

January 26, 2024

TO THE MAYOR AND MEMBERS OF COUNCIL:

A special meeting of Council will be held on **Monday, January 29, 2024, at 9:00 o'clock a.m., in Room 139, 350 City Hall Square.** Council will at the special meeting adopt a resolution to authorize Council to meet in closed session, and the resolution shall contain the general nature of the matters to be considered in the closed session. The resolution must be adopted by a majority of Council present during the open special meeting before the meeting may be closed. An agenda for this meeting is enclosed under separate cover. Coffee will be available for Council at 8:30 a.m., prior to in-camera meeting.

A Special Meeting of Council will be held on **Monday, January 29, 2024 at 10:00 o'clock a.m., in the Council Chambers, 350 City Hall Square, to consider the 2024 Operating & Capital Recommended Budgets.**

Lunch will be available for Council in Room 139 at 12:30 o'clock p.m.

BY ORDER OF THE MAYOR.

Yours very truly,



Steve Vlachodimos

City Clerk

/bm

c.c. Chief Administrative Officer

Consolidated Special Meeting of Council
2024 Operating & Capital Recommended Budget

Date: Monday, January 29, 2024

Time: 10:00 o'clock a.m.

Location: Council Chambers, 1st Floor, Windsor City Hall

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

Mayor Drew Dilkens

Ward 1 - Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

- | Item # | Item Description |
|---------------|---|
| 1. | ORDER OF BUSINESS |
| 2. | CALL TO ORDER |
| 3. | DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF |
| 4. | ADOPTION OF THE MINUTES |
| 4.1 | Adoption of the Windsor City Council minutes of its meeting held January 15, 2024. (SCM 14/2024) (previously distributed) |
| 4.2 | Adoption of the Special Windsor City Council 2024 Operating & Capital Recommended Budgets minutes of its meeting held January 22, 2024. (SCM 16/2024) (attached) |
| 6. | COMMITTEE OF THE WHOLE |
| 7. | COMMUNICATIONS INFORMATION PACKAGE (previously distributed) |
| 7.1 | Correspondence 7.1.1 through 7.1.5 (CMC 2/2024) |
| 9. | REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS |
| 10. | PRESENTATIONS |
| 11.1. | 2024 Operating Budget Report - City Wide (C 188/2023) |
| AND | |
| 11.2. | 2024 10-Year Recommended Capital Budget - City Wide (C 177/2023)
a) Janice Guthrie, Commissioner, Finance & City Treasurer to provide Council with an overview of the 2024 Operating and Capital Recommended Budgets. |
| 11. | REGULAR BUSINESS ITEMS (previously distributed) |
| 11.3. | Transit Windsor 2024 Operating Budget - City Wide (SCM 337/2023) & (S 145/2023) |

- 11.4. Transit Windsor 2024 Operating Budget with Service Enhancements - City Wide **(SCM 338/2023) & (S 156/2023)**
- 11.5. 2024 Sewer Surcharge Budget - City Wide **(C 147/2023)**
- 11.6. Essex-Windsor Solid Waste Authority 2024 Budget - City Wide **(C 185/2023)**
- 11.7. WPL 2024 Annual Reserve Fund Expenditure Plan & List of Donations and Bequests received in 2023 - WPL Board - City Wide **(CM 1/2024)**
- 11.8. Jackson Park Bandshell Feasibility Study Update - Ward 3 **(C 189/2023)**
Clerk's Note: Anneke Smit, Associate Professor at the University of Windsor Faculty of Law submitting the **attached** letter dated January 22, 2024 as a written submission.
- 11.9. Festival Plaza Improvement - Update - Ward 3 **(C 182/2023)**
- 11.1. 2024 Operating Budget Report – City Wide **(C 188/2023)**
- 11.2. 2024 10-Year Recommended Capital Budget – City Wide **(C 177/2023)**

12. CONSIDERATION OF COMMITTEE REPORTS (attached)

- 12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)
- 12.2. Report of the Special Meeting of Council – In-Camera of its meeting held January 15, 2024 **(SCM 18/2024)**
- 12.3. Report of the In-Camera Striking Committee of its meeting held January 22, 2024 **(SCM 19/2024)**
- 12.4. Report of the Striking Committee of its meeting held January 22, 2024 **(SCM 20/2024)**

13. BY-LAWS (First and Second Readings)

- 13.1 **By-law 18-2024** A BY-LAW TO ADOPT AMENDMENT NO. 175 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR. Authorized by CR434/2023 dated October 30, 2023. **(previously distributed)**
- 13.2 **By-law 19-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR434/2023 dated October 30, 2023. **(previously distributed)**
- 13.3 **By-law 20-2024** A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH RJM HOLDINGS LIMITED FOR THE PROVISION OF A

