



CITY OF WINDSOR MINUTES 07/19/2021

City Council Meeting

Date: Monday, July 19, 2021

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 – 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.

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 1:30 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Francis discloses an interest and abstains from voting on Item 8.1 being the report of the Office of the Mayor dated June 23, 2021 entitled "Anti-Racism Initiative Update" as it involves a partnership with his employer.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held July 5, 2021

Moved by: Councillor Costante
Seconded by: Councillor Francis

That the minutes of the meeting of Council held July 5, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 253/2021

5. NOTICE OF PROCLAMATIONS

None presented.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Gignac
Seconded by: Councillor Holt

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 121-2021 through 128-2021 (inclusive).

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, July 19, 2021

Moved by: Councillor Holt

Seconded by: Councillor Kaschak

Decision Number: CR319/2021

That the following Communication Items 7.1.1 through 7.1.4 (inclusive), 7.1.6, 7.1.7 and 7.1.9 as set forth in the Council Agenda **BE REFERRED** as noted; and that Item No. 7.1.5 and 7.1.8 be dealt with as follows:

7.1.5. Letter thanking City Council regarding the Community Heritage Fund Mortgage Receivable for Mount Zion Church of God in Christ, 795 McDougall Street and Letter clarifying the mission and vision of the Mt. Zion Canadian Church of God In Christ

Moved by: Councillor Bortolin

Seconded by: Councillor Holt

Decision Number: CR320/2021

WHEREAS Council was presented with an administrative report authored by the Manager, Treasurer and Cash Management entitled "Community Heritage Fund Mortgage Receivable for Mount Zion Church of God in Christ, 795 McDougall Street" at its meeting held on June 21, 2021; and,

WHEREAS the following appeared before Council as registered delegations at the June 21, 2021 meeting of Council:

- *Brenda Harrison, Contact person for Mount Zion Church of God in Christ; and,*
- *Bishop Paul Morton; and,*

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WHEREAS Council deliberated on the matter at the June 21, 2021 meeting; and,

WHEREAS the Council minutes of June 21, 2021 show the following lost motion as part of the public record:

“...That administration BE DIRECTED to extend the mortgage for a period of 5 years under the status quo situation.

The motion is put and is lost.

Aye votes: Councillors Bortolin, McKenzie and Holt.

Nay votes: Councillors Gignac, Costante, Francis, Kaschak, Morrison, Gill and Sleiman.”;

and,

WHEREAS the Council minutes of June 21, 2021 show the following subsequent motion adopting the administrative recommendation as part of the public record:

“Moved by Councillor Gignac, seconded by Councillor Costante,

That City Council FORGIVE the outstanding mortgage in the amount of \$22,254.98 from the Mount Zion Church of God in Christ; and further,

That the City Solicitor BE DIRECTED to discharge the mortgage document CE468199.”;

and,

WHEREAS Council, at its meeting held July 19, 2021 received correspondence on the communications agenda from Reverend Perry Hamilton (Overseer) suggesting that Bishop Paul Morton and Brenda Harrison, who appeared as delegations at Council on June 21, 2021, “misinformed Council to a large degree” and that “the brother of the Late Bishop C. L Morton, Paul Morton has no ecclesiastical authority over Mt. Zion Canadian Church of God in Christ, nor does Ms. Harrison who has never been a member or on the board and does not represent Mt. Zion Church in any capacity”; and,

WHEREAS in light of this new information that has come forward as part of the public record at the July 19, 2021 Council meeting, that Administration **BE DIRECTED** to conduct an administrative review on this matter, and **PUT A HOLD (IF POSSIBLE) ON ANY FURTHER ACTION** on this file until the findings of the review are reported back to Council along with any and all possible options that might be available to Council on this matter.

Carried.

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7.1.8. Administrative Memo regarding Response to CQ11-2021: Ontario Conservation Authority Working Group consultations

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR321/2021

That the correspondence from the City Clerk dated July 13, 2021 regarding "Response to CQ11-2021: Ontario Conservation Authority Working Group consultations" **BE RECEIVED**; and further,

That administration **BE DIRECTED** to schedule an education/information session for Council and administration regarding core services and optional services, in order to allow Council to then issue a submission to the Ontario Conservation Authority Working Group as part of their consultations that are currently underway for both Phase 1 and 2.

Carried.

