

February 23, 2024

TO THE MAYOR AND MEMBERS OF COUNCIL:

The **regular meeting** of Council will be held on **Monday, February 26, 2024 at 10:00 o'clock a.m., in the Council Chambers, 350 City Hall Square.**

A special meeting of Council will be held on **Monday, February 26, 2024, immediately following the regular meeting of Council, 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.

BY ORDER OF THE MAYOR.

Yours very truly,



Steve Vlachodimos

City Clerk

/bm

c.c. Chief Administrative Officer

Consolidated City Council Meeting Agenda

Date: Monday, February 26, 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 - Playing of the National Anthem

READING OF LAND ACKNOWLEDGEMENT

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

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

4. ADOPTION OF THE MINUTES *(previously distributed)*

4.1 Adoption of the Windsor City Council minutes of its meeting held February 12, 2024
(SCM 52/2024)

5. NOTICE OF PROCLAMATIONS

Proclamations

“Nutrition Month” – March 2024

“Easter Seals Month” – March 2024

“International Women’s Day” – March 8, 2024

Flag Raising Ceremony

“Pakistan Day” – March 8 – 12, 2024

6. COMMITTEE OF THE WHOLE

7. COMMUNICATIONS INFORMATION PACKAGE (*previously distributed*)
(This includes both Correspondence and Communication Reports)

7.1. Correspondence 7.1.1. through 7.1.4. **(CMC 4/2024)**

8. CONSENT AGENDA (*previously distributed*)

8.1. Red Light Camera Update – City Wide **(C 19/2024)**

8.2. Abandonment of the Pillette No. 1 Drain - Ward 5 **(C 20/2024)**

8.3. Development Charges Background Study and DC Bylaw Update - City Wide
(C 18/2024)

CONSENT COMMITTEE REPORTS

8.4. Minutes of the Windsor Licensing Commission of its meeting held December 7, 2023
(SCM 27/2024) & (SCM 340/2023)

8.5. Essex Windsor Solid Waste Authority (EWSWA) Board Meeting Minutes from
November 7, 2023 **(SCM 28/2024) & (SCM 322/2023)**

8.6. Energy Access and Poverty Pillar (EAPP) Report Requirement - Global Covenant of
Mayors for Climate and Energy - City Wide **(SCM 29/2024) & (S 168/2023)**

8.7. Results of Test Pilot of Garbage Relocation in Ward 3 – City Wide **(SCM 30/2024) &
(S 6/2024)**

8.8. Relocation of Garbage Collection in the Alleys Bounded by Hall/Moy/Riverside Dr
East/Assumption – City Wide **(SCM 31/2024) & (S 3/2024)**

8.9. Response to CQ 32-2023 – Oversight and Authority to Limit Freight Train Traffic
Impediments – City Wide **(SCM 32/2024) & (S 2/2024)**

8.10. Traffic Signal at Tecumseh Road E and Robinet Road – Ward 7 **(SCM 33/2024) &
(S 7/2024) & (AI 3/2024)**

Clerk's Note: Additional information from Administration previously distributed and
attached to the report.

8.11. Windsor's Sustainable Procurement Guide - City Wide **(SCM 34/2024) & (S 163/2023)**

8.12. Rezoning - City of Windsor - Housekeeping Amendment 2024-1 - Z-002/21 ZNG/6277 -
City Wide **(SCM 35/2024) & (S 8/2024)**

8.13. Official Plan & Zoning Bylaw Amendments Z 008-23 [ZNG-6976] & OPA 169 [OPA-6977]
2830065 Ontario Ltd. (Alta Nota-Mariusz Buchcic) 1460 Lauzon Rd Multiple Dwelling
Development – Ward 6 **(SCM 36/2024) & (S 9/2024)**

- 8.14. Closure of Third Street R.O.W. between Continental Avenue and E. C. Row Expressway, Ward 2, SAS-6924 **(SCM 38/2024) & (S 97/2023)**
- 8.15. Economic Revitalization Community Improvement Plan (CIP) application submitted by Bobaek America Inc. for a Manufacturing Facility located at 3490 Wheelton Drive (Ward 9) **(SCM 39/2024) & (S 1/2024)**
- 8.16. Main Street CIP Application for 1695 Ottawa Street, Owner: Dr. Eric Bellis Dentistry Professional Corporation, Ward 4 **(SCM 40/2024) & (S 170/2023)**
- 8.17. Minutes of the Windsor Accessibility Advisory Committee of its meeting held December 5, 2023 **(SCM 41/2024) & (SCM 15/2024)**
- 8.18. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held November 9, 2023 **(SCM 43/2024) & (SCM 320/2023)**
- 8.19. Report No. 132 of the Windsor Accessibility Advisory Committee - Accessible purchases from the Capital Fund for Huron Lodge **(SCM 44/2024) & (SCM 12/2024)**
- 8.20. Report No. 133 of the Windsor Accessibility Advisory Committee - Accessible purchases from the Capital Fund for the Windsor Public Library **(SCM 45/2024) & (SCM 13/2024)**
- 8.21. Response to CQ 12-2022 & CQ 22-2022 - Solar Lights on City Trails – City Wide **(SCM 46/2024) & (S 11/2024)**
- 8.22. Response to CR 655/2020 – Invasive Plant Management Strategy - City Wide **(SCM 47/2024) & (S 10/2024)**
- 8.23. Update on Reaching Home: Canada's Homelessness Strategy (2019 - 2028) **(SCM 48/2024) & (S 13/2024)**

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS AND DELEGATIONS

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

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 (if scheduled)

