



CITY OF WINDSOR MINUTES 07/26/2021

Special Meeting of Council

Date: Monday, July 26, 2021

Time: 11:30 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.

Minutes

Special Meeting of Council
Monday, July 26, 2021

Page 2 of 39

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 11:31 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 minutes of the Regular City Council Meeting held July 19, 2021

Moved by: Councillor Francis
Seconded by: Councillor Gignac

That the minutes of the meeting of Council held July 19, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 257/2021

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Gill
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 129-2021 through 134-2021 (inclusive).

Carried.

Minutes

Special Meeting of Council
Monday, July 26, 2021

Page 3 of 39

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, July 26, 2021

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: CR344/2021

That the following Communication Item 7.1.1 as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	Enbridge Gas Inc.	Ontario Energy Notice of Application regarding 2022 Rates (Phase 1) Application MU2021 Note & File

Carried.

Report Number: CMC 13/2021

7.2. PC Maintenance/Support Transfer for 2020 Related Expenses+. City Wide.

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: CR345/2021

That City Council **RECEIVE** for information that \$837,802 was transferred from the PC Maintenance/Support Reserve Fund 177 to the operating account Dept Id. 0125413 (Product 5006) for eligible 2020 expenses related to supporting the corporate computer systems in compliance with the PC Maintenance and Support Reserve Fund plan adopted by City Council in 2005 (CR783/2005) and in compliance with the method of reporting as adopted by City Council in 2007 (CR52/2007).

Carried.

Report Number: CM 17/2021
Clerk's File: AE2021

7.3. Pay As You Go Transfer (PAYG) For Eligible 2020 Computer Equipment Related Expenses. City Wide.

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Minutes

Special Meeting of Council

Monday, July 26, 2021

Decision Number: CR346/2021

That City Council **RECEIVE** for information this report confirming that \$967,807 was transferred from the Pay As You Go (PAYG) Leasing Reserve Fund 170 to the operating account Dept. ID 0125413 in 2020 for eligible 2020 computer, server and network related expenses in compliance with the Pay as You Go Plan adopted by City Council in 2002 (B42-2002 and B43-2002), and consistent with the ongoing reporting requirements adapted by City Council.

Carried.

Report Number: CM 18/2021
Clerk's File: AE2021

8. CONSENT AGENDA

8.1. Ward 7 Forest Glade Optimist Park Tennis and Pickleball Courts

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR347/2021 CSPS 156

That \$350,000 **BE APPROVED** as a pre-commitment of funds for the replacement of the Forest Glade tennis courts from the respective capital project accounts: Parks Project #PFO-004-21 from year 2023 in the amount of \$300,000 and year 2025 in the amount of \$50,000, which were approved in principle in the 2021 Capital Budget; and,

That subject to the tenders and request for proposal(s) falling within the approved budget, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements as required with the successful bidder(s), satisfactory in legal form to the City Solicitor, in technical content with the Commissioner of Parks, Recreation, Culture and Corporate Facilities, and in financial content to Chief Financial Officer and City Treasurer.

Carried.

Report Number: SCM 227/2021 & C 61/2021
Clerk's File: SR/14151

8.2. Fontainebleu splash pad - Ward 8

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR348/2021 CSPS 157

That City Council **APPROVE** a pre-commitment of Pay-As-You-Go funding from project #PFO-005-21 Park Splash Pad in the amount of \$50,000 from 2022, \$50,000 from 2023, and \$50,000 from 2024 for a total of \$150,000 for the installation of a new splash pad at Fontainebleau park; and further,

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 5 of 39

That subject to the tenders and request for proposal(s) falling within the approved budget, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements as required with the successful bidder(s), satisfactory in legal form to the City Solicitor, in technical content with the Commissioner of Parks, Recreation, Culture and Corporate Facilities, and in financial content to City Treasurer.

Carried.

Report Number: SCM 228/2021 & S 73/2021
Clerk's File: SR/14152

8.3. Tree Trimming - Preventative Maintenance Program - City Wide

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR349/2021 CSPA 158

That City Council **APPROVE** Capital Budget pre-commitments of \$1,849,415 of 2022 Service Sustainability funding and \$1,851,959 in 2023 Service Sustainability funding from the Tree Maintenance and Urban Forest Enhancement Program (PFO-007-11); and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign contracts with the successful bidders for the various Tree Trimming Preventative Maintenance Programs (2021-2023) indicated below totalling \$5,459,775 plus HST, and not to exceed the listed amounts, satisfactory in form to the City Solicitor, in technical content to the Commissioner of Parks, Recreation, Culture & Corporate Facilities and in financial content to the City Treasurer and Chief Financial Officer:

Tree Trimming Preventative Maintenance Program – CORE (RFT 92-20)

Vendor: GREEN TREE PROFESSIONAL TREE SERVICE INC.

Value: \$1,424,925, plus HST

Chartfield: 007-2980-5403-02942-7131021

Tree Trimming Preventative Maintenance Program – EAST (RFT 93-20)

Vendor: NEUHEIMER TREE CARE & CONSULTING INC.

Value: \$1,185,000, plus HST

Chartfield: 007-2980-5403-02942-7131021

Tree Trimming Preventative Maintenance Program – SOUTH (RFT 94-20)

Vendor: GREEN TREE PROFESSIONAL TREE SERVICE INC.

Value: \$1,424,925, plus HST

Chartfield: 007-2980-5403-02942-7131021

Tree Trimming Preventative Maintenance Program – WEST (RFT 95-20)

Vendor: GREEN TREE PROFESSIONAL TREE SERVICE INC.

Value: \$1,424,925, plus HST

Chartfield: 007-2980-5403-02942-7131021

Carried.

8.4. Elizabeth Kishkon Washroom Building - Ward 7

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR350/2021 CSPS 159

That City Council **APPROVE** a pre-commitment of Pay-As-You-Go funding from project #ECB-026-18 Elizabeth Kishkon Park Washroom in the amount of \$150,000 from 2022, \$50,000 from 2023 for a total of \$200,000 for the installation of a new washroom facility at Elizabeth Kishkon Park; and further,

That subject to the tenders being within the approved budget, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements as required with the successful bidder(s), satisfactory in legal form to the City Solicitor, in technical content with the Commissioner of Parks, Recreation, Culture & Corporate Facilities, and in financial content to City Treasurer; and further,

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 Parks, Recreation, Culture & Corporate Facilities and City Engineer; in financial content to the City Treasurer.
Carried.

