



CITY OF WINDSOR MINUTES 07/05/2021

City Council Meeting

Date: Monday, July 5, 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 1:22 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Holt discloses an interest and abstains from voting on Item 8.15 being the report of the Senior Planner and Planner II – Revitalization & Policy Initiatives regarding “Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Edna (Windsor) Inc., Walkerville Commercial Centre Inc., 1206738 Ontario Limited, and Walkerville Walker Developments Inc for 0 Edna Street, 0 St. Luke Road, and part of 890 Walker Road (Ward 5),” as he owns the business directly abutting the property related to this application.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held June 21, 2021

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the minutes of the meeting of Council held June 21, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 217/2021

5. NOTICE OF PROCLAMATIONS

None presented.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Francis
Seconded by: Councillor Gignac

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 113-2021 through 120-2021 (inclusive).
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence Monday, July 5, 2021

Moved by: Councillor Gill
Seconded by: Councillor Holt

Decision Number: CR292/2021

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

7.1.6 ERCA Resolution No. 56/2021 regarding City of Windsor Council Request CR 99/2021

Moved by: Councillor Gignac
Seconded by: Councillor Francis

That the correspondence from the Essex Region Conservation Authority (ERCA) dated June 18, 2021 in addition to the initial request submitted to the Authority by Windsor City Council from the March 8, 2021 Council Meeting **BE REFERRED** to the Conservation Authority Working Group of Ontario.

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

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

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

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

Absent: None.

Abstain: None.

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Moved by: Councillor Bortolin
Seconded by: Councillor Gignac

Decision Number: CR293/2021

That Invest WindsorEssex and Tourism Windsor Essex Pelee Island, along with any other boards not already under the scope of the Auditor General, **BE REQUESTED** to consider allowing the Auditor General to undertake a review of its finances and to report back directly to City Council on the findings of such reviews.

Carried.

Councillors McKenzie, Sleiman, and Morrison voting nay.

Clerk's File: GCE2021

7.1.7 Letter of Consideration Requesting Waiver of Fees for WIFF Under The Stars 2021

Moved by: Councillor McKenzie
Seconded by: Councillor Gill

Decision Number: CR294/2021

That the correspondence from the Executive Director & Chief Programmer of the Windsor International Film Festival dated June 28, 2021 **BE RECEIVED**; and further,

That the Waiver of Fees requested by the Windsor International Film Festival for WIFF Under The Stars 2021 for the dates and locations indicated below

- Charles Clark Square: Thursday, July 22nd to Monday, July 26th, 2021
- Festival Plaza: Sunday, August 15th to Tuesday, September 14th, 2021

BE APPROVED.

Carried.

Clerk's File: SR2021

| No. | Sender | Subject |
|-------|--|---|
| 7.1.1 | Minister of Infrastructure and Communities | Letter regarding the Investing in Canada Infrastructure Program (ICIP) Commissioner, Corporate Services CFO/City Treasurer Commissioner, Infrastructure Services GF2021 Note & File |

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| No. | Sender | Subject |
|-------|--|--|
| 7.1.2 | Member of Parliament – Windsor-Tecumseh | Federal Green and Inclusive Community Buildings Application Letter of Support Commissioner, Corporate Services CFO/City Treasurer Commissioner, Community Services GF2021 Note & File |
| 7.1.3 | Ontario Land Tribunal | 1425626 Ontario Inc. (Windsor Husky) v. Ministry of Transportation case heard June 24, 2021 by telephone conference call. Memorandum of oral decision delivered by Blair S. Taylor on June 24, 2021 and order of the tribunal, Case No. LC130037 Commissioner, Legal & Legislative Services Deputy City Solicitor Senior Legal Counsel ZB2021 Note & File |
| 7.1.4 | Ontario Land Tribunal | 2266088 Ontario Limited (o/a Bull & Barrel Urban Saloon) v. City of Windsor case heard March 29 to April 1, and April 6, 2021 by video hearing. Decision delivered by S. Jacobs and order of the tribunal, Case No. LC190009 Commissioner, Legal & Legislative Services Deputy City Solicitor Senior Legal Counsel APM2020 Note & File |
| 7.1.5 | Enbridge Gas Inc. | 2020 Utility Earnings and 2019 Utility Earnings and Disposition of Deferral & Variance Account Balances Application and Evidence MU2021 Note & File |
| 7.1.6 | Essex Region Conservation Authority (ERCA) | Resolution No. 56/2021 regarding City of Windsor Council Request CR 99/2021 Commissioner, Corporate Services CFO/City Treasurer GCE2021 Note & File |

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| No. | Sender | Subject |
|-------|---|--|
| 7.1.7 | Windsor International Film Festival | Letter of Consideration Requesting Waiver of Fees for WIFF Under The Stars 2021 Commissioner, Corporate Services CFO/City Treasurer Commissioner, Community Services Manager, Culture & Events SR2021 COUNCIL DIRECTION REQUESTED, otherwise Note & File |
| 7.1.8 | Committee of Adjustment / Consent Authority | Applications to be heard by the Committee of Adjustment / Consent Authority, Thursday, July 15, 2021, 3:30 p.m., through Electronic Meeting Participation ZC2021 Note & File |
| 7.1.9 | Member of Parliament – Windsor West | Letter of support for the City of Windsor's application to the Green and Inclusive Community Buildings (GICB) program through Infrastructure Canada regarding Adie Knox Herman Recreation & Customer Care Complex SR/14134 Note & File |

Carried.