- 12.2 Report of the Special Meeting of Council – In-Camera of its meeting held February 12, 2024 **(SCM 54/2024) (attached)**
- 12.3 Report of the Striking Committee – In-Camera of its meeting held February 12, 2024 **(SCM 55/2024) (attached)**
- 12.4 Report of the Striking Committee of its meeting held February 12, 2024 **(SCM 56/2024) (attached)**
- 12.5 Report of the Environment, Transportation & Public Safety Standing Committee, meeting as the Transit Windsor Board of Directors – In-camera of its meeting held February 12, 2024 **(SCM 53/2024) (attached)**
- 13. BY-LAWS (First and Second Reading) (previously distributed)**
- 13.1 **By-law 37-2024** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR20/2024 dated January 15, 2024.
- 13.2 **By-law 38-2024** A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS MALDEN ROAD IN THE CITY OF WINDSOR. Authorized by CR76/2011 dated February 28, 2011.
- 13.3 **By-law 39-2024** A BY-LAW TO APPOINT DEPUTY TREASURERS FOR THE CORPORATION OF THE CITY OF WINDSOR. Authorized by Item No. 1 on February 12, 2024 In-Camera Agenda.
- 13.4 **By-law 40-2024** A BY-LAW TO AMEND BY-LAW 13-2014, BEING A BY-LAW TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF SEWAGE SYSTEM CHARGES. Authorized by By-law 35-2024 dated February 12, 2024.
- 13.5 **By-law 41-2024** A BY-LAW TO AMEND BY-LAW 49-2018, BEING A BY-LAW RESPECTING THE ISSUANCE OF VARIOUS PERMITS AND THE SCHEDULING OF INSPECTIONS. Authorized by By-law 35-2024 dated February 12, 2024.
- 13.6 **By-law 42-2024** A BY-LAW TO AMEND BY-LAW NUMBER 392-2002, BEING A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF FEES AND CHARGES. Authorized by By-law 35-2024 dated February 12, 2024.
- 13.7 **By-law 43-2024** A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS. Authorized by By-law 35-2024 dated February 12, 2024.

13.8 **By-law 44-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 26th day of February, 2024.

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

Clerk's Note: Administration is providing the **attached** memo, dated February 23, 2024.

Moved by Councillor Kieran McKenzie, seconded by Councillor _____

That Council **RESCIND** Decision Number B25/2024 which effectively cancelled the Wyandotte St. street narrowing project with no public consultation and no report despite being previously endorsed by Council and recommended by Administration; and further,

That Council **DIRECT** Administration to bring forward a report analyzing the full complement of options for the corridor in question including street narrowing and traffic calming for Council consideration.

16. **THIRD AND FINAL READING OF THE BY-LAWS (*previously distributed*)**

16.1 **By-law 35-2024** A PROVISIONAL BY-LAW TO PROVIDE FOR A DRAINAGE WORKS IN THE CITY OF WINDSOR IN THE COUNTY OF ESSEX FOR THE IMPROVEMENT OF THE SPRUCEWOOD AVENUE DRAIN.

By-law 35-2024 and 37-2024 through 44-2024 inclusive

17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

20. UPCOMING MEETINGS

Development & Heritage Standing Committee
Monday, March 4, 2024
4:30 p.m., Council Chambers

Community Services Standing Committee
Wednesday, March 6, 2024
9:00 a.m., Council Chambers

City Council Meeting
Monday, March 18, 2024
10:00 a.m., Council Chambers

21. ADJOURNMENT



Committee Matters: SCM 54/2024

Subject: Report of the Special meeting of Council – In-camera of its meeting held Monday, February 12, 2024

**SPECIAL MEETING OF COUNCIL – IN CAMERA
February 12, 2024**

Meeting called to order at: 11:00 a.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
Thom Hunt, City Planner (Item 3)
James Chacko, Executive Director Parks and Facilities (Item 3)
Joe Baker, Senior Economic Development Officer (Item 3)
Rania Toufeili, Executive Initiatives Coordinator (Item 3)
Stacey McGuire, Executive Director Engineering (Item 3)
Colleen Middaugh, Manager of Corporate Projects (Item 3)
Tyson Cragg, Executive Director Transit Windsor (Item 4)

Vincenza Mihalo, Executive Director of Human Resources (Item 4)
Norbert Wolf, Manager of Employee Relations (Item 4)
Tony Ardovini, Deputy Treasurer Financial Planning (Item 4)

Moved by Councillor Fred Francis, seconded by Councillor Angelo Marignani,

That Council NOT move in camera for discussion of the following item, and that it be moved to a public meeting of Council and in the form of a public report:

3. Property matter – lease, Section 239(2)(c)(k)

The motion is put and is lost.

Aye votes: Councillors Fred Francis and Angelo Marignani.

Nay votes: Councillors Fabio Costante, Renaldo Agostino, Mark McKenzie, Ed Sleiman, Jo-Anne Gignac, Gary Kaschak, Kieran McKenzie, Jim Morrison and Mayor Drew Dilkens.

Verbal Motion is presented by Councillor Fabio Costante, seconded by Councillor J-Anne Gignac, 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 – appointment – about identifiable individuals, Section 239(2)(b)
2.	Property matter – lease, Section 239(2)(c)(k)
3.	Property matter – disposition of land, Section 239(2)(c)(k)
4.	Personal matter – labour negotiations, Section 239(2)(d) – Recommendation from Environment, Transportation & Public Safety Standing Committee, meeting as Transit Windsor Board of Directors

Motion Carried.

Councillor Francis voting nay on including Item 3 on the in-camera agenda.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

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

**Moved by Councillor Ed Sleiman, seconded by Councillor Mark McKenzie,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 12, 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 Administration – Finance, Acting City Solicitor, Executive Director of Human Resources, Deputy Treasurer Financial Planning, Deputy Treasurer Financial Accounting and Corporate Controls, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a personal matter – appointment **BE APPROVED**.

2. That the recommendation contained in the in-camera report from the Senior Economic Development Officer, Executive Director of Economic Development, Commissioner of Economic Development, Acting City Solicitor, Commissioner of Infrastructure Services and Commissioner of Finance and City Treasurer respecting a property matter - lease **BE APPROVED AS AMENDED**.

3. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Acting City Solicitor, City Planner, Commissioner of Human and Health Services, Acting Commissioner of Community Services, Acting Commissioner of Corporate Services, Acting Commissioner of Infrastructure Services, Commissioner of Finance and City Treasurer and Commissioner of Economic Development respecting a property matter – disposition of land **BE APPROVED**.

Councillor Francis voting nay.

4. That the confidential report from the Executive Director of Transit Windsor, Executive Director of Human Resources, Deputy Treasurer Financial Planning, Acting Commissioner of Infrastructure Services and Commissioner of Finance and City Treasurer respecting a personal matter – labour negotiations **BE RECEIVED** and that the in-camera recommendation of the Environment, Transportation and Public Safety Committee, sitting as the Transit Windsor Board of Directors, of its meeting held February 12, 2024 **BE APPROVED**.

Motion Carried.

**Moved by Councillor Jim Morrison, seconded by Councillor Gary Kaschak,
That the special meeting of council held February 12, 2024 BE ADJOURNED.
(Time: 12:59 p.m.)
Motion Carried.**

Item No. 12.3



Committee Matters: SCM 55/2024

**Subject: Report of the Striking Committee – In-camera of its meeting held
Monday, February 12, 2024**

**STRIKING COMMITTEE – IN CAMERA
February 12, 2024**

Meeting called to order at: 1:00 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
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
Sandra Gebauer, Council Assistant

**Verbal Motion is presented by Councillor Renaldo Agostino,
seconded by Councillor Gary Kaschak,
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 Jurors for the Arts, Culture & Heritage Fund for 2024, Section 239(2)(b)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Item 1)

**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 Striking Committee Meeting held February 12, 2024 directly to Council for consideration at the next Regular Public Meeting or Special meeting of Council.**

1. That the confidential discussions regarding the appointment of Jurors for the 2024 Arts, Culture and Heritage Fund **BE RECEIVED**, and further that appointments to the Jury **BE APPROVED** (see open report of the Striking Committee).

Motion Carried.

**Moved by Councillor Ed Sleiman, seconded by Councillor Mark McKenzie.
That the special Striking Committee meeting held February 12, 2024 BE ADJOURNED.
(Time: 1:01 p.m.)
Motion Carried.**

Item No. 12.4



Committee Matters: SCM 56/2024

Subject: Report of the Striking Committee of its meeting held Monday, February 12, 2024

**REPORT OF THE STRIKING COMMITTEE
of its meeting held
February 12, 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 Jim Morrison
Councillor Ed Sleiman

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
Sandra Gebauer, Council Assistant

Declarations of Pecuniary Interest:

None declared.

Your Committee submits the following recommendations:

1. That the following persons **BE APPOINTED** as *Jurors for the 2024 Arts, Culture and Heritage Fund*:

- Vincent Georgie
- Dan Macdonald

Returning Jurors per approved Terms of Reference

- Madelyn Della Valle
- Spencer Montcalm
- Trevor Pittman

2. That the resignation of Shelly Lucier, citizen appointee on the *Windsor Essex Community Housing Corporation Board* **BE ACCEPTED** and further, that the City Clerk **BE AUTHORIZED** to advertise the vacancy in accordance with the Striking Committee policy for filling vacancies.

MAYOR

CITY CLERK

Item No. 12.5



Committee Matters: SCM 53/2024

Subject: Report of the Environment, Transportation & Public Safety Standing Committee, meeting as the Transit Windsor Board of Directors – In-camera of its meeting held February 12, 2024

**SPECIAL MEETING OF ENVIRONMENT, TRANSPORTATION
AND PUBLIC SAFETY STANDING COMMITTEE
MEETING AS TRANSIT WINDSOR BOARD OF DIRECTORS – IN CAMERA
February 12, 2024**

Meeting called to order at: 11:00 a.m.

Members in Attendance:

Councillor Fabio Costante, Chair
Councillor Renaldo Agostino
Councillor Gary Kaschak
Councillor Kieran McKenzie
Councillor Mark McKenzie

Also in attendance:

Joe Mancina, Chief Administrative Officer
Mark Winterton, Acting Commissioner of Infrastructure Services/City
Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Steve Vlachodimos, City Clerk
Wira Vendrasco, Acting City Solicitor
Abe Taqtaq, Mayor's Chief of Staff
Sandra Gebauer, Council Assistant
Tyson Cragg, Executive Director of Transit Windsor (Item 1)
Vincenza Mihalo, Executive Director of Human Resources
Norbert Wolf, Manager of Employee Relations (Item 1)
Tony Ardevini, Deputy Treasurer Financial Planning (Item 1)
Mayor Drew Dilkens and all members of Council

**Verbal Motion is presented by Councillor Mark McKenzie, seconded
by Councillor Kieran McKenzie,
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 – labour negotiations, Section 239(2)(d)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

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

Motion Carried.

Moved by Councillor Kieran McKenzie, seconded by Councillor Gary Kaschak, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Environment, Transportation and Public Safety Standing Committee – meeting as Transit Windsor Board of Directors Meeting held February 12, 2024 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Executive Director of Transit Windsor, Executive Director of Human Resources, Deputy Treasurer Financial Planning, Acting Commissioner of Infrastructure Services and Commissioner of Finance and Treasurer respecting a personal matter – labour negotiations **BE APPROVED.**

Motion Carried.

**Moved by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak,
That the special meeting of the Environment, Transportation and Public Safety Standing Committee – meeting as the Transit Windsor Board of Directors – in-camera held February 12, 2024 BE ADJOURNED.
(Time: 11:25 a.m.)
Motion Carried.**

Item No. 15. Notice of Motion

TO: Mayor and Members of City Council
FROM: Wira Vendrasco, Acting City Solicitor
DATE: February 23, 2024
SUBJECT: Notice of Motion listed on the February 26, 2024 Council Agenda

A Notice of Motion has been submitted by Councillor Kieran McKenzie for Council's consideration at the February 26, 2024 Council meeting regarding budget decision B25/2024. I have reviewed the legislation concerning budget matters and provide the following for Council's information.

