



## CITY OF WINDSOR MINUTES 11/01/2021

### City Council Meeting

Date: Monday, November 01, 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.

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### 1. ORDER OF BUSINESS

### 2. CALL TO ORDER

The Mayor calls the meeting to order at 1:02 o'clock p.m.

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

Councillor Francis discloses an interest and abstains from voting on Item 8.4 being the report of the Development & Heritage Standing Committee dated September 13, 2021 entitled "OPA & Rezoning - Europro - 7446-7780 Tecumseh E - OPA 150 OPA/6483 Z-023/21 ZNG/6482 - Ward 8," as it relates to a family member.

### 4. ADOPTION OF THE MINUTES

#### 4.1. Adoption of the Special Meeting of Council minutes held October 25, 2021

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

That the minutes of the Special Meeting of Council held October 25, 2021 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 356/2021

### 5. NOTICE OF PROCLAMATIONS

None presented.

### 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Morrison

Seconded by: Councillor Sleiman

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;

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- (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 175-2021 through 178-2021 (inclusive).
- Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence Monday, November 1, 2021

Moved by: Councillor Francis  
Seconded by: Councillor Gignac

Decision Number: CR481/2021

That the following Communication Items 7.1.2, 7.1.4, and 7.1.5 as set forth in the Council Agenda **BE REFERRED** as noted; and that Items 7.1.1 and 7.1.3 be dealt with as follows:

#### 7.1.1 Resolution regarding Regional Affordable Housing Strategy and Review of Social Housing Cost Sharing Agreement by the County of Essex

Moved by: Councillor Gignac  
Seconded by: Councillor Francis

Decision Number: CR482/2021

That the correspondence from the County of Essex dated September 15, 2021 regarding the "Regional Affordable Housing Strategy and Review of Social Housing Cost Sharing Agreement" **BE REFERRED** to Administration to facilitate a strategic, closed session of Windsor City Council to review and consider this matter as part of the comprehensive list of cost shared items between the City of Windsor and the County of Essex; and further,

That the Windsor Essex Community Housing Corporation Board **BE REQUESTED** to provide City Council with information from their recent strategic planning discussions related to housing for consideration at this closed session.

Carried.

Clerk's File: GH2021

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### 7.1.3 Ontario Energy Notice of Application regarding 2022 Rates Application

Moved by: Councillor Francis

Seconded by: Councillor Gill

Decision Number: CR483/2021

That the correspondence from Enbridge Gas Inc. regarding “EB-2021-0209 Enbridge Gas Inc. – 2022 Federal Carbon Pricing Program Application – OEB Notice of Application” **BE RECEIVED**; and further,

That administration **BE DIRECTED** to provide a submission to the Ontario Energy Board (OEB) on behalf of the City Windsor expressing concern related to the application by Enbridge Gas Inc. (Enbridge Gas) for approval to increase its rates, as these increases could negatively impact residents.

Carried.

Clerk’s File: MU2021

No.	Sender	Subject
7.1.1	County of Essex; and Town of LaSalle	Resolution regarding Regional Affordable Housing Strategy and Review of Social Housing Cost Sharing Agreement  Commissioner, Human & Health Services Commissioner, Corporate Services CFO/ City Treasurer GH2021  COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.2	Town of Tecumseh	The Town of Tecumseh will hold a virtual/electronic public meeting on Tuesday, November 9, 2021 at 5:30 p.m. (on behalf of the County of Essex) to consider a proposed Plan of Subdivision pursuant to the provisions of the <i>Planning Act, R.S.O. 1990</i>  City Planner Commissioner, Legal & Legislative Services Deputy City Solicitor Development Applications Clerk ZB2021 Note & File
7.1.3	Enbridge Gas Inc.	Ontario Energy Notice of Application regarding 2022 Rates Application  MU2021 Note & File

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No.	Sender	Subject
7.1.4	Windsor Regional Hospital	Letter regarding the upcoming opening of the USA/Canada land border for travel into the USA starting November 8, 2021  MH2021 Note & File
7.1.5	Member of Parliament (MPP) – Windsor West	Letter regarding the Canada-United States Border reopening on November 8, 2021  GF2021 Note & File

Carried.

Report Number: CMC 16/2021

## 7.2. Windsor Canada Utilities Ltd. 2nd Quarter 2021 Financial Statements - City Wide

Moved by: Councillor Francis

Seconded by: Councillor Gignac

Decision Number: CR484/2021

That City Council **RECEIVE** for information, the Windsor Canada Utilities Ltd. 2<sup>nd</sup> Quarter 2021 Financial Statements.