Report Number: CMC 11/2021

8. CONSENT AGENDA

8.1. Energy Agreements for the Museum/Art Gallery, 350 City Hall Square and the Windsor Justice Facility - City Wide

Moved by: Councillor Kaschak
 Seconded by: Councillor McKenzie

Decision Number: CR295/2021

That Council **APPROVE** a renewal of an existing service agreement with the Windsor Utilities Commission, for the purpose of providing hot and chilled water (energy services) to 401 Riverside Drive West (Chimczuk Museum & Art Gallery of Windsor), expiring on September 30, 2030; and,

That Council **APPROVE** entering into a service agreement with the Windsor Utilities Commission, for the purpose of providing hot and chilled water (energy services) to 350 City Hall Square West, expiring on October 31, 2040; and,

That Council **APPROVE** entering into a service agreement with the Windsor Utilities Commission, for the purpose of providing hot and chilled water (energy services) to 150 Goyeau Street and 200 Chatham Street (Windsor Justice Facility), expiring on September 1, 2027; and,

That the CAO and City Clerk **BE AUTHORIZED** to execute all three agreements, satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the Commissioner of Parks, Recreation, Culture, and Corporate Facilities.
Carried.

Report Number: C 91/2021
Clerk's File: MU/14147

8.4. Amend Council Resolution CR 1188/98 - Alley Abutting Properties on McKay Avenue and Dominion Boulevard – Ward 10

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR298/2021

- I. That Council Resolution 1188/98 **BE AMENDED** by deleting a), b) and c) and substituting the following therefor:
 - a) Easements be retained in favour of Windsor Utilities Commission – Hydro Division (no buildings), Bell Canada and Cogeco Cable Solutions Inc.;
 - b) The lands are to be conveyed at:
 1. For alley abutting lands zoned Residential RD1.4: \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - c) That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
 - d) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and
 - e) That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: C 89/2021
Clerk's File: SAA2021

**8.6. Windsor International Airport – Reconstruction of Apron 1 RPF 88-21
Tender Award – Ward 3**

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR291/2021

- I. That the following Low Tender for the Reconstruction of Apron 1 at the Windsor International Airport **BE ACCEPTED**:

| | |
|---------------------|-------------------------------------|
| TENDERER: | Coco Paving Inc. |
| TENDER NO.: | 88-21 |
| TOTAL TENDER PRICE: | \$3,026,000 (plus applicable taxes) |
| ACCOUNT CHARGED: | 007-5410-9998-02942-7211049 |

and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with Coco Paving Inc. satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer and in technical content to the City Engineer; and,

- II. That the purchase of a Backhoe **BE DEFERRED** to a later date; and,
- III. That \$3,126,000 **BE CONFIRMED** as the overall project budget, excluding design, for the reconstruction of Apron 1 and that Council **APPROVE** the following funding sources;
- a. \$1,400,000 previously approved funding for Airport Project for Apron 1 Reconstruction; and,
 - b. \$175,000 be transferred from deferral of Backhoe Replacement (Project ID 7141055 – Electrical/Fleet/Facilities, project 2019-04); and,
 - c. \$80,571 be transferred from Surplus of Completed Projects (Project ID 7141054 – Pavement/Drainage); and,
 - d. \$285,000 be transferred from Unallocated Drainage Works (Sewer Surcharge) (Project ID 7141054 – Pavement/Drainage); and,
 - e. \$345,000 be transferred from Unallocated 2019 Drainage Works (Miscellaneous) (Project ID 7141054 – Pavement/Drainage); and,
 - f. \$380,000 be transferred from Unallocated 2020 Drainage Works (Miscellaneous) (Project ID 7141054 – Pavement/Drainage); and,
 - g. \$302,600 in potential grant funding through Regional Air Transportation Initiative (RATI); and,
 - h. \$128,715 in Unallocated 2020 Interest Earned in Fund 169 (Pay-As-You-Go – Capital Reserve); and,
 - i. \$29,114 in Unallocated 2020 Interest Earned in Fund 160 (Capital Expenditure Reserve).