In 2022 the *Municipal Act* (Act) was amended by the introduction of the Part VI.I being sections 284.2 to 284.17 to the Act. This amendment is called "Special Powers and Duties of the Head of Council", or strong mayors powers. (Attached as Appendix 1).

One of the significant amendments introduced in the strong mayor powers is the change to the powers and duties related to the municipal budget process. Most notably, is the assignment to the head of council, of the duties and powers of the municipality with respect to proposing and adopting the budget (s.284.16(1) Act).

Additionally S.284.16(6) of the Act states:

(6) Adoption of Budget-The budget for the municipality **shall** be adopted in accordance with the regulations.

The applicable regulation is O. Reg. 530/22 (Attached as Appendix 2) which sets out in detail the various steps a municipality is required to undertake to complete the budget process. Once those steps have been finalized the regulation indicates that the budget is "deemed to be adopted by the municipality" (s.7(9) O. Reg. 530/22). Mayoral Decision MD 05-2024 (Attached as Appendix 3) was the last step in the City's 2024 budget process, and this resulted in the City's 2024 budget being "deemed to be adopted by the municipality".

This Notice of Motion is proposing an amendment to the City's 2024 budget, by rescinding the existing decision and replacing it with another decision.

O. Reg. 530/22 provides limited scope for budget amendments. This can be found in s.9(1) of the Regulation which provides as follows:

9.(1) The head of council may, for the purpose of raising an additional general upper tier levy or a special upper tier levy in the year under section 311 of the Act, or a general local municipality levy or a special local municipality levy in the year in accordance with section 312 of the Act, as the case may be, prepare a proposed budget amendment for the municipality and ,

The authority to propose budget amendments is limited to the head of council. The purpose of a budget amendment is also limited to the raising of a general local municipality levy or a special local municipality levy in the year in accordance with section 312 of the Act.

In this case, the Notice of Motion to amend the budget is not being proposed by the head of council, nor is for the purpose of increasing either the general or special local municipality levy.

Please see additional Private and Confidential memo enclosed.

Approvals:

Name	Title
Wira Vendrasco	Acting City Solicitor
Ray Mesour	Acting Chief Administrative Officer

Appendices:

Appendix 1 – Special Powers and Duties of the Head of Council.

Appendix 2 - O. Reg. 530/22 - various steps a municipality is required to undertake to complete the budget process.

Appendix 3 - Mayoral Decision MD 05-2024

Private and Confidential Memo

Appendix 1

PART VI.1 SPECIAL POWERS AND DUTIES OF THE HEAD OF COUNCIL

Application

284.2 The Minister may, by regulation, designate municipalities to which this Part applies. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Directions to municipal employees

284.3 For the purposes of exercising powers or performing duties under this Part, the head of council may, in writing, exercise the powers of the municipality to direct municipal employees to,

- (a) undertake research and provide advice to the head of council and the municipality on policies and programs of the municipality or of the head of council as they relate to the powers and duties under this Part; and
- (b) carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the head of council under this Part. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

In writing

284.4 (1) If the head of council exercises a power or performs a duty under this Part, the head of council shall do so in writing and in accordance with the regulations, if any. 2022, c. 18, Sched. 2, s. 1.

Making information available

(2) The head of council shall, in accordance with the regulations, make any prescribed information and documents available to the public and to any other prescribed persons or classes of persons. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Powers re chief administrative officer

284.5 The powers of a municipality under section 229, with respect to the chief administrative officer, are assigned to the head of council. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Powers re organizational structure

284.6 (1) Subject to subsection (3), the powers of the municipality with respect to determining the organizational structure of the municipality are assigned to the head of council. 2022, c. 18, Sched. 2, s. 1.

Employment matters

(2) Subject to subsection (3) and the regulations, subsection (1) includes the power to hire, dismiss or exercise any other prescribed employment powers with respect to the head of any division or the head of any other part of the organizational structure. 2022, c. 18, Sched. 2, s. 1.

Limitation

(3) The powers assigned under subsection (1) do not include the power to hire, dismiss or exercise any other prescribed employment powers with respect to any of the following persons:

1. The clerk or deputy clerk.
2. A treasurer or deputy treasurer.
3. An Integrity Commissioner.
4. An Ombudsman.
5. An Auditor General.

6. A registrar, as described in section 223.11.
7. A chief building official, as defined in the *Building Code Act, 1992*.
8. A chief of police, as defined in the *Police Services Act*.
9. A fire chief, as defined in the *Fire Protection and Prevention Act, 1997*.
10. A medical officer of health, as defined in the *Health Protection and Promotion Act*.
11. Other officers or heads of divisions required to be appointed under this or any other Act.
12. Any other prescribed persons. 2022, c. 18, Sched. 2, s. 1.

Transition

(4) Any organizational structure in place in a municipality immediately before being designated under this Part shall continue unless the organizational structure is changed by the head of council under subsection (1). 2022, c. 18, Sched. 2, s. 1.

Same

(5) The head of any division or of any other part of the organizational structure who held that position immediately before the municipality was designated under this Part shall continue in that position unless they are dismissed by the head of council under subsection (2). 2022, c. 18, Sched. 2, s. 1.

