CITY OF WINDSOR MINUTES 11/27/2023

City Council Meeting
Date: Monday, November 27, 2023
Time: 4:00 o'clock p.m.

Members Present:

Mayor
Mayor Drew 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

1. ORDER OF BUSINESS

2. CALL TO ORDER

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls the meeting to order at 4:04 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council minutes of its meeting held October 30, 2023.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

That the minutes of the Meeting of Council held October 30, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 316/2023

5. NOTICE OF PROCLAMATIONS

Proclamations
"Transgender Day of Remembrance and Resilience" – November 20, 2023
"Week of Romanian Pioneers" – November 24, 2023 – December 1, 2023
"International Day for the Elimination of Violence against Women" – November 25, 2023
"World AIDS Day" – December 1, 2023

Flag Raising Ceremony
"Transgender Day of Remembrance and Resilience" – November 20 – 21, 2023
"80th Anniversary of the Independence of Lebanon" – November 22 – 23, 2023
"International Day of Elimination of Violence against Women" – November 24, 2023 – December 1, 2023
"World AIDS Day" December 1 – 8, 2023

Illumination
"Romanian National Day" – November 24 – 30, 2023
"World AIDS Day" December 1 – 8, 2023

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:
(a) communication items;
(b) consent agenda;
(c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
(d) hearing presentations and delegations;
(e) consideration of business items;
(f) consideration of Committee reports:
(g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and
(h) consideration of by-laws 146-2023 through 151-2023 and 156-2023 through 160-2023
Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence - Monday, November 27, 2023

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

Decision Number: CR456/2023
That the following Communication Items 7.1.1 through 7.1.2 and 7.1.4 through 7.1.6 as set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.3 be dealt with as follows:

7.1.3 Motion on Anti Auto Theft Program

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR457/2023
That the letter from Ontario's Big City Mayors regarding the "Anti Auto Theft Program" **BE RECEIVED**; and further,

Whereas in Ontario, there has been a 112% increase in auto thefts over the past five years, with thefts rising 49% in 2022 alone according to the Insurance Bureau of Canada (IBC); and,

Whereas thieves and criminal networks have specifically targeted Ontario's biggest cities. In a 5 year span from 2014 - 2021 auto theft increased in Toronto 171%, Ottawa 208%, Vaughan 274%, Peel Region 159% and Halton Region 200%; and,

Whereas several Ontario municipalities have addressed this issue with programs to assist their residents including the City of Brampton and the City of Vaughan who have implemented Faraday bags/pouches pilot programs to their hardest hit neighbourhoods to deter "relay attacks" using vulnerabilities in keyless FOBs to steal vehicles swiftly; and,

Whereas the provincial government has committed $51 million to fighting auto theft in May 2023 which includes the creation of an Organized Crime Towing and Auto Theft Team led by the Ontario Provincial Police (OPP), a new community safety grant that targets auto theft and the creation of a new Major Auto Theft Prosecution Response Team; and,

Whereas all levels of government as well as police departments, community safety groups and auto manufacturers need to work together to tackle this auto theft crisis in Ontario and across Canada,

Therefore, be it resolved that Ontario's Big City Mayors (OBCM) call on the federal government to provide a more robust anti auto theft program that supports law enforcement agencies and municipalities in the form of funding, resources, and legislation to combat auto theft; and,

That this program include more funding to the Canadian Border Service Agency to increase inspections of shipping containers at all major Canadian ports; and,

That the federal government enact legislation requiring the inclusion of theft-deterrent technologies for all car manufacturers in new vehicle models in Canada; and,

Be it further resolved that Windsor City Council supports Ontario Big City Mayors (OBCM) call on the Ontario government to make changes to the vehicle transfer process, as recommended by the Insurance Bureau of Canada in order to take steps to minimize improper transfer of vehicles; and,

That these provincial changes should introduce a physical public VIN inspection conducted by a certified mechanic as part of the safety inspection that precedes every vehicle transfer, ensuring that info/images are captured and transmitted digitally through an update to the DriveON program to prevent the falsification of paper-based documents.
Carried.