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

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

Nay votes: None

Absent: None

Abstain: None

Clerk's File: GCE2021 & ACOQ2021

No.	Sender	Subject
7.1.1	Ontario Land Tribunal	Withdrawal Letter for Case No. PL210138 (1200-1220 University Avenue West) Commissioner, Legal & Legislative Services Deputy City Solicitor City Planner Development Applications Clerk ZB/13838 Note & File
7.1.2	Ontario Land Tribunal	Letter regarding the processes for the New Ontario Land Tribunal Commissioner, Legal & Legislative Services Deputy City Solicitor City Planner Development Applications Clerk Z2021 Note & File

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No.	Sender	Subject
7.1.3	Town of Tecumseh	<p>Notice of the passing of a zoning by-law amendment, By-law 2021-33, 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 Planner Commissioner, Legal & Legislative Services Deputy City Solicitor Development Applications Clerk Z2021 Note & File</p>
7.1.4	Town of Tecumseh	<p>Notice of the passing of a zoning by-law amendment, By-law 2021-46, 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 Planner Commissioner, Legal & Legislative Services Deputy City Solicitor Development Applications Clerk Z2021 Note & File</p>
7.1.5	Rev. Perry Hamilton – Mount Zion Church	<p>Letter thanking City Council regarding the Community Heritage Fund Mortgage Receivable for Mount Zion Church of God in Christ, 795 McDougall Street</p> <p>Letter clarifying the mission and vision of the Mt. Zion Canadian Church of God In Christ</p> <p style="text-align: right;">Deputy Treasurer, Taxation, Treasury & Financial Projects Commissioner, Corporate Services CFO/City Treasurer MBA/7874 Note & File</p>

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No.	Sender	Subject
7.1.6	Manager of Environmental Quality – City of Windsor, Soil & Materials Engineering Inc., and C.T. Soil & Materials Engineering Inc.	<p>Notice of intention to apply non-potable groundwater site condition standards record of site condition (1226 Drouillard Road). The City of Windsor has no objection to the application.</p> <p style="text-align: right;">Commissioner, Infrastructure Services EI/11165 Note & File</p>
7.1.7	Manager of Environmental Quality – City of Windsor and John Wood Group PLC	<p>Notice of intention to apply non-potable groundwater site condition standards record of site condition (0 Kamloops & East Half 850 Division Road). The City of Windsor has no objection to the application.</p> <p style="text-align: right;">Manager of Environmental Quality Commissioner, Infrastructure Services EI/11165 Note & File</p>
7.1.8	City Clerk	<p>Administrative Memo regarding Response to CQ11-2021: Ontario Conservation Authority Working Group consultations</p> <p style="text-align: right;">Commissioner, Legal & Legislative Services Commissioner, Infrastructure Services City Planner GCE2021 ACOQ2021 Note & File</p>

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No.	Sender	Subject
7.1.9	Manager of Urban Design	<p>Recent Site Plan Control (SPC) applications:</p> <ul style="list-style-type: none"> • 2513821 Ontario Inc., 3490 Marentette, Truck repair garage with transport terminal • Ryka Care Centres LP, 3175-3215 Banwell, Long-term Care Home • Al Shipley, 955 California, Residential 6 unit multi dwelling • Avani Homes Inc. c/o Pawan Khichi, 0, 968 & 980 Goyeau, 6 storey mixed use bldg. (Condominium Tenure) • JMV Holdings Ltd., 2676 Grand Marais W, Conversion of existing school to a 6 unit dwelling • Eastside Horizons Inc., 1415 Banwell, Parking Lot for Elizabeth Kishkon Park • Riva Botross, 754 Ouellette, Change of Use from Restaurant to Medical and Reconstruction of Facade • LPG Development Inc., 0, 5178 & 5188 Tecumseh E, Two Buildings - Minor Commercial & Restaurant with Drive-thru • St. Clair Rhodes Development, 3355 Munich, Parking Area Expansion <p style="text-align: right;"> ZS/13245 ZS/14163 ZS/14164 ZS/14165 ZS/14166 ZS/14167 ZS/14168 ZS/14169 ZS/14170 Note & File </p>

Carried.

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7.2. Time Spent in Open and In-Camera Council Meetings and Standing Committee Meetings for the period of January 1, 2020 to December 31, 2020

Moved by: Councillor Holt
Seconded by: Councillor Kaschak

Decision Number: CR322/2021

That the report of the City Clerk dated July 8, 2021 respecting "Time Spent in Open and In-Camera Council Meetings and Standing Committee Meetings for the period of January 1, 2020 to December 31, 2020" **BE RECEIVED** for information.