Same

(6) A head of council may exercise a power under subsection (2) with respect to a person regardless of when that person started their employment. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Powers re local boards

284.7 The power of the municipality to appoint chairs and vice-chairs of local boards is assigned to the head of council for any prescribed local board or local board within a prescribed class of local boards. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Powers re committees

284.8 Subject to the regulations, if any, the following powers of the municipality with respect to prescribed committees, or committees within a prescribed class of committees, are assigned to the head of council:

1. The power to establish or dissolve committees.
2. The power to appoint chairs and vice-chairs of committees.
3. The power to assign functions to committees. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Provincial priorities

284.9 (1) The Lieutenant Governor in Council may, by regulation, prescribe provincial priorities for the purposes of sections 284.10, 284.11 and 284.11.1. 2022, c. 18, Sched. 2, s. 1; 2022, c. 24, Sched. 3, s. 5 (1).

Same

(2) For greater certainty, sections 284.10, 284.11 and 284.11.1 only apply if the Lieutenant Governor in Council prescribes provincial priorities. 2022, c. 18, Sched. 2, s. 1; 2022, c. 24, Sched. 3, s. 5 (2).

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022; 2022, c. 24, Sched. 3, s. 5 (1, 2)- 20/12/2022

Powers re meetings

284.10 (1) Despite any procedure by-law passed by the municipality under subsection 238 (2), if the head of council is of the opinion that considering a particular matter could potentially advance a prescribed provincial priority, the head of council may require the council to consider the matter at a meeting. 2022, c. 18, Sched. 2, s. 1; 2022, c. 24, Sched. 3, s. 6.

Interpretation

(2) In this section,

“meeting” has the same meaning as in subsection 238 (1). 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022; 2022, c. 24, Sched. 3, s. 6 - 20/12/2022

Veto powers

Application

284.11 (1) This section applies with respect to by-laws under,

- (a) this Act and the regulations, other than under any prescribed section;
- (b) the *Planning Act* and its regulations, other than any prescribed section; and
- (c) any other prescribed Act or regulation or prescribed section of an Act or regulation. 2022, c. 18, Sched. 2, s. 1.

By-law for consideration

(2) Despite any procedure by-law passed by the municipality under subsection 238 (2) and subject to subsection (3) of this section, if the head of council is of the opinion that all or part of a by-law that is subject to this section could potentially interfere with a prescribed provincial priority, the head of council may provide written notice to the council of the intent to consider vetoing the by-law. 2022, c. 18, Sched. 2, s. 1; 2022, c. 24, Sched. 3, s. 7.

Same, timing

(3) If the head of council intends to consider vetoing the by-law, the head of council shall provide the written notice described in subsection (2) on or before the earlier of two days after the day council voted in favour of the by-law or the prescribed deadline, if any. 2022, c. 18, Sched. 2, s. 1.

By-law commencement

(4) Despite any other Act, a by-law that is subject to this section shall be deemed not to have been passed by council until,

- (a) if notice has not been given under subsection (3), the earlier of,
 - (i) the day written approval of the by-law is given by the head of council to the municipality, and
 - (ii) two days after the day council voted in favour of the by-law or the prescribed deadline, as the case may be; or
- (b) if notice has been given under subsection (3), the earlier of,
 - (i) the day written approval of the by-law is given by the head of council to the municipality, and
 - (ii) 14 days, or such other prescribed time period, after the day the council voted in favour of the by-law. 2022, c. 18, Sched. 2, s. 1.

Veto powers

(5) Subject to subsection (6), if the head of council is of the opinion that all or part of the by-law could potentially interfere with a prescribed provincial priority, the head of council may veto the by-law by providing to the clerk, on the day of the veto, a written veto document that includes the veto and the reasons for the veto. 2022, c. 18, Sched. 2, s. 1; 2022, c. 24, Sched. 3, s. 7.

Same, timing

(6) The head of council shall not veto a by-law after giving approval under subclause (4) (b) (i) or after the expiry of the time period described in subclause (4) (b) (ii), as the case may be. 2022, c. 18, Sched. 2, s. 1.

Duties of clerk

(7) If the head of council vetoes a by-law the clerk shall,

- (a) by the next business day after the clerk receives the written veto document under subsection (5), provide each member of council, other than the head of council, a copy of the written veto document; and
- (b) make the written veto document available to the public in accordance with the regulations, if any. 2022, c. 18, Sched. 2, s. 1.

Effect of veto

(8) If the head of council vetoes a by-law, clause (4) (b) does not apply and the by-law shall be deemed not to have been passed by council. 2022, c. 18, Sched. 2, s. 1.

Override of veto

(9) Within 21 days, or such other prescribed time period, after the day the clerk provides the written veto document to the members of council under clause (7) (a), council may override the head of council’s veto if two-thirds of the members of council vote to override the veto. 2022, c. 18, Sched. 2, s. 1.

Head of council may vote

(10) For greater certainty, the head of council may vote as a member of council in a vote to override a veto. 2022, c. 18, Sched. 2, s. 1.

Effect of override

(11) If the council overrides the veto, subsection (8) does not apply and the by law shall be deemed to have passed on the day the council votes to override the veto. 2022, c. 18, Sched. 2, s. 1.

No notice

(12) The head of council shall not give notice under subsection (3) after giving approval under subclause (4) (a) (i). 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022; 2022, c. 24, Sched. 3, s. 7 - 20/12/2022

Powers re by-laws

284.11.1 (1) This section applies with respect to by-laws under,

- (a) this Act and the regulations, other than under any prescribed section;
- (b) the *Planning Act* and its regulations, other than under any prescribed section; and
- (c) any other prescribed Act or regulation or prescribed section of an Act or regulation. 2022, c. 24, Sched. 3, s. 8.

Procedure

(2) Despite any procedure by-law passed by the municipality under subsection 238 (2) and subject to any prescribed requirements, if the head of council is of the opinion that a by-law could potentially advance a prescribed provincial priority, the head of council may propose the by-law to the council and require the council to consider and vote on the proposed by-law at a meeting. 2022, c. 24, Sched. 3, s. 8.

Same

- (3) The head of council shall, in accordance with the regulations, provide to the clerk and to each member of council,
 - (a) a copy of any by-law proposed under subsection (2); and
 - (b) the head of council’s reasons for the proposal. 2022, c. 24, Sched. 3, s. 8.