Report Number: SCM 231/2021 & C 90/2021
Clerk's File: SR/14153

8.5. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS for the lands located at the northeast corner of Dominion Blvd and Northwood Street; Applicant: Windsor Islamic Association Foundation; File Nos. OPA147 (OPA/6392) and Z-020/20 [ZNG/6164] - Ward 10

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR351/2021 DHSC 301

- I. That the City of Windsor Official Plan, Volume II, Schedule SC-1: Development Concept Plan, South Cameron Planning Area **BE AMENDED** by changing the land use designation of the lands located at the northeast corner of Dominion Blvd and Northwood Street, described as Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, from 'Low Profile Residential' to 'Medium/High Profile Residential';
- II. That an amendment to the Zoning By-law 8600 **BE APPROVED**, to change the zoning of the lands located at the northeast corner of Dominion Blvd and Northwood Street, described as

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 7 of 39

Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1) with the following additional site specific regulation(s):

"418. Northeast Corner of Dominion and Northwood

For the lands comprising Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, the following additional regulations shall apply to a multiple dwelling:

- i. Lot Area – minimum – 5,300 m²
- ii. Main Building Height – maximum – 10 m
- iii. Dwelling Units – maximum – 30
- iv. Side Yard Width – minimum – 5.5m, where a habitable room window of any dwelling unit faces Dominion Blvd.
[ZDM 8; ZNG-6164]"

III. That the following requirements noted in this report **BE INCLUDED** in the Site Plan Agreement for the proposed development on the subject land:

- (i) Parkland Dedication;
- (ii) Alley Acquisition;
- (iii) 6.1m Corner Cut-off at Dominion & Northwood intersection;
- (iv) Quality and Quantity of run-off in the downstream watercourse; and
- (v) South Cameron Planning Area Noise Abatement - *Noise Control Area "E"* [4.7.1.9 (d)]

IV. That the parcel described as Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, located at the northeast corner of Dominion Blvd and Northwood Street, **BE EXEMPT** from the provisions of section 45(1.3) of the *Planning Act*, provided the subject exemption excludes minor variance application(s) that have the effect of

- Reducing the minimum Lot Area of 5300m²;
- Increasing the maximum main building height of 10m; and/or
- Increasing the maximum number of dwelling units on the overall

site. Carried.

Report Number: SCM 230/2021 & S 78/2021

Clerk's File: ZO/14146

8.6. Zoning By-Law Amendment - 391 BRUCE AVE Z 015-21 [ZNG-6408] - Ward 3

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Minutes
Special Meeting of Council
Monday, July 26, 2021

Decision Number: CR352/2021 DHSC 302

- I. That Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for the property legally described as Lot 20, on Plan 77, Corner, municipally known as 391 Bruce Ave, as follows:

412. NORTHWEST CORNER OF PARK STREET WEST AND BRUCE AVENUE

For the lands comprising Lot 20, Plan 77, Corner, for a *multiple dwelling* with a maximum of three *dwelling units*, the following additional provisions shall apply (with as existing provisions being the date of this report, June 3, 2021):

- a) Lot Width – minimum – as existing
 - b) Lot Area – minimum – as existing
 - c) Lot Coverage – maximum – as existing
 - d) Front Yard Depth – minimum – as existing
 - e) Rear Yard Depth – minimum - 7.50 m
 - f) Side Yard Width – minimum – as existing
- [ZDM3; ZNG/6408]

- II. That the lands affected **BE SUBJECT** to an H symbol and that the H symbol be removed when the following conditions have been satisfied:

1. Holding Symbol Removal Application/Fee

The owner/agent submits an application and fee (\$1,536.00 – 2021 rate) to remove the H symbol. The submission to include proof that the conditions are completed to the satisfaction of the City Engineer.

2. Storm Detention

Prior to the issuance of a construction permit, the owner/agent shall agree to retain a Consulting Engineer for the design and preparation of drawings, satisfactory to the City Engineer and Chief Building Official, for an internal stormwater detention scheme to service the subject lands. The purposes of the said scheme will be to ensure that storm drainage being directed to the Corporation's storm, combined sewer or ditch as the case may be, from the subject lands in their improved state, be restricted to no greater than the present flow from the subject lands.

Upon approval of the drawings by the City Engineer and the Chief Building Official, the owner further agrees to construct at its entire expense the said storm detention scheme, in accordance with the approved drawings and to the satisfaction of the Chief Building Official.

3. Parking

Construct two paved parking spaces on site as per Zoning Bylaw 8600 provisions to the satisfaction of the City Planner.

Carried.

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 9 of 39

8.7. Zoning By-Law Amendment - 717 St Antoine St Z 018-21 [ZNG-6442] - Ward 2

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR353/2021 DHSC 303

- I. That Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for Lots 2 to 4, Plan 1316, municipally known as 717 St Antoine St, as follows:

405. SOUTH SIDE OF ST ANTOINE STREET, EAST OF BLOOMFIELD ROAD

For the lands comprising Lots 2 to 4, Plan 1316, a Multiple Dwelling with a maximum of six dwelling units shall be an additional permitted use and shall comply with the provisions of Section 11.2.5.4 with the exception of:

- a) Front Yard Depth – minimum – as existing on June 3, 2021
[ZDM 4; ZNG/6442]

- II. That for the subject lands, Section 2(1) in Interim Control By-law 103-2020 **SHALL APPLY** when the amending by-law to Zoning By-law 8600 comes into force.

Carried.

Report Number: SCM 236/2021 & S 83/2021

Clerk's File: ZB/14137

8.8. Rezoning - City of Windsor - Housekeeping Amendment 2021-1 - Z-001/21 ZNG/6276 - City Wide

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR354/2021 DHSC 304

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

1. That Section 3.10 be amended by deleting and substituting the defined term "Self-Storage Facility" with the following:

SELF-STORAGE FACILITY means a *building* divided into individual self-contained storage units, which are available to the public exclusively for the storage of their equipment or goods, and may include in combination with the lease or rental of a motor vehicle or trailer for the purpose of moving equipment or goods, the lease, rental, or sale of accessories, equipment, materials, or supplies for the purpose of packing, moving, storage, or towing, faxing, mailbox, packing, and the provision of mailbox, packing, shipping, or shredding services.

A transport terminal or warehouse is not a self-storage facility.

[ZNG/6276]

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 10 of 39

2A. That Section 3.10 be amended by deleting and substituting the defined term “Motor Vehicle” with the following:

MOTOR VEHICLE means a vehicle propelled, driven, or pulled by other than muscular power and includes an *automobile, commercial motor vehicle, recreational vehicle, transport trailer, or transport truck*. It does not include a power-assisted bicycle as defined in the *Highway Traffic Act, R.S.O. 1990, c. H.8.* or a train.

