west alley east of existing Alley Closure By-law 774A between Fairview Boulevard and Belle Isle View Boulevard, south of St. Rose Avenue, labelled as “Part 3” and shown on Drawing No. CC-1733 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the owner of 7439 St. Rose Avenue subject to the following:
- a) Easement subject to their being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
 - a. Bell Canada, Cogeco Connexion, and Enwin Utilities Ltd; and
 - b) That the owner of 7439 St. Rose Avenue enter an agreement with The Corporation of the City of Windsor to purchase the portion of the alley shown as “Part 3” and shown on Drawing No. CC-1733 *attached* as Appendix “A”; and,
- IX. That Conveyance Cost for Part 3 shown on Drawing No. CC-1733 *attached* as Appendix “A” **BE SET** for alleys abutting lands zoned Residential RD1.2 at \$1.00 plus deed preparation fee and proportionate fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- X. That the portion of the 4.87m wide east/west alley east of existing Alley Closure By-law 774A between Fairview Boulevard and Belle Isle View Boulevard, south of St. Rose Avenue,

labelled as "Part 4" and shown on Drawing No. CC-1733 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the owner of 921 Belle Isle View Boulevard subject to the following:

- a) Easement subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - a. Bell Canada, Cogeco Connexion, and Enwin Utilities Ltd; and
 - b) That the owner of 921 Belle Isle View Boulevard enter an agreement with The Corporation of the City of Windsor to purchase the portion of the alley labelled as "Part 4" and shown on Drawing No. CC-1733 attached as Appendix "A"; and,
- XI. That Conveyance Cost for Part 4 shown on Drawing No. CC-1733 *attached* as Appendix "A" **BE SET** for alleys abutting lands zoned Residential RD1.2 at \$1.00 plus deed preparation fee and proportionate fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- XII. That the owner of 921 Belle Isle View Boulevard **ENTER** an agreement with The Corporation of the City of Windsor to purchase their half of the north/south alley closed by By-law RVSD 958 labelled as "Part 5" and shown on Drawing No. CC-1733 *attached* as Appendix "A"; and,
- XIII. That Conveyance Cost for Part 5 shown on Drawing No. CC-1733 *attached* as Appendix "A" **BE SET** for alleys abutting lands zoned Residential RD1.2 at \$1.00 plus deed preparation fee and proportionate fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- XIV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1733, attached as Appendix "A"; and,
- XV. That the owner of 921 Belle Isle View Boulevard **BE REQUESTED** to obtain a permit to maintain the driveway approach to City Standard AS-221 or AS-222, upon closure and acquisition of Part 4 as shown on Drawing No. CC-1733; and,
- XVI. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- XVII. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- XVIII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 336-2003.
Carried.

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8.13. Minutes of the International Relations Committee of its meeting held February 26, 2020

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR349/2020 DHSC 173

That the minutes of the International Relations Committee of its meeting held February 26, 2020

BE RECEIVED for information.

Carried.

Report Number: SCM 194/2020 & SCM 97/2020

Clerk's File: MB2020

8.14. EWSWA Annual Report - Essex-Windsor Residential Waste Diversion 2019 (dated March 31, 2020)

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR350/2020 ETPS 766

That the Essex Windsor Solid Waste Authority (EWSWA) Annual Report - Essex-Windsor Residential Waste Diversion 2019 **BE APPROVED** as presented.

Carried.

Report Number: SCM 199/2020 & SCM 175/2020

Clerk's File: MB2020

8.15. EWSWA Regular Board Meeting Minutes February 4, 2020

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR351/2020 ETPS 767

That the minutes of the Essex Windsor Solid Waste Authority (EWSWA) of its meeting held February 4, 2020 **BE RECEIVED**.

Carried.

Report Number: SCM 200/2020 & SCM 176/2020

Clerk's File: MB2020

8.16. Traffic Calming - Adapting to COVID-19 Emergency - City-Wide

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR352/2020 ETPS 768

That, for the duration of the municipal declared state of emergency, the requirement for resident petitions in the Traffic Calming Policy **BE WAIVED**; and,

That Administration **BE DIRECTED** to use 311 polls in place of these petitions.
 Carried.