Carried.

Report Number: CM 4/2021
Clerk's File: ACO/9512 & MB2021

7.3. Performance of Advisory Committees for 2020

Moved by: Councillor Holt
Seconded by: Councillor Kaschak

Decision Number: CR323/2021

That the report of the City Clerk dated July 6, 2021 entitled "Performance of Advisory Committees for 2020" **BE RECEIVED** for information.

Carried.

Report Number: CM 19/2021
Clerk's File: MB2021 & ACO/9512

8. CONSENT AGENDA

8.2. Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes - March 2, 2021

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR326/2021 ETPS 830

That the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) of its Regular Board meeting held March 2, 2021 **BE RECEIVED**.

Carried.

8.3. Essex-Windsor Solid Waste Authority Annual Report, Essex-Windsor Residential Waste Diversion 2020 (dated March 31, 2021)

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR327/2021 ETPS 831

That the Essex-Windsor Solid Waste Authority (EWSWA) Annual Report entitled "Essex-Windsor Residential Waste Diversion 2020," dated March 31, 2021 **BE APPROVED**.

Carried.

Report Number: SCM 219/2021 & SCM 164/2021
Clerk's File: MB2021

8.5. Minutes of the Windsor Bicycling Committee of its meeting held April 20, 2021

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR329/2021 ETPS 833

That the minutes of the Windsor Bicycling Committee of its meeting held April 20, 2021 **BE RECEIVED**.

Carried.

Report Number: SCM 221/2021 & SCM 169/2021
Clerk's File: MB2021

8.6. Greenhouse Gas and Energy Inventory 2019

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR330/2021 ETPS 834

That the report of the Community Energy Plan Administrator dated December 21, 2020 entitled "Greenhouse Gas and Energy Inventory 2019" **BE RECEIVED** for information.

Carried.

Report Number: SCM 222/2021 & S 189/2020
Clerk's File: EI2021

8.7. CQ8-2021 - Rebranding and Expanding the City of Windsor's established Poet Laureate Program - City Wide

Moved by: Councillor McKenzie
Seconded by: Councillor Morrison

Decision Number: CR331/2021 CSPS 155

That the report from the Cultural Development Coordinator regarding the expansion of the City of Windsor's Poet Laureate program **BE RECEIVED**; and further,

That the Poet Laureate program, established as an ongoing program, **BE REBRANDED** as the 'Poet Laureate and Storytellers' program; and further,

That the program **BE UPDATED** to include two new positions – Indigenous Storyteller and Multicultural Community Storyteller; and further,

That the additional funding required for the expanded program honorariums and programming initiatives in 2021 in the amount of \$9,500 **BE CHARGED** to the Culture and Events operating budget; and further,

That Council **PRE-COMMIT** a \$9,500 increase to the Culture and Events 2022 operating budget; and further,

That Administration **BE DIRECTED** to seek nominations for recognized Windsor literary and spoken word artists for the position of Indigenous Storyteller and Multicultural Community Storyteller, to be appointed for two-year terms; and further,

That the administrative report **BE REFERRED** to the Diversity Committee for review and comment; and,

That additional consultations **BE CONDUCTED** as appropriate.

Carried.

Report Number: SCM 223/2021 & S 80/2021
Clerk's File: SR2021

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11.5. Rezoning - Duo Fratres Inc. - 1370 Argyle Road - Z-017/21 [ZNG/6435] - Ward 4

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR336/2021 DHSC 300

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Concession 1, Part Lots 95 and 95 (known municipally as 1370 Argyle Road; Roll No. 020-230-04200-0000; designated as Parts 1 and 2 on 12R-28456) situated on the east side of Argyle Road between Iroquois Street and Argyle Court by changing the district from Manufacturing District 1.1 (MD 1.1) to Commercial District 2.2 (CD 2.2) and adding the following site specific provision to Section 20(1):

"406 EAST SIDE OF ARGYLE ROAD, BETWEEN IROQUOIS STREET AND ARGYLE COURT

1. For lands comprising Part Lots 95 and 96, Concession 1 (Roll No. 020-230-04200, designated as Parts 1 and 2 on 12R-28456) a *multiple dwelling* shall be an additional permitted use and the following additional provision shall apply:
 - a) Notwithstanding Section 24.26.1 required parking spaces, visitor parking spaces, and accessible parking spaces may be located on a lot that abuts the multiple dwelling they are intended to serve.