[ZNG/6276]

2B. That Section 3.10 be amended by adding the following defined term under “Motor Vehicle” between “Automobile” and “Recreational Vehicle”:

COMMERCIAL MOTOR VEHICLE means a vehicle defined as a commercial motor vehicle in the *Highway Traffic Act, R.S.O. 1990, c. H.8.*

[ZNG/6276]

2C. That Section 5.2.30.20 be deleted and substituted with the following:

.20 The parking of a *commercial motor vehicle* or a *motor vehicle* used for a commercial purpose on a *lot* for a period longer than is necessary for the loading or unloading of said vehicle or for a period longer than said vehicle is required in connection with the performance of a service on the same *lot*.

[ZNG/6276]

3A. That Section 5.10.3 be deleted and substituted with the following:

5.10.3 For any *dwelling*:

.1 For one *accessory building* having a *gross floor area* of equal to or less than 10.0 m², no minimum separation between the closest wall of that one *accessory building* and the closest wall of the *dwelling* located on the same *lot* is required.

More than one *accessory building* having a minimum separation of less than 1.20 m from the closest wall of the *dwelling* located on the same *lot* is prohibited.

Attaching the *accessory building* to the *dwelling* is prohibited.

.3 For any other *accessory building*, the minimum separation between the closest wall of that *accessory building* and the closest wall of a *dwelling* located on the same *lot* shall be 1.20 m. Where the closest wall of an *accessory building* is less than 1.20 m from a *dwelling* located on the same *lot*, the minimum separation between the closest wall of that *accessory building* and the closest wall of any other *accessory building* located on the same *lot* shall be 1.20 m.

-
- .5 Any encroachment into a *yard* permitted by Section 5.30 shall be excluded when calculating the minimum separation.

[ZNG/6276]

3B. That Section 10.5.5.50 be deleted.

4A. That Section 3.10 be amended by deleting and substituting the defined term “Home Occupation” as follows:

HOME OCCUPATION means an occupation for profit or gain conducted entirely within an *accessory building, dwelling unit, or garage* which occupation is incidental and secondary to the *use* of the *dwelling unit* for residential purposes and does not change the character thereof.

[ZNG/6276]

4B. That Section 5.99.40 be deleted and substituted as follows:

5.99.40 HOME OCCUPATION

[ZNG/6276]

- .1 One *home occupation* within an *accessory building, dwelling unit, or garage* located on the same *lot* as the *dwelling unit* is an additional permitted use.
- .3 The *home occupation* shall be carried out by a resident of the *dwelling unit*.
- .5 The maximum *gross floor area* of the *home occupation* shall be 25% of the *dwelling unit*.
- .90 A *home occupation* within a *carport*, or a *home occupation* that generates dust, fumes, noise, odour, or vibration that is evident outside the *accessory building, dwelling unit, or garage* is prohibited.
- .92 Except for those goods produced by the *home occupation*, the direct sale of goods is prohibited.
- .93 Except for a sign permitted by the Windsor Sign By-law, any visible indication from the exterior of the *accessory building, dwelling, dwelling unit, or garage* that a *home occupation* is being carried on is prohibited.
- .95 Except those items customarily used for housekeeping or personal recreational purposes, the external or outdoor storage of materials, goods, or equipment related to, or used by, the *home occupation* is prohibited.

Minutes
Special Meeting of Council
Monday, July 26, 2021

5A. That Appendix C attached to Report S 60/2021 be added to By-law 8600 as Schedule ‘C’ – Central Business District, and that Section 1.20.3 be deleted and substituted with the following:

1.20.3 SCHEDULES

[ZNG/6276]

The following schedules form part of this by-law:

- Schedule ‘A’ – Zoning District Maps
- Schedule ‘C’ – Central Business District
- Schedule ‘P’ – Off-Street Parking Overlay

5B. That Section 3.10 be amended by deleting and substituting the defined term “Central Business District” with the following:

CENTRAL BUSINESS DISTRICT means the area delineated on Schedule ‘C’.

[ZNG/6276]

5C. That Section 24.5 be deleted.

5D. That Section 24.10.15.5 be deleted and substituted with the following:

- .5 Despite Section 24.10.15.1, for an existing *building* located on a lot within the *Central Business District, Business Improvement Area*, or any area listed in Section 24.20.3.1, a change of use from the existing use to any use listed under Section 24.20.1 or Section 24.20.3, whichever is applicable, except for “All other uses not listed above”, no additional *parking spaces*, visitor parking spaces, accessible parking spaces, bicycle parking spaces, or *loading spaces* are required.

5E. That Section 24.20.1 be deleted and substituted with the following:

24.20.1 REQUIRED PARKING SPACES – CENTRAL BUSINESS DISTRICT

[ZNG/6276]

- .1 In the *Central Business District*, the required minimum number of parking spaces shall be as shown opposite the respective use in Table 24.20.1.1:

TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
Bake Shop	0

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 13 of 39

TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
Business Office	0
Commercial School	0
Convenience Store	0
Dwelling Unit (in any type of <i>dwelling</i> or a <i>combined use building</i>)	None for the first six dwelling units AND 1 for each additional dwelling unit
Entertainment Lounge	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Farmers' Market	0
Food Convenience Store	0
Food Outlet – Take-out	0
Games Arcade	0
Health Studio	0
Hotel	1 for each of the first 60 guest rooms AND 1 for each additional 6 guest rooms
Medical Office	0
Micro-Brewery	None for the first 90 m ² GFA AND 1 for each additional 45 m ² GFA
Outdoor Market	0
Pawnshop	0
Personal Service Shop	0
Pharmacy	0
Professional Studio	0
Repair Shop – Light	0
Residential Care Facility	1 for each 8 beds
Restaurant	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Retail Store	0
Veterinary Office	0

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 14 of 39

TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
All other uses not listed above	Section 24.20.5 shall apply
[ZNG/6276]	

6. That the defined term “Existing” in Section 3.10 be deleted and substituted with the following:

EXISTING means:

1. where a provision states a specific date, a *building, lot, premises, structure, or use* lawfully existing on the date specified;
2. where clause 1 does not apply and an amending by-law added the defined term “*existing*” after July 22, 2002, a *building, lot, premises, structure, or use* lawfully existing on the date the amending by-law came into force; or
3. where clause 1 and clause 2 do not apply, a *building, lot, premises, structure, or use* lawfully existing on July 22, 2002.

Where the term “existing” is not italicized, the ordinary meaning shall apply to a lawfully existing *building, lot, premises, structure, or use*.

[ZNG/6276]

7A. That the zoning of the parcels known municipally as 8804 Riverside Drive East (Roll No. 060-380-001), 8820 Riverside Drive East (Roll No. 060-380-003), 8830 Riverside Drive East (Roll No. 060-380-004), and 8838 Riverside Drive East (Roll No. 060-380-005) be changed from Residential District 3.4 (RD3.4) to Residential District 1.6 (RD1.6).