Report Number: SCM 201/2020 & S 64/2020
 Clerk's File: MH/13786 & ST2020

8.17. Riverside Drive at Ford Boulevard - Speed Review - Ward 6

Moved by: Councillor Sleiman
 Seconded by: Councillor Bortolin

Decision Number: CR353/2020 ETPS 769

That the report of the Transportation Planning Senior Engineer dated May 29, 2020 entitled "Riverside Drive at Ford Boulevard – Speed Review – Ward 6" **BE RECEIVED** for information.
 Carried.

Report Number: SCM 202/2020 & S 78/2020
 Clerk's File: ST2020

8.18. Revised 2021 Road Rehabilitation Program - City Wide

Moved by: Councillor Sleiman
 Seconded by: Councillor Bortolin

Decision Number: CR354/2020 ETPS 770

That City Council **APPROVE** the following revised 2021 road rehabilitation program, which will be completed in conjunction with the ENWIN-Water Division's directive to address lead water connections:

PROPOSED REVISED 2021 ROAD REHABILITATION PROGRAM				
ITEM NO.	STREET	FROM	TO	REHAB. TYPE
1	CAMERON AVE	RIVERSIDE DR	CUL-DE-SAC	M
2	KILDARE RD	ASSUMPTION ST	WYANDOTTE ST E	R
3	LABELLE STREET	ROCKWELL AVENUE	ALEXANDRA AVENUE	R
4	GLADSTONE	TECUMSEH	YPRES	R
5	MATCHETTE RD	EC ROW	CHAPPELL AVE	FDR
6	TECUMSEH ROAD EAST	WALKER RD	DROUILLARD RD	R/M

Carried.

11.2. Declaration of Vacant Lands Municipally Known as 0 Grand Marais Road East and Part of Closed Grand Marais Road East Surplus and Authority to Offer for Sale-Ward 10

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR356/2020

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

PARCEL #1:

- Municipal address: **0 Grand Marais Road East** – vacant parcel of land situate on the north side of Grand Marais Road East, west of Atkinson Street
- Legal Description: Park Lot on Registered Plan 1106 Sandwich East, designated as Parts 1 and 2 on 12R-28235
- Approximate Lot size: Irregular
- Approximate Lot area: 4,425 sq ft (411.1 m²)

PARCEL #2:

- Municipal address: **0 Grand Marais Road East** – part of closed Grand Marais Road East, west of Atkinson Street
- Legal Description: Part of Closed Grand Marais Road Widening on Registered Plan 1106 closed by By-Law 90-2008, designated at Parts 3-6 on 12R-28235
- Approximate Lot size: 84.5 feet x 68.3 feet (25.75 m x 20.81 m)
- Approximate Lot area: 5,737 sq ft (533 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 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 123/2020
Clerk's File: APM2020

11.3. Capital Variance Report – May 31, 2020 - City Wide

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

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Decision Number: CR357/2020

That City Council **RECEIVE** for information the 2020 Life-to-Date Capital Variance Report as at May 31, 2020 as presented by the Chief Financial Officer and City Treasurer; and,

That City Council **APPROVE** the transfers to and from capital projects/reserves as identified within Appendix A – Summary of Capital Project Variances and,

That City Council **SUPPORT** Administration’s continuance to close capital projects in a timely fashion ensuring any surpluses which may be required to offset unmitigated pandemic costs are identified and tracked for consideration as part of the 2020 yearend close and;

That in order to align planned Playground Replacements with the current project that City Council **APPROVE** a pre-commitment of funds from the Playground Replacement Program (PFO-002-15) in the amount of \$385,000 in 2021 and direct those funds to the Enhanced Flooding Mitigation Program (DMAF) project (ENG-005-19).

Carried.