Carried.

Report Number: C 157/2021

Clerk's File: MU2021

## 8. CONSENT AGENDA

### 8.1. 2021 Third Quarter Operating Budget Variance Report-City Wide

Moved by: Councillor Sleiman

Seconded by: Councillor Gignac

Decision Number: CR485/2021

That City Council **RECEIVE FOR INFORMATION** the 2021 3<sup>rd</sup> 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,

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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 **TO URGE** senior levels of government for continued COVID financial support funding for municipalities that will assist with the ongoing 2021 COVID financial challenges while also allowing for appropriate budgetary planning for municipalities as they move into the 2022 and future budget cycles and gradually return to more normalized budgetary levels.

Carried.

Report Number: C 156/2021  
Clerk's File: AFB/13698

## 8.2. Connecting Links Program Intake 2022-2023 (Intake 7) Grant Funding - Huron Church Road - City Wide

Moved by: Councillor Sleiman

Seconded by: Councillor Gignac

Decision Number: CR486/2021

- 1) That City Council **AUTHORIZE** the Chief Administrative Officer to submit an application for the project outlined in this report, to the Connecting Links Program 2022-23 subject to the documents being satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer; and in technical content to the Commissioner of Infrastructure Services, or designates; and,
- 2) That City Council **APPROVE** the recommended funding sources as identified in the Financial Matters section of this report for the City portion of the eligible project costs and any ineligible costs and funding be moved to the Connecting Links Program 2022-23 project (OPS-006-22) and all funding **BE DEEMED** as placeholder funding; and,
- 3) That in the event the City receives written confirmation of the Grant funding being awarded to the City, City Council **APPROVE** the following:
  - a) That City Council **PRECOMMIT** the 2022 funding of \$490,998 from the Connecting Links Program 2022-23 capital project (OPS-006-22) so that these funds are available for immediate use; and,
  - b) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign and execute any agreements, declarations or approvals required resulting from receiving grant funding approval for the Connecting Links Program 2022-23 program subject to such documents being satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer and in technical content to the Commissioner of Infrastructure Services, or designates; and,

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- c) That the Mayor, in addition to the CAO and City Clerk, also **BE AUTHORIZED** to sign and execute any agreements, declarations and other such documents required as part of receiving funding for grants noted in this report, and only if deemed required by the grant provider; and,
- d) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, progress reports and applicable schedules and other such documents as may be required as part of the request for payment to the Commissioner of Infrastructure Services or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
- e) That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the grant awarded project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer; and in technical content to the Commissioner of Infrastructure Services, or designates; and,
- f) 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) for the grant awarded project, satisfactory in legal form to the Commissioner of Legal & Legislative Services, in technical content to the Commissioner of Infrastructure Services and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates; and further,
- g) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in technical content to the Commissioner of Infrastructure Services and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates.
- 4) That City Council **DIRECT** that should the City not be successful in their application that all funding be returned to the original funding sources.
- Carried.

Report Number: C 155/2021

Clerk's File: SW/12414

### **8.4. OPA & Rezoning - Europro - 7446-7780 Tecumseh E - OPA 150 OPA/6483 Z-023/21 ZNG/6482**

Moved by: Councillor Sleiman

Seconded by: Councillor Gignac

Decision Number: CR488/2021 DHSC 335

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 Part Lots 125 to 127 (McNiff), Concession 1, including Parts 1, 2 & 3, Plan 12R16376 and Parts 1, 2, 3 & 4, Plan 12R18468, known municipally as 7446-7780 Tecumseh Road East (Roll No. 070-680-03200), situated on the North side of Tecumseh Road East between Lauzon Parkway and Lauzon Road.

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 Lands bounded by Lauzon Road, Tecumseh Road East, Lauzon Parkway and VIA Rail Corridor (7446-7780 Tecumseh Road East)

1.X.1 The property described as Part Lots 125 to 127 (McNiff), Concession 1, including Parts 1, 2 & 3, Plan 12R16376 and Parts 1, 2, 3 & 4, Plan 12R18468, known municipally as 7446-7780 Tecumseh Road East, **IS DESIGNATED** on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;

1.X.2 Notwithstanding the "Commercial Centre" designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, "Multiple Dwelling" shall be an additional permitted use."

III. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Lots 125 to 127 (McNiff), Concession 1, including Parts 1, 2 & 3, Plan 12R16376 and Parts 1, 2, 3 & 4, Plan 12R18468, known municipally as 7446-7780 Tecumseh Road East (Roll No. 070-680-03200), situated on the North side of Tecumseh Road East between Lauzon Parkway and Lauzon Road, by adding a site specific exception to Section 20(1) as follows:

**424. NORTH SIDE OF TECUMSEH ROAD EAST BETWEEN LAUZON PARKWAY AND LAUZON ROAD**

For the lands comprising of Part Lots 125 to 127 (McNiff), Concession 1, a *multiple dwelling* shall be an additional permitted use and shall be subject to the applicable provisions in Section 12.3.5.

[ZDM 14, 15; ZNG/6482]

IV. That, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** either prior to, or with, an application for site plan approval:

1. Updated documents, reports, or studies, including any addendum or memorandum, submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 to reflect the site plan for which approval is being sought.

2. Detailed tree survey to the satisfaction of the Landscape Architect.



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3. Species at Risk clearance from the Ministry of Environment, Conservation and Parks (MECP).
- V. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following into an approved site plan and executed and registered site plan agreement:
1. Mitigation measures identified in Section 9 of the Environmental Evaluation Report subject to the approval of the City Planner
  2. Conditions and measures identified in the Functional Servicing Study subject to the approval of the City Planner and City Engineer
  3. Mitigation measures identified in the Noise & Vibration Assessment subject to the approval of the City Planner
  4. Conditions and measures identified in the Stormwater Management Brief subject to the approval of the City Engineer
  5. Mitigation measures identified in Sections 6, 7 and 8 in the Transportation Impact Study subject to the approval of the City Planner, City Engineer, and/or Transportation Planning Senior Engineer
  6. Requirements of the City of Windsor – Engineering Department – Right-Of-Way Division contained in Appendix D of this report subject to the approval of the City Engineer
  7. General and transportation impact study requirements of Transportation Planning contained in Appendix D of this report subject to the approval of City Planner, City Engineer or the Transportation Planning Senior Engineer.
- VI. That the Site Plan Approval Officer **CONSIDER** the following matters in an approved site plan and/or executed and registered site plan agreement:
1. Zoning Provisions for Parking Setback and Urban Design comments from the Landscape Architect contained in Appendix D of this report
  2. Comments of the Environment & Sustainability Coordinator contained in Appendix D of this report
  3. Comments from Enwin Utilities - Hydro Engineering contained in Appendix D of this report
  4. Comments regarding watershed management, stormwater management, natural heritage policies from the Essex Region Conservation Authority contained in Appendix D of this report

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5. Comments regarding the provision of public transit facilities on the subject parcel including, but not limited to, bus bays, bus parking, bus routing, and driver facilities, from Transit Windsor contained in Appendix D of this report
  6. Reduce the paved area used for parking purposes, which may include a reduction in the number of required parking spaces.
  7. Maximize the amount of landscaped open space yard and amenity area.
- VII. That, as part of a Site Plan Control application, the applicant **BE PERMITTED** to submit an application to the Committee of Adjustment for a reduction in the number of required parking spaces.

Carried.

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

Report Number: SCM 340/2021 & S 129/2021  
Clerk's File: ZO/14211 & ZB/14210

## 8.5. Rezoning - 1731952 Ontario Limited - 334 California - Z-031/21 ZNG/6537

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

Decision Number: CR489/2021 DHSC 336

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 95 to 96, Block A, Registered Plan 50, (known municipally as 334 California Avenue; Roll No. 050-110-07300; PIN 01232-0269, situated on the east side of California, south of University Avenue West) by adding a site specific exception to Section 20(1) as follows:

### 426. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF UNIVERSITY AVENUE WEST

For the lands comprising of Lots 95 to 96, Block A, Registered Plan 50, a *double duplex dwelling* or *multiple dwelling* with a maximum of four *dwelling units* shall be an additional permitted use, and the following additional provisions shall apply

- |                                   |                      |
|-----------------------------------|----------------------|
| a) Lot Width – minimum            | 15.0 m               |
| b) Lot Area – minimum             | 500.0 m <sup>2</sup> |
| c) Lot Coverage – maximum         | 50.0%                |
| d) Main Building Height – maximum | 10.0 m               |
| e) Front Yard Depth – minimum     | 6.0 m                |
| f) Rear Yard Depth – minimum      | 7.50 m               |
| g) Side Yard Width – minimum      | 1.20 m               |

[ZDM 3; ZNG/6537]

and,

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That Administration **BE REQUESTED** to open up a planning dialogue with the University of Windsor through the City's Town & Gown Committee to establish an official planning process to address the on and off campus student housing and how to coordinate moving forward within this neighbourhood.