7B. That Section 20(1)56 be deleted and substituted with the following:

56. SOUTH SIDE OF CABANA ROAD WEST, WEST OF PRAIRIE COURT AND SOUTH OF RANDOLPH AVENUE

For the lands comprising Part of Lot 2, Concession 4, identified as PIN 01556-1537, for a *multiple dwelling* the following provisions shall apply:

- | | |
|-----------------------------------|-------------|
| a) Lot Width – minimum | As Existing |
| b) Lot Area – minimum | As Existing |
| c) Lot Coverage – maximum | 50% |
| d) Main Building Height – maximum | 14.0 m |
| e) Front Yard Depth – minimum | 6.0 m |
| f) Rear Yard Depth – minimum | 7.50 m |

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 15 of 39

g) Side Yard Width – minimum	2.50 m
h) Dwelling Units – maximum	11
i) Loading Space – minimum	0

[ZDM 9; ZNG/62676]

7C. That the holding symbol be removed for the lands zoned HRD1.1 on the east and west side of Virginia Park Avenue, north of North Service Road West and south of 939 Northwood Street. Carried.

Report Number: SCM 237/2021 & S 60/2021
Clerk's File: ZB/14122

8.9. Rezoning Application – 239-241 McEwan Avenue Z 008-21 [ZNG-6358] To add use to the existing zoning category with site specific regulations - Ward 2

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR355/2021 DHSC 305

I. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of PLAN 593 LOT 33 (known municipally as 239-241 McEwan Avenue; Roll No. 050-030-06000-0000), situated on the west side of McEwan Avenue; between University Avenue West and Riverside Drive West, by adding the following use to the existing zoning category (RD2.1):

ADDITIONAL PERMITTED USE:

One Multiple Dwelling containing a maximum of three dwelling units

PROVISIONS:

The 3-unit Multiple Dwelling shall conform to the Duplex-Dwelling provisions with the exception of the following:

Front Yard Depth – minimum 5.89 m (to the covered porch, existing)

Interior Side Yard Width – minimum 0.91 m (existing)

Accessory Building Side yard – minimum 0.482 m (existing)

Carried.

Report Number: SCM 238/2021 & S 82/2021
Clerk's File: ZB/14112

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 16 of 39

8.10. Official Plan Amendment and Rezoning Applications – 1246, 1256-1270 Erie St E Z-013_21 [ZNG6397] & OPA 148 [OPA6398] to add uses to the existing OP Designation and zoning category - Ward 4

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR356/2021 DHSC 306

- I. That Schedule “A” of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000);
- II. That Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - “1.X Northside of Erie Street East and east of Pierre Avenue
 - 1.X.1 The property described as Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000), situated on the north side of Erie Street East between Pierre Avenue and Hall Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;
 - 1.X.2 Notwithstanding the “Mixed Use” designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, and the “Traditional Commercial Street” designation on Schedule A-1: Special Policy Areas in Volume I – The Primary Plan “Public Parking Area” shall be an additional permitted use.
- III. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000), situated on the north side of Erie Street East between Pierre Avenue and Hall Avenue, by adding the following uses to the existing zoning category (CD1.3):

ADDITIONAL PERMITTED USES:

Public Parking Area

Sports Facility with two bocce courts and seating

Carried.

Report Number: SCM 239/2021 & S 85/2021
Clerk’s File: ZO/14117

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 17 of 39

8.12. Rezoning – Bay 20 Inc. – 880 Ouellette Avenue - Z-038-20 [ZNG/6249] - Ward 3

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR358/2021 DHSC 308

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000) situated on the east side of Ouellette Avenue between Elliot Street and Erie Street by adding the following site-specific provisions to Section 20(1):

“416 **EAST SIDE OF OUELLETTE AVE, BETWEEN ELLIOT STREET AND ERIE STREET**

1. For lands comprising Plan 256 Block 3 Lots 8 & 9 (Roll No. 040-320-01100-0000) the following provision shall apply:
 - a) Notwithstanding section 16.2.5.60, the maximum number of residential units permitted shall be 64;
 - b) Notwithstanding section 24.40.1.5, 0 loading spaces are required;
 - c) Notwithstanding section 16.2.5.20, the building setbacks shall be the existing setbacks of the existing building of: 3 metre front yard; 5.5 metre side yard (north); and 4.2 Side Yard;
 - d) Parking spaces required – 22 spaces.

[ZDM 7; ZNG/6249]”; and

- II. That Council **DECLARE** Section 45(1.3) of the *Planning Act*, which restricts a person from applying for a minor variance for a period of two years following a zoning by-law amendment, does not apply to an application for lands described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000).

- III. That the parcel described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000), located on the east side of Ouellette Avenue, between Erie Street and Elliot Street, **BE EXEMPT** from the provisions of Interim Control By-law 103-2020 and that further, Interim Control By-law 103/2020 **BE AMENDED** by adding to Section 5 the following paragraph:

- **880 Ouellette Avenue**

Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000)

Carried.

Report Number: SCM 241/2021 & S 86/2021
Clerk's File: ZB/14086

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 18 of 39

8.13. Request for Heritage Alteration Permit for Willistead Manor, 1899 Niagara Street - Ward 4

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR359/2021 DHSC 309

- I. That the Heritage Alteration Permit at Willistead Manor, 1899 Niagara Street, **BE GRANTED**, for the renovations at the Paul Martin Terrace and if future project funding allows for the same treatment, in the Manor's north and west- courtyards; and,
- II. That the City Planner or his designate **BE DELEGATED** the authority to approve further changes to the approved scope for the courtyard renovations.

Carried.

Report Number: SCM 242/2021 & S 81/2021

Clerk's File: MBA2021

8.14. Updates to the 2021 Ontario Heritage Act Amendments - City Wide

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR360/2021 DHSC 310

1. That Report No. S 87/2021 entitled "Updates to the 2021 Ontario Heritage Act Amendments" **BE RECEIVED** for information; and,
2. That the City Planner **BE DIRECTED** to prepare amendments to City of Windsor Official Plan, Delegation By-law, and create new Heritage Procedures/By-law, or utilize other policies or tools as required, to address the legislative changes and for Council's consideration.

Carried.

Report Number: SCM 243/2021 & S 87/2021

Clerk's File: MBA2021

8.15. Request for Partial Demolition of a Heritage Listed Property- 4147 Riverside Drive East, Edmund C. Poisson House - Ward 5

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR361/2021 DHSC 311

- I. That the request for the proposed partial removal of the front porch and second floor walls, and roof (to facilitate front addition), demolition of the rear deck and addition connecting the main house and the garage of 4147 Riverside Drive East, Edmund C. Poisson House, **BE GRANTED**.

Carried.