MUNICIPAL CAPITAL FACILITY AT THE 185 OUELLETTE AVENUE WINDSOR, ONTARIO. Authorized by CR42/2024 dated January 15, 2024. ***(previously distributed)***

13.4 **By-law 21-2024** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS CLAIRVIEW AVENUE, IN THE CITY OF WINDSOR. Authorized by CAO 329/2023 dated December 12, 2023. ***(previously distributed)***

13.5 **By-law 22-2024** A BY-LAW TO AMEND BY-LAW 12417 BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY AND PART OF THE EAST/WEST ALLEY NORTH OF PITT STREET EAST, BETWEEN OUELLETTE AND GOYEAU; CITY OF WINDSOR. Authorized by CAO 12/2024 dated January 18, 2024. ***(attached)***

13.6 **By-law 23-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 29TH day of JANUARY, 2024. ***(attached)***

14. **MOVE BACK INTO FORMAL SESSION**

16. **THIRD AND FINAL READING OF THE BY-LAWS**
By-law 18-2024 through 23-2024 inclusive

21. **ADJOURNMENT**



Committee Matters: SCM 16/2024

Subject: Adoption of the Special Windsor City Council 2024 Operating & Capital Recommended Budgets minutes of its meeting held January 22, 2024.



CITY OF WINDSOR MINUTES 01/22/2024

Special Meeting of Council 2024 Operating & Capital Recommended Budgets Meeting

Date: Monday, January 22, 2024

Time: 10:00 o'clock a.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

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1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 10:00 o'clock a.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

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 immediately following Council (if scheduled); and
 - (h) consideration of by-law 17-2024
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

None presented.

8. CONSENT AGENDA

None presented.

9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

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10. DELEGATIONS

2024 Operating & Capital Recommended Budgets

Michelle Bishop, General Manager and Steffan Brisebois, Manager, Finance & Administration, Essex-Windsor Solid Waste Authority

Michelle Bishop, General Manager and Steffan Brisebois, Manager, Finance & Administration, Essex-Windsor Solid Waste Authority, appear before Council regarding the administrative report “Essex-Windsor Solid Waste Authority 2024 Budget - City Wide” and are available for questions.

Caroline Taylor, ward 2 resident

Caroline Taylor, ward 2 resident, appears before Council regarding the 2024 Operating and Capital Recommended Budgets and expresses concern with the proposed increase to Transit Windsor bus fares; and concludes by expressing concern with Council’s decision related to the Housing Accelerator Funding as the increased revenue can be put towards affordable housing and transit that would decrease the burden on the City’s most vulnerable residents as a result.

Alejandro Tamayo, Executive Director for the Arts Council Windsor & Region

Alejandro Tamayo, Executive Director for the Arts Council Windsor & Region, appears before Council regarding the 2024 Operating and Capital Recommended Budgets and provides a brief summary of a proposal for additional grant funding to allow for the continuation of services and programs by the Arts Council that contribute to the enrichment of the community.

Elica Berry, Past President, and Matthew Thorton, Chief Executive Officer, Real North Strategies

Elica Berry, Past President, and Matthew Thorton, Chief Executive Officer, Real North Strategies, appear before Council regarding the 2024 Operating and Capital Recommended Budgets and request that additional funding be made available for planning and development departments staffing; and conclude by commending the Mayor and encouraging members of council to support the modest property tax proposed increase.

David Petten, Union President, Local CUPE 543

David Petten, Union President, Local CUPE 543, appears before Council regarding the 2024 Operating and Capital Recommended Budgets and states support of increased funding for the STAR Committee; increased wages for frontline workers; recommends a 35 hour work week and that an additional day be approved for the Work from home policy to allow for greater flexibility for current staff as it relates to staff retention and to appeal to the recruitment of new staff.

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Chaouki Hamka, Community Leader, Mothers Against Drunk Driving

Chaouki Hamka, Community Leader, Mothers Against Drunk Driving, appears before Council regarding the 2024 Operating and Capital Recommended Budgets and provides an overview of a new memorial project at the riverfront to raise awareness of the importance to never drive impaired and to remember the victims of impaired driving; and concludes by requesting funding support for this project.

Rakesh Naidu, CEO Windsor Essex Chamber

Rakesh Naidu, CEO Windsor Essex Chamber, appears before Council regarding the 2024 Operating and Capital Recommended Budgets and provides an overview of findings from an independent study related to key municipal priorities including: investment attraction; transit development; small business property tax subclass; housing affordability; homelessness; mental health and addiction; electric vehicle infrastructure; parking fee charges; tax transparency; and concludes by suggesting that consideration of these priorities may contribute to a more vibrant, inclusive, and economically prosperous community.

