



## CITY OF WINDSOR MINUTES 05/04/2020

### City Council Meeting

Date: Monday, May 4, 2020

Time: 1:00 o'clock p.m.

#### **Members Present:**

##### **Mayor**

Mayor Dilkens

##### **Councillors**

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Vacant

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

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

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### 1. ORDER OF BUSINESS

### 2. CALL TO ORDER

The Mayor calls the meeting to order at 1:08 o'clock p.m.

### 3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

### 4. ADOPTION OF THE MINUTES

#### 4.1. Adoption of the Special Meeting of Council minutes held March 17, 2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

That the minutes of the Special Meeting of Council held March 17, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 136/2020

#### 4.2. Adoption of the Special Meeting of Council minutes held March 24, 2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

That the minutes of the Special Meeting of Council held March 24, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 137/2020

#### 4.3. Adoption of the Special Meeting of Council minutes held March 25, 2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

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

Carried.

Report Number: SCM 138/2020

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### 4.4. Adoption of the Special Meeting of Council minutes held April 1, 2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

That the minutes of the Special Meeting of Council held April 1, 2020 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 139/2020

√**CLERK'S CORRECTION\*\***

### √4.5. Adoption of the Windsor City Council meeting minutes held March 2, 2020

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

That the minutes of the meeting of Council held March 2, 2020 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 121/2020√

## 5. NOTICE OF PROCLAMATIONS

"Holocaust Remembrance Day" – May 3, 2020

"National Public Works Week - It Starts Here" – May 17-23, 2020

"Mental Health Month - Get Loud for Mental Health" – May 2020

"Canadian Mental Health Association – Mental Health Month" – May 2020

## 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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 57-2020 through 73-2020 (inclusive).

Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence Monday, May 4, 2020

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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Decision Number: CR169/2020

That the following Communication Items 7.1.1 through 7.1.3 inclusive as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	Office of the Solicitor General	<p>On April 14, 2020, the Ontario government passed the <i>Coronavirus (COVID-19) Support and Protection Act</i>, which amends the <i>Police Services Act</i> to allow the Solicitor General to prescribe a new deadline for the completion and adoption of Community Safety and Well-Being (CSWB) plans past January 1, 2021.</p> <p style="text-align: right;">City Solicitor Police Chief SW/13731 Note &amp; File</p>
7.1.2	Town of Tecumseh	<p>Notice of the passing of a zoning by-law amendment for area of land situated southeast of the Tecumseh Road/Southfield Drive intersection (11873 and 11917 Tecumseh Road) by the Corporation of the Town of Tecumseh under Section 34 of the <i>Planning Act, R.S.O. 1990</i></p> <p style="text-align: right;">City Solicitor City Planner Z2020 Note &amp; File</p>
7.1.3	Manager of Urban Design	<p>Site Plan Approval, St. Clair College of Applied Arts and Technology, 2000 Talbot Rd. W., Proposed new centre of business building</p> <p style="text-align: right;">ZS/13798 Note &amp; File</p>

Carried.

Report Number: CMC 7/2020

**7.2. Animal Welfare - City Wide**

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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Decision Number: CR170/2020

That the report of the Corporate Policy Coordinator dated February 18, 2020 entitled "Animal Welfare – City Wide" **BE RECEIVED**.

Carried.

Report Number: C 31/2020

Clerk's File: MH/9496

**7.3. Council Question CQ 26/2019 - Noise By-laws - City wide**

Moved by: Councillor Gignac

Seconded by: Councillor Bortolin

Decision Number: CR171/2020

That the report of the City Solicitor dated February 26, 2020 entitled "Council Question CQ26/2019 – Noise By-laws" **BE RECEIVED** for information; and further,

That administration, in response to the issue of excessive vehicle noise, **BE DIRECTED** to **AMEND** the City of Windsor's Noise By-law #6716 being a by-law respecting the emission of sounds, in order for the by-law to reflect the recent changes made by the City of Toronto to their noise by-laws; and further,

That By-law Enforcement and Windsor Police Service **BE REQUESTED** to undertake regular community blitzes to educate the community and enforce these changes.

Carried.

Report Number: C 34/2020

Clerk's File: GM2020

**7.4. Results of the 2019 Tax Sale proceedings and the proposed 2020 Tax Sale process - City Wide**

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR172/2020

That City Council **RECEIVE** the information regarding the 2019 Tax Sale and 2020 Tax Sale plan for information.

Carried.

Report Number: C 30/2020

Clerk's File: AF2020

**7.5. Your Quick Gateway (Windsor) Inc. 3rd Quarter 2019 Financial Statements - City Wide**

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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Decision Number: CR173/2020

That City Council **RECEIVE** for information, the Your Quick Gateway (Windsor) Inc. 3<sup>rd</sup> Quarter 2019 Financial Statements.

Carried.

Report Number: C 42/2020

Clerk's File: APM/9795

**7.6. PC Maintenance/Support Transfer for 2019 Related Expenses - City Wide**

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR174/2020

That City Council **RECEIVE** for information this report confirming that \$813,832 was transferred from the PC Maintenance/Support Reserve Fund 177 to the operating account Dept Id. 0125413 (Product 5006) for eligible 2019 expenses related to supporting the corporate computer systems in compliance with the PC Maintenance and Support Reserve Fund plan adopted by City Council in 2005 (CR783/2005) and in compliance with the method of reporting as adopted by City Council in 2007 (CR52/2007).

Carried.

Report Number: C 41/2020

Clerk's File: SI2020

**7.7. Pay As You Go Transfer (PAYG) for Eligible 2019 Computer Equipment - City Wide**

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR175/2020

That City Council **RECEIVE** for information this report confirming that \$1,418,420 was transferred from the Pay As You Go (PAYG) Leasing Reserve Fund 170 to the operating account Dept. ID 0125413 in 2019 for eligible 2019 computer, server and network related expenses in compliance with the Pay as You Go Plan adopted by City Council in 2002 (B42-2002 and B43-2002) and consistent with the ongoing reporting requirements previously adopted by City Council.

Carried.

Report Number: C 39/2020

Clerk's File: SI2020

**7.8. Pay As You Go (PAYG) Transfer for Eligible 2019 Computer Equipment Related Expenses - Windsor Police Service (WPS) - City Wide**

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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Decision Number: CR176/2020

That in compliance with CR 139/2015, City Council **RECEIVE** for information this report confirming that an amount of \$144,180.16 was transferred from the Pay As You Go (PAYG) Leasing Reserve Fund 170 to the Windsor Police Service operating account Dept. ID 0192616, Class Code 18084, for eligible 2019 computer, printer, phone system upgrades, server and network related expenses. Carried.

Report Number: CM 10/2020  
Clerk's File: SI2020

**7.9. 2019 Year End Risk Management Report - City Wide**

Moved by: Councillor Francis  
Seconded by: Councillor Gignac

Decision Number: CR177/2020

That Council **RECEIVES** the report titled 2019 Year End Risk Management Report for information. Carried.

Report Number: C 70/2020  
Clerk's File: AL2020

**8. CONSENT AGENDA**

**8.2. A By-Law for the Construction of Curbs and Gutter and Boulevard Restoration on California Avenue from Norfolk Street to Pulford Street as a Local Improvement - Ward 1**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR179/2020

That Council **ADOPT** By-law 70-2020 for the construction of curbs and gutters and boulevard restoration on California Avenue from Norfolk Street to Pulford Street as a Local Improvement in accordance with Section 5 of Ontario Regulation 586/06, made under *Municipal Act 2001*. Carried.