No.	Sender	Subject
7.1.1	Hydro One Networks Inc.	Announcement: The Chatham to Lakeshore Line is on track to be completed by the end of 2024. Commissioner, Infrastructure Services & City Engineer (Interim) Commissioner, Economic Development MU2023 Note & File
7.1.2	Town of Tecumseh Director, Legislative	Notice of Application for Proposed Draft Plan of Subdivision Approval

No.	Sender	Subject
	Services & Clerk	Commissioner, Economic Development Commissioner, Corporate Services (Interim) Chief Building Official City Solicitor (Acting) Development Applications Clerk Z2023 Note & File
7.1.3	Ontario's Big City Mayors	Motion Anti Auto Theft Program Windsor Police Services GM2023 Note & File
7.1.4	Dillon Consulting Ltd. and Manager Environmental Quality	Notice of Intention to Apply Non-Potable Ground Water Conditions Standards – 3251 Riverside Drive East, Windsor, ON – Dillon Consulting Limited, File #20-3740. The City of Windsor has no objection to the application. Commissioner, Infrastructure Services & City Engineer (Interim) Manager, Environmental Quality EI/11165 Note & File
7.1.5	WSP Canada Inc. And Manager Environmental Quality	Response to Updated Notice of Intention to Apply Non-Potable Ground Water Conditions Standards – 660 University Avenue East, Windsor ON – WSP Project No. 211-06739-02. The City of Windsor has no objection to the application. Commissioner, Infrastructure Services & City Engineer (Interim) Manager, Environmental Quality EI/11165 Note & File
7.1.6	Committee of Adjustment Agenda	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, November 30, 2023 through electronic participation. Z2023 Note & File

Carried.

Report Number: CMC 15/2023

8. CONSENT AGENDA

8.2. Reappointment of Meetings Investigator - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR459/2023
That Local Authority Services Ltd. **BE APPOINTED** as the Meetings Investigator for the City of Windsor pursuant to section 239(2) of the *Municipal Act,* S.O. 2001, c.25, as amended; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute an agreement with Local Authority Services Ltd. for the period January 1, 2024 - December 31, 2028, which agreement is satisfactory in technical content to the Deputy City Clerk, in legal form to the City Solicitor and in financial content to the CFO/City Treasurer.
Carried.

Report Number: C 130/2023
Clerk's File: ACO/12733

8.3. RFP 128-23 Acquisition of One High Pressure Sewer Flusher Truck – City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR460/2023
That City Council **APPROVE** the purchase of one (1) High Pressure Sewer Flusher Truck; and,

That the Purchasing Manager **BE AUTHORIZED** to issue a purchase order to Carrier Truck Centers Inc. in the amount of $462,058.00 (excluding HST) for the purchase of one (1) Flusher truck, subject to approval as to technical content by the City Engineer and in financial content to the Chief Financial Officer and City Treasurer.
Carried.

Report Number: C 162/2023
Clerk's File: SW/14690

8.4. Confirm and Ratify Report-Letter of Support for Amtrak-VIA Rail Toronto-Windsor-Detroit-Chicago Intercity Passenger Rail Connection – City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR461/2023
That the results of the email poll conducted by the Deputy Clerk on November 10, 2023 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

> That the report from the Senior Economic Development Officer requesting a Letter of Support for intercity passenger rail service **BE RECEIVED FOR INFORMATION**; and further,
>
> That City Council **ENDORSE** a Letter of Support from the Mayor to the Minister of Transport supporting the proposed Amtrak-VIA Rail Intercity Passenger Rail Connection; and further,
>
> That City Council **AUTHORIZE** Administration to represent the City of Windsor at future stakeholder meetings for this project; and further,
>
> That Administration **BE DIRECTED** to report status updates to City Council as soon as is practical.