Chris MacLeod, Chair and Debi Croucher, Executive Director, Downtown Windsor BIA

Chris MacLeod, Chair and Debi Croucher, Executive Director, Downtown Windsor BIA, appear before Council regarding the 2024 Operating and Capital Recommended Budgets and express concern with the proposed parking changes and the effect on people's perception of the downtown; the potential impact of permits and associated costs related to sidewalk cafes and patios on small businesses; and conclude by requesting a break from the associated fees.

Mike Budinsky, Local filmmaker and photographer

Mike Budinsky, Local filmmaker and photographer, appears before Council regarding the 2024 Operating and Capital Recommended Budgets, requesting that funding for the proposed Baron Bowl Skate Park be included as part of the approved budget, as it will be a unique attraction to the recreational experiences available in the City.

Karen Soulliere, Chair of the Board and Anne Ryan, Executive Director, IRIS Residential Inns and Services IRIS House

Karen Soulliere, Chair of the Board and Anne Ryan, Executive Director, IRIS Residential Inns and Services IRIS House, appear before Council regarding the 2024 Operating and Capital Recommended Budgets and requests additional funding in order to assist with the construction of a second IRIS house to be able to support more residents in need.

Joshua Sankarlal, ward 8 resident

Joshua Sankarlal, ward 8 resident, appears before Council regarding the 2024 Operating and Capital Recommended Budgets and expresses concern regarding the possible increased cost of ridership for Transit Windsor bus fares; transit funding; to recommend that the City commit to a 2% annual fare increase; and to request that an update to the Transit Master Plan be provided to the public in 2024 to ensure transparency.

Matthew Charbonneau, area resident

Matthew Charbonneau, area resident, appears before Council regarding the 2024 Operating and Capital Recommended Budgets and requests additional funding for cycling infrastructure and traffic calming as it relates to safety for the community.

Leslie McCurdy, Performing Artist

Leslie McCurdy, Performing Artist, appears before Council regarding the 2024 Operating and Capital Recommended Budgets, to request additional funding and investment in arts, sports and cultural tourism as it relates to the Jackson Park Bandshell and attracting tourism to the City as a whole.

Lana Talbot, ward 2 resident

Lana Talbot, ward 2 resident, appears before Council regarding the 2024 Operating and Capital Recommended Budgets; and requests funding for restoration of the Jackson Park Bandshell as it relates to the preservation of cultural history, and provides historical context from her perspective as to its importance.

Al Teshuba, area resident

Al Teshuba, area resident, appears before Council regarding the 2024 Operating and Capital Recommended Budgets in support of Council's decision for local residents as it relates to not approving the application for the Housing Accelerator funding to permit 4-plex units to be built anywhere in the city; and for their proposed response to the government's offer.

Robert Cameron, Executive Director, Downtown Windsor Community Collaborative

Robert Cameron, Executive Director, Downtown Windsor Community Collaborative, appears before Council regarding the 2024 Operating and Capital Recommended Budgets, and requests funding support to continue the initiatives for youth summer programming at downtown parks as it relates to safety, perception and overall appeal of the neighbourhoods in the surrounding area.

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11. REGULAR BUSINESS ITEMS

Clerk's Note: Items 11.1 through 11.9 were tabled as set out in the agenda and will be deliberated by Council at its meeting scheduled for January 29, 2024.

11.10. Additional Information Regarding the Housing Accelerator Fund Application - City Wide

Mayor Drew Dilkens leaves the meeting at 1:23 o'clock p.m. and Councillor Fred Francis assumes the chair.

Mayor Drew Dilkens returns to the meeting at 1:32 o'clock p.m. and Councillor Fred Francis returns to his seat at the Council Table.

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: B1/2024

WHEREAS the City of Windsor adopted the *Home, Together: Windsor Essex Housing and Homelessness Master Plan* on December 2, 2019 (CR612/2019) as a comprehensive approach to delivering a system of housing and homelessness service solutions to Windsor-Essex that spans the entire housing continuum; and,

WHEREAS the City of Windsor submitted its Housing Pledge to the Provincial Government committing to supporting the creation of 13,000 new housing units by 2031; and,

WHEREAS the Federal Government announced the \$4 billion Housing Accelerator Fund in March 2023 to fast-track at least 100,000 new homes for people in towns, cities, and Indigenous communities across Canada over the first three years; and,

WHEREAS Windsor City Council endorsed its Housing Accelerator Fund Action Plan ("Action Plan") on July 10, 2023 in accordance with the detailed program guidelines provided by the Canada Mortgage and Housing Corporation (CMHC), and that the Action Plan represents a comprehensive, strategic, and balanced approach to meeting the housing supply targets across the range of housing types city wide; and,

