



CITY OF WINDSOR MINUTES 02/01/2021

City Council Meeting

Date: Monday, February 1, 2021

Time: 10:45 o'clock a.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 - Councillor Gill

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 (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

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1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 11:33 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 January 18, 2021

Moved by: Councillor Costante

Seconded by: Councillor Francis

That the minutes of the meeting of Council held January 18, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 48/2021

5. NOTICE OF PROCLAMATIONS

Flag Raising:

"Bangladesh-Canada Association, Windsor-Essex (BCAWE) – International Mother Language Day (IMLD)" - February 21, 2021

Illumination:

"Bulimia Anorexia Nervosa Association – Eating Disorders Awareness Week" – February 1-7, 2021

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Gignac

Seconded by: Councillor Gill

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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-laws 22-2021 through 25-2021 (inclusive).
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, February 1, 2021

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

Decision Number: CR47/2021

That the following Communication Items 7.1.1 and 7.1.2 as set forth in the Council Agenda **BE REFERRED** as noted, and that Items 7.1.3 and 7.1.4 be dealt with as follows:

7.1.3. Letter regarding the Essex Region Source Protection Committee – Municipal Representation as required by the *Clean Water Act, 2006 (O.Reg 288/07)*

Moved by: Councillor McKenzie

Seconded by: Councillor Holt

Decision Number: CR48/2021

That the correspondence from the Essex Region Conservation dated January 25, 2021 regarding “Essex Region Source Protection Committee – Municipal Representation” **BE RECEIVED**; and further,

That the following individuals’ appointment to the Essex Region Source Protection Committee **BE ENDORSED**:

Kevin Webb, City of Windsor, appointment date: April 14, 2021; expiration of appointment: April 14, 2026; and further,

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That Administration **INQUIRE** as to who the 15 members are that comprise the Source Protection Committee, and that this membership list **BE COMMUNICATED** to Council for information purposes.

Carried.

Clerk's File: EI2021

7.1.4. Letter regarding By-Law for SPC-043/20, Owner - Rosati Development Corp., 525 & 535 Cabana Road E.

Moved by: Councillor McKenzie

Seconded by: Councillor Holt

Decision Number: CR49/2021

That the correspondence from Rosati Development Corp. dated January 25, 2021 regarding "By-law for SPC-043/20 – Owner – Rosati Development Corp. – 525 & 535 Cabana Road East, Windsor" **BE RECEIVED**; and further,

That Council's direction to the Site Plan Control Officer adopted on August 24, 2020 **BE AMENDED** to incorporate the new agreement as outlined in the subject correspondence, subject to concurrence by administration.

Carried.

Clerk's File: ZS/13885

No.	Sender	Subject
7.1.1	Town of Tecumseh	The Town of Tecumseh held a virtual/electronic public meeting Tuesday, January 26, 2021 at 5:00 p.m. to provide the public an opportunity to comment on the Town's Draft New Official Plan, pursuant to the provisions of the <i>Planning Act, R.S.O. 1990.</i> City Planner Deputy City Solicitor Chief Building Official Development Applications Clerk ZO2021 Note & File
7.1.2	Municipality of Leamington & Municipality of Chatham-Kent	Letters regarding the removal of Windsor International Airport from NAV Canada Closure List Chief Executive Officer, Your Quick Gateway (Windsor) Inc. MTR/13993 Note & File

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No.	Sender	Subject
7.1.3	Essex Region Conservation Authority	Letter regarding the Essex Region Source Protection Committee – Municipal Representation as required by the <i>Clean Water Act, 2006</i> (O.Reg 288/07) City Engineer Manager of Environmental Quality EI2021 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.4	Rosati Development Corp.	Letter regarding By-Law for SPC-043/20, Owner - Rosati Development Corp., 525 & 535 Cabana Road E. City Solicitor Deputy City Solicitor City Planner City Clerk ZS/13885 COUNCIL DIRECTION REQUESTED, otherwise Note & File

Carried.

Report Number: CMC 2/2021

7.2. Windsor Essex Regional Community Safety and Well-being Plan Deadline Update (City Wide)

Moved by: Councillor Gignac
Seconded by: Councillor Kaschak

Decision Number: CR50/2021

That the report of the Community Safety and Well-Being (CWSB) Project Manager dated January 14, 2021 entitled "Windsor Essex Regional Community Safety and Well-being Plan Deadline Update" **BE RECEIVED**; and further,

That Administration **BE DIRECTED** to forward a letter to the Solicitor General advising that whereas the new CSWB submission deadline of July 1, 2021 significantly constrains the ability to engage in fulsome and meaningful community consultation, the City of Windsor will prepare an interim report for submission by July 1, 2021 along with a completed and final report by December 31, 2021 and that a request be made to the Solicitor General to further review the imposed deadline; and further,

That this resolution **BE FORWARDED** to Ontario Municipalities and to AMO.

Carried.

7.3. 2021 BIA Interim Levy Approval Process

Moved by: Councillor Holt
Seconded by: Councillor Kaschak

Decision Number: CR51/2021
That City Council **RECEIVE** this report of the 2021 BIA Interim Levy Approval Process for information.
Carried.