Report Number: C 91/2020

Clerk’s File: MH/13786

11.5. Confirm and Ratify - Application for a Cannabis Retail Store Authorization at 7405 Tecumseh Road East, Unit 200 - Ward 8

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR359/2020

That the results of the email poll conducted by the Deputy City Clerk on July 6, 2020 noting the following motion as being **put** and **lost** due to an equality of votes, **BE CONFIRMED AND RATIFIED**:

THAT City Council **RECEIVE** the collected comments as requested through CR534/2019 for information; and,

THAT City Council **OPPOSE** the Retail Cannabis Application requested by ‘Urbnbud’ regarding the site located at 7405 Tecumseh Road East, Unit 200; and,

THAT City Council **DIRECT** the Chief Administrative Officer to **RETURN** their decision along with this report and Appendices A and B to the Alcohol and Gaming Commission of Ontario for consideration regarding the Retail Cannabis Application and for delivery to the Applicant, ‘Urbnbud’, located at 7405 Tecumseh Road East, Unit 200 no later than July 9, 2020.

Carried.

Report Number: C 142/2020

Clerk’s File: GP/13047

11.6. Confirm And Ratify Report – Outdoor Screen For Use At Various Outdoor Functions - City Wide

Moved by: Councillor Sleiman
Seconded by: Councillor Bortolin

Decision Number: CR360/2020

That the results of the email poll conducted by the Deputy City Clerk on July 6, 2020 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

That City Council **AUTHORIZE** the purchase of a 22x40ft outdoor screen for use at various outdoor functions around the City including drive-in movie theatre events hosted by the WIFF at Festival Plaza, in an amount not to exceed \$65,000 from the MAT (Municipal Accommodation Tax) tax reserve fund which currently has a balance of \$765,000.

Carried.

Report Number: C 143/2020
Clerk's File: MH/13786

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS (5 Minute maximum per delegate)

None presented.

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.1. Response to CQ#11-2020 Regarding Open-Air Burning

Moved by: Councillor Kaschak
Seconded by: Councillor Sleiman

That Council **ENDORSE** a 3 year pilot project beginning approximately September 15, 2020 or earlier if possible to approve open air burning in the City of Windsor through a City permit process to allow backyard fires but with many conditions attached; and further,

That in 2023 the Council of the day can then **ASSESS** the 3 year project with all of the data and then determine the direction for the City moving forward thereafter; and further,

That the many education and public safety conditions BEGIN AS FOLLOWS:

- Allowing this to be done only from Thursday's to Sunday's from 6pm & to end by midnight;
- A designated sized 1 square metre backyard fire pit is the maximum size allowed. The container is to be made from non-combustible material;
- The size of the fire cannot exceed 2 feet long by 2 feet wide by 2 feet high;
- Only clean dry seasoned wood, charcoal, briquettes or retail fire logs are allowed to be burned;
- Treated or painted wood cannot be burned, no asphalt products, rubber, tires, construction material, household material or plastics can ever be burned;
- You must have a bucket of water, a garden hose or a fire extinguisher nearby the fire site and always an adult attending;
- The centre of the fire must be a minimum of 15 metres from property lines;
- The centre of the fire must be a minimum of 10 metres from hedges, fences, buildings etc.;
- Fires would not be allowed when wind conditions in such direction could cause smoke annoyance to neighbours;
- Fires would not be allowed during rain, fog, smog/poor air quality alerts or days and during fire bans issued by the Fire Chief or high risk periods;
- The fire must be set and supervised at all times by a competent adult; and,
- The fire must be full extinguished by an adult before at or before midnight on the applicable days; and further,

That the City Solicitor BE DIRECTED to prepare the necessary by-laws required to enact this initiative; and,

That Administration BE DIRECTED to incorporate a reporting mechanism yearly with cost implications both to the fire department and the Corporation of the City of Windsor, and that a Communications plan BE DEVELOPED to educate the public.

The motion is **put** and is **lost**.

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

Aye votes: Councillors Kaschak, Sleiman, Bortolin and Morrison.

Nay votes: Councillors Francis, Gignac, Costante, McKenzie and Mayor Dilkens.

Absent: Councillor Holt.

Abstain: None.

Moved by: Councillor Gignac

Seconded by: Councillor Costante

Decision Number: CR355/2020

That the report of the Fire Chief dated June 25, 2020 entitled "Response to CQ#11-2020 Regarding Open-Air Burning" **BE RECEIVED** for information; and further,

That Administration **BE DIRECTED** to prepare, in consultation with the Fire Chief, a By-law to prohibit open-air burning in the City of Windsor.

Carried.