More than one-third vote required

(4) Despite any procedure by-law passed by the municipality under subsection 238 (2) and despite section 245, a by-law described in subsection (2) is passed if more than one third of the members of council vote in favour of the by-law. 2022, c. 24, Sched. 3, s. 8.

Head of council may vote

(5) For greater certainty, the head of council may vote as a member of council in a vote to pass a by-law described in subsection (2). 2022, c. 24, Sched. 3, s. 8.

Section Amendments with date in force (d/m/y)

2022, c. 24, Sched. 3, s. 8 - 20/12/2022

Vacancy, head of council

284.12 (1) Despite section 263, if a vacancy occurs in the office of the head of council, the municipality shall, subject to subsection (3) and in accordance with the regulations, if any, require a by-election to be held, in accordance with the *Municipal Elections Act, 1996*, to fill the vacancy. 2022, c. 18, Sched. 2, s. 1.

Rules applying to filling vacancy

(2) Subject to subsection (3) and the regulations, if any, the following rules apply to filling a vacancy in the office of head of council:

1. Within 60 days after the day a declaration of vacancy is made under section 262 with respect to the vacancy, the municipality shall pass a by-law requiring a by-election be held to fill the vacancy.
2. Despite paragraph 1, if a court declares the office of head of council to be vacant, the council shall act under subsection (1) within 60 days after the court makes its declaration.
3. Despite subsection (1), if the vacancy occurs within 90 days before voting day of a regular election, the municipality is not required to fill the vacancy. 2022, c. 18, Sched. 2, s. 1.

Vacancy after March 31 in the year of a regular election

(3) Subject to the regulations, if any, if a vacancy in the office of head of council occurs after March 31 in the year of a regular election,

- (a) within 60 days after the day a declaration of vacancy is made under section 262 with respect to the vacancy, the municipality shall fill the vacancy by appointing a person who has consented to accept the office if appointed; and
- (b) the municipality is deemed not to be prescribed for the purposes of this Part for the remainder of the term of the head of council appointed under clause (a). 2022, c. 18, Sched. 2, s. 1.

Vacancy — upper-tier municipalities

(4) The Minister may, by regulation, prescribe the procedures, rules and other matters pertaining to vacancies in upper-tier municipalities that will apply despite anything in this section. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Delegation

284.13 (1) Subject to the prescribed limitations, if any, the head of council may delegate their powers and duties under the following sections:

1. Section 284.5 (chief administrative officer).
2. Section 284.6 (organizational structure).
3. Section 284.7 (local boards).
4. Section 284.8 (committees). 2022, c. 18, Sched. 2, s. 1.

Same

(2) The rules in subsection 23.1 (2) apply with necessary modifications to a delegation under subsection (1). 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Immunity

284.14 A decision made, or a veto power or other power exercised, legally and in good faith under this part shall not be quashed or open to review in whole or in part by any court because of the unreasonableness or supposed unreasonableness of the decision or exercise of the veto power or other power. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Transition

284.15 (1) A person who held one of the following positions immediately before the municipality was designated under this Part shall continue in that position unless they are dismissed or their appointment is revoked, as the case may be, by a head of council:

1. Chief administrative officer.
2. Chair or vice-chair of a local board.
3. Chair or vice-chair of a committee. 2022, c. 18, Sched. 2, s. 1.

Same

(2) A head of council may dismiss or revoke the appointment of a person set out in subsection (1) regardless of when that person started in their position. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Powers and duties re. budget

284.16 (1) In accordance with this section and subject to the regulations, the powers and duties of a municipality with respect to proposing and adopting a budget are assigned to the head of council of the municipality. 2022, c. 18, Sched. 2, s. 1.

Proposed budget

(2) The head of council shall, in accordance with the regulations, prepare a proposed budget for the municipality and provide the proposed budget to the council for the council's consideration. 2022, c. 18, Sched. 2, s. 1.

Council may adopt or amend budget

(3) After receiving the proposed budget, council may, in accordance with the regulations, pass a resolution making an amendment to the proposed budget. 2022, c. 18, Sched. 2, s. 1.

Veto power

(4) The head of council may, in accordance with the regulations, veto a resolution passed under subsection (3). 2022, c. 18, Sched. 2, s. 1.

Override of veto

(5) Council may, in accordance with the regulations, override the head of council's veto under subsection (4) if two-thirds of the members of council vote to override the veto. 2022, c. 18, Sched. 2, s. 1.

Adoption of budget

(6) The budget for the municipality shall be adopted in accordance with the regulations. 2022, c. 18, Sched. 2, s. 1.

Same

(7) For greater certainty, the regulations may provide for the circumstances in which the budget is deemed to be adopted. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022

Regulations

284.17 (1) The Minister may make regulations for the purposes of this Part, including,

- (a) designating municipalities for the purposes of section 284.2;
- (b) requiring a head of council to make information and documents available to the council, the public and other persons or classes of persons and prescribing the information and documents to be made available;
- (c) respecting the form, manner and timing in which information and documents are to be made available to the council, the public or other persons or classes of persons;
- (d) respecting procedures and rules a head of council, a council and the clerk are required to follow in connection with this Part;

- (e) respecting the powers assigned to the head of council in connection with committees, for the purposes of section 284.8;
- (f) governing by-elections with respect to the office of head of council for the purposes of section 284.12;
- (g) respecting procedures, rules and other matters in connection with filling a vacancy in the office of head of council;
- (h) providing for such transitional matters as the Minister considers necessary or advisable in connection with the implementation of this Part;
- (i) defining, for the purposes of this Part and any regulations under this Part, any word or expression not defined in section 1 of this Act, and in so doing may define a word or expression differently for different provisions;
- (j) respecting the use of powers and performance of duties under this Part, including respecting conditions and limits with respect to their use or performance;
- (k) providing that a head of council cannot use a power or perform a duty, assigning those powers and duties to a council and prescribing procedures, rules and other matters in connection with such circumstances;
- (l) prescribing provisions of the Act or any other Act that apply or do not apply for the purposes of this Part and providing for such modifications to those provisions as the Minister considers appropriate;
- (m) prescribing deadlines, dates and time periods for the purposes of this Part. 2022, c. 18, Sched. 2, s. 1; 2022, c. 24, Sched. 3, s. 9.