[ZDM 7; ZNG/6435]"

- II. That the following matters **BE ADDRESSED** though Site Plan Control:
 - a. The Site Plan Control agreement shall provide for access and use of the parking area to be located on the abutting property at 2109 Ottawa Street;
 - b. The multiple dwelling shall be designed with central air conditioning in each dwelling unit or with a provision for the installation of central air conditioning in each dwelling unit in the future, at the occupant's discretion; and
 - c. That the following clauses be implemented in all development agreements, offers to purchase, and agreements of purchase and sale or lease of each dwelling unit:
 - i. "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."
 - ii. "Essex Terminal Railway (ETR) or its assigns or successors in interest has or have a rights-of-way within 300 meters from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may

affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). ETR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

III. That the following matters **BE ADDRESSED** though Site Plan Control:

- a. The Site Plan Control agreement shall provide for access and use of the parking area to be located on the abutting property at 2109 Ottawa Street;
- b. The multiple dwelling shall be designed with central air conditioning in each dwelling unit or with a provision for the installation of central air conditioning in each dwelling unit in the future, at the occupant’s discretion; and
- c. That the following clauses be implemented in all development agreements, offers to purchase, and agreements of purchase and sale or lease of each dwelling unit:
 - i. “This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”
 - ii. “Essex Terminal Railway (ETR) or its assigns or successors in interest has or have a rights-of-way within 300 meters from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). ETR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

Carried.

Report Number: SCM 226/2021 & S 68/2021
Clerk’s File: ZB/14119

11.6. Transit Windsor - 2022 Fleet Procurement - City Wide

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR337/2021 ETPS 835

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the results of a recent low floor bus procurement RFP through Metrolinx for the term April 1, 2020 to March 31, 2023 awarded to Nova Bus Corporation, A Division of Volvo Group Canada Inc.; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the Purchase Agreement for all bus and spare parts orders for the term of April 1, 2020 to March 31, 2023 with Nova Bus Corporation, A Division of Volvo Group Canada Inc., satisfactory in legal form to the City Solicitor and in technical content to the Executive Director of Transit Windsor.

Carried.

Report Number: SCM 250/2021 & S 93/2021
Clerk's File: MT/13406

11.7. Investing in Canada Infrastructure Program - Public Transit - City Wide

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR338/2021 ETPS 836

That City Council **APPROVE** \$17,019,738.06 for the project recommended in this report for submission to Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit for the purchase of up to 24 replacement buses; and,

That City Council **SUPPORT** and identify as placeholders the City's total funding of \$4,723,606.12 for both match funding and ineligible costs as outlined in Table 1 of the financial matters section; and,

That City Council **AUTHORIZE** the Chief Administrative Officer to sign and submit applications to Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit, subject to the documents being satisfactory in technical content to the Commissioner of Infrastructure Services, or designate, in financial content to the City Treasurer or designate, and in legal form to the Commissioner of Legal & Legislative Services; and,

That in the event the City receives written confirmation, of the Grant funding being awarded to the City, the Grant funding awarded is no less than the Project's costs outlined in the Financial Matters section herein, implementation of the Project does not result in a need for additional city funding to be 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:

-
- a. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute and sign any agreements, declarations or approvals required resulting from receiving grant funding approval for Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit subject to such documents being satisfactory in technical content to the Commissioner of Infrastructure Services or designate, in financial content to the City Treasurer or designate, and in Legal form to the Commissioner of Legal & Legislative Services; and,
 - b. THAT the Mayor, in addition to the CAO and City Clerk, also **BE AUTHORIZED** to execute any agreements, declarations and other such documents required as part of receiving funding under the ICIP-Public Transit program, and only if deemed required by the grant provider, to be satisfactory in form, technical content and financial content by the parties outlined in the original approvals granting the CAO and City Clerk authority to execute such documents; and,
 - c. THAT the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, progress reports and applicable schedules and other such documents as may be required as part of the request for payment to the Commissioner of Infrastructure Services or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
 - d. THAT City Council **PRE-COMMIT** a total of \$4,723,606.12 in City funds from the Transit Windsor Fleet Replacement Program, TRN-001-07, consisting of \$3,997,180.00 and \$726,426.12 in 2022 and 2023 Service Sustainability (Fund 221) funding, respectively; and,
 - e. THAT City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Investing in Canada Infrastructure Program (ICIP) – Public Transit project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to City Treasurer, and in technical content to the Commissioner of Infrastructure Services; and,
 - f. THAT the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in technical content to the Commissioner of Infrastructure Services; in financial content to City Treasurer; and,
 - g. THAT in the event that written confirmation is received by the City indicating that funding has been approved under the ICIP-Public Transit program, Administration **BE AUTHORIZED** to make any expenditures that are related to the ICIP-Public Transit projects, provided such expenditures are within previously-approved budget amounts and that they are required to be made prior to the formal public announcements or agreement execution, due to project timelines; and; and,