Report Number: SCM 244/2021 & S 89/2021

Clerk's File: MBA2021

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 19 of 39

8.17. Brownfield Redevelopment Community Improvement Plan (CIP) Update and Initiation of the Review Process - City Wide

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR363/2021 DHSC 313

1. That Report No. S 71/2021 updating City Council on the use and implementation of the Brownfield Redevelopment Community Improvement Plan (CIP) and tabling issues to be addressed as part of the CIP update **BE RECEIVED** for information; and,
2. That the City Planner **BE DIRECTED** to consult with stakeholders regarding potential changes to the Brownfield Redevelopment CIP outlined in Report No. S 71/2021 and prepare any necessary CIP amendments for Council's consideration.

Carried.

Report Number: SCM 246/2021 & S 71/2021

Clerk's File: Z/8955

8.18. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2603184 Ontario Inc. (Nufusion Partners) on behalf of WinWest Enterprises Ltd. for 1504 McDougall Street and 1537 Mercer Street - Ward 3

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

Decision Number: CR364/2021 DHSC 314

- I. That the request made by 2603184 Ontario Inc. (Nufusion Partners) on behalf of WinWest Enterprises Ltd. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 1504 McDougall Street and 1537 Mercer Street pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. That the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$12,850 based upon the completion and submission of a Phase II Environmental Site Assessment completed in a form acceptable to the City Planner and City Solicitor;
- III. That the grant funds in the amount of \$12,850 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003).
- IV. That should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Minutes

Special Meeting of Council Monday, July 26, 2021

Page 20 of 39

Report Number: SCM 247/2021 & S 74/2021
Clerk's File: Z/14157

11.2. 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 Morrison

Seconded by: Councillor Sleiman

Decision Number: CR366/2021 CR335/2021 CR199/2021 DHSC 269

I That the application of Grand Central Business Park Inc. for Draft Plan of Subdivision approval for Part of Lots 102 to 107, Concession 2; designated as Parts 1 to 33; 36 to 39 & 42 on Reference Plan 12R-27519, **BE APPROVED** subject to the following conditions:

- A. That the Draft Plan Approval shall lapse on July 26, 2024 (3 years from the date of approval);
- B. That this approval applies to the draft plan of subdivision identified on attached Map No. SDN-002/20-1, prepared by Dillon Consulting Ltd., Project No. 17-6424, dated March 16, 2021;
- C. That the owner(s) shall enter into a subdivision agreement with the Corporation of the City of Windsor for the proposed development on the subject land;
- D. That prior to the execution and registration of the subdivision agreement between the Owner(s) and the Corporation of the City of Windsor, the Owner(s) shall submit for approval of the City Planner/Executive Director of Planning & Building a final plan; and
- E. That the subdivision agreement between the Owner(s) and the Corporation of the City of Windsor be registered on title and shall contain, among other matters, the following provisions:
 1. The Owner(s) shall include all items as set out in the Results of Circulation named (Appendix D, attached) with further amendments as required and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
 2. That the Owner(s) shall create, prior to the issuance of a building permit, a 20m right-of-way for the new Street "A", in accordance with the approved Plan of Subdivision.
 3. The Owner(s) shall, prior to the issuance of a construction permit,
 - (i) undertake an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm and in accordance

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 21 of 39

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- with the Windsor-Essex Region Stormwater Management Standards Manual, to the satisfaction of the City Engineer and the Essex Region Conservation Authority;
- (ii) install any stormwater management measures identified in the engineering analysis noted above as part of the development of the site and undertake to implement the recommendations contained therein, to the satisfaction of the City Engineer and the Essex Region Conservation Authority;
 - (iii) provide, to the Essex Region Conservation Authority, a copy of the fully executed subdivision agreement between the Owner and the City of Windsor, containing provisions to carry out the recommendations of the final plans, reports and requirements noted in Recommendations I.E.3 (i) & (ii) above; and
 - (iv) obtain the necessary permits or clearances from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities of any kind.
4. **Servicing Study:** Prior to the issuance of a construction permit, the Owner(s) shall at its own expense, retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer. The Servicing study shall
 - (i) review the proposed impact and recommend solutions to address the problems and ultimate implementation of solutions should there be a negative impact to the system,
 - (ii) be finalized in agreement with the City Engineer.
 5. **ERCA Requirements** – The Owner(s) shall follow all drainage and flood proofing recommendations the Essex Region Conservation Authority (ERCA) may have with respect to the subject land, based on final approval by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.
 6. **Existing Private Storm Water Management Facility:** Prior to the City assuming the existing private pond, the Owner(s) shall optimize the existing private storm water management facility (Grand Central pond) to meet the storage requirements of the proposed subdivision, to the satisfaction of the City Engineer.
 7. **Stormwater Management (SWM) Conveyance:** The Owner(s) shall, prior to the issuance of a construction permit,
 - (a) convey gratuitously to the Corporation of the City of Windsor, Block 9 on the draft Plan of Subdivision (SDN-002/20-1) for the purposes of municipal infrastructure (StormWater Management) to the satisfaction of the City Engineer and the City Planner, and
 - (b) convey Block 8 to the City at a value mutually acceptable to both parties. If parties cannot agree on the value of the land then the value will be determined through a binding dispute resolution process by a neutral third party selected by the parties.

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 22 of 39

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8. **0.3m Reserve:** The Owner(s) shall, prior to the preparation of the final plan, gratuitously convey a 0.3m reserve along the east side of the proposed Street 'A' cul-de-sac and further, the dimensions of the proposed cul-de-sac bulb and requirement for Block 5 shall be determined by the City Engineer and City Planner.

 9. **Sidewalks:** The Owner(s) shall construct, at its expense, according to City of Windsor Standard Specifications and in a manner satisfactory to the City Engineer,
 - (a) new concrete sidewalk west of Street 'A' along the Plymouth Drive frontage of the subject land; or

 - (b) Pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$16,300.00, being the Owner's contribution towards the future construction of a concrete sidewalk west of Street 'A', along the Plymouth Drive frontage of the subject lands.

It will be to the discretion of the City Engineer whether or not a cash contribution will be allowed in lieu of sidewalk construction by the Owner.

 - (c) new concrete sidewalk along one side of Street 'A'.

 10. The Owner(s) shall construct all sidewalks in conformity with the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA) and construct all accesses in conformity to the TAC Geometric Design for Canadian Roads and the City of Windsor Standard Engineering Drawings, to the satisfaction of the City Engineer.

 11. **Parkland Conveyance:** The Owner(s) shall convey to the Corporation, 2% of the lands to be developed, for park purposes or equivalent cash-in-lieu of parkland as permitted in Section 51.1 of the *Planning Act* and in accordance with By-law 12780, as amended, or any successor by-law to the satisfaction of the Executive Director of Parks and the City Planner, prior to the issuance of a construction permit.