Report Number: C 245/2020
Clerk's File: AF2021

7.4. Compliance with Applicable Laws & Regulations, 2020 Q4 - City Wide

Moved by: Councillor Holt
Seconded by: Councillor Kaschak

Decision Number: CR52/2021
That City Council **RECEIVE FOR INFORMATION** the Status Report on Compliance with Applicable Laws and Regulations, 2020 Q4.
Carried.

Report Number: CM 1/2021
Clerk's File: AF/11247

8. CONSENT AGENDA

8.1. Purchase of Six, 2021 Hybrid Minivans for Building Department - City Wide

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR53/2021
That City Council **APPROVE** the Award of RFP 173-20 Purchase of Six (6) Hybrid Minivans; and,
That City Council **APPROVE** a transfer of \$18,115 from the 2020 Fleet Additions Project 7201009 to the 2020 Fleet Replacement Project 7201008 to fund the shortfall for one (1) replacement unit; and,

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That the Purchasing Manager **BE AUTHORIZED** to issue a purchase order to Provincial Chrysler in the amount of \$290,412 (net of rebate, excluding HST) for the purchase of the six (6) Chrysler Pacifica Hybrid minivans, subject to approval as to technical content by the City Engineer and in financial content to the Chief Financial Officer and City Treasurer.

Carried.

Report Number: C 2/2021

Clerk's File: SB2021

8.3. Proposed University Avenue West and Wyandotte Street West Community Improvement Plan, Ward 2 and Ward 3

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR55/2021 DHSC 244

- I. That the University Avenue West and Wyandotte Street West corridors, illustrated in Appendix 'A' attached hereto, **BE DESIGNATED** as the Community Improvement Project Area by By-law for the University Avenue West and Wyandotte Street West Community Improvement Plan in accordance with Section 28(2) of the *Planning Act*;
- II. That the draft University Avenue West and Wyandotte Street West Community Improvement Plan, contained in Appendix 'B', **BE ADOPTED** by By-law; and,
- III. That administration **REPORT BACK** to Council with a review of the funding requests for existing and proposed CIPs in February 2021 and make recommendations regarding funding for the University Avenue West and Wyandotte Street West Community Improvement Plan at that time; and,
- IV. That Administration **BE REQUESTED** to report back to Council during budget deliberations outlining a 20-year horizon of the financial impacts of Community Improvement Plans across the City; and further,
- V. That the Draft University Avenue West and Wyandotte Street West CIP attached as Appendix B to Report S 186/2020 **BE AMENDED** with the edits outlined in Appendix A to the Additional Information Memo from Laura Diotte, Planner III – Special Projects dated January 18, 2021 to address minor changes as a result of public consultation.

Carried.

Report Number: SCM 27/2021 & S 186/2020

Clerk's File: SPL/10759 & Z/14007

8.4. University Avenue West and Wyandotte Street West Draft CIP – Tabling – Wards 2 and 3

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

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Decision Number: CR56/2021 DHSC 245 DHSC 239

That the Draft University Avenue West and Wyandotte Street West Community Improvement Plan, attached as Appendix A, that was tabled at the December 14, 2020 meeting of the Development & Heritage Standing Committee **BE RECEIVED** for information.

Carried.

Report Number: SCM 28/2021 & S 178/2020

Clerk's File: SPL/10759

8.6. Close and Convey Part of the East/West Alley Between Matthew Brady Boulevard and St. Paul Avenue, North of St. Rose Avenue - SAA/5947 - Applicant: P. Thwaites - Ward 6

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR58/2021 DHSC 248

- I. That the 4.86 metre wide east/west alley between Matthew Brady Boulevard and St. Paul Avenue, north of St. Rose Avenue, and shown as "Part 1" and "Part 2" on Drawing No. CC-1767 *attached as Appendix 'A'*, **BE ASSUMED** for subsequent closure;
- II. That the 4.86 metre wide east/west alley between Matthew Brady Boulevard and St. Paul Avenue, north of St. Rose Avenue, and shown as "Part 1" on Drawing No. CC-1767 *attached as Appendix 'A'*, **BE CLOSED AND CONVEYED** to the owner of 7730 St. Rose Avenue, and adjusted as necessary by the City Planner;
- III. That Conveyance Cost **BE SET** as follows:
 - a) For alley abutting lands zoned Residential RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
- IV. That the 4.86 metre wide east/west alley between Matthew Brady Boulevard and St. Paul Avenue, north of St. Rose Avenue, and shown as "Part 2" on Drawing No. CC-1767 *attached as Appendix 'A'*, **BE CLOSED AND CONVEYED** to the abutting property owners in equal halves along the centre line of the alley, and adjusted as necessary by the City Planner;
- V. That Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
- VI. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1767, *attached as Appendix 'A'*;
- VII. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);

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VIII. 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,

IX. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: SCM 31/2021 & S 180/2020

Clerk's File: SAA2021

8.7. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by AIPL Canada Holdings Inc for 1200-1220 University Avenue West (Ward 3)

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR59/2021 DHSC 249

I. That the request made by 2605385 Ontario Inc. on behalf of the property owner (i.e. AIPL Canada Holdings Inc.) to participate in the Feasibility Study Grant Program **BE APPROVED** for the completion of the proposed structural feasibility study for the building located at 1200-1220 University Avenue West 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 \$7,500 based upon the completion and submission of a structural feasibility study completed in a form acceptable to the City Planner and City Solicitor.