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- h. THAT City Council **AUTHORIZE** the City Solicitor to prepare the required bylaws, if required by the grant provider, in order to execute agreements as part of receiving grant funding, conditional upon the recommendation of the Chief Financial Officer & City Treasurer; and,

That should the City not be successful in this grant submission, a communication report **BE PROVIDED** to inform City Council.

Carried.

Report Number: SCM 251/2021 & C 101/2021

Clerk's File: MT/13478

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

11.2. Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services - A Housing Hub Vision - City Wide

Moved by: Councillor Gignac

Seconded by: Councillor McKenzie

Decision Number: CR333/2021

That the report of the Executive Initiatives Coordinator, dated July 2, 2021, entitled "Home Together: Windsor Essex 10-Year housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide" **BE DEFERRED** to a future meeting of Council, to allow for additional information from Administration that was directed at the July 19, 2021 in-camera meeting.

Carried.

Report Number: C98/2021

Clerk's File: SS/11710

11.4. Approval of a Draft Plan of Subdivision on lands located on the south side of Plymouth Dr., east of Central Avenue; File No. SDN-002/20 [SDN/6119]; Applicant – Grand Central Business Park Inc., Ward 5

Moved by: Councillor Bortolin

Seconded by: Councillor Gignac

Decision Number: CR335/2021 CR199/2021 DHSC 269

That the report of the Senior Planner dated March 25, 2021 entitled “Approval of a Draft Plan of Subdivision on lands located on the south side of Plymouth Dr., east of Central Avenue; File No. SDN-002/20 [SDN/6119] Applicant – Grand Central Business Park Inc., Ward 5” **BE DEFERRED** at the request of David Mady, VP Real Estate Development, Rosati Group to the July 26, 2021 meeting of Council, to allow for further consultation with Administration.

Carried.

Report Number: SCM 134/2021 & S 35/2021
Clerk’s File: ZP/14066

10. PRESENTATIONS AND DELEGATIONS

8.1. Anti-Racism Initiative Update - City Wide

Kathleen Thomas, Executive Director; and Allison Johnson, President, Multicultural Council of Windsor and Essex County

Kathleen Thomas, Executive Director; and Allison Johnson, President, Multicultural Council of Windsor and Essex County (MCC), appear before Council in support of the recommendation in the administrative report “Anti-Racism Initiative Update - City Wide”, and provide information related to the organization’s experience related to this type of work and programs created/undertaken through the Multicultural Council of Windsor and Essex County; their mission; and conclude by providing information related to goals and details of the Anti-Racism initiative, including Anti-Racism Awareness Campaign; Training Initiatives; Racial Equity Internships and Mentorships; Bursaries and Scholarships; Racial Equity Development Grants; Heritage Interpretation and Storytelling.

Leslie McCurdy, Black Council of Windsor Essex

Leslie McCurdy, Black Council of Windsor Essex, appears before Council and expresses concern regarding the recommendation in the administrative report “Anti-Racism Initiative Update - City Wide” as well as the lack of collaboration and consultation related this initiative; and concludes by suggesting that they look forward to the opportunity to collaborate further on matters related to Anti-Racism initiatives; provides details related to specific needs to eliminate discrimination.