WHEREAS in the Action Plan, Windsor City Council approved a commitment to add an additional 2,135 residential dwellings units to the already anticipated development of 1,765 units over the next three years; and,

WHEREAS the City of Windsor commissioned an independent Housing Needs Assessment Report that supports the projected housing growth numbers identified in Windsor's HAF application; and,

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WHEREAS on August 18, 2023, the City of Windsor submitted its application to the Housing Accelerator Fund to increase the supply of housing at an accelerated pace and enhance the processing and certainty in the planning approval and building permit processes; and,

WHEREAS the City of Windsor adopted a comprehensive amendment to its Official Plan and Zoning Bylaw on June 13, 2022 that identified “Intensification Priority Areas” made up of Mixed Use Centres (260 ha.), Mixed Use Corridors (50 km) and Mixed Use Nodes (137 ha.) as the primary focus of the City’s efforts towards meeting its Housing Accelerator Fund and Provincial Housing Pledge targets; and,

WHEREAS the City’s current “Intensification Priority Areas” can accommodate the construction of new residential units far in excess of the additional 2,135 units identified Housing Accelerator Fund Action Plan; and,

WHEREAS the City of Windsor currently permits as of right building permits for up to 3 residential units on a parcel of urban residential land wherever the zoning permits single detached, semi-detached, or street townhomes in accordance with provincial Bill 23; and,

WHEREAS the City of Windsor currently provides direct financial incentives from the municipal tax base and has eliminated development charges for the creation of a mix of housing forms in targeted areas for intensification; and,

WHEREAS the Government of Canada's Housing Accelerator Fund (HAF) grant program represents an opportunity for the City to review, take additional action and accelerate actions to achieve more housing supply faster; and,

WHEREAS the Canada Mortgage Housing Corporation (CMHC), who is managing the Housing Accelerator Fund, recently requested that the City of Windsor consider ways to be more ‘ambitious’ in terms of its approach to creating more housing; even though the City put forward an Action Plan that met the HAF guidelines; and,

WHEREAS the Federal Government added additional requirements under the auspices of ‘best practices’, including four units as of right in all low density zoning districts city-wide, after the City’s application was submitted and supporting documentation was complete; and,

WHEREAS the CMHC has requested that the City demonstrate its commitment to being more ambitious by agreeing to permit four residential units as-of-right in all low density zoning districts city-wide; and,

WHEREAS Windsor’s City Council reaffirmed its commitment to meeting its HAF housing targets on December 13, 2023 by directing Administration to proceed with the initiatives as proposed in the Housing Accelerator Fund Action Plan approved by Council on July 10, 2023; and,

WHEREAS Administration has had ongoing discussions with the CMHC and Minister of Housing, Infrastructure and Communities’ staff about the merits of Windsor’s HAF Action Plan; and,

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WHEREAS the Federal Government remains steadfast on their funding eligibility requirement that the City of Windsor allow four residential units as-of-right in all low-density zoning districts city-wide; and,

WHEREAS each successful HAF applicant has worked to tailor their approach to meet their municipality's unique needs, and Windsor proposes the same approach; and,

Therefore, should the City of Windsor be successful and receive an allocation of funding through the Housing Accelerator Fund, **BE IT RESOLVED:**

1. That City Council **REAFFIRM** its support for increasing the supply of “missing middle” housing, and in order to achieve the targeted number of units directs Administration to:
 - a. Prepare a report for Council's consideration identifying areas of the city currently zoned for single detached; semi-detached and townhouses where four units as-of right can be supported subject to lot sizes, the availability of supporting infrastructure, servicing capacity, and access to transit, and public engagement, and further;
 - b. That City Council commit to a minimum of four units as-of right on serviced residential lots for all properties identified as “Mixed Use Corridor” and “Mixed Use Node” in the City's Official Plan; and further,
2. That City Council **REAFFIRM** its support of targeted intensification by increasing the supply of medium to high density housing options, and in order to achieve the targeted number of units directs Administration to:
 - a. prepare Official Plan and Zoning By-law Amendments permitting increased densities and building heights of 4 storeys or greater for all properties identified as “Mixed Use Corridor”, “Mixed Use Node” and “Mixed Use Centre” in the City's Official Plan, including targeted height permissions of:
 - Mixed Use Corridors, ranging from 4 to 8 storeys;
 - Mixed Use Nodes, ranging from 4 to 8 storeys; and
 - Mixed Use Centres, ranging from 6 to 10+ storeys.
 - b. prepare Zoning By-law Amendments permitting medium residential development with building heights ranging from 4 to 6 storeys for specific areas of the city designated as “residential” in the City's Official Plan, subject to lot sizes, the availability of supporting infrastructure, servicing capacity, and access to transit;
 - c. work with the University of Windsor and St. Clair College to increase density and create opportunities for student housing on and in close proximity to their campuses; and