Carried.

Report Number: SCM 32/2021 & S 181/2020

Clerk's File: Z/8955

8.8. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Duo Fratres Inc. for 1370 Argyle Road (Ward 4)

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR60/2021 DHSC 250

I. That the request made by Duo Fratres Inc. to participate in the Brownfield Tax Assistance Program **BE APPROVED** for the proposed remediation and redevelopment at 1370 Argyle Road for up to 3 years pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,

II. That the request made by Duo Fratres Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% of the municipal portion of the tax increment resulting from the proposed redevelopment at 1370 Argyle Road for up to 10 years or until 100% of the

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eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,

- III. That Administration **BE DIRECTED** to prepare a tax cancellation by-law to implement the Brownfield Tax Assistance Program in accordance with the *Municipal Act* and that the appropriate information and material be sent to the Minister of Finance requesting relief from the education portion of the taxes for 1370 Argyle Road in accordance with the Provincial Brownfield Financial Tax Incentive Program; and,
- IV. That Administration **BE DIRECTED** to prepare an agreement between Duo Fratres Inc. and the City to implement the Brownfield Tax Assistance and Rehabilitation Grant Programs in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment 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,
- V. That the CAO and City Clerk **BE AUTHORIZED** to sign the Brownfield Tax Assistance and Rehabilitation Grant Agreements; and,
- VI. That the approval to participate in the Brownfield Tax Assistance and Rehabilitation Grant Programs **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 33/2021 & S 187/2020

Clerk's File: Z/8955

11.1. Zoning By-law Amendment Application for “light repair shop”, “retail”, and “fitness club” to be permitted on the property known as 400 Erie Street east, and described as Lots 134 to 136, and Pt. Lot 137, Plan 122. Applicant: Storage Stop Ltd. (c/o Christine Davison); File No. Z-021/18, ZNG/5692; Ward 3.

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR61/2021 CR183/2019 DHSC 25

- I. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the land described as Lots 134 to 136, and a part of Lot 137, Registered Plan 122, located at the southeast corner of Mercer Street and Brodhead Street, extending to the northeast corner of Erie Street east and Mercer Street, by adding a site specific zoning provision to allow a light repair shop and a retail store as additional permitted uses on the subject land.

Carried.

Report Number: SCM 109/2019 & S 50/2019

Clerk's File: ZB/13350

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11.2. Closure of the north/south alley south of Wyandotte Street E., abutting the east limit of Florence Avenue extension, and the closure of a remnant portion of the east/west alley south of Wyandotte Street E., east of Florence Avenue extension; Applicant – VGA INVESTMENTS INC.; File No. SAA/6063, Ward 7

√CLERK'S CORRECTION**

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR62/2021 CR403/2020 DHSC 178

- I. That the 3.05 metres wide north-south alley located on the south side of Wyandotte Street, east side of Florence Avenue extension, between the south limit of Wyandotte Street right-of-way and the south limit of lot 45, Plan 1142, as shown on Drawing No. CC-1770 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure.
- II. That the 3.05 metres wide north-south alley located on the south side of Wyandotte Street, east side of Florence Avenue extension, between the south limit of Wyandotte Street right-of-way and the south limit of lot 45, Plan 1142, as shown on Drawing No. CC-1770 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the applicant, for the purpose of increasing the width of the proposed Florence Avenue Road allowance to conform to the Official Plan requirement (22m minimum width) per CR54/2020 DHSC 125 attached hereto as **Appendix "D"**.
- III. That the remnant unclosed portion of the 4.27 metre wide east-west alley south of Wyandotte Street East, east of Florence Avenue extension, described as PART 1 on Reference Plan 12R25749, **BE ASSUMED** for subsequent closure.
- IV. That the remnant unclosed portion of the 4.27 metre wide east-west alley south of Wyandotte Street East, east of Florence Avenue extension, described as PART 1 on Reference Plan 12R25749, **BE CLOSED AND CONVEYED** to the abutting property owners subject to easements as shown in Recommendation V below.
- V. That easements, 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,
 - b) Cogeco Connexion, and
 - c) Owners of the lands fronting Wyandotte Street East, for the purpose of sewer installation and servicing through the alley.
- VI. That conveyance costs **BE SET** as follows:
 - a) For the remnant piece of the east-west alley, being PART 1, on Reference Plan 12R25749, abutting lands zoned ~~DRD1.2~~ √DRD1.1√: \$1.00 plus deed reparation and no survey costs.

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b) For the subject north-south alley, abutting lands zoned DRD1.1 / HRD2.1: \$1.00 plus deed preparation, plus survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

- VII. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1770, *attached* as Appendix "A".
- VIII. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- IX. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- X. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 219/2020 & S 84/2020
Clerk's File: SAA2020

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

8.2. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS requested by 1486062 Ontario Inc. for the lands located at 3850 Dougall Avenue; File Nos. OPA 136 (OPA/6168) and Z-022/20 (ZNG/6166); Ward 9

Josh Hurley-Burns, Dillon Consulting

Josh Hurley-Burns, Dillon Consulting, appears before Council and is available for questions regarding the "Official Plan and Zoning By-law amendments requested by 1486062 Ontario Inc., for the lands located at 3850 Dougall Avenue."