Carried.

Report Number: C 168/2023
Clerk's File: MTR2023

8.5. Confirm and Ratify Report-Connecting Links Program Intake 2024-2025 Grant Funding - Huron Church Road - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR462/2023
That the results of the email poll conducted by the City Clerk on November 7, 2023 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

> 1) That City Council **AUTHORIZE** the Chief Administrative Officer to submit an application for the project outlined in this report to the Connecting Links Program 2024-25 subject to the documents being satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, and in technical content to the Commissioner of Infrastructure Services, or designates; and,
>
> 2) That City Council **SUPPORT** the use of the recommended funding sources and allocations as identified in the Financial Matters section of this report for the City portion of eligible project costs and any ineligible costs; and,

3) That the CFO/City Treasurer **BE DIRECTED** to transfer the identified funding to the Connecting Links Program 2024-25 project (OPS-002-24) with all funding **DEEMED** placeholder funding until such time that the City is successful in being awarded the Grant; and,

4) That in the event the City receives written confirmation of the Grant funding being awarded to the City, that the following additional Recommendations **BE APPROVED:**

a) That the CFO/City Treasurer **BE DIRECTED** to pre-commit the previously identified placeholder amounts of 2024 funding in the amount of $400,000 and 2025 funding in the amount of $471,703 from the Connecting Links Program 2024-25 capital project (OPS-002-24) so that these funds are available for immediate use; and,

b) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign and execute any agreements, declarations or approvals required resulting from receiving grant funding approval for the Connecting Links Program 2024-25 program subject to such documents being satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer and in technical content to the Commissioner of Infrastructure Services, or designates; and,

c) That the Mayor, in addition to the CAO and City Clerk, also **BE AUTHORIZED** to sign and execute any agreements, declarations and other such documents required as part of receiving funding for grants noted in this report, and only if deemed required by the grant provider; and,

d) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, progress reports and applicable schedules and other such documents as may be required as part of the request for payment to the Commissioner of Infrastructure Services or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,

e) That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the grant awarded project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, and in technical content to the Commissioner of Infrastructure Services, or designates; and,

f) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted above and sign any required documentation/agreement(s) for the grant awarded project, satisfactory in legal form to the Commissioner of Legal & Legislative Services, in technical content to the Commissioner of Infrastructure Services and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates; and further,

g) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in technical content to the Commissioner of Infrastructure Services and financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer, or designates.

5) That in the event that the City is not successful in their application to the Connecting Links Program 2024-2025, that the identified placeholder funding **BE RETURNED** to its original funding sources.

Carried.

Report Number: C 169/2023
Clerk's File: SW/12414

8.6. Confirm and Ratify Report--C.M.H Woods Pumping Station-Removal and Replacement of Underground Diesel Tank- City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR463/2023
That the results of the email poll conducted by the City Clerk on November 14, 2023 approving the following recommendation **BE CONFIRMED AND RATIFIED**:

That the following tender be **ACCEPTED**:

TENDERER:	Vince Ferro Construction Ltd. Suite 200 3244 Walker Road Windsor, ON. N8W 3R8
TENDER NO:	109-23
TOTAL TENDER PRICE:	$693,829.00, excluding HST
ACCOUNT CHARGED:	007 5410 9998 02942 7221044

and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the tenderer, satisfactory in form to the City Solicitor, in technical content to the City Engineer, and financial content to the City Treasurer; and,

That the CFO/City Treasurer **BE DIRECTED** to transfer additional funds totalling $550,000 from the Project ID 7169003 (Pumping Stations - General Repair Costs) to Project ID 7221044 (Woods Underground Diesel Tank) for the removal and replacement of the underground fuel storage tank at the C.M.H Woods Pumping Station.

Carried.