Report Number: C 72/2020  
Clerk's File: SW2020

**8.3. Mayor, Councillors and Appointees Statement of Remuneration and Expenses for 2019**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

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Decision Number: CR180/2020

That the report of the City Treasurer regarding the Mayor, Councillors and Appointees 2019 Statement of Remuneration and Expenses **BE RECEIVED** for information; and,

That consistent with Council's direction as per CR 632/2018 that City Council **REAFFIRM** the formation of a five-member, independent Council Compensation Review Committee, along with the terms of reference for the Committee, attached hereto as Appendix F to this report; and,

That the City Clerk **BE DIRECTED** to advertise for the purpose of soliciting interested community representatives on the citizen panel of the Council Compensation Review Committee.

Carried.

Report Number: C 40/2020

Clerk's File: ACO/7090

**8.4. Departmental Service Targets - 311 Requests for Service City Wide**

Moved by: Councillor Sleiman

Seconded by: Councillor Kaschak

Decision Number: CR181/2020

That City Council **APPROVE** the departmental service level targets for service requests received through 311 as identified in Appendix A – 311 Requests Service Level Target Summary of Departmental Statistics for a period of 2 years 2020-2021; and,

That the Chief Administrative Officer **BE AUTHORIZED** to approve service level targets for any new Service Requests created during the two years.

Carried.

Report Number: C 35/2020

Clerk's File: GM/7755

**8.5. Update to Corporate Accounts Receivable Policy & Accounts Receivable Collections Policy**

Moved by: Councillor Sleiman

Seconded by: Councillor Kaschak

Decision Number: CR182/2020

That City Council **APPROVE** the updated Corporate Accounts Receivable Policy, attached as Appendix A to this report; and,

That City Council **APPROVE** the updated Accounts Receivable (AR) Collections Policy, attached as Appendix B to this report; and,

That Administration **BE DIRECTED** to amend the related Procedures and Forms as necessary, to facilitate compliance with the amended policy.

Carried.



## **8.6. Provisional By Law for Repair and Improvement to the Broadway Drain and Abandonment of the Healy Drain - Ward 1**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR183/2020

- I. That City Council **ADOPT** the drainage report completed by Landmark Engineers Inc., dated January 16, 2020 (attached), for the Repair and Improvement of the Broadway and Healy Drains by giving first and second readings to Provisional By-law 71-2020 in accordance with Section 45 of the *Ontario Drainage Act*.
- II. That Council **DIRECT** the City Solicitor to prepare a By-law to abandon the Healy Drain and the upper part of the Broadway Drain as shown on attached Drawing C-3558 under Section 84 of the *Drainage Act*.

Carried.

Report Number: C 73/2019  
Clerk's File: SW2020

## **8.7. Appointment of Drainage Engineer - 5th Concession Drain**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR184/2020

That the firm of R.C. Spencer Associates Inc. **BE APPOINTED** as Drainage Engineer to prepare a Drainage Report under Section 78 of the *Drainage Act* for improvements to the 5<sup>th</sup> Concession Drain.

Carried.

Report Number: C 33/2020  
Clerk's File: SW2020

## **8.12. By-Laws 25-2010 and 4921 Review**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR189/2020 ETPS 742

That City Council **ADOPT** recommended housekeeping updates to By-Laws 25-2010 and 4921, and that three readings of the respective By-law amendments be considered at a future meeting of City Council.

Carried.

### **8.13. Melbourne Road - On-Street Parking Modification - Ward: 2**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR190/2020 ETPS 744

That the petition to modify parking signage on the 2800 block of Melbourne Road **BE APPROVED**;  
and,

That parking **BE PERMITTED** on Melbourne Road – Harrison Avenue to the easterly property line  
of 2825 Melbourne Road-South Side; and,

That the necessary changes **BE MADE** to the City of Windsor Parking By-law 9023.  
Carried.

Councillor Holt voting nay.

Report Number: SCM 73/2020 & S 19/2020  
Clerk's File: ST2020

### **8.15. Tabling of the Draft Climate Change Adaptation, Degrees of Change - City Wide**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR192/2020 ETPS 746 CR628/2019 ETPS 725

That the DRAFT Climate Change Adaptation, *Degrees of Change* (Appendix A), **BE RECEIVED** for  
information.

Carried.

Report Number: SCM 75/2020 & S 212/2019  
Clerk's File: EI/10822

### **8.16. Report No. 22 of the Community Public Art Advisory Committee - Martyr's Monument**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR193/2020 CSPS 108

That Report No. 22 of the Community Public Art Advisory Committee indicating:

That the request by the Bangladesh Canada Association of Windsor-Essex to erect a  
"Martyrs Monument" whose significance carries the glorious history of the language movement held  
in Bangladesh in 1952 where people sacrificed their lives to keep their mother tongue **BE**

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APPROVED subject to the acquisition of full funding for the monument by the applicant and further, that Administration will work with the applicant to locate a suitable location for the monument

**BE APPROVED.**

Carried.

Report Number: SCM 89/2020 & SCM 25/2020

Clerk's File: MB2020

**8.17. City of Windsor Lancaster Bomber FM212 Progress Report for 2019**

Moved by: Councillor Sleiman

Seconded by: Councillor Kaschak

Decision Number: CR194/2020 CSPS 109

That the annual progress report on the Lancaster Bomber FM212 provided by the Manager of Cultural Affairs **BE RECEIVED** for information.

Carried.

Report Number: SCM 90/2020 & S 32/2020

Clerk's File: APR/1699

**8.18. The Boer War Monument Repairs**

Moved by: Councillor Sleiman

Seconded by: Councillor Kaschak

Decision Number: CR195/2020 CSPS 110

That the report from the Manager of Cultural Affairs on the Request to Utilize Pre-committed Funds to complete the needed repairs of the Boer War Monument **BE RECEIVED**; and further,

That \$150,000 **BE APPROVED** as a pre-commitment of funds from the years 2022, 2023, from the Capital project account: Monument Maintenance #REC-001-18; and further,

That up to \$105,000 **BE APPROVED** as a pre-commitment of funds from the year 2023 from Capital Project PFO-005-19 – Parks Service and Infrastructure for the repair of the Boer War Monument which was approved in principle in the 2020 Capital Budget; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the Heritage Architect and any related agreements not to exceed the total capital funding for the project in the amount of \$255,000 which includes the above mentioned accounts 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.

Carried.

Report Number: SCM 91/2020 & S 109/2019

Clerk's File: SR/13529

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### 8.19. 2020 Significant Municipal Event Status, Wards 2,3,4,6,7

Moved by: Councillor Sleiman

Seconded by: Councillor Kaschak

Decision Number: CR196/2020

That the request from 2502014 Ontario Inc.; Windsor Eats Inc.; 2465967 Ontario Limited; Rotary Club of Windsor (1918); Poutine Feast Ontario Inc.; Windsor Vegfest Inc.; 1214631 Ontario Inc.; 11845217 Ontario Inc.; 365 Sports Inc.; and 1933900 Ontario Ltd. for approval of designation as 'Significant Event Status' for the purpose of applying for their individual liquor services **BE APPROVED** by Council subject to the terms and conditions of the Special Event Agreement:

#### **National Caesar Day - May 14, 2020**

Lanspeary Park and Outdoor Rink  
(2502014 Ontario Inc.)