Moved by: Councillor Gignac

Seconded by: Councillor Sleiman

Decision Number: CR324/2021

That City Council **APPROVE** a partnership between the City of Windsor and the Multicultural Council of Windsor and Essex County for the design and delivery of an Anti-Racism Initiative for 2021 and 2022; and,

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That City Council **APPROVE** the allocation of \$200,000 in funding from the City of Windsor Anti-Racism Initiative Project (#7211012), to the Multicultural Council of Windsor and Essex County for the development, rollout and implementation of the Anti-Racism Initiative in partnership with the City of Windsor; and,

That Administration **BE DIRECTED** to prepare an agreement to retain the services of the Multicultural Council of Windsor and Essex County accordingly; and,

That the CAO and City Clerk **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions, satisfactory in form to the City Solicitor and Mayor's Office, and in financial content to the City Treasurer; and further,

That the CAO and City Clerk **BE AUTHORIZED** to sign any required documentation as it relates to this initiative, satisfactory in legal form to the City Solicitor, in content to the Mayor's Office, and in financial content to the City Treasurer; and further,

That the Multicultural Council of Windsor and Essex County **CONTINUE TO UNDERTAKE** comprehensive consultative measures.

Carried.

Councillors Holt and Bortolin voting nay.

Councillor Francis discloses an interest and abstains from voting on this matter.

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

Decision Number: CR325/2021

That the Multicultural Council of Windsor and Essex County **REPORT** to the Diversity Committee on a consultative basis regularly regarding the progress of the anti-racism initiative, as approved by Council Resolution CR324/2021.

Carried.

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

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

Nay votes: Councillors Gignac, Sleiman, and Mayor Dilkens

Absent: None

Abstain: Councillor Francis

Report Number: C 97/2021

Clerk's File: APR2021

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11.1. Licensing Framework For Clothing Donation Bins - City Wide

Simon Langer, National Manager, Government and Strategic Partnerships, National Diabetes Trust, Diabetes Canada

Simon Langer, National Manager, Government and Strategic Partnerships, National Diabetes Trust, Diabetes Canada, appears before Council regarding the administrative report “Licensing Framework for Clothing Donation Bins - City Wide” and expresses concern related to the fees being proposed as negatively impacting the Charitable/non-profit organizations in Windsor and concludes by suggesting that donation bin by-laws be amended for for-profit operators by mandatory stickers on all four sides of bins detailing that they are a for profit organization; ensuring that for-profit donation bin operators provide a letter by a 3rd party engineer indicating the bins are safe; permit documentation should not have to be provided on a yearly basis for charitable/non-profit organizations; increase fees for for-profit operators to focus on illegal dumping; by-law enforcement shouldn't punish property owners and increase fees for for-profit operators.

Mayor Dilkens leaves the meeting at 5:09 o'clock p.m. and Councillor Francis assumes the Chair. Mayor Dilkens returns to the meeting at 5:18 o'clock p.m. and Councillor Francis returns to his seat as a Councillor.

Moved by: Councillor Bortolin

Seconded by: Councillor Holt

Decision Number: CR332/2021

That Council **DIRECT** administration to implement municipal licensing regulations for clothing donation bins and **APPROVE** a full cost recovery model (excluding charitable organizations) as outlined in Option 1 of the report consistent with the fee structures set out under the City's current Business Licensing By-law inclusive of discounted licence fees for *registered non-profit charitable organizations* as presented in this report; and,

That the City Solicitor **BE AUTHORIZED** to amend By-law 395-2004—The City of Windsor Business Licensing By-law as required.

Carried.

Report Number: C 85/2021

Clerk's File: APM2021

8.4. Report No. 73 of the Windsor Bicycling Committee - Bicycle Parking Policy - Framework and Next Steps

Jessica Macasaet Bondy, Member, Windsor Bicycling Committee

Jessica Macasaet Bondy, Member, Windsor Bicycling Committee, appears before Council in support of the recommendation of the Standing Committee regarding the report “Report No. 73 of

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the Windsor Bicycling Committee - Bicycle Parking Policy - Framework and Next Steps"; and provides an overview of her association with the Windsor Bicycling Subcommittee; and concludes by suggesting that the recommendations outlined represent changes that should be made.

Moved by: Councillor McKenzie
Seconded by: Councillor Holt

Decision Number: CR328/2021 ETPS 832

That Report No. 73 of the Windsor Bicycling Committee of its meeting held April 20, 2021 indicating:

That the broad objectives articulated in the Bike Parking Policy Framework BE ENDORSED;
and

That within the Framework, that Administration BE REQUESTED to develop specific proposals for Council to consider capital incentives to promote investments in end of trip bike parking facilities to promote stronger commuter cycling adoption; and

That Crime Prevention through Environmental Design (CPTED) principles CONTINUE to be a point of emphasis as the Bike Parking Policy is developed; and

That the City of Windsor BE REQUESTED to create minimum bike parking capacity requirements for City Parks and to follow CPTED principles when determining where to locate bike parking facilities with the view to encourage park users to bike to parks; and

That the City of Windsor BE REQUESTED to continue to embed consideration for bike parking facilities where appropriate in terms of land use and site design; and

That consideration BE AFFORDED to provide bike parking facilities for a variety of bicycles;
and

That the City of Windsor BE REQUESTED to increase the required number of bike parking spaces (minimum) for all future developments; and

That the implementation of a Bike Parking policy for the Sandwich South Lands that align with the goal of the Active Transportation Master Plan BE SUPPORTED,

BE APPROVED.