Report Number: C 170/2023
Clerk's File: SW/14689

8.10. Church Street (Tecumseh Road West to Cul-de-Sac) Traffic Calming – Ward 3

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR467/2023 ETPS 964
That Administration **BE DIRECTED** to install speed humps on Church Street between Tecumseh Road West and Cul-de-Sac; and,

That Council **SUPPORT** the immediate use of $41,700 in 2026 Pay-As-You-Go funding previously approved as part of the 2023 10-year capital budget from the Traffic Calming Initiatives project, OPS-021-07, and **DIRECT** the City Treasurer to pre-commit those funds as part of the 2024 capital budget; and,

That a budget issue with regards to annual maintenance of $3,090 **BE PRESENTED** as part of the 2025 operating budget development process and be considered a priority item based upon approval for the installations.
Carried.

Report Number: SCM 291/2023 & S 128/2023
Clerk's File: ST/13863

8.11. Response to CQ 19-2022 – Review of the use of Artificial Turf on the Public Right-of-way - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR468/2023 ETPS 961

1. That the report of the Technologist III dated October 5, 2023 entitled, "Response to CQ 19-2022 – Review of the use of Artificial Turf on the Public Right-of-way - City Wide" **BE RECEIVED** for information.

Carried.

Report Number: SCM 290/2023 & S 126/2023
Clerk's File: SW2023

8.12. Response to CR57/2022 – Data Collected and Potential Strategies to Target Rodent Issues – City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR469/2023 ETPS 960
That the report of the Commissioner of Infrastructure Services dated October 6, 2023, entitled "Response to CR57/2022 – Data Collected and Potential Strategies to Target Rodent Issues" **BE RECEIVED** for information; and,
Carried.

Report Number: SCM 289/2023 & S 127/2023
Clerk's File: AB2023

8.13. Response to CQ 18-2023 – Reversing Recycling and Garbage Collection Days – City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR470/2023 ETPS 959
That the report of the Commissioner of Infrastructure Services dated October 5th, 2023, entitled "Response to CQ 18-2023 – Reversing Recycling and Garbage Collection Days" **BE RECEIVED** for information.
Carried.

Report Number: SCM 288/2023 & S 125/2023
Clerk's File: SW2023

8.14. Response to Council Decision ETPS 942 – Options for Addressing Panhandling - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR471/2023 ETPS 965 ETPS 942
That the committee report of the Environment, Transportation & Public Safety Standing Committee dated March 9, 2023 entitled "Panhandling Statistics re Council Question CQ 11-2022 - City Wide" indicating:

1. That the attached additional information relating to panhandling regulation and statistics BE RECEIVED; and,

2. That by-law ***, being a by-law to regulate panhandling, BE CONSIDERED, and, if advisable, BE PASSED; and,

3. That administration BE DIRECTED to provide more information related to other options to issuing fines, including but not limited to outreach, to address the aggressive panhandling behaviour, for Councils consideration,

BE NOTED AND FILED; and further,

That the report of the Manager of Homelessness and Housing Support and the Deputy Licence Commissioner, dated July 24, 2023 entitled "Response to Council Decision ETPS 942 – Options for Addressing Panhandling - City Wide" submitted in response to direction provided through Council Decision ETPS 942 **BE RECEIVED** for information; and,

That City Council and Administration **ADVOCATE** to the provincial and federal levels of government for increased investments in programs and benefits for Canadians that will reduce poverty and increase affordability; and,

That City Council continue to **SUPPORT** programs and services that advance the goals of the 10-year Housing and Homelessness Master Plan, and the creation and expansion of affordable and supportive housing; and,

That Administration **BE DIRECTED** to send correspondence on behalf of Windsor City Council Requesting both the Windsor Police Services Board and Windsor Police Administration, that the Windsor Police Service take a more pro-active approach to addressing unsafe behaviours in the public roadways that impact or potentially impact traffic flows in a manner that is consistent with existing laws that fall within the enforcement scope of the Windsor Police Service; and,

That Administration **REPORT BACK** with infrastructure related strategies to discourage unsafe behaviours in the public roadway.
Carried.