Carried.

Report Number: SCM 341/2021 & S 128/2021

Clerk's File: ZB/14212

### 8.6. OPA & Rezoning - 5021085 Ontario Inc - 659-665 Ouellette Ave - OPA 153 OPA/6536 Z-030/21 ZNG/6535

Moved by: Councillor Sleiman

Seconded by: Councillor Gignac

Decision Number: CR490/2021 DHSC 337

- 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 6, Block 2, Registered Plan 256, known municipally as 659-665 Ouellette Avenue (Roll No. 040-310-04600; PIN 01191-0115), situated on the west side of Ouellette Avenue and east side of Pelissier Street, south of Wyandotte Street West.
- 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 **West Side of Ouellette Avenue and East Side of Pelissier Street, South of Wyandotte Street West (659-665 Ouellette Avenue)**
    - 1.X.1 The property described as Lot 6, Block 2, Registered Plan 256, known municipally as 659-665 Ouellette Avenue (Roll No. 040-310-04600; PIN 01191-0115), situated on the west side of Ouellette Avenue and east side of Pelissier, south of Wyandotte Street West, **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 E: Land Use in Volume I – The Primary Plan, "Self-Storage Facility" shall be an additional permitted use.
- III. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 6, Block 2, Registered Plan 256, known municipally as 659-665 Ouellette Avenue (Roll No. 040-310-04600; PIN 01191-0115), situated on the west side of Ouellette Avenue and east side of Pelissier Street, south of Wyandotte Street West, by adding a site specific exception to Section 20(1) as follows:

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### 425. WEST SIDE OF OUELLETTE AVENUE AND EAST SIDE OF PELISSIER STREET, SOUTH OF WYANDOTTE STREET WEST

For the lands comprising of Lot 6, Block 2, Registered Plan 256, a *self-storage facility* shall be an additional permitted *main use* including in a *combined use building*, and that for a self-storage facility the following additional provisions shall apply:

- a) A *self-storage facility* is prohibited on the ground floor within the first 9.0 m of the *building* on the Ouellette Avenue frontage.
- b) A loading space is not required.

[ZDM 7; ZNG/6535]

Carried.

Report Number: SCM 342/2021 & S 127/2021  
Clerk's File: ZO/14207 & ZB/14206

### 8.7. Zoning By-law Amendment - Z 007-21 [ZNG-6357] Vince Mocerri Holdings Inc 2800 Deziel Dr Bldg 320

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

Decision Number: CR491/2021 DHSC 338

That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lots 99 & 100, Concession 3 (being Part 6,12R-20639), situated on the north side of Deziel Drive, known municipally as 2800 Deziel Drive, by adding a new site specific exception to Section 20(1) as follows:

#### **NORTH SIDE OF DEZIEL DRIVE (2800 DEZIEL DRIVE)**

For the lands comprising Part of Lots 99 & 100, Concession 3 (being Part 6,12R-20639), situated on the north side of Deziel Drive, known municipally as 2800 Deziel Drive, that an *Automobile Repair Garage and an Automobile Sales Lot* shall be additional permitted uses.

Carried.

Report Number: SCM 343/2021 & S 135/2021  
Clerk's File: ZB/14136

### 8.9. To Close and Convey Part of the North/South Alley Abutting 209 Henkel Place, Between Henkel Place and George Avenue, North of Wyandotte St E - Applicant: Rohit Papali

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

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Decision Number: CR493/2021 DHSC 340

- I. That the application to close the portion of the alley between Henkel Place and George Street abutting 209 Henkel Place as shown on Drawing No. CC-1794 *attached* as Appendix "A" **BE DENIED**.

Carried.

Report Number: SCM 345/2021 & S 98/2021  
Clerk's File: SAA2021

### 8.10. Close Part of the N/S Alley Between Byng Rd and Ida Rd, South of Somme Ave, from southern limit of 2545 Byng Rd - Applicant: Alec Lauziere

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

Decision Number: CR494/2021 DHSC 341

- I. That the application to close the portion of the alley between Byng Road and Ida Road, between Somme Avenue and the southern property line of 2545 Byng Road as shown on Drawing No. CC-1793 *attached* as Appendix "A", **BE DENIED**.

Carried.