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- d. work with the University of Windsor and St. Clair College to identify land to allow for the development of additional residential units; and further,
3. That Administration **BE DIRECTED** to prepare Official Plan policies and criteria for reducing the minimum parking requirements for medium and high-density affordable purpose-built rental housing projects; and further,
4. That Administration **BE DIRECTED** to develop a Community Improvement Plan and associated financial incentives that will facilitate and support the construction of attainable and affordable residential units; and further,
5. That Administration **BE DIRECTED** to adopt a single technology for providing a digital portal for development services (services provided by the Building, Planning and Right of Way departments) to improve business processes, streamline approvals, and improve customer access to services and information; and further,
6. That Administration **BE DIRECTED** to review the existing Disposal of Land policy and propose amendments that support the disposition of municipally owned properties to facilitate housing projects, including student housing; and further,
7. That Administration **BE DIRECTED** to prepare a policy to advance the strategic acquisition of property that supports and facilitates the development of new attainable and affordable housing, including student housing; and further,
8. That Administration **BE DIRECTED** to begin the process to create a Green Development Standards Community Improvement Plan that will provide guidance and financial incentives for sustainable development projects.

Carried.

At the request of Councillor Jo-Anne Gignac, a recorded vote is taken on this matter.

Aye votes: Councillors Angelo Marignani, Jo-Anne Gignac, Jim Morrison, Gary Kashack, Fred Francis, Mark McKenzie, Ed Sleiman, and Mayor Drew Dilken.

Nay votes: Councillors Renaldo Agostino, Fabio Costante, and Kieran McKenzie.

Abstain: None.

Absent: None.

Report Number: C 9/2024
Clerk's File: GH/14271

12. CONSIDERATION OF COMMITTEE REPORTS

None presented.

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13. BY-LAWS (First and Second Readings)

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

That the following By-law No. 17-2024 be introduced and read a first and second time:

17-2024 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 22ND day of JANUARY, 2024.

Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

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

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

Carried.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Gary Kaschak

That By-law No. 17-2024 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.

21. ADJOURNMENT

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

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Monday, January 22, 2024

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 2:39 o'clock p.m.

Mayor

City Clerk



Committee Matters: SCM 18/2024

**Subject: Report of the Special Meeting of Council – In-Camera of its meeting held
January 15, 2024**

**SPECIAL MEETING OF COUNCIL – IN CAMERA
January 15, 2024**

Meeting called to order at: 1:41 p.m.

Members in Attendance:

Mayor Drew Dilkens
Councillor Renaldo Agostino
Councillor Fabio Costante
Councillor Fred Francis
Councillor Jo-Anne Gignac
Councillor Gary Kaschak
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Mark McKenzie
Councillor Jim Morrison
Councillor Ed Sleiman

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
Mark Winterton, Acting Commissioner of Infrastructure Services/City
Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Dana Paladino, Acting Commissioner of Corporate Services
Ray Mensour, Commissioner of Community Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Wira Vendrasco, Acting City Solicitor
Abe Taqtaq, Mayor's Chief of Staff
Anna Ciacelli, Deputy Clerk
Colleen Middaugh, Manager of Corporate Projects (Item 1)
Mark Nazarewich, Deputy City Solicitor (Items 1 and 6)
James Chacko, Executive Director Parks/Facilities (Item 1)
Alex Vucinic, Manager Purchasing/Risk Management (Items 1, 4 and 5)
Joseph Datillo, Project Administrator (Item 1)
Kelly Goz, Acting Manager Homelessness and Housing (Item 2)
Kirk Whittal, Executive Director of Housing and Children Services (Item 2)

Aaron Farough, Senior Legal Counsel (Item 2)
Greg Atkinson, Deputy City Planner (Item 2)
Tracy Beadow, Project Administrator (Item 2)
Jim Leether, Administrator Waste Collection Contracts (Items 4 and 5)
Shawna Boakes, Executive Director of Operations (Items 4 and 5)
Anne-Marie Albidone, Manager Environmental Services (Items 4 and 5)
Tyson Cragg, Executive Director Transit Windsor (Item 6)
Norbert Wolf, Manager of Employee Relations (Item 6)
Vincenza Mihalo, Executive Director Human Resources (Item 6)
Tony Ardovini, Deputy Treasurer Financial Planning (Item 6)
Sharon Strosberg, Senior Legal Counsel (Item 7)
Kate Tracey, Senior Legal Counsel (Item 7)
Vita Grammatico, Senior Economic Development Officer (Item 7)