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

Aye votes: Councillors Francis, Costante, Bortolin, Sleiman, Gignac, McKenzie, Morrison and Mayor Dilkens.

Nay votes: Councillor Kaschak.

Absent: Councillor Holt.

Abstain: None.

Report Number: C 136/2020

Clerk's File: MH/13786

11.4. COVID-19 2020 Year-End Financial Projections - City Wide

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR358/2020

That City Council **RECEIVE** the report titled "COVID-19 2020 Year-End Financial Projections"; and,

That the City of Windsor continue **TO ACTIVELY PARTICIPATE** in all efforts along with other municipalities and municipal associations to seek financial support from senior levels of government to mitigate any remaining negative financial impacts to municipalities resulting from the COVID-19 pandemic.

Carried.

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

Aye votes: Councillors Francis, Gignac, Sleiman, Morrison and Mayor Dilkens.

Nay votes: Councillors Bortolin, McKenzie, Costante and Kaschak.

Absent: Councillor Holt.

Abstain: None.

Report Number: C 134/2020

Clerk's File: MH/13786 & AFB/13467

8.10. Response to B3/2020 Directing Administration to Report Back with a Neighbourhood Residential Rehabilitation Grant Program and List of Funded CIPs

Moved by: Councillor Gignac

Seconded by: Councillor Francis

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That the report of the Planner III – Special Projects dated April 27, 2020 entitled “Response to B3/2020 Directing Administration to Report Back with a Neighbourhood Residential Rehabilitation Grant Program and List of Funded CIPs” BE RECEIVED for information.

The motion is **put** and is **lost**.

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

Aye votes: Councillors Francis, Gignac and Mayor Dilkens.

Nay votes: Councillors Costante, Bortolin, Sleiman, Kaschak, McKenzie and Morrison.

Absent: Councillor Holt.

Abstain: None.

Moved by: Councillor Bortolin

Seconded by: Councillor Morrison

Decision Number: CR346/2020 DHSC 170

That the report of the Planner III Special Projects dated April 27, 2020 entitled “Response to B3/2020 Directing Administration to Report Back with a Neighbourhood Residential Rehabilitation Grant Program and List of Funded CIP’s” **BE RECEIVED** for Information; and,

That a micro grant program for the Downtown Community Improvement Plan, using the Ford City Community Improvement Plan as the basis, **BE APPROVED**.

Carried.

Councillors Francis, Gignac and Mayor Dilkens voting nay.

Carried.

Report Number: SCM 191/2020 & S 68/2020

Clerk’s File: Z/10320

8.6. Zoning By-law Amendment Application for 4100 7th Con. Rd.; Applicant: MAA AshaPuri Enterprises Inc.; File No. Z-020/19, ZNG/5980; Ward 9

Moved by: Councillor McKenzie

Seconded by: Councillor Kaschak

Decision Number: CR342/2020 DHSC 165

- I. That By-law 85-18 cited as the "Township of Sandwich South Comprehensive Zoning By-law" **BE REPEALED** for the land located at the southeast corner of the intersection of Baseline Road and 7th Concession Road, described as Pt Lot 16, Concession 7, Sandwich East, and further described as PART 2, 12R16823.
- II. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located at the southeast corner of the intersection of Baseline Road and 7th Concession Road, described as Pt Lot 16, Concession 7, Sandwich East, and further described as PART 2, 12R16823,

from Hamlet Commercial zone under Zoning By-law 85-18 to Commercial District 3.3 under Zoning By-law 8600 with a holding prefix, so as to facilitate the construction of a Hotel.

III. That the holding symbol **BE REMOVED** when the applicant/owner submits an application to remove the H symbol and the following conditions are satisfied:

a) The Owner(s) enter into an agreement with the Corporation of the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement, including the following additional provisions, and any other provision deemed relevant:

Availability of municipal sanitary sewer – construct, or agree to construct, sanitary sewer extension from existing municipal sanitary sewer trunk within the subject area to the subject land, to the satisfaction of the City Engineer.

Local Improvement Works – sign petitions for and not to oppose the construction, under the provisions of Ontario Regulation 586/06 for local improvements, of a sanitary sewer abutting the subject lands.