#### **Street Food Fair - May 15, 2020**

Lanspeary Park and Outdoor Rink  
(Windsor Eats Inc.)

#### **Windsor Rib Fest - June 4, 2020 - June 7, 2020**

Riverfront Festival Plaza and Riverfront Civic Terrace  
(2465967 Ontario Limited.)

#### **Art In the Park - June 5, 2020 - June 7, 2020**

Willistead Park  
(Rotary Club of Windsor (1918))

#### **Poutine Feast - June 11, 2020 - June 14, 2020**

Riverfront Festival Plaza and Riverfront Civic Terrace  
(Poutine Feast Ontario Inc.)

#### **Veg Fest - June 13, 2020 - June 14, 2020**

Lanspeary Park and Outdoor Rink  
(Windsor Vegfest Inc.)

#### **Urban Wine Fest - July 10, 2020 - July 11, 2020**

Lanspeary Park and Outdoor Rink  
(Windsor Eats Inc.)

#### **Dinner on the Pier - July 16, 2020**

Assumption Park  
(Windsor Eats Inc.)

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### **Celtic Music Fest - July 17, 2020**

Lanspeary Park and Outdoor Rink  
(1214631 Ontario Inc.)

### **Tequila Expo and Taco Fest - July 24, 2020 - July 25, 2020**

Riverfront Festival Plaza and Riverfront Civic Terrace  
(11845217 Ontario Inc.)

### **Street Food Fair - August 21, 2020**

Lanspeary Park and Outdoor Rink  
(Windsor Eats Inc.)

### **Foam Fest - August 29, 2020**

Malden Park  
(365 Sports Inc.)

### **Windsor Eats Craft Beer Fest - October 16, 2020 - October 17, 2020**

Willistead Park  
(1933900 Ontario Ltd.)

And private location:

### **Masters of Brewniverse - April 18, 2020**

Private Location  
(Windsor Eats Inc.)

### **Whiskey Town Festival - August 7, 2020 - August 8, 2020**

Private Location  
(Windsor Eats Inc.)  
Carried.

Report Number: SCM 92/2020 & S 34/2020

Clerk's File: SR/13663

## **8.20. Assumption Park - Shore Protection - Ward 2**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR197/2020 CSPS 112

That City Council **AUTHORIZE** City Administration to proceed with the design and installation of permanent safety railings along the existing stepped armour stone shore revetment in Assumption Park North as depicted in Appendix 'A' of the report; and further,

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That funds for the design and installation of the safety railings for Assumption Park North in the amount of \$135,621 **BE APPROVED** as a pre commitment from the Shorewall Capital Rehabilitation Program project (#PFO-005-18) from the 2021 Capital Budget with the additional remaining funding of \$1,740 to be allocated as previously identified in the 2020 Capital Budget 8 year capital plan; and further,

That the Corporate Leader of Parks, Recreation & Culture and Facilities or designate **BE AUTHORIZED** to sign the requisite tenders for the construction works required at the Assumption Park North site, and that subject to tender falling within the approved capital budget; and,

That the CAO and City Clerk **BE AUTHORIZED** to sign an agreement with the successful bidders, satisfactory in legal form to the City Solicitor in technical content with the Corporate Leader of Parks, Recreation & Culture and Facilities and in financial content to the City Treasurer.

Carried.

Report Number: SCM 93/2020 & S 33/2020  
Clerk's File: SR/13743

**8.21. George Avenue Park Development**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR198/2020 CSPA 113

That City Council **APPROVE** funding in the amount of \$679,786 from the following accounts for the purpose of the George Avenue Park redevelopment as detailed in the financial matters section of the report:

- Reserve Fund 151- Parkland Acquisition- \$568,000
- PFO-012-12: Park Trails Capital Improvements- \$49,786 (2020)
- PFO-010-20: Park Bench Replacement Program- \$10,000 (2020)
- PFO-003-19: Park Lighting Installation and Replacement- \$52,000 (2020); and further,

That subject to procurements falling within the approved budgets, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any relative agreements and/or contracts with the successful bidders, satisfactory in legal form to the City Solicitor in technical content with the Corporate Leader of Parks, Recreation & Culture and Facilities and in financial content to the City Treasurer; and,

That Windsor Utilities Commission (WUC) **BE REQUESTED** to contribute additional funding to the George Avenue Park Redevelopment Project and **TO OFFER** WUC an enhanced park name such as Enwin George Ave. Park, and should they agree to provide additional funding, that appropriate signage **BE ERECTED** upon completion of the project to acknowledge their contribution.

Carried.

Report Number: SCM 94/2020 & S 31/2020  
Clerk's File: SR2020

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### 8.22. Official Plan and Zoning By-law Amendments initiated by the City of Windsor to permit additional dwelling units within residential areas (City-wide) - File No. OPA 130 [OPA/5927] and Z-016/19 [ZNG/5926]

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR199/2020 DHSC 131

- I. That Official Plan Amendment No. 130 as shown in Appendix A regarding new policies authorizing the use of additional dwelling units **BE APPROVED**; and,
- II. That an amendment to Zoning By-law 8600 as shown in Appendix B permitting additional dwelling units **BE APPROVED**; and,
- III. That Administration **BE DIRECTED** to prepare the associated amending by-laws to implement these amendments.

Carried.

Report Number: SCM 102/2020 & C 177/2019  
Clerk's File: ZB/13739 & ZO/13740

### 8.23. Zoning By-Law Amendments for 3493 to 3499 Sandwich Street; File Z-019/19 (ZNG/5960) Ward 2

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR200/2020 DHSC 132

That Zoning By-law 8600 **BE AMENDED** by changing the zoning on Part Lot 16, Plan 40 (PIN 012540243), known municipally as 3493 to 3499 Sandwich Street, situated on the northeast corner of Sandwich Street and South Street, from Commercial District 2.1 (CD2.1) and Residential District 3.1 (RD3.1) to Commercial District 2.2 (CD2.2) and by adding the following site specific provision to Section 20(1):

#### 384. NORTHEAST CORNER OF SANDWICH STREET AND SOUTH STREET

For the lands comprising Part Lot 16, Plan 40 (PIN 012540243), known municipally as 3493 to 3499 Sandwich Street:

- a) A *multiple dwelling* shall be an additional permitted use.
- b) Section 15.2.5.15 shall not apply.
- c) The maximum number of *dwelling units* shall be 6.
- d) Notwithstanding Section 24.20, the total number of required *parking spaces* shall be 6.
- e) Section 24.22 shall not apply.

[ZDM 4; ZNG/5942]

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t the owner of the property located at 3493 to 3499 Sandwich Street **BE REQUIRED** to provide elevation drawings as part of the Site Plan Review process to ensure that alterations will not be irreversible to the commercial storefront facing Sandwich and South Streets when converting the existing commercial units to residential.

Carried.