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

Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i>, as amended
1	Legal matter – contract – litigation-advice subject to solicitor-client privilege, Section 239(2)(e)(f) See Item 11.3 on regular agenda
2	Property/position/plan matter – acquisition of land, Section 239(2)(c)(k)
3	Property matter – acquisition of land, Section 239(2)(c)
4	Personal matter – labour relations/negotiations, Section 239(2)(d)
5	Technical/financial matter – contract, Section 239(2)(j)
6	Personal matter – labour negotiations, Section 239(2)(d) – VERBAL update
7	Legal/property matter – litigation/advice subject to solicitor-client privilege, Section 239(2)(c)(f) – VERBAL update

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

**Verbal Motion is presented by Councillor Fabio Costante, seconded by Councillor Jim Morrison, to move back into public session.
Motion Carried.**

**Moved by Councillor Jo-Anne Gignac, seconded by Councillor Fred Francis,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held January 15, 2024 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Manager of Corporate Projects, Purchasing Manager, Executive Director of Engineering/Deputy City Engineer, Acting Commissioner of Infrastructure Services, Commissioner of Community Services, Acting City Solicitor, Acting Commissioner of Corporate Services and Commissioner of Finance/City Treasurer respecting a legal matter – contract-litigation – advice subject to solicitor-client privilege **BE APPROVED.**

LOST MOTION:

2. That the recommendation contained in the in-camera report from the Acting Manager of Homelessness and Housing Support, Executive Director of Housing and Children's Services, Executive Director of Engineering, Acting Commissioner of Infrastructure Services, Acting City Solicitor, Acting Commissioner of Corporate Services, Commissioner of Human and Health Services and Commissioner of Finance/City Treasurer respecting a property/position/plan matter – acquisition of land **BE APPROVED AS AMENDED.**

Aye votes: Councillors Fabio Costante, Kieran McKenzie, Fred Francis, Gary Kaschak

Nay votes: Councillors Angelo Marignani, Jo-Anne Gignac, Renaldo Agostino, Jim Morrison, Ed Sleiman, Mark McKenzie and Mayor Drew Dilkens

2. That the recommendation contained in the in-camera report from the Acting Manager of Homelessness and Housing Support, Executive Director of Housing and Children's Services, Executive Director of Engineering, Acting Commissioner of Infrastructure Services, Acting City Solicitor, Acting Commissioner of Corporate Services, Commissioner of Human and Health Services and Commissioner of Finance/City Treasurer respecting a property/position/plan matter – acquisition of land **BE APPROVED**.

Nay votes: Councillors Fabio Costante and Fred Francis.

3. That the recommendation contained in the in-camera report from the Deputy Treasurer of Taxation, Treasury and Financial Projects, Acting City Solicitor, Acting Commissioner of Corporate Services, Commissioner of Human and Health Services and Commissioner of Finance and City Treasurer respecting a property matter – acquisition of land **BE APPROVED**.

4. That the recommendation contained in the in-camera report from the Manager of Performance Management and Business Case Development, Executive Director of Operations, Acting Commissioner of Infrastructure Services, Executive Director of Human Resources, Deputy Treasurer of Financial Planning, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a personal matter – labour relations/negotiations **BE APPROVED**.

5. That the recommendation contained in the in-camera report from the Financial Planning Administrator, Executive Director of Operations, Acting Commissioner of Infrastructure Services, Acting City Solicitor, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a technical/financial matter - contract **BE APPROVED**.

6. That the confidential verbal report from the Manager of Labour Relations, Executive Director of Human Resources and the Executive Director of Transit Windsor respecting a personal matter – labour negotiations **BE RECEIVED** and that Administration **BE DIRECTED TO PROCEED** in accordance with the verbal directions of Council.

7. That the confidential verbal report from the Acting City Solicitor respecting a legal matter – litigation/advice subject to solicitor-client privilege **BE RECEIVED**.

Motion Carried.

**Moved by Councillor Mark McKenzie, seconded by Councillor Ed Sleiman,
That the special meeting of council held January 15, 2024 BE ADJOURNED.
(Time: 4:04 p.m.)
Motion Carried.**



Committee Matters: SCM 19/2024

Subject: Report of the In-Camera Striking Committee of its meeting held January 22, 2024

STRIKING COMMITTEE – IN CAMERA
January 22, 2024

Meeting called to order at: 2:52 p.m.