Sewer Connections – obtain a permit from the Engineering Department to connect the private sanitary connection to the future service provided at the property line.

Land Conveyance for road widening purposes – gratuitous conveyance of

- 3.0m wide parcel across the entire 7th Concession Road frontage, and
- 2.0m wide parcel across the entire Baseline Road frontage of the subject lands, to the Corporation, in fee simple and without encumbrance, in accordance with the requirements of the County Road 42 portion of the Lauzon Parkway Environmental Assessment Report, and to the satisfaction of the City Engineer.

Corner Cut-Off – gratuitous conveyance of a corner cut-off sufficient in magnitude to facilitate improvements at the 7th Concession Road/County Road 42 Intersection, in accordance with the requirements of the County Road 42 Portion of the Lauzon Parkway Environmental Assessment Report, and to the satisfaction of the City Engineer.

Sidewalks – at the discretion of the City Engineer,

1. Construct at their expense and according to City of Windsor Standard Specifications, a concrete sidewalk along the entire 7th Concession Rd and Baseline Road frontages of the subject lands. All work to be to the satisfaction of the City Engineer; or
2. Pay to the Corporation the sum of \$25,000.00 being the Owner's contribution towards the future construction of a concrete sidewalk along the entire 7th Concession Rd and Baseline Road frontages of the subject lands.

Curbs and Gutters – at the discretion of the City Engineer,

Construct at their own expense and according to City of Windsor Standard Specifications, a concrete curb and gutter along the entire 7th Concession Rd and Baseline Road frontages of the subject lands. All work to be to the satisfaction of the Corporation's City Engineer; or

1. Pay to the Corporation, prior to the issuance of a construction permit, the sum of \$14,000.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

Storm Detention - construct storm detention scheme, to the satisfaction of the City Engineer and the Ministry of Environment, Conservation & Parks (MECP).

ERCA Requirements – follow all drainage and flood-proofing recommendations of the Essex Region Conservation Authority (ERCA) may have with respect to the subject land, and obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

Off-Site Improvement – an auxiliary westbound left-turn lane with a storage length of 15-meters at the intersection of Concession Road 7 and West Driveway to be provided at the owner's cost.

Enbridge Gas requirement - a minimum separation of 0.3m from all Gas facilities.

Noise mitigation measures – implementation of the mitigation measures recommended in the Noise Report dated January 22, 2020, prepared by Akoustik Engineering Limited.

- b) **Site Plan Control Agreement** registered on title of the subject property; and
- c) **Ministry of Environment, Conservation & Parks (MECP) approval** for Storm Water Management for the subject site.

Carried.

Report Number: SCM 187/2020 & S 42/2020
Clerk's File: ZB/13675

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 Gignac
Seconded by: Councillor Bortolin

Decision Number: CR361/2020

That the report of the In Camera meeting held July 13, 2020 **BE ADOPTED** as presented.
Carried.

12.2. Striking Committee Report - June 1, 2020

Moved by: Councillor Gignac
Seconded by: Councillor Bortolin

Decision Number: CR362/2020

That the report of the Striking Committee of its meeting held June 1, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 210/2020
Clerk's File: ACO2020

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

That the following By-laws No. 89-2020 through 102-2020 (inclusive) be introduced and read a first and second time:

89-2020 A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 4.22 METRE ALLEY LOCATED SOUTH OF CAMPBELL AVENUE, NORTH OF ALGONQUIN STREET, EAST OF MARK AVENUE AND WEST OF EVERTS AVENUE, CITY OF WINDSOR, authorized by CR100/2019 dated March 4, 2019.

90-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.22 METRE ALLEY LOCATED SOUTH OF CAMPBELL AVENUE, NORTH OF ALGONQUIN STREET, EAST OF MARK AVENUE AND WEST OF EVERTS AVENUE, CITY OF WINDSOR, authorized by CR100/2019 dated March 4, 2019.

91-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 20.12 METRE EAST/WEST PART OF HOME SITE AVENUE LOCATED SOUTH OF QUEEN ELIZABETH DRIVE, WEST OF CLEMENCEAU BOULEVARD AND NORTH OF NORTH SERVICE ROAD EAST, AND THE 2.13 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF HOME SITE AVENUE, NEXT WEST OF CLEMENCEAU BOULEVARD AND NORTH OF NORTH SERVICE ROAD EAST, CITY OF WINDSOR, authorized by CR459/2019 dated September 9, 2019.