Report Number: SCM 103/2020 & S 237/2019  
Clerk's File: ZB/13674

**8.24. Rezoning 4558 Ontario St., Applicant 2290017 Ontario Inc.**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR201/2020

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 75 and 76, Plan 679 (Roll No. 010-040-00100), located on the north west corner of Ontario Street, and Arthur Road, municipally known as 4558 Ontario Street from 'Residential District 1.2' (RD 1.2) to 'Residential District 2.2' (RD 2.2) to allow one multiple dwelling containing a maximum of four dwelling units with minimum four on-site parking spaces.
- II. That the property **BE SUBJECT** to Site Plan Control (SPC) as a small scale low profile residential development (as defined in the By-law 1-2004); the SPC application fee to include the cost of registering the Site Plan Control Agreement.
- III. That during the Site Plan Control process, additional windows on the Ontario Street facade to better address the street and retaining 2 corner trees instead of the tree at the front entrance **BE CONSIDERED**.

Carried.

Report Number: SCM 104/2020 & S 239/2019  
Clerk's File: ZB/13673

**8.25. Interim Control By-law Exemption 2020-1 - 2616766 Ontario Limited - 6500 Cantelon Drive - Ward 8**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR202/2020 DHSC 134

- 1) That the request of 2616766 Ontario Limited for an exemption from the provisions of Interim Control By-law By-law 78-2019 for the property at 6500 Cantelon Drive **BE APPROVED**, and
- 2) That Council **AMEND** By-law 78-2019 by adding Section 6 as follows:

"6. The provisions of this by-law do not apply to the following lands:



a) 500 Cantelon Drive - West of Cantelon Drive and Kew Drive

Part Blocks D, K & X, Registered Plan 1644 and Part Lots 118, 119 & 120, Concession 2, Sandwich East, Parts 1, 2, 7, 8, 29 and 30, Plan 12R-19150, save and except for Part 1, Plan 12R-25975; PIN 01379-0439; Roll No. 070-660-01901.”

Carried.

Report Number: SCM 105/2020 & S 13/2020  
Clerk's File: Z/13528

**8.26. Interim Control By-law Exemption 2020-2 - 2490395 Ontario Inc. - 3655 Munich Court - Ward 9**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR203/2020 DHSC 135

1) That the request of 2490395 Ontario Inc. for an exemption from the provisions of Interim Control By-law By-law 78-2019 for the property at 3655 Munich Court **BE APPROVED**, and

2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:

“b) 3655 Munich Court - South side of Munich Court, east of Twin Oaks Drive

Part of Farm Lots 135 & 136, Concession 2; Parts 5 to 11, Plan 12R-26008; Roll No. 070-650-00921”

Carried.

Report Number: SCM 106/2020 & S 14/2020  
Clerk's File: Z/13528

**8.27. Interim Control By-law Exemption 2020-3 - 2498655 Ontario Inc. - 3690 Munich Court - Ward 9**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR204/2020 DHSC 136

1) That the request of 2498655 Ontario Inc. for an exemption from the provisions of Interim Control By-law By-law 78-2019 for the property at 3690 Munich Court **BE APPROVED**.

2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:

“c) 3690 Munich Court - North side of Munich Court, east of Twin Oaks Drive

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art of Farm Lots 135 & 136, Concession 2; Part 4, Plan 12R-26008; PIN 01408-2091;  
Roll No. 070-650-00922”

Carried.

Report Number: SCM 107/2020 & S 15/2020

Clerk's File: Z/13528

**8.29. Zoning By-law Amendment 3756 Howard Avenue ZNG/5982 (Z021/19) - ADE Development & Leasing Corp. - Ward 9**

Moved by: Councillor Sleiman

Seconded by: Councillor Kaschak

Decision Number: CR206/2020 DHSC 139

I. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Part of Block A, Registered Plan 1259; identified as Parcel A in Appendix A of this report from Residential District (RD) 1.1 and (Holding) Residential District (HRD) 1.1 to Residential District (RD) 3.1, with the following additional specific regulations:

385. i. Main Building Height –Multiple Dwelling -Maximum – 12 m

II. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Part of Lots 44 to 48, and Part of Block A, Registered Plan 1259; identified as Parcel B in Appendix A of this report from Residential District (RD) 1.1 and (Holding) Residential District (HRD) 1.1 to Residential District (RD) 3.1, with the following additional specific regulations:

386. i. Interior side yard where a habitable room window of any dwelling unit

faces a side lot line – Minimum - 4 m

ii. Rear Yard Depth – Minimum – 6 m

III. That a hold prefix **BE APPLIED** to the site, to be removed when the following conditions have been met:

i. An application is received to remove the hold;

ii. (a) Construction and conveyance of a 20m right-of-way from the existing north limit of Block 32, Plan 12M-440 directly through to the north limit of Part 1, 12R-27680 **or**

(b) Conveyance of an easement for, and construction of, an active transportation corridor which will be opposite Clara Street to the south and thereby enabling connection for pedestrians and cyclists to the existing and future areas transportation networks. The Active Transportation corridor and required easement shall be provided through the proposed development, connecting future developments to the north to Sandison Street through Block 32, Plan 12M-440;

(c) that (a) **or** (b) be conveyed and designed to the satisfaction of the City Planner and City Engineer;

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- iii. A Transportation Impact Study suitable in form and content be provided, and any mitigation measures required in that Study be included in the Site Plan Control Agreement, all to the satisfaction of the City Planner;
- iv. Registration of a Site Plan Control Agreement.

Carried.

Report Number: SCM 110/2020 & S 38/2020  
Clerk's File: ZB/13700

**8.30. Approval of a Plan of Condominium with Exemption under Section 9(3) of *The Condominium Act* – Eastside Horizons Inc. – 1490, 1610, 1676 Banwell Road - CDM-006/19 [CDM/5953]; Ward 6**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR207/2020 DHSC 140

That the application of Eastside Horizons Inc. for an exemption under Section 9(3) of *The Condominium Act* for approval of a Plan of Condominium (Standard Condominium), comprised of 180 dwelling units, in 3 separate buildings designated as; Parts 1 to 7 (inclusive), Reference Plan 12R-27787, and legally described as Part of Lots 143, 144 and 145, Concession 1 (Geographic Township of Sandwich) City of Windsor; as shown on the attached Map No. CDM-006/19-1, located at the northwest intersection of Banwell Road and Firgrove Drive **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: SCM 111/2020 & S 8/2020  
Clerk's File: ZP/13639

**8.31. Interim Control By-law Exemption 2020-5 - David & Susan Valihora - 2445 Sydney Avenue - Ward 9**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR208/2020

That the report of the Senior Planner, dated January 28, 2020 entitled "Interim Control By-law Exemption 2020-5 – David & Susan Valihora – 2455 Sydney Avenue – Ward 9" **BE REFERRED** back to administration to allow for the applicant to meet with administration regarding mitigating factors related to the buffer zone with the residential area in advance of the completion of the study.

Carried.

Report Number: SCM 108/2020 & S 17/2020  
Clerk's File: Z/13528

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### 8.32. Request for Heritage Alteration Permit - 3150 Sandwich Street - Sandwich HCD (Ward 2)

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR209/2020 DHSC 141

- I. That the Heritage Alteration Permit submitted by Archon Architects for the exterior alterations proposed at 3150 Sandwich Street, including the following items:
  - Exterior alterations on front facade
  - Exterior alterations on left (south) side façade, with final finish material subject to staff confirmation on site
  - New window on second floor on right (north) facade**BE APPROVED** as shown in the plans attached as Appendix B; and,
- II. That all approvals **BE SUBJECT** to the provision and approval of building material samples and colour samples by the City to be confirmed on site prior to issuance of building permits, as determined by the City Planner or his designate; and,
- III. That the City Planner or his designate **BE DELEGATED** the authority to approve further minor changes to the heritage alterations for this property.