Carried.

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11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.3. CQ #19-2020 - Indigenous Land Acknowledgement Statement and the Windsor Indigenous Advisory Committee-City Wide

Moved by: Councillor McKenzie

Seconded by: Councillor Bortolin

Decision Number: CR334/2021

That the follow-up report by the Diversity and Accessibility Officer regarding Council Question 19-2020 **BE RECEIVED FOR INFORMATION**; and further,

That City Council **APPROVE** the Terms of Reference for the Windsor Indigenous Advisory Committee, so that the Committee can be struck; and,

That City Council **APPROVE** the following Land Acknowledgment Statement and keep it as a living document, open for revisions, for one year to allow for an additional period of time for feedback on the proposed statement and related advice regarding its ongoing use:

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

and,

That City Council **APPROVE** an operating budget of \$3,000 for use by the Windsor Indigenous Advisory Committee in 2021 funded from the Diversity and Inclusion Capital Fund.

Carried.

Report Number: C 99/2021

Clerk's File: ACO2021

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. 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: CR339/2021

That the report of the In Camera meeting held July 19, 2021 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2021

12.2. Report of the Striking Committee of its meeting held July 5, 2021

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR340/2021

That the report of the Striking Committee of its meeting held July 5, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 252/2021
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. 121-2021 through 128-2021 (inclusive) be introduced and read a first and second time:

121-2021 A BY-LAW TO AMEND BY-LAW 180-1999 AS AMENDED BY BY-LAW 9-2004, BEING A BY-LAW TO CLOSE, AND STOP UP AND CONVEY THE NORTH/SOUTH ALLEY BETWEEN TURNER AND WALKER, FROM MELINDA SOUTHERLY, CITY OF WINDSOR, approved by CAO 154/2021 dated June 25, 2021.

122-2021 A BY-LAW TO AMEND BY-LAW 218-2002 BEING A BY-LAW TO ESTABLISH THE POSITION OF THE CHIEF ADMINISTRATIVE OFFICER FOR THE CORPORATION OF THE CITY OF WINDSOR, authorized by CR285/2021 dated June 21, 2021.

123-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR227/2021 dated May 17, 2021 and CR201/2021 dated May 3, 2021.

124-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" (**See Item 11.5, Report S 68/2021**).

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125-2021 A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 1014 IN THE CITY OF WINDSOR, authorized by BL139-2013 dated August 26, 2013.

126-2021 A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN PLAN OF SUBDIVISION 12M-675 IN THE CITY OF WINDSOR, authorized by BL139-2013 dated August 26, 2013.

127-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR302/2021 dated July 5, 2021.

128-2021 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 19TH DAY OF JULY, 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

None presented.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

That the By-laws No. 121-2021 through 128-2021 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

None presented.

18. QUESTION PERIOD

18.1. CQ 14-2021

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR341/2021

That the following Council Question by Councillor Holt **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 14-2021:

Assigned to Chief Building Official:

Asks that our Active Transportation Coordinator REPORT BACK to the Environment Transportation and Public Safety standing committee on the opportunities to convert strategic remaining alleys in Windsor to active transportation routes and linear parks connecting neighbourhoods before they are sold to abutting land owners. These should augment our current Active Transportation Plan as well as connecting key pedestrian generating land uses which may not be identified and accommodated in that master plan.

Carried.

Clerk's File: SAA2021 & ST2021

18.2. CQ 15-2021

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR342/2021

That the following Council Question by Councillor Costante **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council

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Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 15-2021:

Assigned to Commissioner, Infrastructure Services:

Asks that Administration report back on the possible causes of flooding on July 16th, 2021, based on data collected, and that administration further provide any potential solutions moving forward.

Carried.