Members in Attendance:

Mayor Drew Dilkens
Councillor Renaldo Agostino
Councillor Fabio Costante
Councillor Fred Francis
Councillor Jo-Anne Gignac
Councillor Gary Kaschak
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Mark McKenzie
Councillor Ed Sleiman

Members Absent:

Councillor Jim Morrison

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
Mark Winterton, Acting Commissioner, Infrastructure Services/City
Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Dana Paladino, Acting Commissioner, Corporate Services
Ray Mensour, Commissioner, Community Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Wira Vendrasco, Acting City Solicitor
Abe Taqtaq, Mayor's Chief of Staff
Anna Ciacelli, Deputy Clerk

Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Fabio Costante, to move in Camera for discussion of the following item(s):

Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i> , as amended
1	Personal matter – about identifiable individual(s) – appointment of members to Windsor Public Library Board and Ottawa Street BIA, 239(2)(b)

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Item 1)

Moved by Councillor Fabio Costante, seconded by Councillor Angelo Marignani, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Striking Committee Meeting held January 22, 2024 directly to Council for consideration at the next Regular Public Meeting or Special meeting of Council.

1. That the confidential discussions regarding appointments to the Windsor Public Library Board and the Ottawa Street BIA **BE RECEIVED**, and further that appointments to the Committee and Board **BE APPROVED** (see open report of the Striking Committee).

Motion Carried.

Moved by Councillor Kieran McKenzie, seconded by Councillor Mark McKenzie. That the special Striking Committee meeting held January 22, 2024 BE ADJOURNED.
(Time: 2:57 p.m.)
Motion Carried.



Committee Matters: SCM 20/2024

Subject: Report of the Striking Committee of its meeting held January 22, 2024

**REPORT OF THE STRIKING COMMITTEE
of its meeting held
January 22, 2024**

Members in Attendance:

Mayor Drew Dilkens
Councillor Renaldo Agostino
Councillor Fabio Costante
Councillor Fred Francis
Councillor Jo-Anne Gignac
Councillor Gary Kaschak
Councillor Angelo Marignani
Councillor Kieran McKenzie
Councillor Mark McKenzie
Councillor Ed Sleiman

Members Absent:

Councillor Jim Morrison

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
Mark Winterton, Acting Commissioner, Infrastructure Services/City
Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Dana Paladino, Acting Commissioner, Corporate Services
Ray Mensour, Commissioner, Community Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk
Wira Vendrasco, Acting City Solicitor
Abe Taq Taq, Mayor's Chief of Staff
Anna Ciacelli, Deputy Clerk

Declarations of Pecuniary Interest:

None declared.

Your Committee submits the following recommendations:

1. That John Coleman **BE APPOINTED** to the *Windsor Public Library Board* to fill the citizen vacancy, and further that Councillor Renaldo Agostino **BE REAPPOINTED** to the Board as the legislative requirements have now been met with the filling of the citizen vacancy, for the term expiring November 14, 2026 or until their successors are appointed.

2. That the resignation of Bryan Griffith on the *Ottawa Street Business Improvement Area Board of Management* **BE ACCEPTED** and further that Brianne Macpherson **BE APPOINTED** to the Board for the term expiring November 14, 2026 or until their successors are appointed.

MAYOR

CITY CLERK

BY-LAW NUMBER 22-2024

A BY-LAW TO AMEND BY-LAW 12417 BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE NORTH/SOUTH ALLEY AND PART OF THE EAST/WEST ALLEY NORTH OF PITT STREET EAST, BETWEEN OUELLETTE AND GOYEAU; CITY OF WINDSOR

Passed the 29th day of January, 2024.

WHEREAS it is deemed expedient to amend By-law 12417 passed the 11th day of December, 1995, being a by-law to close, stop up and convey the north/south alley and part of the east/west alley north of Pitt Street, between Ouellette and Goyeau, more particularly described in Schedule "A" attached hereto;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. That By-law 12417 be amended by deleting the following from Section 2 in its entirety:

“\$25 per square foot”,

and by replacing it with the following:

“\$20.00 per square foot without easements plus HST (if applicable), and \$10.00 per square foot with easements plus HST (if applicable)”.

2. This by-law shall come into force and take effect on the day upon which it is registered in the Land Registry Office for the County of Essex (No.12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading - January 29, 2024
Second Reading - January 29, 2024
Third Reading - January 29, 2024

SCHEDULE "A"
To By-law 22-2024

Part of Alley Plan 91 closed by R1330604; Part of Lot 74, Plan 91, designated as Parts 2 and 3 on Plan12R8548, subject to R1417420, R1145001, R1000770; subject to the easement as in CE405643; City of Windsor

Being all of PIN 01170-0490

BY-LAW NUMBER 23-2024

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 29th day of January, 2024

Passed the 29th day of January, 2024.

WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this special meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.

2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.