 12. **Climate Change Resiliency Assessment:** Prior to the transfer of the private pond to the City, the Owner(s) shall, in accordance with the Stormwater Management Report prepared by Dillon in February 2020, examine the private stormwater management system's performance under conditions more intense than 1:100 year design storm event to assess potential impacts of climate change and the facility's resiliency using the Urban Stress Test (UST) design storm event as identified within the Regional Guidelines.

 13. The Owner(s) shall carry out the climate change resiliency assessment in paragraph 12 above at their entire expense and to the satisfaction of the City Engineer and Essex Region Conservation Authority.

 14. **Required Road improvements:** Prior to the issuance of a construction permit, the following off-site improvements shall be implemented as stipulated below:

(1) Prior to the issuance of a construction permit, the Owner shall implement the following off-site improvements, at its entire expense:

(a) required as a result of the proposed development:

Central Avenue at Grand Marais Avenue East/Plymouth Drive intersection –

(i) lengthen the northbound right-turn lane by 20 metres, to address the additional traffic demand to the site. The required improvement shall be constructed to the satisfaction of the City Engineer;

OR

Pay to the Corporation, the sum of \$63,000.00, being the Owner's contribution towards the future implementation of the required improvements stated in this paragraph. If the actual cost of required improvements is less than \$63,000, the Corporation shall refund to the Owner the cost difference between the estimated cost and the actual cost of the improvements; and

(b) identified as required due to background conditions, but are relied upon to allow satisfactory traffic operations with the addition of site traffic from the proposed development:

Central Avenue at Grand Marais Avenue East/Plymouth Drive intersection –

(i) Repurpose the eastbound double right-turn lane to provide a single right-turn lane with an additional through lane;

(ii) Repurpose one of the two westbound through lanes to provide a protected double left-turn lane; and

(iii) Consider an additional eastbound signal head with a right-turn phase overlapping the protected northbound left-turn phase;

All work shall be done to the satisfaction of the City Engineer;

OR

Pay to the Corporation, the sum of \$22,000.00, being the Owner's contribution towards the future implementation of the required improvements stated in this paragraph. If the actual cost of the required improvements is less than \$22,000, the Corporation shall refund to the Owner the difference between the estimated cost(s) and the actual cost(s) of the improvements.

(2) The Corporation shall implement split phasing when the double left turn is installed to address a conflict in swept paths for eastbound and west bound left turns with the

added dual left by ensuring that the eastbound and westbound lefts are not operating simultaneously.

15. The owner(s) shall be responsible to cover all costs associated with any modification, relocation and/or removal (if feasible) of the existing EnWin infrastructure.
16. The Owner(s) shall:
 - (i) be responsible for the relocation of any Bell Canada facilities or easements at their own cost, should any conflict arise with existing Bell Canada facilities or easements within the subject area;
 - (ii) provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the *Bell Canada Act*, the Owner may be required to pay for the extension of such network infrastructure;
 - (iii) contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
17. **Archaeological Warning Clause(s):** The Owner agrees to insert, the following warning clauses in all construction documents concerning the subject lands:
 1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Cultural Affairs, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
 2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Heritage, Sport, Tourism and Culture Industries.

NOTES TO DRAFT APPROVAL (File # SDN-002/20)

1. *The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Local Planning Appeal Tribunal. Appeals are to be directed to the City Clerk of the City of Windsor.*
2. *It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of*

Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.

3. *Required agreements with the Municipality will be prepared by the City Solicitor.*
 4. *The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.*
 5. *The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.*
 6. *All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.*
 7. *Where agency conditions are included in the City's Subdivision Agreement, the Applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.*
- II** That the City Clerk **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of *The Planning Act*.
- III** That the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.
- IV** That prior to the final approval by the Corporation of the City of Windsor, the Executive Director / City Planner of the Planning and Building Department shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.
- V** That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor.
- VI** That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Block 8 on the Draft Plan of Subdivision, identified as SDN002/20-1 in this report from Manufacturing District 1.7 (MD1.7) to Green District (GD) 1.5 for the purposes of a stormwater management facility

Carried.

Report Number: SCM 134/2021, S 35/2021, AI 4/2021, & AI 6/2021
Clerk's File: ZP/14066 & ZB/14185

11.3. 2021 Update of the Playground Replacement Program - City wide

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Minutes

Special Meeting of Council

Monday, July 26, 2021

Decision Number: CR367/2021

That City Council **APPROVE** the replacement of thirty-two (32) playgrounds as identified under Table 1 of the Financial Matters Section, with a total required budget of \$9,430,000 to be funded from the Playground Replacement Program (PFO-002-15) from years 2022 through 2026; and further,

That City Council **APPROVE** a pre-commitment of Service Sustainability Investment funding from the Playground Replacement Program (PFO-002-15) in the total amount of \$7,658,353 from years 2022 to 2025 as follows:

- \$1,577,448 from 2022
- \$1,343,875 from 2023
- \$2,510,302 from 2024
- \$2,226,728 from 2025; and further,

That City Council **DIRECT** that \$1,771,647 of Service Sustainability Investment funding from the Playground Replacement Program (PFO-002-15) as currently approved in principle in year 2026 be deemed pre-committed for immediate use on January 1, 2022 when it is within the required 5-year timeframe; and further,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted above and sign any required documentation/agreement(s) satisfactory in legal form to the City Solicitor, in technical content to the Commissioner of Community Services, and in financial content to the City Treasurer; and further,

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 Community Services and in financial content to the City Treasurer.

That Administration **BE DIRECTED** to pursue grant opportunities to fund this project.
Carried.

Report Number: C 95/2021
Clerk's File: SR/12397

9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 27 of 39

10. PRESENTATIONS AND DELEGATIONS

8.11. Rezoning - Vito Maggio Holdings Inc - 642 Windermere Road - Z-021/21 ZNG/6465 - Ward 4

Jeffrey Nanson, Solicitor representing Vito Maggio Holdings Inc.

Jeffrey Nanson, Solicitor representing Vito Maggio Holdings Inc., appears before Council and is available for questions regarding the report “Rezoning - Vito Maggio Holdings Inc - 642 Windermere Road - Z-021/21 ZNG/6465 - Ward 4.”

Lynne Pearlman, Area Resident

Lynne Pearlman, area resident, appears before Council regarding the report “Rezoning - Vito Maggio Holdings Inc - 642 Windermere Road - Z-021/21 ZNG/6465 - Ward 4” and expresses concern related to the Development & Heritage Standing Committee recommendation, which she suggests will lead to commercial creep into the alley and residential area; and concludes by suggesting increased pedestrian traffic, increased parking concerns, and a commercial business in a residential area would cause concern to surrounding residents.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: CR357/2021 DHSC 307

That Zoning By-law 8600 **BE AMENDED** by adding the clause below to Section 20(2) for Lot 3, Registered Plan 502, (known municipally as 642 Windermere Road; Roll No. 020-070-06600; PIN 01136-0246), situated on the east side of Windermere, south of Wyandotte Street East:

9. For the lands comprising Lot 3, Registered Plan 502 (known municipally as 642 Windermere Road; Roll No. 020-070-06600; PIN 01136-0246), situated on the east side of Windermere, south of Wyandotte Street East, a “Restaurant or Bar Patio” as defined in Ontario Regulation 345/20, shall be a permitted temporary use until the end of October 31, 2021, that said temporary use shall be located outdoors in the rear yard of the subject parcel, and that for said temporary use no parking spaces are required. Further, no parking spaces are required for any lawfully permitted use located on the subject lands for the term of temporary use.