Report Number: SCM 346/2021 & S 100/2021  
Clerk's File: SAA2021

### 8.11. Downtown CIP Grant Applications made by Riva Botross for 754 Ouellette

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

Decision Number: CR495/2021 DHSC 342

- I. That the request for incentives under the Downtown Windsor Enhancement Strategy and Community Improvement Plan (CIP) made by Riva Botross, owner of Trinity Windsor Drug Limited for the property located at 754 Ouellette Avenue **BE APPROVED** for the following programs:
  - i. *Commercial/Mixed Use Building Facade Improvement Program* for 50% of the eligible costs of the façade improvements, up to \$20,000 per property;
  - ii. *Building/Property Improvement Tax Increment Grant Program* for 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years in the amount of +/- \$3,992.12;
  - iii. *Retail Investment Grant Program* for 50% of eligible costs for improvements to a maximum amount of \$15,000 per retail unit.

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- II. That the CAO and City Clerk **BE AUTHORIZED** to execute the agreement between the City and Riva Botross, owner of Trinity Windsor Drug Limited 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; and,
- III. 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; and,
- IV. That funds in the amount of up to \$20,000 under the *Commercial/Mixed Use Building Facade Improvement Program*, and funds under the *Retail Investment Grant Program* in the amount of \$15,000 per retail unit **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Downtown Windsor Enhancement Strategy and CIP (#7011022) once the work is completed; and,
- V. That grants **BE PAID** to Riva Botross, owner of Trinity Windsor Drug Limited, upon completion of the improvements to the existing 1 storey building and property located at 754 Ouellette Avenue, from Downtown Windsor Enhancement Strategy Fund (Project # 7011022) to the satisfaction of the City Planner and Chief Building Official; and,
- VI. That should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the *Commercial/Mixed Use Building Façade Improvement Grant Program* and *Retail Investment Grant Program* for 754 Ouellette be uncommitted and made available for other applications; and,
- 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; and further,
- VIII. That the City Planner **BE DELEGATED** authority to approve the Site Plan Control application for 754 Ouellette Ave.

Carried.

Report Number: SCM 347/2021 & S 123/2021  
Clerk's File: SPL/14232

### 8.12. CQ 4-2021 - Proposal for Council consideration to provide female hygienic products in select municipal buildings free of charge

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

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Decision Number: CR496/2021 CSPA 163

That the report of the Senior Manager of Facilities dated May 13, 2021 entitled "CQ 4-2021 - Proposal for Council consideration to provide menstrual hygiene products in select municipal buildings free of charge" **BE RECEIVED** for information; and,

That Council **APPROVE** a 1-year pilot program-Option C as outlined in the administrative report, to provide free menstrual products in public women's, men's, universal and family washrooms at the locations listed below:

- WFCU Centre
- Windsor Water World
- Windsor International Aquatic and Training Centre
- Capri Pizzeria Recreation Complex
- 350 City Hall Square W.
- 400 City Hall Square E; and,

That the estimated cost of \$19,000 plus HST **BE FUNDED** from the City's Budget Stabilization Reserve (BSR) Fund; and further,

That the City's Advisory Committees, Boards and Commissions (ABC's) **BE MADE AWARE** of the pilot program and **BE REQUESTED** to adopt a similar program at their facilities where applicable; and,

That Administration **REPORT BACK** to Council with a six month interim report to provide a status update, and after one year with the results of the pilot program to request annual operating funds through the 2023 budget process.

Carried.

Report Number: SCM 329/2021 & S 51/2021

Clerk's File: MH2021

### 8.13. Update of Round 2 of the Arts, Culture and Heritage Fund 2021

Moved by: Councillor Sleiman

Seconded by: Councillor Gignac

Decision Number: CR497/2021 CSPA 164

That the report of the Cultural Development Coordinator and Manager of Culture & Events dated September 16, 2021 entitled "Update of Round 2 of the Arts, Culture and Heritage Fund 2021 – City Wide" **BE RECEIVED** for information; and,

That Administration **REPORT BACK** during the 2022 budget deliberations with potential increases to the Arts, Culture and Heritage Fund Grant Program funding envelope that matches and keeps pace with growth in the community; and,

That Administration **BE DIRECTED** to investigate the possibility of private sector partnerships to augment the funding envelope that this program delivers to the community.

Carried.

**8.14. Minutes of the Diversity Committee of its meeting held August 18, 2021**

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

Decision Number: CR498/2021

That the minutes of the Diversity Committee of its meeting held August 18, 2021 **BE RECEIVED**.  
Carried.