Marco Savoni, Applicant

Marco Savoni, Applicant, appears before Council and is available for questions regarding the "Official Plan and Zoning By-law amendments requested by 1486062 Ontario Inc., for the lands located at 3850 Dougall Avenue."

Moved by: Councillor McKenzie
Seconded by: Councillor Holt

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Decision Number: CR54/2021 DHSC 243

- I. That the parcel described as Lots 41 & 216, Block E, and Pt Lots 39, 40 & 215, Registered Plan 1489, located on the southeast corner of Dougall Avenue and Cabana Road W., **BE EXEMPT** from the provisions of Interim Control By-law 103/2020 and further, that Interim Control By-law 103/2020 **BE AMENDED** by adding to Section 5 the following paragraph:
 - **Southeast Corner of Dougall Avenue and Cabana Road W**
Lots 41 & 216, Block E, and Pt Lots 39, 40 & 215, Registered Plan 1489; Roll No. 080-060-00100;

- II. That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:
 - 1.X **Southeast Corner of Dougall Avenue and Cabana Road W**
 - 1.X.1 The property described as Lots 41 & 216, Block E, and Pt Lots 39, 40 & 215, Registered Plan 1489, located on the southeast corner of Cabana Road West and Dougall Avenue, municipally known as 3850 - 3854 Dougall Avenue, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

 - 1.X.2 Notwithstanding the policy in section 6.5.3.1 of the Official Plan, Volume I, *dwelling units* shall be an additional permitted use within the existing second floor above commercial uses on the main floor of the 2-storey building on the subject property.

- III. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning for the property described as Lots 41 & 216, Block E, and Pt Lots 39, 40 & 215, Registered Plan 1489, located on the southeast corner of Cabana Road West and Dougall Avenue, by adding the following site-specific zoning provision to permit *dwelling units in a combined use building* as additional permitted use on the subject land:

“410. Southeast Corner of Dougall and Cabana
For the lands comprising Lots 41 & 216, Block E, and Pt Lots 39, 40 & 215, Registered Plan 1489, the following shall be permitted

 - 1) *Dwelling Units in a Combined Use Building with any one or more of the uses permitted in the CD2.1 zone*; provided that
 - i. All dwelling units, not including entrances thereto, shall be located above the commercial uses;
 - ii. All dwelling units shall be located within the existing second floor of the 2-storey commercial building on the subject land; and
 - iii. Required parking for the dwelling units shall be clearly marked, assigned and set apart from the commercial parking spaces on the subject land.
[ZDM 9; ZNG-6166]”

Carried.

Report Number: SCM 26/2021 & S 182/2020
Clerk's File: ZB/13948 & ZO/13998

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11.3. Compliant Investigation Report - Auditor General Role, prepared as of January 14, 2021

Christopher O'Connor, PricewaterhouseCoopers

Christopher O'Connor, PricewaterhouseCoopers, appears before Council and is available for questions regarding the "Compliant Investigation Report on the Auditor General Role, prepared as of January 14, 2021."

Howard Weeks, Resident of Ward 4

Howard Weeks, resident of Ward 4, appears before Council to provide comment regarding the "Compliant Investigation Report on the Auditor General Role, prepared as of January 14, 2021," suggesting that there is a need for a dedicated Auditor General webpage or Facebook page that can serve as a transparency tool for the public at large.

Richard St. Denis, Resident

Richard St. Denis, resident, appears before Council to provide comment regarding the "Compliant Investigation Report on the Auditor General Role, prepared as of January 14, 2021," suggesting that there needs to be a focus on the bigger picture as opposed to incidentals, and stresses that checks and balances have already been built into the systems being used, and concludes by stating the Auditor General is not be used as a tool to simply overturn the will of Council when it comes to decision-making.

Moved by: Councillor Morrison

Seconded by: Councillor Holt

Decision Number: CR63/2021

That the "Compliant Investigation Report on the Auditor General Role, prepared as of January 14, 2021" **BE RECEIVED** for information.

Carried.

Report Number: SCM 24/2021

Clerk's File: GM2021

8.5. Close and Convey the North/South Alley Between Blackburn Court and Huron Church Road - Ward 2 - Applicant: E. Selaya - 3769 Blackburn Court - SAA/5612

Brian Chillman, Solicitor; Ken Khahra, Property Owner; and Jackie Lassaline, Planner

Brian Chillman, Solicitor; Ken Khahra, Property Owner; and Jackie Lassaline, Planner, appear before Council to provide comment regarding "the closure and conveyance of the north/south alley between Blackburn Court and Huron Church Road – Ward 2 – Applicant: E. Selaya – 3769

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Blackburn Court” and request that Council not shift the city’s liability to the property owner and therefore Council should reconsider the ramifications of this alley closure and its long-term effect on the property owner.