[ZDM 6; ZNG/6465]

Carried.

Report Number: SCM 240/2021 & S 77/2021

Clerk’s File: ZB/14141

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 28 of 39

8.16. Close and Convey Part of the North/South Alley Between 0 Wyandotte Street East and 4620 Wyandotte Street East, North of Wyandotte Street East - Applicant: 2640285 Ontario Limited - SAA/6348 - Ward 5

Moved by: Councillor Bortolin

Seconded by: Councillor Holt

Decision Number: CR362/2021 DHSC 312

- I. That the portion of the 4.33 metre wide north/south alley between 0 Wyandotte Street East and 4620 Wyandotte Street East, north of Wyandotte Street East and shown on Drawing No. CC-1789 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the portion of the 4.33 metre wide north/south alley between 0 Wyandotte Street East and 4620 Wyandotte Street East, north of Wyandotte Street East and shown on Drawing No. CC-1789 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, 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, Enbridge Gas, Enwin Utilities and the owner of 4620 Wyandotte Street East;
- III. That Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Commercial CD2.2: \$193.75 per square metre without easements and \$96.88 per square metre with easements.
- IV. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1789, *attached* as Appendix "A".
- V. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- 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 245/2021 & S 70/2021

Clerk's File: SAA2021

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 29 of 39

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

Luciano Carlone, Director of Corporate Services and Housing

Luciano Carlone, Director of Corporate Services and Housing, appears before Council regarding the report “Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide,” speaks in support of the recommendation and is available for questions.

Tamara Kowalska, Co-Founder and Former Director of Windsor Youth Centre

Tamara Kowalska, Co-Founder and Former Director of Windsor Youth Centre, appears before Council regarding the report “Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide,” speaks in support of the administrative recommendation and indicates that the community is lacking appropriate mental health and addiction programs as well as housing availability; and concludes by suggesting that available resources and finances must be in place to offer these types of services.

Stacey Yannacopoulos, Executive Director of New Beginnings

Stacey Yannacopoulos, Executive Director of New Beginnings, appears before Council regarding the report “Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide,” speaks in support of the administrative recommendation and concludes by highlighting the necessity to focus on youth supports as part of the plan, including youth-based strategies that should be distinct from the adult services.

Joyce Zuk, Executive Director of Family Services Windsor-Essex

Joyce Zuk, Executive Director of Family Services Windsor-Essex, appears before Council regarding the report “Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide,” speaks in support of the administrative recommendation and commends Council for their commitment related to this plan, and concludes by indicating that support in youth programming as it relates to housing is necessary.

Marina Clemens, Chair of Housing & Homelessness Advisory Committee

Marina Clemens, Chair of Housing & Homelessness Advisory Committee, appears before Council regarding the report “Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide,” speaks in support of the administrative recommendation and thanks Council and all the community groups for the

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 30 of 39

support during Covid-19 and concludes by highlighting the need of additional services required to move forward with the homelessness issues in the City.

Remy Sirls, Director of Operations and Strategy Management; and Leigh Vachon, Director of Enhanced Services and Partnership Development, Assisted Living Southwestern Ontario (ALSO)

Remy Sirls, Director of Operations and Strategy Management; and Leigh Vachon, Director of Enhanced Services and Partnership Development, Assisted Living Southwestern Ontario (ALSO), appear before Council regarding the report “Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide,” speak in support of the administrative recommendation and conclude by outlining the benefits of active collaboration with community partners.

Anna Angelidis and Lisa Bezaire, Homelessness and Housing Help Hub

Anna Angelidis and Lisa Bezaire, Homelessness and Housing Help Hub, appear before Council regarding the report “Home Together: Windsor Essex 10 Year Housing and Homelessness Master Plan and Review of Emergency Services – A Housing Hub Vision – City Wide,” speak in support of the administrative recommendation and provide a brief outline of the the Homelessness and Housing Help Hub including the various community partners involved and programs offered, relationship building, community collaboration, and wraparound services; and concludes by suggesting the effectiveness of the program demonstrates a positive outcome for attendees and the community in working towards the goal of ending chronic homelessness.

Moved by: Councillor Bortolin

Seconded by: Councillor Sleiman

Decision Number: CR365/2021 CR333/2021

That the report from the Executive Director of Housing and Children’s Services exploring the redesign of Emergency Shelter Service delivery and Housing and Homelessness Help Hub evaluation **BE RECEIVED** for information; and further,

That City Council **ENDORSE** the recommendation of the Executive Director of Housing and Children’s Services to pursue the development of a Housing Hub model that will offer shelter and support services that are flexible and responsive to the needs of residents; and further,

That City Council **AUTHORIZE** the Executive Director of Housing and Children’s Services to engage any professional services required to identify viable properties and/or land, create a conceptual design, or any other services to draft conceptual plans and other documents required to bring forward a Housing Hub and shelter support proposal for Council’s consideration; and further,

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 31 of 39

That the costs of such professional services **BE CHARGED** to the Budget Stabilization Reserve to an upset limit of \$175,000, plus any applicable taxes, if federal or provincial funding to support the cost of such services is unavailable; and further,

That the Executive Director of Housing & Children's Services **BE AUTHORIZED** to issue an Expression of Interest to solicit interest for operating elements of the Housing Hub; and further,

That the Executive Director of Housing & Children's Services **BE DIRECTED** to engage with the existing shelter service providers, the Housing and Homelessness Advisory Committee, persons with lived experience, and other key stakeholders as elements of the future state are developed; and further,

That the Commissioner, Human and Health Services **BE AUTHORIZED** to execute, sign, amend or terminate agreements and/or other documents with professional services pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in form to the City Solicitor, in technical content to the Executive Director of Housing & Children Services, and in financial content to the City Treasurer, where the contribution does not exceed \$175,000, plus any applicable taxes; and further,

That the Executive Director of Housing & Children's Services **BE AUTHORIZED** to pursue any funding opportunity to reduce the burden on the municipal tax base to support the capital and/or operating costs of the Housing Hub; and further, should funding be in the form of grants or require an application process; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any documentation as required to bring effect to these resolutions, such that all documents are satisfactory in technical content to the Commissioner, Human and Health Services and Executive Director of Housing and Children's Services; in legal form and content to the City Solicitor, and in financial content to the City Treasurer; and,

That the Executive Director of Housing and Children's Services **BE DIRECTED** to develop a proposed model for the Housing Hub project and bring back recommendations to City Council for consideration; and further,

That Administration **PREPARE** an official letter on behalf of City Council to help advocate other levels of government to address funding gaps with respect to mental health and addictions to ensure the new housing hub is a success.