Report Number: SCM 322/2021  
Clerk's File: MB2021

**8.15. Minutes of the meetings of the Executive Committee and the Board of Directors, Willistead Manor Inc., held September 9, 2021**

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

Decision Number: CR499/2021

That the minutes of the meeting of the Executive Committee and the Board of Directors, Willistead Manor Inc., of its meeting held September 9, 2021 **BE RECEIVED**.  
Carried.

Report Number: SCM 327/2021  
Clerk's File: MB2021

**8.16. Minutes of the Windsor Accessibility Advisory Committee of its meeting held September 14, 2021**

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac

Decision Number: CR500/2021

That the minutes of the Windsor Accessibility Advisory Committee of its meeting held September 14, 2021 **BE RECEIVED**.  
Carried.

Report Number: SCM 334/2021  
Clerk's File: MB2021

**8.17. Report No. 111 of the Windsor Essex County Environment Committee - Plastics pollution**

Moved by: Councillor Sleiman  
Seconded by: Councillor Gignac



Decision Number: CR501/2021 ETPS 847

That Report No. 111 of the Windsor Essex County Environment Committee (WECEC) of its meeting held June 24, 2021 indicating:

WHEREAS plastic pollution is recognized by the Government of Canada, as well as governments and scientists around the world, as damaging to the environment; and

WHEREAS Canada lacks a comprehensive and coordinated approach to addressing the growing problem of plastic pollution; and

WHEREAS global annual production of plastic products is expected to double in the next decade, to 800 million tonnes in 2030; and

WHEREAS some 40 per cent of plastic production generates “single-use” items that are used once and thrown away, which runs counter to the principles of a circular economy; and

WHEREAS the majority of plastics produced are not currently suitable for reuse or recycling and some 8,000 tonnes of Canadian plastic waste end up in landfills, incinerators or the natural environment every day; and

WHEREAS municipalities are in the position of managing the end of life of products that are not adequately managed by the producers that put them on the market; and

WHEREAS investing in the circular economy creates jobs;

THEREFORE BE IT RESOLVED that the City of Windsor:

1. Endorse the integrated management plan for plastics proposed by the federal government, which includes:
  - a. Adding plastic manufactured items as a toxic substance to Schedule 1 of the *Canadian Environmental Protection Act (CEPA)*
  - b. Banning six single-use items: checkout bags, stir sticks, six-pack rings, cutlery, certain takeout containers and straws
  - c. Establishing a minimum requirement for recycled plastic content in new plastic products.
2. Ask the federal government to implement this important management plan as soon as possible and, in any case, no later than the end of the year.
3. Urge the federal government to establish a registry that publicly reports on:
  - a. Descriptions of the plastic manufactured items put on the market each year in Canada
  - b. A list of chemicals found in each product
  - c. The amount of plastic that enters the waste stream in Canada each year, broken down by how and where the waste is processed (e.g. landfill, incineration/waste-to-energy, recycling, domestic vs. export)

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4. Further urge the government to establish a framework for the adoption of Extended Producer Responsibility regulation across the country to ensure producers are responsible for the full lifecycle of the products they put on the market in Canada;
5. Further urge the federal government to set a national recycling target for plastic products;
6. Further urge the federal government to work with municipalities to explore, with a view to investing in, reuse systems to replace single-use plastic products; and,
7. That the County of Essex BE REQUESTED to consider adopting the resolution as outlined above.

### **BE APPROVED.**

Carried.

Report Number: SCM 302/2021, SCM 268/2021, & AI 15/2021  
Clerk's File: MB2021

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

None requested.

## **10. PRESENTATIONS AND DELEGATIONS**

### **8.3. Zoning By-Law Amendment - 163 Janette Ave Z-026/21 (ZNG/6500)**

#### **Tracey Pillon-Abbs, Planner representing Applicant**

Tracey Pillon-Abbs, Planner representing applicant, appears before Council regarding the administrative report "Zoning By-Law Amendment - 163 Janette Ave Z-026/21 (ZNG/6500)" and provides comment related to the conditions as part of the administrative recommendation specifically related to the undertaking of video inspection and that the applicant has worked with the Engineering department and administration has provided information to the applicant that they are satisfied and this stipulation would not be necessary; and concludes by indicating that the applicant is not in favour of the conveyance portion of the administrative recommendation.

#### **Sam Helou, 971096 Ontario Inc.**

Sam Helou, 971096 Ontario Inc., appears before Council regarding the administrative report "Zoning By-Law Amendment - 163 Janette Ave Z-026/21 (ZNG/6500)," suggesting that the condition related to the conveyance be removed from the administrative recommendation.