Robert Maich, Client of Dr. Khahra

Robert Maich, Client of Dr. Khahra, appears before Council to provide comment regarding “the closure and conveyance of the north/south alley between Blackburn Court and Huron Church Road – Ward 2 – Applicant: E. Selaya – 3769 Blackburn Court,” supporting Dr. Khahra in that Council should not shift the city’s liability to the property owner and therefore Council should reconsider the ramifications of this alley closure and its long-term effect on the property owner.

Moved by: Councillor Bortolin

Seconded by: Councillor Sleiman

Decision Number: CR57/2021 DHSC 247 CR608/2020 DHSC 217

- I. That the portion of the 3.66 metre wide north/south alley located west of Huron Church Road abutting properties on the east side of Blackburn Court, and shown on Drawing No. CC-1738 labelled as Part 1 and Part 2 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure.
- II. That the portion of the 3.66 metre wide north/south alley located west of Huron Church Road abutting properties on the east side of Blackburn Court, and shown on Drawing No. CC-1738 labelled as Part 1 and Part 2 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** in two equal halves to the abutting property owners, in a manner deemed appropriate by the City Planner, subject to the following:
 - a) Easement, subject to their being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
 - Bell Canada, Cogeco Connexion, MNSi and Enwin Utilities Ltd.
- III. That Conveyance Cost **BE SET** as follows:
 - a) For portions of the alley abutting lands zoned Residential RD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
 - b) For portions of the alley abutting lands zoned Commercial CD1.6 or HCD1.6: \$14.00 per square foot without easement and \$7.00 per square foot with easements plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1738, *attached* as Appendix “A”.
- V. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

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VI. 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.

VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: SCM 30/2021, SCM 337/2020 & S 9/2020

Clerk's File: SAA2021

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.4. OPA & Rezoning - Transport Terminal Land Use Study - OPA 139 OPA/6195 Z-031/20 ZNG/6194 - City Wide

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: CR64/2021 CR26/2021 DHSC 226 DHSC 227 DHSC 228

1. That the report titled "Transport Terminal Land Use Study" prepared by the City of Windsor - Planning Division, dated 16 November 2020, and tabled at the November 16, 2020 meeting of the Development & Heritage Standing Committee as Appendix A to Report S 146/2020 **BE ACCEPTED**.

2. That Volume 1 of the City of Windsor Official Plan **BE AMENDED** as follows:

2A) Add the following to the Chapter 2 – Glossary:

*LONG
COMBINATION
VEHICLE ROUTE*

Long Combination Vehicle Route refers to an approved route that provides access to a freight terminal located within a defined distance from a highway interchange for a Long Combination Vehicle.

*TRANSPORT
TERMINAL*

Transport Terminal means a premises used to dispatch, park, repair, service, or store freight-carrying trucks and trailers.

TRUCK ROUTE

Truck Route means any highway designated as a "Truck Route" on Schedule "H" to By-law 9148.

2B) Add the following to Chapter 6 – Land Use:

*TRANSPORT
TERMINAL
GUIDELINES*

6.4.3.6 In addition to the policies in Sections 6.4.3.3, 6.4.3.4, and 6.4.3.5, the following additional policies shall be considered when evaluating a Transport Terminal:

- (a) Prohibit the location of a Transport Terminal adjacent to, or near, sensitive land uses, such as residential uses, unless appropriate mitigation measures such as a berm, noise barrier, or other buffering are in place to mitigate noise, dust, and light pollution, and odours from the Transport Terminal;
- (b) Discourage direct driveway access to/from a Transport Terminal from/to Class II Arterial Road that serves as a major commercial corridor to minimize traffic, noise, and dust conflicts;
- (c) Encourage adjacency of a Transport Terminal to the truck route network, including any designated long combination vehicle route;
- (d) Encourage proximity of a Transport Terminal to rail, airport, and water port facilities to maximize freight intermodal opportunities;
- (e) Encourage proximity of a Transport Terminal to land uses that generate freight trips to allow for efficient use of land and infrastructure;

3. That Zoning By-law 8600 **BE AMENDED** as follows:

3A) Delete Section 5.99.97 and substitute with a new Section 5.99.97 as follows:

5.99.97 **TRANSPORT TERMINAL**

[ZNG/5364; ZNG/6194]

(ADDED B/L 169-2018 Dec 19/2018)

For a *transport terminal*, the following additional provisions shall apply:

- .1 Lot Width – minimum 43.0 m
- .2 Lot Area – minimum 3,200 m²
- .50 Any lighting used to illuminate the *transport terminal* shall be full cut-off lighting.
- .55 Where an abutting *lot* is zoned *Development Reserve District, Green District, Residential District, or Institutional District*, or occupied by a *dwelling or dwelling unit* a *screening fence* with a minimum height of 1.80 m shall be provided along that part of the *lot line* for the *lot* on which the *transport terminal* is located.
- .60 A *transport storage area* shall be:
 - a) Setback from the *front lot line* a minimum of the required *front yard depth* of the *zoning district* in which the *lot* is in, or 6.0 m, whichever is greater. The setback shall be maintained as a *landscaped open space yard*;
 - b) Setback from an *exterior lot line*, excluding a *front lot line*, a minimum of 3.0 m, except where said *exterior lot line* is located within 50 m of a *development reserve district, green district, residential district, or institutional district*, or a *lot* containing a *dwelling or dwelling unit*, the setback from the *exterior lot line* shall be a minimum of 11.30 m and said setback shall consist of a berm with a minimum width of 11.30 m and a minimum height of 1.80 m. The setback shall be maintained as a *landscaped open space yard*;
 - c) Setback from an *interior lot line* a minimum of 0.90 m, except where said *interior lot line* is located within 50 m of a *development reserve district, green district, residential district, or institutional district*, or a *lot* containing a *dwelling or dwelling unit*, the