92-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 20.12 METRE EAST/WEST PART OF HOME SITE AVENUE LOCATED SOUTH OF QUEEN ELIZABETH DRIVE, WEST OF CLEMENCEAU BOULEVARD AND NORTH OF NORTH SERVICE ROAD EAST, AND THE 2.13 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF HOME SITE AVENUE, NEXT WEST OF

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CLEMENCEAU BOULEVARD AND NORTH OF NORTH SERVICE ROAD EAST, CITY OF WINDSOR, authorized by CR459/2019 dated September 9, 2019.

93-2020 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES, authorized by CAO 146/2020 dated June 11, 2020.

94-2020 A BY-LAW TO ASSUME EASTLAWN AVENUE BEING STREETS SHOWN ON REGISTERED PLAN 835 KNOWN AS EASTLAWN AVENUE AND THE MUNICIPAL SERVICES LOCATED THEREIN, IN THE CITY OF WINDSOR, authorized by M98-2012 dated February 21, 2012.

95-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.43 METRE EAST/WEST ALLEY AND THE 4.23 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF LABELLE STREET, NORTH OF GRAND MARAIS ROAD, WEST OF EVERTS AVENUE AND EAST OF MARK AVENUE, CITY OF WINDSOR, authorized by CR5/2019 dated January 7, 2019.

96-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.43 METRE EAST/WEST ALLEY AND THE 4.23 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF LABELLE STREET, NORTH OF GRAND MARAIS ROAD, WEST OF EVERTS AVENUE AND EAST OF MARK AVENUE, CITY OF WINDSOR, authorized by CR5/2019 dated January 7, 2019.

97-2020 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.28 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF EDGAR AVENUE, NORTH OF TRANBY AVENUE, WEST OF MATHEW BRADY AVENUE AND EAST OF EASTLAWN AVENUE, CITY OF WINDSOR, authorized by CR665/2018 dated December 17, 2018.

98-2020 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.28 METRE NORTH/SOUTH ALLEY LOCATED SOUTH OF EDGAR AVENUE, NORTH OF TRANBY AVENUE, WEST OF MATHEW BRADY AVENUE AND EAST OF EASTLAWN AVENUE, CITY OF WINDSOR, authorized by CR665/2018 dated December 17, 2018.

99-2020 A BY-LAW TO FIX THE TAX RATES AND TO PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES FOR THIS YEAR, authorized by CR266/2020 dated May 25, 2020.

100-2020 A BY-LAW TO PROVIDE FOR THE IMPOSITION OF SPECIAL CHARGES UPON PRESCRIBED BUSINESS PROPERTY CLASSES OF RATEABLE PROPERTY WITHIN IMPROVEMENT AREAS FOR THE YEAR 2020, authorized by CR311/2020 & CR312/2020 dated June 15, 2020.

101-2020 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON

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MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES, authorized by CAO 159/2020 dated June 30, 2020.

102-2020 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 13TH DAY OF JULY, 2020.

Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

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

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

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Gignac

Seconded by: Councillor McKenzie

Decision Number: CR363/2020

That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration by Council without prior notice regarding "Interim Control By-law – Residential Dwellings (Density and Units)".

Carried.

Clerk's File: AB2020

Moved by: Councillor Gignac

Seconded by: Councillor Costante

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Decision Number: CR364/2020

That Council **PASS** By-law 103-2020 being an Interim Control By-law to prohibit all Group Homes, Lodging Houses, Shelters, and any dwelling with five or more dwelling units within the City of Windsor, save and except:

- a) those lands located within the Manufacturing District 1. (MD1.) and Manufacturing Districts 2. (MD2.) in Zoning By-law 8600 and within any Industrial Zone (M1) including Defined Area M1-11 and Defined Area M1-15 in Zoning By-law 85-18 (which are currently subject to Interim Control By-law 78-2019);
- b) those lands identified on Schedule 'P' to Zoning By-law 8600 (which were previously subject to Interim Control By-laws 126-2015, 127-2015, and 142-2015);
- c) those exceptions listed in Sections 2 and 3 of the Interim Control By-law; and
- d) those lands excluded in Section 5 of the Interim Control By-law,

to allow Council to review, and if deemed appropriate, implement the findings of the study; and,