Moved by: Councillor Bortolin  
Seconded by: Councillor Morrison

Decision Number: CR487/2021 DHSC 327

- I. That Zoning By-law 8600 **BE AMENDED** for Registered Plan 274 E PT Lot 8 Corner, municipally known as 163 Janette Ave, by adding a site specific exception to Section 20(1) as follows:

**422. SOUTH SIDE OF PITT STREET WEST AND WEST SIDE OF JANETTE AVE**

For the lands comprising Registered Plan 274 E PT Lot 8, Corner, a *multiple dwelling* with a maximum of six *dwelling units* shall be an additional permitted use, and that for the additional permitted use no additional *parking spaces* are required and the lot width, lot area, lot coverage, main building height, front yard depth, rear yard depth, and side yard width shall be as existing on the date this amendment comes into force.

[ZDM 3; ZNG/6500]

- 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. **Encroachment Agreement** – The owner agrees to submit application for and execute an agreement with the Corporation for the landscaping encroachments into the Janette Ave. and Pitt St. W right-of-way to the satisfaction of the City Engineer.
  3. **Existing Sewers and Connections** - The owner further agrees, at its entire expense and to the satisfaction of the City Engineer:
    1. To undertake a video inspection of the mainline sewers that will be used by the subject property and all connections to the mainline sewers that service the subject property.
    2. Any redundant connections will be abandoned according to the City of Windsor Engineering Best Practice B.P.1.3.3.
    3. Any new connections to combined sewers will follow City of Windsor Engineering Best Practice B.P.1.1.1.

Carried.

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### 8.8. Zoning Bylaw Amendment – Petretta Construction - 6475 Wyandotte St E. - Z 014-21 [ZNG-6399] To permit a Multiple Dwelling Development

#### Jonathon Lot, VP Operations of Petretta Construction Inc.

Jonathon Lot, VP Operations of Petretta Construction Inc., appears before Council regarding the administrative report “Zoning Bylaw Amendment – Petretta Construction - 6475 Wyandotte St E. - Z 014-21, [ZNG-6399] to permit a Multiple Dwelling Development” and is available for questions.

Moved by: Councillor Bortolin

Seconded by: Councillor Morrison

Decision Number: CR492/2021 DHSC 339

- I. 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 6475 Wyandotte St E, from Commercial District 1.2 (CD1.2) to Residential District (RD) 3.3 with the following site specific regulations:

Required Parking – Minimum – 52 total spaces

Standard Parking spaces – 50

Required accessible parking space – Type A – 1

Required accessible parking space – Type B – 1

Parking Area Separation to a Habitable Room Window – Minimum – 2.5 m

Required landscaped open space – Minimum – 25%

- II. That Part of Lot 6, Concession 4 in the City of Windsor, known municipally as 6475 Wyandotte St E; subject to rezoning Z 014-21 [ZNG-6399] **BE EXEMPT** from Interim Control By-law 103-2020.

Carried.

Report Number: SCM 344/2021 & S 134/2021

Clerk's File: ZB/14114

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

None presented.

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### 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 Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR502/2021

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

Clerk's File: ACO2021

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

Moved by: Councillor Morrison  
Seconded by: Councillor Sleiman

That the following By-laws No. 175-2021 through 178-2021 (inclusive) be introduced and read a first and second time:

**175-2021** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR423/2021 dated October 4, 2021.

**176-2021** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR422/2021 dated October 4, 2021.

**177-2021** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" authorized by CR421/2021 dated October 4, 2021.

**178-2021** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 1st DAY OF NOVEMBER, 2021.

Carried.

### 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Bortolin  
Seconded by: Councillor Costante

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)

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- 2) Consent Agenda (as amended)
  - 3) Items Deferred  
Items Referred
  - 4) Consideration of the Balance of Business Items (as amended)
  - 5) Committee Reports as presented
  - 6) By-laws given first and second readings as presented
- Carried.

### 15. NOTICES OF MOTION

Moved by: Councillor Kaschak  
Seconded by: Councillor Gill

Decision Number: CR503/2021

That the Corporation of the City of Windsor **REQUESTS** that the Federal Government remove the requirement for Canadian Travelers to be tested for COVID-19 when using a land border crossing into the United States and then returning to Canada after the November 8, 2021 re-opening.

Carried.

Councillor McKenzie voting nay.