3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - January 29, 2024
Second Reading - January 29, 2024
Third Reading - January 29, 2024

Anneke Smit, PhD
Faculty of Law
University of Windsor
401 Sunset Ave
Windsor, ON
N9B 3P4

22 January 2024

Re: Agenda item 11.4 - Restoration of Jackson Park Bandshell

Dear Mayor Dilkens and members of council,

Thank you for the time and energy that you are all committing to the 2024 budget process for the City of Windsor. I write today to address item 11.4 on today's agenda. By way of establishing my credentials, I am Associate Professor in the Faculty of Law at the University of Windsor, and Director of the Centre for Cities (C4C) based at Windsor Law. C4C is an interdisciplinary centre focused on the legal and policy tools of sustainable and equitable citybuilding. I write, however, in my own capacity in providing this letter.

I understand that the Jackson Park bandshell issue is a challenging one for a number of structural and land ownership reasons and that discussion of this issue will have to be nuanced. In a narrow sense it is about whether a dilapidated structure can be repaired and perhaps whether it has ongoing potential for use as an arts venue. However, I write to ask you to undertake these considerations and efforts in a way which recognizes the much broader context of this issue: the deeply important histories of both celebration and exclusion of Windsor's historic and Underground Railroad-descended Black community, of which the Jackson Park bandshell is a part.

As members of the community have expressed on many occasions, the decades-long history of the City's [Emancipation Day celebrations](#) in Jackson Park as well as many other activities of the city's historic Black community is an incredibly important one to that community. It is also a very rich part of the history of the City of Windsor as a whole.

However, the history and end of Windsor's Emancipation Day celebrations are connected to a much larger story of community, and ultimately destruction of community, in which the City of Windsor was implicated. At the heart of this was the destruction of the McDougall Street Corridor. In my professional capacity I have had the honour of being able to support Irene Moore Davis and the Essex County Black Historical Research Society (ECBHR) and Masters of History student Willow Key and other community partners on the We Were Here: Stories of Windsor's McDougall Street Corridor project, which received funding from both the University of Windsor's Anti-Black Racism Student Leadership Experience Grant and Fed Dev Canada's My Main Streets program (a total of \$260,000). Some of the output of this research is available in an [archive](#) and online [walking tour](#).

The McDougall Street Corridor was a thriving primarily Black community in Windsor from the late 1800s until it was largely destroyed by an urban renewal project led and funded by federal and municipal governments in the early 1960s. This was aligned with other urban renewal policies and projects across North America at the time, the majority of which had the effect of large-scale displacement Black and other equity-deserving communities.

As Willow Key has [written](#):

[E]xperts recognized the ‘cultural facilities such as churches, clubs and meeting places’ that would not only be destroyed by urban renewal, but would most likely be too expensive for community members to reproduce elsewhere. Postwar urban renewal impacted these cultural groups significantly as expropriation and demolition meant difficulties in finding non-restrictive accommodations and finding replacements for work in informal or community-based economies. These are elements that are not often considered when discussing the impact of urban renewal. For many, urban renewal was not simply an inconvenient move from one location to another, it was quite literally the destruction of livelihoods, social and familial bonds, heritage, wealth, and opportunity.

Regardless of the acknowledged negative impact urban renewal posed to these vulnerable communities, cultural districts and neighbourhoods across the country lost religious spaces, community centres, businesses, schools, homes, and historic sites, so cities could put urban spaces to “better use.”

Again, I understand that the issue before you at present relates in one sense narrowly to the future of the Jackson Park bandshell, not the McDougall Street Corridor or other systemic acts of destruction of the historic Black community in Windsor. However I urge you, in considering the future of the bandshell, to take a contextual approach, understanding how the end of the Emancipation Festival and the decades-long neglect of the bandshell form being part of this much broader pattern of dislocation and neglect of Windsor’s historic Black community which includes the destruction of the McDougall Street Corridor, racially restrictive covenants on property across the city, and the clamping down on Black celebrations in public space beginning in the early 1960s.

Just across the border in Detroit, as well as in countless communities across the United States, calls are rising rapidly for [reparations](#) by municipal and other levels of government for these state-sponsored acts of discrimination and displacement, which among other things have led to the loss of generational wealth for Black families. Detroit now has a [reparations committee](#) of council which is actively considering how the City should atone for these past acts. In Canada, calls for government actions which lead to repair and healing with Black communities are also growing.

This context should be front of mind as Council considers the future of the Jackson Park bandshell. Determining what that future looks like deserves a robust process of consultation with community, good faith collaboration with other community partners and institutions including the GECSB, and above all a recognition of the incredible importance of doing right by this community. The Jackson Park bandshell issue, both in process and outcome, can either be an act of repair and a step towards righting past injustice, or it can be a further act of state-sanctioned injury to the community. I ask that you take steps to ensure it is the former.

With thanks for your consideration,



Anneke Smit
Associate Professor
Faculty of Law
University of Windsor