IV. That in the event that funding through the Regional Air Transportation Initiative (RATI) federal grant program be less than anticipated or denied, that Administration and YQG **BE APPROVED** to identify additional funding sources at that time.
Carried.

Report Number: C 93/2021
Clerk's File: SW/14149

8.7. Development Application – 0 Windsor Avenue (also known as 1517-1521 Windsor Avenue, south of 1515 Windsor Avenue) Z-034/20 [ZNG6218] to add use to a zoning category and permit site specific provisions - Ward 3

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR300/2021 DHSC 287

I. That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of LOT 27 and LOT 28 (PLAN 1232), Known Municipally as 0 Windsor Avenue (also known as 1517-1521 Windsor Avenue, south of 1515 Windsor Avenue); by adding the following Permitted Use and the following additional site-specific regulations:

Use: One Multiple Dwelling containing a maximum of 12 dwelling units

Regulations:

Lot Coverage – maximum 48%
Front Yard Depth – minimum 2.4 m
Side Yard Width – minimum 1.3 m

Parking Area Regulations:

Required Number of Parking Spaces – 7
Visitor Parking Spaces – 0
Parking area setback from an interior lot line – 0 m
Parking area setback from an alley – 0 m
Loading Space – 0

Ingress to a parking area from a street or alley or egress from a parking area to a street or alley shall be by way of an alleyway.

Minimum width of the parking aisle located, in whole or in part, within an alley shall be the width of the alley plus additional 1.0 m width accommodated at the rear of the property.

II. That By-law 103-20 (Residential Interim Control By-law) **BE AMENDED TO EXEMPT** LOT 27 and LOT 28 (PLAN 1232), Known Municipally as 0 Windsor Avenue (also known as

1517-1521 Windsor Avenue, south of 1515 Windsor Avenue); subject to rezoning Z-034/20 ZNG/6218.

Carried.

Report Number: SCM 200/2021 & S 46/2021
Clerk's File: ZP/13999

8.8. Rezoning - Devon & Katie Shepley - 1119-1121 Langlois Avenue - Z-010/21 ZNG/6361 - Ward 4

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR301/2021 DHSC 288

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 149 and 150, Registered Plan 357, (known municipally as 1119-1121 Langlois Avenue; Roll No. 030-270-02300; PIN 01155-0469), situated on the west side of Langlois Avenue between Erie Street East and Giles Boulevard East, from Residential District 2.1 (RD2.1) to Residential District 2.2 (RD2.2) and deleting and substituting Section 20(1)339 as follows:

339. WEST SIDE OF LANGLOIS AVENUE BETWEEN ERIE STREET EAST AND GILES BOULEVARD EAST

For the lands comprising of Lots 149 and 150, Plan 357 the following additional provisions shall apply:

- a) For any *dwelling* within the existing *building*, the minimum *front yard depth* and minimum north *side yard width* shall be as existing on April 21, 2017. Any addition to the existing *building* shall comply with the applicable provisions in Section 11.2.5.
- b) For a *double duplex dwelling* or a *multiple dwelling* with a maximum of four *dwelling units*, a *parking space*, visitor parking space, or accessible parking space is permitted in a required *front yard*.

[ZDM 7; ZNG/5010; ZNG/6361]
(ADDED B/L 47-2017 Apr 21/2017)

Carried.

Report Number: SCM 201/2021 & S 59/2021
Clerk's File: ZB/14085

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

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR303/2021 DHSC 290

- I. That the Heritage Alteration Permit for the removal of the window on the east elevation (of drawing) at 3150 Sandwich Street **BE APPROVED** as indicated on the plans attached as Appendix A.
- II. That a consistent finish **BE APPLIED** to the east wall as a condition of the approval.
- III. That the City Planner or his designate **BE DELEGATED** the authority to approve further minor changes to the heritage alterations for this property.

Carried.

Report Number: SCM 203/2021 & S 62/2021
Clerk's File: MBA/9191

8.11. Request for Heritage Alteration Permit - 716 Pelissier St. & 703-719 Ouellette Ave., Knights of Columbus / Auditorium Building (Ward 3)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR304/2021 DHSC 291

- I. That a Heritage Alteration Permit at the Knights of Columbus / Auditorium Building, 716 Pelissier St., and 703-719 Ouellette Ave., for the removal of the interior heritage attributes of the flooring and arched plaster ceiling of the auditorium on main floor, **BE GRANTED**; and,
- II. That the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with, and requested for in the proposed scope of work in Phase One of the redevelopment project; and,
- III. That at the appropriate time, in consultation with the City Planner and designate, the City Clerk **BE AUTHORIZED** to give Notice of Amendments to Designation Bylaw 190-2013, Knights of Columbus/Auditorium Building, at 716 Pelissier Street & 703-717 Ouellette Avenue, in accordance with Part IV of the *Ontario Heritage Act*.

Carried.