Report Number: SCM 287/2023 & C 119/2023 & SCM 111/2023 & S 31/2023
Clerk's File: ACL2023 & ACOQ2023

8.15. Response to CQ 8-2023 - QR Coded Donation Signage to Support Homelessness Service Providers - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR472/2023 CSSC 203
That the report of the Commissioner of Human & Health Services in response to CQ 8-2023 – QR Coded Donation Signage to Support Homelessness Service Providers – City Wide **BE RECEIVED** for information; and,

That City Council **NOT PROCEED** with the QR Coded Donation Signage to Support Homelessness Service Providers; and,

That City Council **ADVOCATE** to the provincial and federal levels of government for increased investments in programs and benefits for Canadians that will reduce poverty and increase affordability; and,

That City Council continues to **ALLOCATE** municipal funding to support and expand programs and services that advance the goals of the 10-year Housing and Homelessness Master Plan, and the creation of affordable housing.

That administration **BE REQUESTED** to continue the ongoing work with the community to develop ideas to alleviate issues related to homelessness; and,

That administration **BE REQUESTED** to provide details on where the informational pieces about Homelessness and the services available will be placed when this report proceeds to Council.
Carried.

Report Number: SCM 236/2023 & S 104/2023
Clerk's File: SS2023

8.17. Active Transportation Master Plan 2022 Update - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR474/2023 ETPS 963
That the report of the Active Transportation Coordinator dated April 26, 2023 entitled "Active Transportation Master Plan 2022 Update" **BE RECEIVED** for information.
Carried.

Report Number: SCM 285/2023 & S 52/2023
Clerk's File: MB/5331

8.19. 2022 Annual Report of the 10 Year Housing & Homelessness Plan - Master Plan - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR476/2023 CSSC 209
That this report from the Executive Director of Housing and Children's Services regarding the 2022 Annual Report on the Home Together: Windsor Essex 10 year Housing and Homelessness Master Plan **BE RECEIVED**; and further,

That the Executive Director of Housing and Children's Services, or their authorized designate **BE AUTHORIZED** to make the necessary submissions in a form and format required under the *Housing Services Act, 2011* related to the Windsor Essex 10 Year Housing and Homelessness Plan for the duration of the plan.
Carried.

Report Number: SCM 292/2023 & S 134/2023
Clerk's File: GH/11710

8.20. Minutes of the Committee of Management for Huron Lodge of its meeting held September 11, 2023

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR477/2023 CSSC 210
That the minutes of the Committee of Management for Huron Lodge meeting held September 11, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 295/2023 & SCM 276/2023

8.22. Contract Approval – Windsor Regional Employment Network – City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR479/2023 CSSC 211
That City Council **AUTHORIZE** the Executive Director of Employment and Social Services, on behalf of the Human and Health Services Department, as Service Provider, to enter any agreement or related amendment, with The Corporation of the City of Windsor (the "City"), as Service System Manager ("SSM"), for funding related to the provision of Employment Ontario Employment Services within Windsor-Essex County, in form satisfactory to the City Solicitor, in financial content to the City Treasurer, and in content to the Manager of Employment & Training Initiatives; and further,

That City Council **AUTHORIZE** the Executive Director of Employment and Social Services or designate, on behalf of the Human and Health Services Department, as Service Provider, to sign

and submit all other documents, memoranda, business plans, attestations, and reports required from the City, as SSM, relating to the provision of Employment Ontario Employment Services within Windsor-Essex County, subject to approval of financial content by the City Treasurer as applicable; and further,

That the Commissioner of Health and Human Services, or designate, on behalf of the City, as SSM, **BE AUTHORIZED** to execute, sign, amend, and terminate agreements with Service Providers, agencies and/or employers relating to the provision of Employment Ontario Employment Services within Windsor-Essex County, provided such agreements are satisfactory in form to the City Solicitor, technical content to the Executive Director of Employment and Social Services, and financial content by the City Treasurer. For agreements in excess of $1,000,000, that in addition to Commissioner of Health and Human Services, the Chief Administrative Officer **BE REQUIRED** to sign as secondary authority.
Carried.