That Council **MAY REVIEW**, on a case-by-case basis, any requested amendment to the Interim Control By-law where there is a determination that the requested amendment will not conflict with the general purpose and intent of the Interim Control By-law; and,

That the City Clerk **BE AUTHORIZED** to provide the required notice of the passage of this by-law; and,

That Council **AUTHORIZE** the City Planner to issue a Terms of Reference or a Request for Proposal with an upset limit of \$100,000 (funded \$45,000 from Sandwich South Secondary Plans project 7071166 and \$55,000 from Comprehensive Zoning By-Law project 7092002) to study and review the Official Plan and Zoning By-laws 85-18 and 8600 with respect to land use policies and provisions related to higher density dwellings such as, but not limited to, Group Home, Lodging House, Residential Care Facility, Shelter, and any dwelling with five or more dwelling units within the City of Windsor.

Carried.

Report Number: C 141/2020
Clerk's File: ACL2020

Moved by: Councillor Costante
Seconded by: Councillor McKenzie

Decision Number: CR365/2020

That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration by Council without prior notice regarding petitioning the provincial and federal levels of government for any and all budgetary shortfalls due to Covid-19.

Carried.

Clerk's File: MH/13786

Moved by: Councillor Costante
Seconded by: Councillor Gignac

Decision Number: CR366/2020

That Mayor Dilkens as well as the CAO, on behalf of the City of Windsor **PETITION** the Province of Ontario and the Government of Canada for any and all budgetary shortfalls due to Covid-19.

Carried.

Clerk's File: MH/13786

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the By-laws No. 89-2020 through 102-2020 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.

Moved by: Councillor Gignac
Seconded by: Councillor Morrison

That the By-law No. 103-2020 be introduced and read a first, second, and third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

17. PETITIONS

None registered.

18. QUESTION PERIOD

18.3. CA 15-2020

Moved by: Councillor Bortolin
Seconded by: Councillor Kaschak

Decision Number: CR367/2020

That the following Council Question by Councillor Bortolin **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 15-2020:

Assigned to Executive Director Human Resources

Ask that administration prepare a report outlining costs and procedures to begin collecting and reporting on data across the corporation tied to visible minority population. This data will be used to help guide future policy decisions and be shared for public consumption. Using other municipalities as comparators and also include any agencies in which the data is tied to. Also, look to connect with the Community Safety & Wellbeing initiative to see where overlapping efforts can be made to share data across the corporation.

Carried.

Clerk's File: GM2020 & AS2020

18.4. CQ 16-2020

Moved by: Councillor Bortolin

Seconded by: Councillor Kaschak

Decision Number: CR368/2020

That the following Council Question by Councillor Bortolin **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 16-2020:

Assigned to City Solicitor

Ask administration to report back on potential by-law, licensing, or parking suggestions to deal with auto-centric businesses that operate near residential neighbourhoods who park cars on residential streets but are not residents of the area. Specific examples are mechanics or car lots that have cars without plates parked on side streets near their business. Coordinate with by-law, parking, licensing, and right-of-way along with WPS.

Carried.

Clerk's File: ST2020

18.5. CQ 17-2020

Moved by: Councillor Bortolin

Seconded by: Councillor Kaschak

Decision Number: CR369/2020

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 17-2020:

Assigned to Executive Director Human Resources

It is important that we recognize and acknowledge the historic and systemic nature of racism and discrimination in our country and our City. We understand that to move forward and promote equity and eliminate anti-racism requires reaching out to and hearing from the voices of those in our community and Corporation most impacted by discrimination and racism.