Same

(2) Subject to subsection 284.9 (1), the Minister may make regulations prescribing anything that, under this Part, may or must be prescribed. 2022, c. 18, Sched. 2, s. 1.

Regulations, budget

- (3) The Minister may, for the purposes of section 284.16, make regulations,
- (a) respecting the powers and duties of the head of council and of the council in connection with preparing and adopting a budget in a municipality;
 - (b) respecting procedures, rules and other matters in connection with preparing and adopting a budget in a municipality; and
 - (c) providing for the circumstances in which a budget is deemed to be adopted. 2022, c. 18, Sched. 2, s. 1.

Retroactive

(4) A regulation under this section may be retroactive to a date not earlier than six months before the date the regulation was made. 2022, c. 18, Sched. 2, s. 1.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 2, s. 1 - 23/11/2022; 2022, c. 24, Sched. 3, s. 9 - 20/12/2022

Appendix 2

Français

Municipal Act, 2001

ONTARIO REGULATION 530/22

PART VI.1 OF THE ACT

Consolidation Period: From October 31, 2023 to the [e-Laws currency date](#).

Last amendment: 331/23.

Legislative History: 581/22, 180/23, 331/23.

This is the English version of a bilingual regulation.

Designated municipalities

1. The following municipalities are designated for the purpose of section 284.2 of the Act:

1. The Town of Ajax.
2. The Town of Aurora.
3. The City of Barrie.
4. The City of Belleville.
5. The Town of Bradford West Gwillimbury.
6. The City of Brampton.
7. The City of Brantford.
8. The City of Burlington.
9. The Town of Caledon.
10. The City of Cambridge.
11. The Municipality of Chatham-Kent.
12. The Municipality of Clarington.
13. The Town of East Gwillimbury.
14. The Town of Georgina.
15. The City of Greater Sudbury.
16. The City of Guelph.
17. The Town of Halton Hills.
18. The City of Hamilton.
19. The Town of Innisfil.
20. The City of Kawartha Lakes.
21. The City of Kingston.
22. The City of Kitchener.
23. The City of London.
24. The City of Markham.
25. The Town of Milton.
26. The City of Mississauga.
27. The City of Niagara Falls.
28. The City of North Bay.
29. The Town of Oakville.

30. The City of Oshawa.
31. The City of Ottawa.
32. The City of Peterborough.
33. The City of Pickering.
34. The City of Richmond Hill.
35. The City of Sarnia.
36. The City of Sault Ste. Marie.
37. The City of St. Catharines.
38. The City of Thunder Bay.
39. The City of Vaughan.
40. The City of Waterloo.
41. The City of Welland.
42. The Town of Whitby.
43. The Town of Whitchurch-Stouffville.
44. The City of Windsor.
45. The City of Woodstock. O. Reg. 331/23, s. 1.

In writing requirements re s. 284.3 of Act

2. When directing municipal employees under section 284.3 of the Act, the head of council shall, by the next business day, provide a written record of the direction to the clerk and chief administrative officer, if one is appointed.

Other in writing requirements

3. Except as otherwise provided in the Act and this Regulation, when exercising a power or performing a duty under Part VI.1 of the Act the head of council shall,

- (a) by the next business day, provide the written record produced in accordance with subsection 284.4 (1) of the Act to each member of council and to the clerk; and
- (b) subject to the *Municipal Freedom of Information and Protection of Privacy Act*, make the written record available to the public.

Prescribed committees

4. Committees established under the Act that consist solely of members of council are prescribed for the purposes of section 284.8 of the Act.

Veto power, s. 284.11 of Act

- 5.** (1) Section 284.11 of the Act does not apply with respect to by-laws under sections 289 and 290 of the Act.
- (2) Section 284.11 of the Act applies with respect to by-laws under section 2 of the *Development Charges Act, 1997*.

Vacancy, upper-tier municipality

5.1 If a vacancy in the office of the head of council of a local municipality causes a vacancy on the council of its upper-tier municipality, the local municipality and not the upper-tier municipality shall fill the vacancy in accordance with section 284.12 of the Act. O. Reg. 180/23, s. 2.

Limitations on delegation, s. 284.13 of Act

6. (1) The head of council may not delegate their powers and duties under the sections referred to in paragraphs 1 and 4 of subsection 284.13 (1) of the Act except to council.

(2) The head of council may not delegate their powers and duties under the section referred to in paragraph 2 of subsection 284.13 (1) of the Act except to council or to the chief administrative officer, if one is appointed.

Annual budget

- 7.** (1) The head of council shall, on or before February 1 of each year,
 - (a) prepare a proposed budget for the municipality that includes the estimates of sums required under subsection 289 (1) or 290 (1) of the Act, as the case may be;
 - (b) provide the proposed budget to each member of council and to the clerk; and

(c) make the proposed budget available to the public.

(2) If the head of council does not propose a budget to council by February 1 in accordance with subsection (1), the council shall prepare and adopt the budget for the municipality.

(3) Subject to subsection (4), within 30 days after receiving the proposed budget from the head of council in accordance with clause (1) (b), the council may pass a resolution making an amendment to the proposed budget.

(4) A council may in a year pass a resolution to shorten the 30-day period referred to in subsection (3) for the year.

(5) If council does not pass a resolution under subsection (3) within 30 days, or, if a shorter period is set under subsection (4), within that period, the proposed budget shall be deemed to be adopted by the municipality.