Carried.

Report Number: SCM 112/2020 & S 3/2020  
Clerk's File: MBA/9191

### 8.33. Assumption Church, 350 Huron Church Road - Heritage Restoration Updates for Phase II Work(Ward 2)

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR210/2020 DHSC 142

That City Council **BE INFORMED** that Assumption Church, 350 Huron Church Road, is embarking on Phase II Interior Rehabilitation work including major plaster restoration work and restoration or potential updates to the interior paint scheme.

Carried.

Report Number: SCM 113/2020 & S 4/2020  
Clerk's File: MBA/2988

### 8.34. Brownfield Redevelopment Community Improvement Plan (CIP) Application submitted by 1362279 Ontario LTD for 840 Wyandotte Street East (Ward 4)

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

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Decision Number: CR211/2020 DHSC 147

- I. That the request made by 1362279 Ontario LTD to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of the proposed Phase II Environmental Site Assessment Study at 804 Wyandotte Street East pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. That the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$12,500 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor.

Carried.

Report Number: SCM 118/2020 & S 27/2020  
Clerk's File: Z/8955

**8.35. Economic Revitalization Community Improvement Plan (CIP ) application submitted by KJ Land Resources Inc. for 3260 Devon Drive (Ward 9)**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR212/2020 DHSC 148

- I. That the request made by KJ Land Resources Inc. to participate in the Business Retention and Expansion Grant Program **BE APPROVED** for 100% of the municipal tax increment resulting from the proposed development located at 3260 Devon Drive for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. That, Administration **BE DIRECTED** to prepare an agreement between the City and KJ Land Resources Inc. and/or persons or companies that have legally been assigned the right to receive grant payments to implement the Business Retention and Expansion Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. That, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and,
- IV. That the approval to participate in the Business Retention and Expansion Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: SCM 119/2020 & S 28/2020  
Clerk's File: SPL/13748

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### 8.36. Sandwich Town Community Improvement Plan Neighbourhood Residential Rehabilitation, Development and Building Fees, and Revitalization Grant Applications – 3203 Peter St.; 700 Brock St.; 459 Watkins St.; 3596 Queen St. (Ward 2)

Moved by: Councillor Sleiman

Seconded by: Councillor Kaschak

Decision Number: CR213/2020 DHSC 144

- I. That the requests made by Reid Johnson, owners of the Property located at 3203 Peter Street (Mason-Girardot Manor) **BE APPROVED** for the following grants pursuant to the Sandwich Community Improvement Plan:
  - i. a maximum grant of \$15,000 towards eligible costs through the *Neighbourhood Residential Rehabilitation Grant Program*;
  - ii. grants totalling to +/- \$11,010 towards eligible costs through the *Development and Building Fees Grant Program*;
  - iii. for 70% of the municipal portion of the tax increment for up to 10 years (amount to be determined) through the *Revitalization Grant Program*; and,
- II. That Peter and Tu Do, owners of the Property located at 700 Brock Street **BE APPROVED** for the following grants pursuant to the Sandwich Community Improvement Plan:
  - i. a maximum grant of \$15,000.00 towards eligible costs through the *Neighbourhood Residential Rehabilitation Grant Program*;
  - ii. grants totalling to +/- \$4,903 towards eligible costs through the *Development and Building Fees Grant Program*;
  - iii. for 70% of the municipal portion of the tax increment for up to 10 years (amount to be determined) through the *Revitalization Grant Program*; and
- III. That the requests made by Richard Jones, owner of the property located at 459 Watkins Street, **BE APPROVED** for a maximum grant of +/- \$12,272 towards eligible costs through the *Neighbourhood Residential Rehabilitation Grant Program* pursuant to the Sandwich Community Improvement Plan; and,
- IV. Khalid Jasey, owner of the property located at 3596 Queen Street, **BE APPROVED** for a grant of +/- \$2,918 towards eligible costs through the *Neighbourhood Residential Rehabilitation Grant Program* pursuant to the Sandwich Community Improvement Plan; and,
- V. That should renovations result in an increased assessment which would make application(s) eligible for a property tax increment grant, Administration **BE DIRECTED** to prepare the

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agreement between the City and Applicant(s) to implement the *Revitalization Grant Program* in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,

VI. That the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) for the *Revitalization Grant Program*; and,

VIII. That the *Neighbourhood Residential Rehabilitation and Development and Building Fees Grants* **BE PAID** upon completion of improvements to the exterior of the building through the Sandwich Community Development Plan-Capital Project account 7076176 to the satisfaction of the City Planner and Chief Building Official; and,

IX. That the approval authority for future Neighbourhood Residential Rehabilitation Grant Program applications **BE DELEGATED** to the CAO through the Delegation of Authority By-Law for projects to a maximum of \$15,000.00 and where sufficient budget funding is available. Such approval to be based on the recommendation of the City Planner as to technical merit and the City Treasurer as to financial considerations, and that all such approvals be reported to Council semi annually as part of the normal reporting of DOA approvals; and,

X. That the approval authority for future *Development and Building Fee Grant Program* applications **BE DELEGATED** to the CAO through the Delegation of Authority By-Law when the *Development and Building Fee Grant* is requested as part of the *Neighbourhood Residential Rehabilitation Grant* **only**, to a maximum of \$15,000 and where sufficient budget funding is available. Such approval to be based on the recommendation of the City Planner as to technical merit and the City Treasurer as to financial considerations, and that all such approvals be reported to Council semi annually as part of the normal reporting of DOA approvals; and,

XI. That the Delegation of Authority Bylaw 208-2008 **BE AMENDED** accordingly.  
Carried.

Report Number: SCM 115/2020 & S 192/2019  
Clerk's File: Z/10320

**8.37. Pink Zoning Information Report Response to CQ 28-2017, City Wide**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR214/2020 DHSC 145  
That this Council Report responding to CQ28-2017 – Pink Zoning/Pink Code Information Report **BE RECEIVED** for information.  
Carried.

Report Number: SCM 116/2020 & S 49/2019  
Clerk's File: Z2020

**8.38. Administration Response to CQ 17-2019 Regarding 2650 Metcalfe Street**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR215/2020 DHSC 146

- I. That the report of the Planner II – Revitalization & Policy Initiatives dated February 12, 2020 entitled “Administration Response to CQ 17-2019 Regarding 2650 Metcalfe Street” **BE RECEIVED** for information; and further,
- II. That the City Planner **INFORM** the ward councillor of any new development activity or land use applications being proposed on the subject property and **REPORT** on the same to Council.

Carried.