Carried.

Report Number: C 98/2021
Clerk's File: SS/11710

11. REGULAR BUSINESS ITEMS

None.

Minutes

Special Meeting of Council
Monday, July 26, 2021

Page 32 of 39

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 Francis
Seconded by: Councillor Gignac

Decision Number: CR368/2021

That the report of the In Camera meeting held July 26, 2021 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2021

13. BY-LAWS (First and Second Readings)

Moved by: Councillor Gill
Seconded by: Councillor Holt

That the following By-laws No. 129-2021 through 134-2021 (inclusive) be introduced and read a first and second time:

129-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" (**See Item 8.11, Report S 77/2021**).

130-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR301/2021 dated July 5, 2021.

131-2021 A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN PLAN OF SUBDIVISION 12M-678 IN THE CITY OF WINDSOR authorized by BL139-2013 dated August 26, 2013.

132-2021 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 185-2021 dated July 20, 2021.

133-2021 A BY-LAW TO AMEND BY-LAW NUMBER 392-2002, BEING A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF FEES AND CHARGES B23/2021 dated February 22, 2021.

134-2021 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 26TH DAY OF JULY, 2021.
Carried.

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 33 of 39

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

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 presented)
- 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 Morrison

Seconded by: Councillor Sleiman

That the By-laws No. 129-2021 through 134-2021 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 17-2021

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Minutes

Special Meeting of Council

Monday, July 26, 2021

Decision Number: CR369/2021

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 17-2021:

Assigned to City Solicitor:

Asks that, to promote greater public safety for all people, that Administration work to develop a by-law for Council consideration to provide the City of Windsor with additional tools within the licensing framework for enforcement agencies to address unsafe and illicit activity in hotels and motels across the community that create dangerous and undesirable situations for motel guests, neighbours, and community members alike. The bylaw development process should include consultation process with industry stakeholders and social service providers, social agencies and health providers from both within and external to the City of Windsor as well as any other stakeholder group deemed appropriate by Administration.

Carried.

Clerk's File: AB2021 & MH2021

18.2. CQ 18-2021

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR370/2021

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 18-2021:

Assigned to City Engineer:

Asks that Administration review the current truck routes in Windsor and bring a report with recommendations to Council on updating it as soon as possible.

Carried.

Clerk's File: ST2021

18.3. CQ 19-2021

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Minutes

Special Meeting of Council

Monday, July 26, 2021

Decision Number: CR371/2021

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

CQ 19-2021:

Assigned to City Engineer:

Asks that Administration to report on ways to address the increased traffic and speeding issues on side streets off of Riverside (Martinique, Flora and Florence) due to the Little River Bridge construction. All of residents are concerned for their safety and the safety of seniors and children in the neighbourhood. What can the City do to reduce speed and properly divert traffic for the safety of the residents?

Carried.

Clerk's File: ACO2021

18.4. CQ 20-2021

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR372/2021

That the following Council Question by Councillor Kaschak **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 20-2021:

Assigned to City Solicitor:

Asks that Administration prepare a report for the best methods moving forward to get timely and meaningful results on City issues related to dealing with the various railway companies and authorities that are located in Windsor and who have effects on residents and City property bordering these railway routes and train tracks.

The current process and methods seem somewhat ineffective and very untimely.

Carried.

Clerk's File: ACO2021

21. ADJOURNMENT

Moved by: Councillor Gill

Seconded by: Councillor Holt

Minutes

Special Meeting of Council

Monday, July 26, 2021

Page 36 of 39

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 1:50 o'clock p.m.

Mayor

City Clerk

Minutes
Special Meeting of Council
Monday, July 26, 2021

Page 37 of 39

Adopted by Council at its meeting held July 26, 2021 (CR368/2021)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
July 26, 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: 10:35 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
M. Winterton, Commissioner, Infrastructure Services
S. Vlachodimos, City Clerk
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer
S. Askin-Hager, Commissioner, Legal and Legislative Services
A. Teliszewsky, Mayor's Chief of Staff
C. Carpenter, Coordinator of Real Estate Services (Item 3)
L. Higgins, Manager of Intergovernmental Funding (Item 5)
J. Tanner, Manager of Homelessness and Housing Support (Item 5)
S. Bajaj, Coordinator of Housing Administration (Item 5)
D. Wilson, Coordinator of Housing Administration (Item 5)
K. Goz, Manager of Homelessness and Housing Support (Item 5)

Minutes

Special Meeting of Council
Monday, July 26, 2021

Page 38 of 39

Verbal Motion is presented by Councillor Costante, seconded by Councillor Gill, to move in Camera for discussion of the following item(s), with Item 1 being withdrawn:

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal matter – update – See Item 11.2 on regular agenda – verbal - WITHDRAWN	239(2)(f)
2.	Legal matter – expropriation settlement	239(2)(f)
3.	Property matter – sale of land	239(2)(c)
4.	Property matter – disposition of land	239(2)(c)
5.	Property/plan – pending acquisition of land	239(2)(c)(k)

Motion Carried.

Declarations of Pecuniary Interest:

None disclosed

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

The meeting recesses at 11:06 a.m. and reconvenes in public session at 11:30 a.m.

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

Motion Carried.

Minutes

Special Meeting of Council
Monday, July 26, 2021

Page 39 of 39

****SEE NOTE BELOW**

Moved by Councillor Bortolin, seconded by Councillor Gignac,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 26, 2021 directly to Council for consideration at the next Regular Meeting.

1. ITEM WITHDRAWN.

2. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a legal matter – expropriation settlement **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Planner/Executive Director Planning and Development Services, Commissioner, Legal and Legislative Services, Executive Director of Housing and Children's Services, Commissioner, Human and Health Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – sale of land **BE APPROVED AS AMENDED**.

4. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner, Legal and Legislative Services, Acting Commissioner, Community Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – disposition of land **BE APPROVED**.
Councillor Francis voting nay.

5. That the recommendation contained in the in-camera report from the Co-ordinator Housing Development and Administration, Executive Director of Housing and Children's Services, Commissioner, Human and Health Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property/plan – pending acquisition of land **BE APPROVED**.

Motion Carried.

Moved by Councillor Francis, seconded by Councillor Gignac,
That the special meeting of council held July 26, 2021, BE ADJOURNED.
(Time: 11:31 a.m.)
Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on July 26, 2021.**