Report Number: SCM 204/2021 & S 63/2021
Clerk's File: MBA/11739

8.12. Close and Convey Part of the North/South Alley Between Tourangeau Rd and Rossini Blvd, North of Franklin St and South of the VIA Rail Corridor - SAA 6317 - Applicant: Olivia Construction Homes Inc. - Ward 5

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR305/2021 DHSC 292

- I. That the portion of the 4.88 metre wide north/south alley between Tourangeau Rd and Rossini Blvd, north of Franklin St and south of the VIA Rail corridor, and shown as “Part 1” on Drawing No. CC-1787 *attached as Appendix ‘A’*, **BE ASSUMED** for subsequent closure;
- II. That the portion of the 4.88 metre wide north/south alley between Tourangeau Rd and Rossini Blvd, north of Franklin St and south of the VIA Rail corridor, and shown as “Part 1” on Drawing No. CC-1787 *attached as Appendix ‘A’*, **BE CLOSED AND CONVEYED** in equal halves, along the centre of the subject alley, to the abutting property owners, and adjusted as necessary 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, Enwin Utilities Ltd;
 - b) Where the property abutting the alley is owned by the City of Windsor, that the equal half **BE RETAINED FOR MUNICIPAL PURPOSES**;
- III. That the portion of the 6.1 metre wide east/west alley between Franklin St and the VIA Rail corridor, east of Tourangeau Rd and west of Rossini Blvd, and shown as “Part 2” on Drawing No. CC-1787 *attached as Appendix ‘A’*, **BE ASSUMED** for subsequent closure;
- IV. That the portion of the 6.1 metre wide east/west alley between Franklin St and the VIA Rail corridor, east of Tourangeau Rd and west of Rossini Blvd, and shown as “Part 2” on Drawing No. CC-1787 *attached as Appendix ‘A’*, **BE CLOSED AND CONVEYED** in equal halves, along the centre of the subject alley, to the abutting property owners, and adjusted as necessary 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 and Enwin Utilities Ltd;
- V. That the portion of the 4.88 metre wide east/west alley between Franklin St and the VIA Rail corridor, east of Tourangeau Rd and west of Rossini Blvd, and shown as “Part 3” on Drawing No. CC-1787 *attached as Appendix ‘A’*, **BE RETAINED FOR MUNICIPAL PURPOSES**;
- VI. That Conveyance Cost **BE SET** as follows:
 - a. For alleys abutting lands zoned Residential RD1.2: \$1 plus proportion of survey costs plus deed preparation fees;
- VII. That the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1787, *attached as Appendix ‘A’*;
- VIII. That the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);

- IX. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- X. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 205/2021 & S 58/2021
Clerk's File: SAA2021

8.13. Ford City/Building Facade Improvement CIP Application for 1012 Drouillard Road, Owner: 2609998 Ontario Inc.. C/O Nicole Baillargeon and Sinisa Simic

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR306/2021 DHSC 293

- I. That the request for incentives under the Ford City CIP Financial Incentive Programs made by Nicole Baillargeon and Sinisa Simic (2609998 Ontario Inc.), the owners of the property located at 1012 Drouillard Road **BE APPROVED**, for the following incentive programs:
- i. *Retail Investment Grant in the maximum amount of \$15,000 for one (1) ground floor retail unit;*
 - ii. *Municipal Development Fees Grant Program (if necessary)*
 - iii. *Building/Property Improvement Tax Increment Grant Program for 100% of the municipal portion of the tax increment for up to 10 years in the amount of +/-2,972 per year.*
- II. That subject to completion and review satisfactory to the City Planner, the request made by Nicole Baillargeon and Sinisa Simic (2609998 Ontario Inc.), the owners of the property located at 1012 Drouillard Road **BE APPROVED** for grants totalling a maximum of \$22,500 in principle under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets* Community Improvement Plan;
- III. That the CAO and City Clerk **BE AUTHORIZED** to prepare the agreement between the City and Nicole Baillargeon and Sinisa Simic (2609998 Ontario Inc.) to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications;
- IV. That the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor;
- V. That funds in the amount of \$15,000 under the *Retail Investment Grant* Program and funds under the *Municipal Development Fees Grant Program* (If necessary) **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Ford City CIP Project Fund (#7181046);

- VI. That funds in the maximum amount of \$22,500 under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the new Building Facade Improvement Program – Main Streets CIP Project Fund (#7219018);
- VII. That grants **BE PAID** to Nicole Baillargeon and Sinisa Simic (2609998 Ontario Inc.), upon completion of improvements to the interior/exterior of the Ford City CIP Fund (Project #7181046) and facade improvements through the new Building Facade Improvement Program – Main Streets CIP project fund to the satisfaction of the City Planner and Chief Building Official; and
- VIII. That grants approved **SHALL LAPSE** and **BE UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 5 years of the approval date.