Report Number: SCM 117/2020 & S 187/2019  
Clerk’s File: Z2020

**8.39. Response update to CQ 13-2019 Creation of a Nuisance Lighting By-law**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR216/2020

That City Council approve Option #3: Prohibition as follows:

That an amendment to the Property Standards By-law 9-2019 to have property owners remove any lighting that does not comply with the full cut-off clause found in LISS CR228/2005—Appendix D **BE APPROVED**; and,

That a moratorium on the installation of any new non-compliant lights in the City **BE APPROVED**; and,

That recognizing that there are situations where wording found in a Nuisance Lighting Bylaw may conflict with everyday safety controls by a municipality and that some events use temporary lighting that create a public attraction, That prohibitions **WOULD NOT APPLY** to the following:

- City approved street lighting provided by a designated BIA;
- Lighting required through by-law enforcement or emergency services personnel;
- Traffic control signals and devices;
- Vehicle lights;
- Lighting in-compliance with the Lighting Intensity Standards Study (LISS) CR228/2005;
- Outdoor Lights used to illuminate public parks and playing fields;
- Temporary lighting associated with:
  - Permitted events such as but not limited to; Pridefest, Street Food Fair, Veg Fest, Night Parades, Busker Fest, etc.;



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- Festival Plaza events, concerts and carnivals;
- Theatrical, film or television productions; and
- Holiday lights between November 15 and January 15.

Carried.

Report Number: SCM 114/2020 & S 30/2020  
Clerk's File: ST2020

**11.1. Application for a Cannabis Retail Store Authorization at 3580 Tecumseh Rd E, Unit 4 - Ward 5**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR166/2020

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

That City Council **SUPPORT** the Retail Cannabis Application requested by Cannabis Supply Co. regarding the site located at 3580 Tecumseh Rd E, Unit 4; 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 delivery to the Applicant, Cannabis Supply Co.

Carried.

Report Number: C 83/2020  
Clerk's File: GP/13047

**11.2. Application for a Cannabis Retail Store Authorization at 4782 Wyandotte St E - Ward 6**

Moved by: Councillor Sleiman  
Seconded by: Councillor Kaschak

Decision Number: CR167/2020

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

That City Council **SUPPORT** the Retail Cannabis Application requested by Boondom regarding the site located at 4782 Wyandotte St E; 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 delivery to the Applicant, Boondom.

Carried.

## **9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS**

None requested.

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

None.

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

### **8.1. Preliminary Overview of Potential COVID Financial Impacts - City Wide**

Moved by: Councillor McKenzie  
Seconded by: Councillor Francis

Decision Number: CR178/2020

That City Council **RECEIVE** the report titled "Preliminary Overview of Potential COVID Financial Impacts"; and,

That the City of Windsor continue **TO PARTICIPATE** in efforts with other municipalities and municipal organizations to seek financial support from senior levels of government to mitigate the financial impacts to municipalities of the COVID-19 pandemic; and,

That City Council **APPROVE** a change to the 2020 semi annual Capital Variance Reporting dates from March 31, 2020 to May 31, 2020 in order to allow for more clarity relative to the impacts of the COVID-19 pandemic on Capital spending.

Carried.

Report Number: C 80/2020  
Clerk's File: MH/13786

### **11.3. CQ 9-2020 City-Wide Procedure for Lane or Road Closures during COVID-19 / Riverside Drive Temporary Road Diet - City Wide**

Moved by: Councillor Bortolin  
Seconded by: Councillor Holt

That a lane closure BE IMPLEMENTED on Riverside Drive (the northern most lane/the westerly lane abutting the park) from Devonshire Road to Caron Avenue for the duration of six weeks starting as soon as possible, to BE FUNDED from the Budget Stabilization Reserve Fund (BSR).

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

At the request of Councillor Gignac a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, McKenzie and Morrison

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

Absent: None.

Abstain: None.

Moved by: Councillor Holt

Seconded by: Councillor Bortolin

Decision Number: CR168/2020

That administration **BE DIRECTED** to contact and work with both the Riverside and Pillette Village BIA's to investigate lane closures in those BIA's to accommodate social distancing and **REPORT BACK** to Council at the May 25, 2020 meeting; and further,

That administration **INCLUDE IN THAT REPORT** a more robust section on social distancing including possible statements from BIA's or individuals and any type of empirical evidence that includes evidence that social distancing is not in effect there.

Carried.

At the request of Mayor Dilkens a recorded vote is taken.

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

Nay votes: Councillors Francis, Sleiman, Morrison and Mayor Dilkens.

Absent: None.

Abstain: None.

Report Number: C 85/2020

Clerk's File: MH/13786

## **8.8. 2019 Year-End Operating Budget Variance Report - City Wide**

Moved by: Councillor Francis

Seconded by: Councillor Bortolin

Decision Number: CR185/2020

That Council **RECEIVE FOR INFORMATION** the 2019 Year-End Operating Budget Variance Report, dated March 31<sup>st</sup>, 2020; and,

That the final 2019 Operating Budget surplus of \$1,954,982 **BE TRANSFERRED** to the Budget Stabilization Reserve (transfer of \$1,454,982) and as previously directed by City Council to the Transit Windsor Garage Feasibility Study (transfer of \$250,000) and the Electric Vehicle Charging Pilot Project (transfer of \$250,000); and,

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That in order to avoid the need to re-budget for various items, Council **APPROVE** \$2,229,461 in budget carryovers as detailed in Appendix C: 2019 Budget Carry-Forwards; and,

That Council **APPROVE** the balancing of and transfers from Capital Projects, as detailed in Appendix D: 2019 Capital Closeouts; and,

That Council **APPROVE** the attached Development Charges 2019 Income Statement Schedule (Appendix E); and,

That Council **APPROVE** the attached Development Charge Reserve Fund Statement – Listing of Credits (Appendix F); and,

That Council **APPROVE** the establishment of a new reserve account, titled the Flood Protection Education Program; and,

That in order to address future Social or Affordable Housing funding pressures, the City Treasurer **BE AUTHORIZED** at this discretion as part of the year-end process, to transfer any year end surplus occurring in the Housing Services budget and/or any reconciled year end surplus in the Windsor-Essex Community Housing Corporation's City approved budget to the City's Housing Reserve, to be retained and applied as may be required to fund future Social or Affordable Housing costs; and,

That Council **APPROVE** the following housekeeping items and various transfers to/from reserve accounts/funds:

- a. \$13,780.09 to the Fire Education account (1755) from operating department ID 0191310;
- b. \$1,692.21 from the Tree Planting Reserve account (1756) to operating department ID 0152710;
- c. \$20,958.09 from the Municipal Elections reserve account (1762) to operating department ID 0111511;
- d. \$21,016.07 to the Class – Parks & Recreation reserve account (1763) from operating department ID consisting of annual 1% fee deposits less upgrades for technology development;
- e. \$13,426.26 from the Mapping reserve account (1771) to operating department ID 0161035;
- f. \$2,468.12 to the Riverfront Brick Program reserve account (1777) for relevant activities and costs incurred in the installation of bricks along the riverfront, as per CR 29/2009;
- g. \$24,791.56 to the Flood Protection Education Program reserve account (1799) related to a budget surplus for service line warranty commissions from operating department ID 0161049;
- h. \$56,984.23 from the Development Charges reserves (Funds 114-128) to operating department ID 0152710;

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- i. \$805,845 to the Building Permit Fee reserve (Fund 180) from operating department ID 0152710;
  - j. \$432,295.76 from the Capital Expenditure reserve (Fund 160) to operating department ID 0280601 for grass cutting and snow removal of vacant properties, and to operating department ID 0125240 for grass cutting and snow removal of transitional properties;
  - k. \$1,018,370.21 to the Pollution Control reserve (Fund 208) resulting from the transfer of funds from the transfer of operations from American Water to Synagro;
  - l. \$1,040,000 to the City Housing reserve (Fund 216) resulting from the Windsor Essex Community Housing Corporation (WECHC) and Housing Services 2019 year end surpluses.
- Carried.