- setback from the *interior lot line* shall be a minimum of 11.30 m and said setback shall consist of a berm with a minimum width of 11.30 m and a minimum height of 1.80 m. The setback shall be maintained as a *landscaped open space yard*;
- c) Graded and drained into a municipal sewer system to prevent the runoff of surface water onto a *street, alley, or abutting property*;
 - d) Paved with asphalt, concrete or any combination thereof, for that portion of the *transport storage area* used to load, manoeuvre, repair, service, or unload a *motor vehicle, transport truck or transport trailer*. The remainder of the *transport storage area* shall be paved with asphalt or concrete, or covered in gravel or similar aggregate, or any combination thereof; and
 - e) Maintained in good condition.
- .62 Vehicular access shall be to/from a *street* by way of an *access area*. Sections 25.5.30.2, 25.5.30.3, 25.5.30.5 and 25.5.30.6 shall apply to such *access area* and any reference to a *loading space or building* shall include a *transport storage area*.
- .64 A curb shall bound the perimeter of the paved portion of the *transport storage area*. Any curb shall be constructed of poured in place concrete, shall be continuous and shall have a minimum width and height of 15.0 cm. Precast concrete, rubber, plastic or other curbing or a parking stop that is not continuous is prohibited. A curb cut or ramp for pedestrian or vehicular access, a curb cut for drainage, or a curb with a height of less than 15.0 cm as a transition between the paved and unpaved portions of a *transport storage area*, is permitted.
- .66 A *parking area* may be located within a *transport storage area* and the provisions of Section 25.5 shall apply, with necessary modifications for the safe and efficient operation of the *transport storage area* and *parking area*.
- .68 A *refuse bin* may be located within a *transport storage area* and shall be fully screened by a *screening fence* having a minimum height of 1.80 m.
- .90 The parking, repairing, servicing, or storing of a *motor vehicle, transport truck or transport trailer* within a *required yard* or a *landscaped open space yard* is prohibited.

3B) Delete Section 18 and substitute with a new Section 18 attached as Appendix 3B to Report S 170/2020.

3C) Add the following zoning districts to Section 19:

19.13 MANUFACTURING DISTRICT 2.13 (MD2.13)
[ZNG/6194]

- 19.13.1 PERMITTED USES**
- Ambulance Service*
 - Loading Compound*
 - Micro-Brewery*
 - Public Parking Area*
 - Railway*
 - Self-Storage Facility*
 - Towing Facility*
 - Transport Terminal*
 - Warehouse*
 - Water Transportation Facility*

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For any *lot* located in an area bound by Wyandotte Street West to the north, Janette Avenue to the east, Tecumseh Road West to the south and McKay Avenue to the west and zoned MD2.13, the following shall be additional permitted uses:

Building Materials Recycling Store
Bulk Storage Facility
Contractor's Office
Equipment Rental Shop
Food Catering Service
Food Processing Facility
Laundry Plant
Manufacturing Facility
Medical Appliance Facility
Repair Shop – Heavy
Repair Shop – Light
Retail Store – Equipment & Supplies
Welding Shop

Any use accessory to any of the above uses

19.13.5 PROVISIONS

.4 Building Height – maximum 14.0 m

19.18 MANUFACTURING DISTRICT 2.18 (MD2.18)

[ZNG/6194]

19.18.1 PERMITTED USES

Loading Compound
Manufacturing Facility
Motor Vehicle Assembly Plant
Power Generation Facility
Public Parking Area
Railway
Research and Development Facility
Self-Storage Facility
Towing Facility
Transport Terminal
Warehouse

Any use accessory to the above uses, including a *Retail Store*.

19.18.5 PROVISIONS

.1 Lot Width – minimum 30.0 m
.4 Building Height – maximum 20.0 m
.5 Front Yard Depth – minimum 9.0 m
.7 Side Yard Width – minimum
 From a *side lot line* that abuts a *street* or abuts a *lot* on which
 a *dwelling* or *dwelling unit* is located 6.0 m
.8 Landscaped Open Space Yard – minimum 5% of *lot area*
.10 Gross Floor Area – *Retail Store* – maximum 20.0% of the *GFA* of the *main use*