Carried.

Report Number: SCM 206/2021 & C 50/2021
Clerk's File: Z/13251

8.14. Sandwich Demolition Control Exemption and CIP-511 Brock St., JD Louie Corp., C/O Jennifer Wong

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR307/2021 DHSC 294

- I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the registered owner JD LOUIE CORP. (C/O Jennifer Wong), to demolish a two (2) storey three-unit dwelling located at 511 Brock Street (see Appendix 'A'), to construct a two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units (one per unit) when an executed Site Plan Control Agreement has been registered on title with the appropriate securities to ensure the redevelopment occurs within a specified time period to fulfill the conditions of the Site Plan Control Agreement;
- II. That any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit;
- III. That the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:
- i. The Redevelopment identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;
 - ii. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the Clerk enter the sum of Sixty Thousand Dollars (\$60,000) on the collectors roll of the property and prepare a certificate for registration;

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- IV. That the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the property;
- V. That the request for incentives under the Sandwich Incentive Program made by the registered owner (JD Louie Corp.) of the property located at 511 Brock Street, **BE APPROVED** for the following programs:
- i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of (+/-**\$20,000**);
 - ii. *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-**\$4,465** per year);
- VI. That the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implication;
- VII. That funds in the maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Account 7076176);
- VIII. That grants **BE PAID** to JD LOUIE CORP. (C/O Jennifer Wong) upon completion of the two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units from the *Sandwich Community Development Plan Fund* (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,
- IX. That grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: SCM 207/2021 & S 56/2021
Clerk's File: Z/8581

8.15. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Edna (Windsor) Inc., Walkerville Commercial Centre Inc., 1206738 Ontario Limited, and Walkerville Walker Developments Inc for 0 Edna Street, 0 St. Luke Road, and part of 890 Walker Road (Ward 5)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR308/2021 DHSC 295

- I. That the request made by Edna (Windsor) Inc., Walkerville Commercial Centre Inc., 1206738 Ontario Limited, Walkerville Walker Developments Inc 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 0 Edna Street, 0 St. Luke Road, and the south part of 890 Walker Road 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 \$25,000 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 \$25,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003); and,
- 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.

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

Report Number: SCM 208/2021 & S 57/2021

Clerk's File: Z/8955

8.16. Downtown CIP Grant Applications made by Nasser Zaki for 747 Ouellette, Ward 3

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: CR309/2021 DHSC 296

- I. That the request made by ST. PAUL MANAGEMENT LTD. for the proposed development at 747 Ouellette to participate in:
 - a. the Commercial/Mixed Use Building Facade Improvement Program **BE APPROVED** for 50% of the eligible costs of the façade improvements, up to \$20,000 per property. This development is in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
 - b. the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
 - c. the Retail Investment Grant Program **BE APPROVED** for 50% of eligible costs for improvements to a maximum amount of \$15,000 per retail unit in a building. This development is in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;

- II. That Administration **BE DIRECTED** to prepare the agreements between the City and ST. PAUL MANAGEMENT LTD. to implement the Building/Property Improvement Tax Increment Grant Program at 747 Ouellette Avenue in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program Agreement at 747 Ouellette Avenue to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- IV. That should the project not be completed in one (1) year, City Council **AUTHORIZE** that the funds under the Commercial/Mixed Use Building Façade Improvement Grant Program and Retail Investment Grant Program for 747 Ouellette be uncommitted and made available for other applications.
- V. Grant funds to a maximum amount of \$20,000 under Commercial/Mixed Use Building Facade Improvement Grant Program and a maximum amount of \$15,000 under the Retail Investment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund.
- VI. That the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.
- VII. That the City Planner **BE DELEGATED** authority to approve the Site Plan Control application for 747 Ouellette Ave.

Carried.

Report Number: SCM 209/2021 & S 64/2021
Clerk's File: Z/12916

8.17. Downtown CIP Grant Applications made by 2527179 Ontario Inc. for 490-495 Pelissier Street, Ward 3

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR310/2021 DHSC 297

- I. That the request made by 2527179 Ontario Inc. (Owner) for the proposed development at 490-495 Pelissier Street to participate in the Commercial/Mixed Use Building Facade Improvement Grant Program **BE APPROVED** to a maximum of \$30,000, with funding used towards eligible costs pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan and subject to satisfaction of the City of Windsor Heritage Planner.

- II. That the grants under the Commercial/Mixed Use Building for 490 Pelissier **BE PAID** to 2527179 Ontario Inc. upon completion of the façade improvements as described in Report S 67/2021 within one (1) year of Council approval subject to the satisfaction of the City Planner and Chief Building Official.
- III. That the grant funds to a maximum of \$30,000 under the Commercial/Mixed Use Building Façade Improvement Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022).
- IV. That should the project not be completed in one (1) year, City Council **AUTHORIZE** that the funds under the Commercial/Mixed Use Building Façade Improvement Grant Program be uncommitted and made available for other applications.