Report Number: C 65/2020  
Clerk's File: AFB/13467

**8.10. Acceleration of Climate Change Actions in response to the Climate Change Emergency Declaration - City Wide**

Moved by: Councillor McKenzie  
Seconded by: Councillor Bortolin

Decision Number: CR187/2020 ETPS 738

1. That City Council **RECEIVE** the Acceleration of Climate Change Actions in response to the Climate Change Emergency Declaration; and,
2. That City Council **REQUEST** Administration to begin considering Climate Change risks (mitigation and adaptation) under the Risk Section of City Council reports; and,
3. That Administration **REPORT BACK** before the end of 2020 on 1) the feasibility of the City of Windsor reporting on a carbon budget, 2) further expanding asset management tools to consider climate change, and 3) inclusion of climate change considerations into the development of the 2021 corporate budget documents; and,
4. That City Council **APPROVE** the creation of a Climate Change Reserve Fund; and,
5. That City Council **APPROVE** the transfer of \$150,000 from the Budget Stabilization Reserve Fund into the Climate Change Reserve Fund; and
6. That City Council **APPROVE** the use of funding from the Climate Change Reserve Fund, for climate change initiatives broadly described in this report, through CAO Delegation of Authority (DOA) reports, subject to technical content being satisfactory to the City Engineer and financial content being satisfactory to the City Treasurer, and that these approvals **BE REPORTED** to Council as part of the regular semi annual DOA reporting; and,

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7. t, as part of the 2021 Budget Process, Administration **BRING FORWARD** a request for the additional operating budget funding required to undertake the measures noted in this report and as detailed in the Financial Matters section; and,
  8. That City Council **APPROVE** Administration to submit applications for grant funding (“the Grant”) in support of climate change initiatives, along with the following recommendations:
    - a. That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the application to the Grant;
    - b. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer;
    - c. That in the event the City receives written confirmation of the Grant funding being awarded to the City, implementation of the Project does not result in a need for additional City funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:
      - i. The Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents required as part of the request for payment to the Supervisor, Environmental Sustainability & Climate Change or designate, subject to financial content approval from the area’s Financial Planning Administrator or their manager; and,
      - ii. The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors / proponent / bidders satisfactory in technical content for all projects to the City Engineer, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,
      - iii. The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders or RFPs as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the City Engineer, in legal content to the City Solicitor and in financial content to the City Treasurer.
  9. That Administration **REPORT BACK** to Council on climate change mitigation and adaptation initiative partnerships with municipalities within the region and community organizations; and further,
  10. That Administration **BE REQUESTED** to provide information to Council on the City of Windsor’s carbon footprint in any future reports on climate change.
- Carried.

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### .9. Heritage Alteration Permit for 2161 Riverside Drive - Exterior alterations to the Ross-Struthers House (Ward 2)

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR186/2020

I. THAT a Heritage Alteration Permit for installation of the glass railing balcony above the front enclosed porch of the Ross-Struthers House, 2161 Riverside Drive West, in Council Report S 229/2019, **BE GRANTED** on condition that the Owner reconstruct designated heritage attributes as per additional drawings submitted by the Applicant on page 500 of the May 4 City Council agenda package, and as per the Lassaline report submitted for May 4, 2020 Council Meeting, for building permit issuances (attached); and,

II. THAT further minor alterations to the request **BE DELEGATED** to the City Planner for final approval.

Carried.

Councillors Holt, Bortolin, Morrison and Gignac voting nay.

Report Number: SCM 467/2019 & S 229/2019

Clerk's File: MBA/11185

### 8.11. Community Gardens on Municipal Property Policy Update - City Wide

Moved by: Councillor Bortolin

Seconded by: Councillor Holt

Decision Number: CR188/2020 ETPS 741

I) That the update to the Community Gardens on Municipal Property Policy **BE APPROVED**; and,

II) That the CAO **BE AUTHORIZED** to approve updates to Community Garden Template License Agreements and Community Garden Template License Renewal Agreements; and,

III) That the Delegation of Authority Bylaw (208-2008) **BE AMENDED** to reflect that such authority has been granted; and further,

IV) That administration **BE DIRECTED** to prepare a report for Council's consideration outlining potential opportunities for gap-filling where United Way funding had dropped off in certain neighbourhoods where the gardens were relying on that funding and those groups to keep them going.

Carried.

Report Number: SCM 70/2020 & S 210/2019

Clerk's File: SR2020

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### **.14. Climate Change Adaptation Plan, Degrees of Change- City Wide**

Moved by: Councillor Gignac

Seconded by: Councillor Francis

#### **CR191/2020 RESCINDED BY CR305/2020 ADOPTED JUNE 15, 2020**

Decision Number: CR191/2020 ETPS 745

That the Climate Change Adaptation Plan, Degrees of Change **BE RECEIVED**.

Carried.

Report Number: SCM 74/2020 & S 20/2020

Clerk's File: EI/10822

### **8.28. Interim Control By-law Exemption 2020-6 - 1352192 Ontario Ltd - 4810 Walker Road - Ward 9**

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

Decision Number: CR205/2020

That the request by 1352192 Ontario Ltd. for an exemption from the provisions of Interim Control By-law 78-2019 for property at 4810 Walker Road **BE DENIED**.

Carried.

Councillors Holt, Francis, and Bortolin voting nay.

Report Number: SCM 109/2020 & S 25/2020

Clerk's File: Z/13528

## **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 Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR217/2020

That the report of the In Camera meeting held May 4, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: ACO2020

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

Moved by: Councillor Costante

Seconded by: Councillor Francis



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That the following By-laws No. 57-2020 through 73-2020 (inclusive) be introduced and read a first and second time:

**57-2020** A BY-LAW TO ASSUME FOR SUBSEQUENT RETENTION BY THE CORPORATION OF THE CITY OF WINDSOR FOR MUNICIPAL PURPOSES THE 3.048 METRE (10 FOOT) WIDE EAST/WEST ALLEY LOCATED WEST OF HENRY FORD CENTRE DRIVE, EAST OF DROUILLARD ROAD, SOUTH OF THE SOUTHERLY LIMIT OF THE PROPERTY MUNICIPALLY KNOWN AS 1168 DROUILLARD ROAD AND THE NORTH OF DEMING STREET, CITY OF WINDSOR authorized by CR690/2016, adopted November 7, 2016

**58-2020** A BY-LAW TO CLOSE AND STOP UP TO BE RETAINED BY THE CORPORATION OF THE CITY OF WINDSOR FOR MUNICIPAL PURPOSES THE 3.048 METRE (10 FOOT) WIDE EAST/WEST ALLEY LOCATED WEST OF HENRY FORD CENTRE DRIVE, EAST OF DROUILLARD ROAD, SOUTH OF THE SOUTHERLY LIMIT OF THE PROPERTY MUNICIPALLY KNOWN AS 1168 DROUILLARD ROAD AND THE NORTH OF DEMING STREET; CITY OF WINDSOR authorized by CR690/2016, adopted November 7, 2016