(6) Subject to subsection (7), within 10 days after the expiry of the time period for council to pass a resolution under subsection (3), the head of council may veto a resolution passed by council under subsection (3) by providing on the day of the veto to each member of council and to the clerk a written veto document that includes the veto and the reasons for the veto.

(7) The head of council may in a year shorten the 10-day period referred to in subsection (6) for the year by providing to each member of council and to the clerk a written document specifying a shorter period.

(8) If the head of council vetoes a resolution in accordance with subsection (6), the resolution shall be deemed not to have been passed by council.

(9) If the head of council does not veto a resolution in accordance with subsection (6) within 10 days or, if a shorter period is set under subsection (7), within that period, the proposed budget shall be deemed to be adopted by the municipality.

(10) Subject to subsection (11), within 15 days after the expiry of the time period for the head of council to veto a resolution under subsection (6), council may override the head of council's veto if two-thirds of the members of council vote to override the veto.

(11) A council may in a year pass a resolution to shorten the 15-day period referred to in subsection (10) for the year.

(12) For greater certainty, the head of council may vote as a member of council in a vote to override a veto.

(13) If the council overrides the veto under subsection (10), subsection (8) does not apply, and the resolution shall be deemed to be passed by council.

(14) After the expiry of the time period for council to override the head of council's veto under subsection (10), the proposed budget is deemed to be adopted by the municipality.

Budget process — conflict of interest

8. If, under section 5.3 of the *Municipal Conflict of Interest Act*, the head of council is prohibited from using the power and exercising the duty under subsection 284.16 (2) of the Act to prepare the proposed budget for the municipality with respect to a matter,

(a) council may pass a resolution to amend the proposed budget with respect to the matter; and

(b) the head of council may not veto the resolution.

Budget process — in-year budget amendments

9. (1) The head of council may, for the purpose of raising an additional general upper-tier levy or a special upper-tier levy in the year under section 311 of the Act or a general local municipality levy or a special local municipality levy in the year under 312 of the Act, as the case may be, prepare a proposed budget amendment for the municipality and,

(a) provide the proposed budget amendment to each member of council and to the clerk; and

(b) make the proposed budget amendment available to the public.

(2) Subject to subsection (3), within 21 days after receiving the proposed budget amendment from the head of council in accordance with subsection (1), the council may pass a resolution making an amendment to the proposed budget amendment.

(3) A council may in a year pass a resolution to shorten the 21-day period referred to in subsection (2) for the year.

(4) If council does not pass a resolution under subsection (2) within 21 days, or, if a shorter period is set under subsection (3), within that period, the proposed budget amendment shall be deemed to be adopted by the municipality.

(5) Subject to subsection (6), within 5 days after the expiry of the time period for council to pass a resolution under subsection (2), the head of council may veto a resolution passed by council under subsection (2) by providing to each member of council and to the clerk, on the day of the veto, a written veto document that includes the veto and the reasons for the veto.

(6) The head of council may in a year shorten the 5-day period referred to in subsection (5) for the year by providing to each member of council and to the clerk a written document specifying a shorter period.

(7) If the head of council vetoes a resolution in accordance with subsection (5), the resolution shall be deemed not to have been passed by council.

(8) If the head of council does not veto a resolution in accordance with subsection (5) within 5 days, or, if a shorter period is set under subsection (6), within that period, the proposed budget amendment shall be deemed to be adopted by the municipality.

(9) Subject to subsection (10), within 10 days after the expiry of the time period for the head of council to veto a resolution under subsection (5), council may override the head of council's veto if two-thirds of the members of council vote to override the veto.

(10) A council may in a year pass a resolution to shorten the 10-day period referred to in subsection (9) for the year.

(11) For greater certainty, the head of council may vote as a member of council in a vote to override a veto.

(12) If the council overrides the veto under subsection (9), subsection (7) does not apply, and the resolution shall be deemed to be passed by council.

(13) After the expiry of the time period for council to override the head of council's veto under subsection (9), the proposed budget amendment is deemed to be adopted by the municipality.

Powers re by-laws, s. 284.11.1 of the Act

10. (1) Section 284.11.1 of the Act does not apply with respect to,

(a) by-laws under sections 238, 289 and 290 of the Act; and

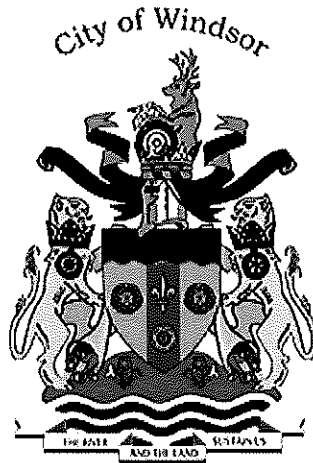
(b) by-laws with respect to the filling of vacancies under section 263 of the Act. O. Reg. 581/22, s. 1.

(2) Section 284.11.1 of the Act applies with respect to by-laws under section 2 of the *Development Charges Act, 1997*. O. Reg. 581/22, s. 1.

Français

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Appendix 3



The Corporation of the City of Windsor

Mayoral Decision MD 05-2024

To give written notice regarding amendments to the 2024 Budget.

I, Drew Dilkens, Mayor of the City of Windsor, in accordance with section 284.16 (4) of the *Municipal Act* and section 7 (7) of Ontario Regulation 530/22, hereby adopt all budget amendments approved by City Council on January 29, 2024. I will not exercise my veto authority to overturn any of the approved amendments to the 2024 budget. Accordingly, the 2024 budget as amended is approved.

This Mayoral Decision comes into effect on February 2, 2024.

A handwritten signature in black ink, appearing to read "Drew Dilkens", with a long horizontal flourish extending to the right.

Drew Dilkens,
Mayor, City of Windsor
Dated: February 2, 2024