Carried.

Report Number: SCM 210/2021 & S 67/2021
Clerk's File: Z/12916

8.18. Downtown CIP Grant Applications made by 2757395 Ontario Inc. for 364-374 Ouellette Avenue (Canada Building)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR311/2021 DHSC 298

- I. That the request made by 2757395 Ontario Inc. (Owner) for the proposed development at 364-374 Ouellette Avenue to participate in:
- a. the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
 - b. the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for an additional five (5) years as a property designated under Part IV of the *Ontario Heritage Act* in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
 - c. the Upper Storey Residential Conversion Grant Program **BE APPROVED** for \$50,000, with funding to be used towards eligible costs pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
 - d. the Commercial/Mixed Use Building Façade Improvement Grant Program **BE APPROVED** in principle for \$30,000, with funding used towards eligible costs of the canopy and brick repair/cleaning pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan and subject to satisfaction of the City of Windsor Heritage Planner.

-
- II. That Administration **BE DIRECTED** to prepare the agreements between the City and 2757395 Ontario Inc. (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 364-374 Ouellette Avenue in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program Agreement at 364-374 Ouellette Avenue to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- IV. That the grants under the Upper Storey Residential Conversion Grant Program and the Commercial/Mixed Use Building for 364-374 Ouellette Avenue **BE PAID** to 2757395 Ontario Inc. upon completion of the new residential units and façade improvements as described in Report S 66/2021 within two (2) years of Council approval subject to the satisfaction of the City Planner and Chief Building Official.
- V. Grant funds in the amount of \$80,000 under the Upper Storey Residential Conversion Grant Program and Commercial/Mixed Use Building Façade Improvement Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022).
- VI. That should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the Upper Storey Residential Conversion Grant Program and Commercial/Mixed Use Building Façade Improvement Grant Program be uncommitted and made available for other applications.
- VII. That the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: SCM 211/2021 & S 66/2021
Clerk's File: Z/12916

8.19. Minutes of the Windsor BIA Advisory Committee of its meeting held April 27, 2021

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: CR312/2021 DHSC 299

That the minutes of the Windsor BIA Advisory Committee of its meeting held April 27, 2021 **BE RECEIVED**.

Carried.

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

8.9. Development Application – J Rauti Developments - 3871 Howard Ave. Z 011/21 [ZNG6362] To permit a Multiple Dwelling Development - Ward 9

Melanie Muir, Dillon Consulting representing J. Rauti

Melanie Muir, Dillon Consulting representing J. Rauti, appears before Council and is available for questions regarding the “ Development Application – J Rauti Developments - 3871 Howard Ave. Z 011/21 [ZNG6362] To permit a Multiple Dwelling Development - Ward 9.”

Moved by: Councillor McKenzie
Seconded by: Councillor Bortolin

Decision Number: CR302/2021 DHSC 289

That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Lot 6, Concession 4, designated as Part 1 on Reference Plan 12R 10242, in the City of Windsor, known municipally as 3871 Howard Ave, from Residential District 1.4 (RD1.4) to Residential District (RD) 2.5 with the following site specific regulations:

| | |
|---------------------------|---|
| Lot Area – Minimum - | 133m ² /unit, to a Maximum of 12 units |
| Front Yard Depth- Minimum | 4.0 m |
| Rear Yard Depth - Minimum | 3.0 m |
| Building Height – Maximum | 10.0 m |

That Part of Lot 6, Concession 4 in the City of Windsor, known municipally as 3871 Howard Ave; subject to rezoning Z 011/21 [ZNG6362] **BE EXEMPT** from Interim Control By-law 103-2020.
Carried.

Minutes

City Council

Monday, July 5, 2021

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11. REGULAR BUSINESS ITEMS (Non-Consent Items)

8.2. 2022 Proposed Budget Process & Timeline - City Wide

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR296/2021

That the report of the Chief Financial Officer & City Treasurer dated July 5, 2021 regarding the 2021 Proposed Budget Process & Timeline **BE RECEIVED** for information; and,

That in consideration of the extraordinary pandemic environment and related priorities and operational constraints, Council **APPROVE** the Operating Budget - Status Quo Process and related timelines for the development of the 2022 Operating & Capital budgets as outlined in tables A (Operating) and B (Capital) of this report; and,

That City Council **CONFIRMS** that Administration is to develop the 2022 10-year Capital Budget based on current funding level projections, inclusive of the operational (tax levy based) transfers to capital; and,

That City Council **APPROVE** an amount of \$20,000 to be funded from the Budget Stabilization Reserve Fund to explore opportunities for additional community engagement tools that may assist in the budget process going forward; and,

That budget reduction options **BE PROVIDED** to achieve a zero tax levy increase; and further,

That the administrative guidelines in the report outlining a 5% reduction **BE REPLACED** with a 10% reduction.