- .50 For any *lot* abutting Pillette Road, a berm with a minimum width of 11.30 m and a minimum height of 1.80 m shall be provided along the Pillette Road frontage and such berm shall be maintained exclusively as a *landscaped open space yard*.
- 3D) Replace the zoning symbol MD1.3 with MD2.13, the zoning symbol HMD1.3 with HMD2.13 and the zoning symbol MD1.8 with MD2.18 on any zoning district map in Schedule A to Zoning By-law 8600.
- 3E) Replace any reference to MD1.3 and MD1.8 in the text of Zoning By-law 8600 with MD2.13 and MD2.18, respectively.
- 3F) Add the following new clause to Section 20(1):
402. **TRANSPORT TERMINAL – ADDITIONAL PERMITTED USE**
A *Transport Terminal* shall be an additional permitted use and shall be subject to the provisions of Section 5, Section 24, Section 25, and the Zoning District in which the *Transport Terminal* is located within.
[ZDM 8, 11, 12; ZNG/6194]
and amend Zoning Districts Maps 8, 11 and 12 by adding specific zoning exception symbol S.20(1)402 to the hatched areas identified as Subject Lands on the maps attached as Appendix 3F to Report S 170/2020.
- 3G) Delete Section 20(1) 230 and substitute with the following clause:
230. **SOUTHEAST CORNER OF MARENTTETE AVENUE AND KAMPLOOPS STREET**
For Part of Lots 89 and 90, Concession 3, known as Parts 1, 2 and 3, Plan 12R-12373 and Parts 3 and 4, Plan 12R-19349, an *Outdoor Storage Yard* and a *Transport Terminal* shall be an additional permitted uses.
[ZDM 8; ZNG/6194] (ADDED B/L 205-2008 Dec 11/2008;)
4. That Zoning By-law 85-18 **BE AMENDED** by deleting and substituting Section 5.49 with a new Section 5.49 as follows:
- 5.49 TRANSPORT TERMINAL**
[ZNG/5364; ZNG/6194] (AMENDED B/L 168-2018 Dec 19/2018;)
For a *transport terminal*, the following additional provisions shall apply:
- .1 Lot Width – minimum 43.0 m
.2 Lot Area – minimum 3,200 m²
.50 Any lighting used to illuminate the *transport terminal* shall be full cut-off lighting.
.55 Where an abutting *lot* is zoned Parks and Open Space Zone, Residential Zone 1, or Hamlet Residential Zone, or occupied by a *dwelling* or *dwelling unit* a *screening fence* with a minimum height of 1.80 m shall be provided along that part of the *lot line* for the *lot* on which the *transport terminal* is located.
.60 A *transport storage area* shall be:
a) Setback from the *front lot line* a minimum of the required front yard depth of the zone in which the *lot* is in, or 6.0 m, whichever is greater. The setback shall be maintained as *landscaped open space*;

- b) Setback from an exterior *lot line*, excluding a *front lot line*, a minimum of 3.0 m, except where said exterior *lot line* is located within 50 m of a Parks and Open Space Zone, Residential Zone 1, or Hamlet Residential Zone, or a *lot* containing a *dwelling*, or *dwelling unit*, the setback from the exterior *lot line* shall be a minimum of 11.30 m and said setback shall consist of a berm with a minimum width of 11.30 m and a minimum height of 1.80 m. The setback shall be maintained as *landscaped open space*;
 - c) Setback from an interior *lot line* a minimum of 0.90 m, except where said interior *lot line* is located within 50 m of a Parks and Open Space Zone, Residential Zone 1, or Hamlet Residential Zone, or a *lot* containing a *dwelling* or *dwelling unit*, the setback from the interior *lot line* shall be a minimum of 11.30 m and said setback shall consist of a berm with a minimum width of 11.30 m and a minimum height of 1.80 m. The setback shall be maintained as *landscaped open space*;
 - c) Graded and drained into a municipal sewer system to prevent the runoff of surface water onto a *street*, *alley*, or abutting property;
 - d) Paved with asphalt, concrete, or any combination thereof, for that portion of the *transport storage area* used to load, manoeuvre, repair, service, or unload a *motor vehicle*, *transport truck* or *transport trailer*. The remainder of the *transport storage area* shall be paved with asphalt or concrete, or covered in gravel or similar aggregate, or any combination thereof; and
 - e) Maintained in good condition.
- .62 Vehicular access shall be to/from a *street* by way of a driveway. Section 5.37 shall apply to such driveway and the requirement for an industrial use shall apply.
- .64 A curb shall bound the perimeter of the paved portion of the *transport storage area*. Any curb shall be constructed of poured in place concrete, shall be continuous and shall have a minimum width and height of 15.0 cm. Precast concrete, rubber, plastic or other curbing or a parking stop that is not continuous is prohibited. A curb cut or ramp for pedestrian or vehicular access, a curb cut for drainage, or a curb with a height of less than 15.0 cm as a transition between the paved and unpaved portions of a *transport storage area*, is permitted.
- .66 A *parking area* may be located within a *transport storage area* and the provisions of Section 5.34 shall apply, with necessary modifications for the safe and efficient operation of the *transport storage area* and *parking area*.
- .68 A *refuse bin* may be located within a *transport storage area* and shall be fully screened by a *screening fence* having a minimum height of 1.80 m.
- .70 Despite Section 5.33, for a *transport terminal* the required minimum number of parking spaces shall be 5 parking spaces, or 1 parking space for every 45.0 m² of *gross floor area*, whichever is greater.
- .90 The parking, repairing, servicing, or storing of a *motor vehicle*, *transport truck*, or *transport trailer* within a required *yard*, required buffer strip, or a *landscaped open space* is prohibited.