In this pursuit, it is also essential that we work towards having a Corporation that is representative of the people it serves and that everyone is treated with respect. As such, I am seeking the input and recommendations of Administration and our Diversity Advisory Committee on the viability of:

1. Including community-led consultations on systemic racism, under Phase 2 of the City of Windsor Diversity and Inclusion Initiative.
2. Seeking the input of those in our Corporation and related entities and our community most affected by racism and discrimination, regarding barriers to hiring and advancement in our Corporation and related entities as part of the Diversity and Inclusion Initiative.
3. Including recommendations and input regarding providing historical information and educational materials for City owned statues, buildings and streets named with racist histories as part of the Diversity and Inclusion Initiative, and further developing a plan for inclusive street and property naming practices in the future.

Carried.

Clerk's File: APM2020, AS2020, & AL2020

18.6. CQ 18-2020

Moved by: Councillor Bortolin
Seconded by: Councillor Kaschak

Decision Number: CR370/2020

That the following Council Question by Councillor Morrison **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 18-2020:

Assigned to City Clerk

Knowing the significant challenges during this declared emergency regarding electronic meetings and the uncertainty of emerging from the current state, I ask that Administration report back to Council at our next meeting on their ability and challenges,

including the issue of accessibility, to allow delegations to participate in future council meetings.

Carried.

Clerk's File: ACO2020

18.7. CQ 19-2020

Moved by: Councillor Bortolin
Seconded by: Councillor Kaschak

Decision Number: CR371/2020

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 19-2020:

Assigned to Diversity/Accessibility Officer

That City Administration work with stakeholders in the Indigenous Community of our region to create a Land Acknowledgement statement recognizing the traditional territory of Indigenous Peoples who called the land upon which our City currently sits their own. Subsequent to this process, that Administration present to Council a report outlining the results of the above noted consultation and a draft Acknowledgment to consider appropriately and permanently adding to the formal Council Agenda.

Carried.

Clerk's File: APM2020, APR2020, & AL2020

21. ADJOURNMENT

Moved by: Councillor Francis
Seconded by: Councillor Kaschak

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.

Carried.

Accordingly, the meeting is adjourned at 1:43 o'clock p.m.

SPECIAL MEETING OF COUNCIL – IN CAMERA
July 13, 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: 9:15 a.m.

Members in Attendance:

Mayor D. Dilkens
Councillor F. Francis
Councillor F. Costante
Councillor R. Bortolin
Councillor G. Kaschak
Councillor J. Gignac
Councillor K. McKenzie
Councillor J. Morrison
Councillor E. Sleiman

Members Absent:

Councillor C. Holt

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, Acting Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology
S. Askin-Hager, City Solicitor and Corporate Leader Economic Development and Public Safety
J. Wilson, Corporate Leader, Parks, Facilities, Recreation and Culture
A. Teliszewsky, Mayor's Chief of Staff

Minutes
City Council
Monday, July 13, 2020

-
- S. Laforet, Fire Chief (Item 2)
 - F. Scarfone, Manager of Real Estate Services (Item 1)

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

- 4. Personal Matter – about an identifiable individual

Motion Carried.

Verbal Motion is presented by Councillor Sleiman, seconded by Councillor Gignac, to move in Camera for discussion of the following item(s), adding Item 4:

<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/legal matter – security of the property of the municipality – event	239(2)(a)
3.	Property/personal matter – confirm & ratify e-mail poll	239(2)(d)
4.	Personal matter – about an identifiable individual – verbal report – ADDED	239(2)(b)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

Minutes

City Council

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

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Gignac, seconded by Councillor McKenzie, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 13, 2020 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Manager 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 City Solicitor and Corporate Leader Economic Development and Public Safety, Fire Chief, Corporate Leader, Parks, Facilities, Recreation and Culture and City Engineer and Corporate Leader Environmental Protection and Transportation respecting a property/legal matter – security of the property of the municipality – event **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Resources respecting a property/personal matter – confirm and ratify e-mail poll **BE CONFIRMED AND RATIFIED**.

4. That the confidential verbal report from the Mayor respecting a personal matter about an identifiable individual **BE RECEIVED** and further that Administration **PROCEED** on the verbal direction of Council.

Motion Carried.

Moved by Councillor Sleiman, seconded by Councillor Bortolin, That the special meeting of council held July 13, 2020 **BE ADJOURNED**.

(Time: 9:28 a.m.)

Motion Carried.

****CLERK'S NOTE:** The transmittal motion and final votes were held in the open session of Council on July 13, 2020.