Carried.

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

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

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

Abstain: None.

Absent: None.

Report Number: C 92/2021

Clerk's File: AF/14148

8.3. 2021 Second Quarter Operating Budget Variance Report - City Wide

Moved by: Councillor Francis

Seconded by: Councillor Kaschak

Decision Number: CR297/2021

That City Council **RECEIVE FOR INFORMATION** the 2021 2nd Quarter Operating Budget Variance Report, including the updated COVID-19 financial impacts as presented by the Chief Financial Officer & City Treasurer; and,

That the Chief Administrative Officer and the Chief Financial Officer & City Treasurer **BE DIRECTED** to monitor the 2021 Operating Budget and continue to seek further means for offsetting any potential variances that may arise; and,

That the Mayor and City Council **STRONGLY ADVOCATE** on behalf of the City for continued senior level government relief funding to address the City's significant projected 2021 COVID related deficit; and further **TO ENCOURAGE** the senior levels of government to establish a post pandemic transitional financial relief plan for municipalities that will assist with appropriate planning as they move into the 2022 and future budgets cycles and gradually return to more normalized budgetary levels.

Carried.

Report Number: C 79/2021
Clerk's File: AFB/13698

8.5. LAS Sewer and Water Line Warranty Coverage for Residential Property Owners – Amendment of Existing Agreement

Moved by: Councillor McKenzie

Seconded by: Councillor Francis

Decision Number: CR299/2021

That Council **APPROVE** the following:

- I. That Administration **BE AUTHORIZED** to amend the existing agreement with Service Line Warranties of Canada, satisfactory in form to the City Solicitor, in technical content to the City Engineer, and in financial content to the Chief Financial Officer and City Treasurer.

Carried.

Report Number: C 86/2021
Clerk's File: MU/8327

11.1. New Department: Office of Economic Development & Innovation - City Wide

Moved by: Councillor McKenzie

Seconded by: Councillor Kaschak

Decision Number: CR313/2021

That City Council **AFFIRMS** its decision to create the Office of Economic Development & Innovation, pursuant to Staff Report C 96/2021 dated July 5, 2021; and,

That City Council **DIRECTS** Administration to take the necessary steps to fulfil this recommendation, including the realignment of several departments and the recruitment of a new Commissioner to lead this Office.
Carried.

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

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

Nay votes: Councillors Francis and Gignac.

Absent: None.

Abstain: None.

Report Number: C 96/2021
Clerk's File: APR/10711

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 Bortolin
Seconded by: Councillor Costante

Decision Number: CR314/2021

That the report of the In Camera meeting held July 5, 2021 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2021

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Francis
Seconded by: Councillor Gignac

That the following By-laws No. 113-2021 through 120-2021 (inclusive) be introduced and read a first and second time:

113-2021 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW," authorized by CR252/2021 dated June 7, 2021.

114-2021 A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN PLAN OF SUBDIVISION 12M-676 IN THE CITY OF WINDSOR, authorized by BL139-2013 dated August 26, 2013.

115-2021 A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, MUNICIPALLY KNOWN AS 766 DEVONSHIRE ROAD, TO BE OF CULTURAL HERITAGE VALUE OR INTEREST UNDER THE PROVISIONS OF THE *ONTARIO HERITAGE ACT*, R.S.O. 1990, CHAPTER O.18, AS AMENDED, authorized by CR203/2021 dated May 3, 2021.

116-2021 A BY-LAW TO APPOINT STEVEN VLACHODIMOS AS CLERK AND TO RESCIND THE APPOINTMENT OF VALERIE CRITCHLEY AS CLERK, authorized by By-law 420-2001 dated November 19, 2001.

117-2021 A BY-LAW TO APPOINT SHELBY ASKIN HAGER AND ANNA CIACELLI AS A DEPUTY CLERKS, authorized by By-law 420-2001 dated November 19, 2001.

118-2021 A BY-LAW TO RESCIND THE APPOINTMENT OF VALERIE CRITCHLEY AS LICENCE COMMISSIONER AND TO APPOINT GARY CIAN AS LICENCE COMMISSIONER FOR THE CORPORATION OF THE CITY OF WINDSOR, authorized by By-law 420-2001 dated November 19, 2001.

119-2021 A BY-LAW TO RESCIND THE APPOINTMENT OF MICHAEL CHANTLER AS DEPUTY LICENCE COMMISSIONER AND TO APPOINT CRAIG ROBERTSON AS DEPUTY LICENCE COMMISSIONER FOR THE CORPORATION OF THE CITY OF WINDSOR, authorized by By-law 420-2001 dated November 19, 2001.

120-2021 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 5TH DAY OF JULY, 2021.

Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Gill

Seconded by: Councillor Holt

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

- 1) Communication Items (as amended)
- 2) Consent Agenda (as amended)
- 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 Kaschak
Seconded by: Councillor McKenzie

That the By-laws No. 113-2021 through 120-2021 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

18.3. CQ 10-2021

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR315/2021

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 10-2021:

Assigned to Transportation Planning c/o Chief Building Official:

Asks that administration report back to the Environment Transportation and Public Safety Standing Committee on the impact of allowing on-street parking on Walker Road between Ottawa and Wyandotte streets. Please include effects on traffic calming in this developing Neighbourhood.

Carried.

18.4. CQ 11-2021

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR316/2021

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 11-2021:

Assigned to City Clerk:

Asks that administration provide the submission made to the Ontario Conservation Authority Working Group for the Stage 1 consultation as well as what they are submitting for the Stage 2 process.

Carried.

Clerk's File: EI2021

18.5. CQ 12-2021

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR317/2021

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 12-2021:

Assigned to City Solicitor:

Asks that administration provide options that the municipality can undertake to prohibit U.S. tourist helicopters from flying over residential neighbourhoods in Windsor.

Carried.

Clerk's File: EI2021

18.6. CQ 13-2021

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR318/2021

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 13-2021:

Assigned to City Engineer / City Planner:

Whereas in Ward 7 this is the third time that the same basements have been flooded spanning from 2008, 2016, 2017 and even last week in June 2021 from the inadequate storm water management. This is unacceptable for residents of this area as many of the damages are not covered by insurance and residents are left to pay out of pocket on many separate occasions; and whereas,

In 2017, there was a resident meeting with administration to discuss the flooding issues. I would like to ask administration what the findings were from the 2018 meeting and what measures were put in place to resolve this issue; and,

I would like to ask administration what the findings from their studies on the recent flooding issues in June 2021 were and what measures they will now be taking to rectify this problem. I request that administration report back to council in detail with viable action solutions, as soon as possible to mitigate the situation that is getting worse for many residents in Ward 7.

I urge that we put a pause on other developments until we have remedied these urgent problems and set up a system to prevent future flooding.

Carried.

Clerk's File: SW2021

21. ADJOURNMENT

Moved by: Councillor Francis

Seconded by: Councillor Gignac

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

Carried.

Minutes
City Council
Monday, July 5, 2021

Accordingly, the meeting is adjourned at 4:20 o'clock p.m.

Mayor

City Clerk

**SPECIAL MEETING OF COUNCIL – IN CAMERA
July 5, 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: 12:00 p.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, Deputy Clerk
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer
S. Askin-Hager, Commissioner, Legal and Legislative Services
R. Mensour, Acting Commissioner, Community Services
A. Teliszewsky, Mayor's Chief of Staff
A. Marazita, Manager of Fleet (Item 3)
D. Dawson, Executive Director of Operations (Item 3)
J. Chacko, Senior Manager of Parks (Item 3)

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

-
4. Legal matter – update (Section 239(2)(e)(f))

Motion Carried.

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

| <u>Item No.</u> | <u>Subject</u> | Section – Pursuant to Municipal Act, 2001, as amended |
|-----------------|---|---|
| 1. | Legal matter – litigation settlement | 239(2)(e) |
| 2. | Property matter – lease | 239(2)(c) |
| 3. | Personal matter – about identifiable individuals/labour relations | 239(2)(b)(d) |
| 4. | Legal matter – update – verbal report – ADDED | 239(2)(e)(f) |

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

The in-camera meeting recesses at 12:31 p.m. and reconvenes in public session at 1:20 p.m.

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

Motion Carried.

****SEE NOTE BELOW**

Moved by Councillor Kaschak, seconded by Councillor Morrison,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 5, 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, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a legal matter – litigation settlement **BE APPROVED.**

2. 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.**

3(a). That the recommendation contained in the in-camera report from the Fleet Manager, Financial Planning Administrator, Executive Director of Operations, Senior Manager of Parks, Acting Commissioner, Community Services, Executive Director of Human Resource and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter about identifiable individuals/labour relations **BE APPROVED.**

Councillor Gignac voting nay.

Motion Carried.

The following motion is put and is lost:

3(b). That Administration BE DIRECTED to proceed in accordance with the verbal instructions of Council regarding the in-camera report from the Fleet Manager.

Aye votes: Councillors Gignac, Gill, Sleiman and Francis

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

4. That the confidential verbal report from the Commissioner, Legal and Legislative Services respecting a legal matter update **BE RECEIVED.**

Motion Carried.

Moved by Councillor McKenzie, seconded by Councillor Gill,
That the special meeting of council held July 5, 2021 BE ADJOURNED.
(Time:1:21 p.m.)

Motion Carried.

****CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on July 5, 2021.**