Clerk's File: MH/13786

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

Moved by: Councillor Francis  
Seconded by: Councillor Gignac

That the By-laws No. 175-2021 through 178-2021 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

### 17. PETITIONS

Moved by: Councillor Gill  
Seconded by: Councillor Holt

Decision Number: CR504/2021

That the petition presented by Councillor Gignac on behalf of the residents at 1390 Lauzon Road requesting that attention be brought forward regarding speeding and noise created by traffic on McHugh Street **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Commissioner, Infrastructure Services for the purpose of an examination of the requested works or undertakings.

Carried.

## **18. QUESTION PERIOD**

### **18.3. CQ 26-2021**

Moved by: Councillor Kaschak  
Seconded by: Councillor McKenzie

Decision Number: CR505/2021

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 26-2021:

#### **Assigned to City Planner:**

Asks that Administration research what municipal zoning bylaws may be in place in other municipalities in Ontario or across Canada that regulate Cannabis retail outlets/consumption areas.

Carried.

Clerk's File: GP/13047

## **21. ADJOURNMENT**

Moved by: Councillor Morrison  
Seconded by: Councillor Sleiman

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 2:12 o'clock p.m.

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**NOVEMBER 1, 2021**

**Members participating via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency.**

**Meeting called to order at: 10:03 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  
C. Nepszy, Commissioner, Infrastructure Services  
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer  
S. Askin-Hager, Commissioner, Legal and Legislative Services  
R. Mensour, Acting Commissioner, Community Services  
S. Vlachodimos, City Clerk  
A. Teliszewsky, Mayor's Chief of Staff  
P. Morley, Borden Ladner Gervais (Item 1)  
S. Waque, Borden Ladner Gervais (Items 1 and 3)  
P. Brode, Senior Legal Counsel (Items 2 and 3)  
V. Mihalo, Executive Director of Human Resources (Items 4 and 5)  
D. Seguin, Deputy Treasurer Financial Accounting (Item 6)  
W. Vendrasco, Deputy City Solicitor (Item 1)  
T. Hunt, City Planner (Items 1 and 3)



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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal matter – update on litigation matter – presentation - verbal	239(2)(e)(f)
2.	Property/legal matter – expropriation settlement	239(2)(c)(e)
3.	Legal matter – update on expropriation	239(2)(e)(f)
4.	Personal matter – labour negotiations	239(2)(d)
5.	Personal matter – labour negotiations	239(2)(d)
6.	Personal matter – about an identifiable individual	239(2)(b)

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None declared.

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

**Meeting recesses at 12:18 o'clock p.m.**

**Meeting reconvenes in open session at 1:00 o'clock p.m.**

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

**Motion Carried.**

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**\*\*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 November 1 ,2021 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential verbal presentation from Legal Counsel respecting a legal matter – update on litigation **BE RECEIVED FOR INFORMATION.**
2. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner of Legal and Legislative Services, Commissioner of Infrastructure Services and Commissioner of Corporate Services CFO/City Treasurer respecting a property/legal matter – expropriation settlement **BE APPROVED.**
3. That the recommendation contained in the in-camera report from the Commissioner of Legal and Legislative Services and Commissioner of Corporate Services CFO/City Treasurer respecting a legal matter – update on expropriation **BE APPROVED**, and further that Administration **PROCEED** in accordance with the verbal instructions of Council.
4. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, Manager of Employee Relations, Financial Planning Administrator, Commissioner of Corporate Services CFO/City Treasurer and Commissioner of Legal and Legislative Services respecting a personal matter – labour negotiations **BE APPROVED**, and further that Administration **PROCEED** in accordance with the verbal instructions of Council.
5. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, Manager of Employee Relations, Financial Planning Administrator, Commissioner of Corporate Services CFO/City Treasurer and Commissioner of Legal and Legislative Services respecting a personal matter – labour negotiations **BE APPROVED**, and further that Administration **PROCEED** in accordance with the verbal instructions of Council.
6. That the recommendation contained in the in-camera report from the Deputy Treasurer of Financial Accounting and Corporate Controls, Executive Director of Human Resources and Commissioner of Corporate Services CFO/City Treasurer respecting a personal matter about an identifiable individual **BE APPROVED.**

**Councillors Gignac, Morrison, McKenzie, Gill and Francis voting nay.**

**Motion Carried.**

**Moved by Councillor Kaschak, seconded by Councillor Morrison,**

**That the special meeting of council held November 1, 2021 BE ADJOURNED.**

**(Time: 1:02 p.m.)**

**Motion Carried.**

**\*\*CLERK’S NOTE: The transmittal motion and final votes were held in the open session of Council on November 1, 2021.**