**59-2020** A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 3.66 METRE (12 FOOT) WIDE NORTH/SOUTH ALLEY LOCATED WEST OF HENRY FORD CENTRE DRIVE, EAST OF DROUILLARD ROAD, SOUTH OF THE SOUTHERLY LIMIT OF THE PROPERTY MUNICIPALLY KNOWN AS 1168 DROUILLARD ROAD AND NORTH OF DEMING STREET, CITY OF WINDSOR authorized by CR690/2016, adopted November 7, 2016

**60-2020** A BY-LAW TO CLOSE AND STOP UP AND CONVEY THE 3.66 METRE (12 FOOT) WIDE NORTH/SOUTH ALLEY LOCATED WEST OF HENRY FORD CENTRE DRIVE, EAST OF DROUILLARD ROAD, SOUTH OF THE SOUTHERLY LIMIT OF THE PROPERTY MUNICIPALLY KNOWN AS 1168 DROUILLARD ROAD AND NORTH OF DEMING STREET, CITY OF WINDSOR authorized by CR690/2016, adopted November 7, 2016

**61-2020** A BY-LAW TO FURTHER AMEND BY-LAW 188-2000, BEING A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR authorized by BL98-2011 s. 27.1(l)(i), adopted June 7, 2011

**62-2020** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR authorized by CR83/2020, adopted February 24, 2020

**63-2020** A BY-LAW TO AMEND BY-LAW 13-2014, BEING A BY-LAW TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF SEWAGE SYSTEM CHARGES authorized by B14/2020, adopted January 27, 2020

**64-2020** A BY-LAW TO AMEND BY-LAW NUMBER 392-2002, BEING A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF FEES AND CHARGES authorized by B10/2020 & B53/2020, adopted January 27, 2020

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**65-2020** A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 892 IN THE CITY OF WINDSOR authorized by BL139-2013, adopted August 26, 2013

**66-2020** 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 74/2020, adopted March 26, 2020

**67-2020** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS HAIG STREET, IN THE CITY OF WINDSOR authorized by CR76/2011, adopted February 28, 2011

**68-2020** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR authorized by CAO 92/2020, adopted April 9, 2020

**69-2020** A BY-LAW TO ASSUME MAITLAND AVENUE BEING STREETS SHOWN ON PLAN OF SUBDIVISION 12M-592 KNOWN AS MAITLAND AVENUE AND THE MUNICIPAL SERVICES LOCATED THEREIN, IN THE CITY OF WINDSOR authorized by M98-2012, adopted February 21, 2012

**70-2020** A BY-LAW TO AUTHORIZE THE CONSTRUCTION OF CONCRETE CURBS AND GUTTERS AND BOULEVARD RESTORATION ON CALIFORNIA STREET FROM NORFOLK STREET TO PULFORD STREET, IN THE CITY OF WINDSOR, AS A LOCAL IMPROVEMENT **(See Item 8.2, Report C 72/2020)**

**71-2020** A BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE BROADWAY DRAIN AND HEALY DRAIN **(See Item 8.6, Report C 73/2019)**

**72-2020** A BY-LAW TO PROVIDE FOR THE ABANDONMENT OF PART OF THE HEALY DRAIN **(See Item 8.6, Report C 73/2019)**

**73-2020** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 4th DAY OF MAY, 2020  
Carried.

## 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Gignac

Seconded by: Councillor Holt

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

- 1) Communication Items (as amended)
- 2) Consent Agenda (as amended)

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- 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 Morrison  
Seconded by: Councillor Bortolin

Decision Number: CR218/2020

That Rule 13.9 of the Procedure By-law **BE WAIVED** to introduce a motion for consideration without prior notice regarding a waiver for the noise by-law #6716 for the month of May 2020.  
Carried.

Moved by: Councillor Morrison  
Seconded by: Councillor Costante

Decision Number: CR219/2020

That as a result of COVID-19 pandemic, that administration **BE DELEGATED** authority for noise by-law #6716 waiver requests for the month of May, 2020, and that administration **BE GRANTED** the authority to suspend the requirement for public consultation on those waiver requests.  
Carried.

At the request of Mayor Dilkens a recorded vote is taken.

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

Nay votes: Councillors Francis and Gignac.

Absent: None.

Abstain: None.

Clerk's File: MH/13786

**16. THIRD AND FINAL READING OF THE BY-LAWS**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

That the By-laws No. 57-2020 through 73-2020 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.

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**17. TITIONS**

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Moved by: Councillor Morrison  
Seconded by: Councillor Sleiman

Decision Number: CR220/2020

That the petition presented by Councillor Sleiman from the residents surrounding the property known as 4558 Ontario objecting to the rezoning application to have 4558 Ontario rezoned to allow the building of a four-plex **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the City Planner for the purpose of an examination of the requested works or undertakings.

Carried.

Clerk's File: SPL2020

**18. QUESTION PERIOD**

**18.3. CQ 10-2020**

Moved by: Councillor Bortolin  
Seconded by: Councillor Costante

Decision Number: CR221/2020

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 10-2020:

**Assigned to Corporate Leader Parks, Corporate Facilities, Recreation and Culture**

That Administration report back to Council on the options that could be considered to create safer opportunities for the public to enjoy access to our parks trail systems that enhances the ability for people to respect physical distancing protocols.

Carried.

Clerk's File: MH/13786

**21. ADJOURNMENT**

Moved by: Councillor Francis  
Seconded by: Councillor Gignac

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

Carried.

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Accordingly, the meeting is adjourned at 5:20 o'clock p.m.

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Mayor

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City Clerk

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Adopted by Council at its meeting held May 4, 2020 (CR 217/2020)  
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
May 4, 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: 12:30 p.m.**

**Members in Attendance:**

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

**Also in attendance:**

O. Colucci, Chief Administrative Officer  
J. Payne, Community Development and Health Commissioner and  
Corporate Leader Social Development, Health, Recreation and Culture  
M. Winterton, City Engineer and Corporate Leader Environmental Protection and  
Transportation  
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public Engagement  
and Human Resources  
J. Mancina, Chief Financial Officer/City Treasurer and Corporate Leader Finance and  
Technology  
S. Askin-Hager, City Solicitor and Corporate Leader Economic Development and Public  
Safety  
J. Wilson, Corporate Leader, Parks, Facilities, Recreation and Culture  
A. Teliszewsky, Mayor's Chief of Staff

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal matter – advice subject to solicitor - client privilege – verbal report	239(2)(f)

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None declared.

**Discussion on the items of business.**

Verbal Motion is presented by Councillor Holt, seconded by Councillor Sleiman, to move back into public session.

**Motion Carried.**

**\*\*SEE NOTE BELOW**

Moved by Councillor Kaschak, seconded by Councillor Francis, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 4, 2020 directly to Council for consideration at the next Regular Meeting.

1. That the confidential verbal report from the Corporate Leader, Parks, Facilities, Recreation and Culture respecting a legal matter – advice subject to solicitor client privilege **BE RECEIVED** and further that Administration **BE AUTHORIZED TO PROCEED** on the verbal direction of Council.

**Motion Carried.**

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**Moved by Councillor Morrison, seconded by Councillor Gignac,  
That the special meeting of council held May 4, 2020 BE ADJOURNED.**

**(Time: 1:05 p.m.)**

**Motion Carried.**

**\*\*CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on May 4, 2020.**