Clerk's File: SW2021

18.3. CQ 16-2021

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: CR343/2021

That the following Council Question by Councillor Gignac **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 16-2021:

Assigned to Windsor Police Services:

Asks that Administration request an update from W.P.S. on enforcement of the Vehicle Noise By-Law.

Carried.

Clerk's File: SP2021

21. ADJOURNMENT

Moved by: Councillor Costante

Seconded by: Councillor Francis

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 5:38 o'clock p.m.

SPECIAL MEETING OF COUNCIL – IN CAMERA
July 19, 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: 11:30 a.m.

Members in Attendance:

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

Also in attendance:

J. Reynar, Chief Administrative Officer
J. Payne, Commissioner, Human and Health Services
(Items 1, 2, 3, 4, 5, 7 and 8)
M. Winterton, Commissioner, Infrastructure Services
S. Vlachodimos, City Clerk
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer
(Items 1, 2, 3, 4, 5, 7 and 8)
D. Paladino, Acting Commissioner, Legal and Legislative Services
(Items 1, 2, 3, 4, 5, 7 and 8)
R. Mensour, Acting Commissioner, Community Services
(Items 1, 2, 3, 4, 5, 7 and 8)
A. Teliszewsky, Mayor's Chief of Staff
T. Hunt, City Planner (Item 7)
C. Carpenter, Coordinator of Real Estate Services (Item 2)
D. Cercone, Executive Director of Housing (Item 8)
V. Mihalo, Executive Director of Human Resources (Item 6)

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

7. Property/Legal matter – Additional information re Item 11.3 on agenda (Indigenous land report) (Section 239(2)(f))
8. Property matter – Additional information re 11.2 on agenda (Homeless Hub) (Section 239(2)(c)(k))

Motion Carried.

Verbal Motion is presented by Councillor Sleiman, seconded by Councillor Gill, to move in Camera for discussion of the following item(s), adding Items 7 and 8:

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Property/legal matter – expropriation settlement	239(2)(e)(f)
2.	Property matter – sale of land	239(2)(c)
3.	Property matter – lease	239(2)(c)
4.	Legal matter – update – See Item 11.4 on regular agenda – <u>verbal report</u>	239(2)(f)
5.	Property/legal matter – agreement – <u>verbal update</u>	239(2)(h)(k)
6.	Personal matter - about an identifiable individual – <u>verbal and slide presentation</u>	239(2)(b)
7.	Property/Legal matter - Additional information re Item 11.3 on agenda (Indigenous land report) – verbal report – ADDED	239(2)(f)
8.	Property matter – Additional information re 11.2 on agenda (Homeless Hub) – verbal report - ADDED	239(2)(c)(k)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 1, 2, 3, 4, 5, 7, 8 and 6)

The meeting recesses at 12:51 p.m. and reconvenes in open session at 1:27 p.m.

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

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Costante, 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 July 19, 2021 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner, Legal and Legislative Service, and Commissioner, Corporate Services CFO/City Treasurer respecting a property/legal matter –expropriation settlement **BE APPROVED**.
2. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – sale of land **BE APPROVED**.
3. That the recommendation contained in the in-camera report from the Lease Administrator, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – lease **BE APPROVED**.
4. That the confidential verbal report from the City Planner respecting additional information regarding Item 11.4 on the regular agenda **BE DEFERRED** to the July 26, 2021 meeting as there has been a request to defer Item 11.4.
5. That the confidential verbal report from the Commissioner, Human and Health Services respecting a property/legal matter – agreement **BE RECEIVED FOR INFORMATION** and further that Administration **BE AUTHORIZED TO PROCEED** with the verbal direction of Council.

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6. That the confidential verbal report from the Chief Administrative Officer respecting a personal matter about an identifiable individual **BE RECEIVED** and further that Administration **BE AUTHORIZED TO PROCEED** on the verbal direction of Council.

Councillors Gignac and Francis voting nay

7. That the confidential verbal report from the Acting Commissioner of Legal and Legislative Services respecting Item 11.3 – Indigenous land report on the regular agenda **BE RECEIVED**.

8. That the confidential verbal report from the Commissioner, Human and Health Services and Executive Director of Housing respecting Item 11.2 – homeless hub report on the regular agenda **BE RECEIVED**.

Motion Carried.

**Moved by Councillor Gignac, seconded by Councillor Francis,
That the special meeting of council held July 19, 2021 BE ADJOURNED.**

(Time: 1:29 p.m.)

Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on July 19, 2021.**