5. That Interim Control By-law 79-2019 **BE REPEALED** when the amending by-laws that implement the amendments in Recommendations 2, 3, and 4 are in force; and further,

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6. That the City Planner **BE DIRECTED** to report back to Council on a range of options available to address the concerns arising from the 2650 Metcalf property operating as a Transport Terminal.

Carried.

Councillor McKenzie voting nay.

Report Number: SCM 2/2021 & S 170/2020

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 Costante

Seconded by: Councillor Francis

Decision Number: CR65/2021

That the report of the In Camera meeting held February 1, 2021 **BE ADOPTED** as presented.

Carried.

Clerk's File: ACO2021

12.2. Report of the Striking Committee of its meeting held January 18, 2021

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR66/2021

That the report of the Striking Committee of its meeting held January 18, 2021 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 46/2021

Clerk's File: ACO2021

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Gignac

Seconded by: Councillor Gill

That the following By-laws No. 22-2021 through 25-2021 (inclusive) be introduced and read a first and second time:

22-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR201/2020 dated May 4, 2020.

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23-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES approved by CAO 8/2021 dated January 21, 2021.

24-2021 A BY-LAW TO AMEND BY-LAW 3-2006 BEING A BY-LAW TO ESTABLISH STANDARDS RESPECTING YARD WASTE & EXTERIOR PROPERTY MAINTENANCE AND TO PROHIBIT LITTERING IN THE CITY OF WINDSOR authorized by By-law 98-2011 Section 27.1(l)(ii) dated June 7, 2011.

25-2021 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 1ST DAY OF FEBRUARY, 2021.
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

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 (as presented)

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Gignac

Seconded by: Councillor Francis

That Rule 13.9 of the Procedure By-law BE WAIVED to allow for the introduction of a motion without prior notice as a follow-up to representatives from the Essex Region Conservation Authority (ERCA) appearing In Camera on February 1, 2021 and asking that they appear in a public meeting of Council at a future meeting date to provide an update on the August 28, 2020 phishing scam that impacted ERCA.

The motion is **put** and is **lost** due to a lack of 2/3 majority required to waive the rules.

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

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

Absent: None.

Abstain: None.

Clerk's File: GCE2021

Councillor Gignac gives notice that she intends to introduce a motion for Council's consideration at the next regular meeting of Council requesting that representatives from the Essex Region Conservation Authority (ERCA) appear at a future public meeting of Council to provide an update on the August 28, 2020 phishing scam that impacted ERCA.

Clerk's File: GCE2021

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

That the By-law No. 22-2021 through 25-2021 having been read a first and second time be now read a third time and finally passed and That the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

17. PETITIONS

Moved by: Councillor Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR67/2021

That the petition presented by Councillor Francis on behalf of the residents who live in Southwood Lakes, asking City Council to replace the decorative lamp posts and lights within the Southwood Lakes neighbourhood with decorative lamp posts and lights **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the City Engineer for the purpose of an examination of the requested works or undertakings.

Carried.

Clerk's File: ACO/14031

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18. QUESTION PERIOD

18.3. CQ 1-2021

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR68/2021

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 1-2021:

Assigned to City Engineer:

Ask that Administration report back to Council on the potential benefits and drawbacks of developing a preferred contractor list for the basement subsidy programs offered by the City with options to strengthen protections for residents seeking to leverage support to mitigate flooding in their homes.

Carried.

Clerk's File: SW2021

21. ADJOURNMENT

Moved by: Councillor Gignac

Seconded by: Councillor Gill

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 1:32 o'clock p.m.

Mayor

City Clerk

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Adopted by Council at its meeting held February 1, 2021 (CR65/2021)
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA February 1, 2021

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: 10:00 a.m.

Members in Attendance:

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

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, Commissioner, Parks, Recreation, Culture and Facilities
A. Teliszewsky, Mayor's Chief of Staff
P. Brode, Senior Legal Counsel (Items 1 and 2)
T. Byrne, General Manger and T. Jobin, Vice-Chair, ERCA (Item 3)

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

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Legal/Property matter – expropriation settlement	239(2)(e)(f)
2.	Legal/Property matter – expropriation settlement	239(2)(e)(f)
3.	Personal/Legal matter – ERCA presentation re CR573/2020 - verbal	239(2)(b)(e)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

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

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Kaschak, seconded by Councillor Morrison, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 1, 2021 directly to Council for consideration at the next Regular Meeting.

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1. That the recommendation contained in the in-camera report from Senior Legal Counsel, City Solicitor and Corporate Leader Economic Development and Public Safety, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal/property matter – expropriation settlement **BE APPROVED**.
2. That the recommendation contained in the in-camera report from Senior Legal Counsel, City Solicitor and Corporate Leader Economic Development and Public Safety, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal/property matter – expropriation settlement **BE APPROVED**.
3. That the confidential verbal presentation from T. Byrne, General Manager and T. Jobin, Vice-Chair, Essex Region Conservation Authority respecting a personal/legal matter re CR573/2020 **BE RECEIVED**.

Motion Carried.

**Moved by Councillor Costante, seconded by Councillor Gill,
That the special meeting of council held February 1, 2021 BE ADJOURNED.
(Time: 11:23 a.m.)**

Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on February 1, 2021**