Report Number: SCM 297/2023 & C 152/2023
Clerk's File: GP/10258

8.23. Motorola Premier One CSR Software and Hosting Agreement 2024-2028 City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR480/2023 CSSC 212
That City Council **SUPPORT** entering into a five-year renewal agreement with Motorola Solutions Canada for the hosting and support of Premier One CSR Software at a 2024 annual cost of $328,092 plus applicable taxes with annual increases of 3% to be funded from the 311 operating budget; and further,

That the City Treasurer/CFO **BE DIRECTED** to consider the additional costs for this agreement as a contractual adjustment in each of the subsequent five-year renewal period for purposes of future operating budget development; and,

That City Council **AUTHORIZE** the Chief Administrative Officer and the City Clerk to sign the required agreement subject to satisfactory review as to form by the City Solicitor, as to technical content by the Chief Information Officer/Executive Director of Information Technology and as to financial content by the Chief Financial Officer/City Treasurer.
Carried.

Report Number: SCM 298/2023 & S 132/2023
Clerk's File: MC/12263

8.24. Response to CQ 28-2023 – Risks of Oak Wilt on the City's Tree Population – City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR481/2023 CSSC 215
That the report of the City Forester and Manager of Forestry & Natural Areas dated October 13, 2023 etitled "Response to CQ 28-2023 – Risks of Oak Wilt on the City's Tree Population" **BE RECEIVED** for information.
Carried.

Report Number: SCM 300/2023 & S 131/2023
Clerk's File: SRT2023

8.25. OPA & Rezoning – Passa Architects - 1235 Huron Church Road - OPA 166 OPA/6902 Z-039/22 ZNG/6901 – Ward 2

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR482/2023 DHSC 563
1. That Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, as a Special Policy Area.

2. That Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.X 1235 Huron Church Road

LOCATION	1.X.1	The property described as Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366), known municipally as 1235 Huron Church Road, situated on the west side of Huron Church Road, south of Girardot Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.
PERMITTED USES	1.X.2	Notwithstanding the "Open Space" designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, the following shall be additional permitted main uses: business office, child care centre, commercial school, hotel, medical appliance facility, medical office, multiple dwelling, personal service shop, place of entertainment and recreation, place of worship, professional studio, repair shop – light, retail store, workshop. Further, an automobile repair garage

shall be permitted as an accessory use.

PROHIBITED USES	1.X.3	The following uses are prohibited: car wash automatic, car wash coin-operated, and outdoor storage yard.
LANDSCAPED SETBACK REQUIREMENTS	1.X.4	Notwithstanding Special Policy Area 1.2 Huron Church Road Corridor in Chapter 1 of Volume II of the City of Windsor Official Plan, the minimum landscaped setback from the Huron Church Road right-of-way shall be 3.0 m for a non-residential building and 4.5 m for a residential building.
DIRECT ACCESS TO HURON CHURCH ROAD	1.X.5	Notwithstanding Section 7.2.6.4 (iv) in Volume I of the City of Windsor Official Plan, direct access to Huron Church Road is permitted, subject to approval of the City Engineer.

3. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, south of Girardot Street, from Green District 1.1 (GD1.1) to a new zoning district as follows:

16.11 COMMERCIAL DISTRICT 3.11 (CD3.11) [ZNG/6901]

16.11.1 PERMITTED MAIN USES

Business Office
Child Care Centre
Commercial School
Hotel
Medical Appliance Facility
Medical Office
Multiple Dwelling
Personal Service Shop
Place of Entertainment and Recreation
Place of Worship
Professional Studio
Repair Shop - Light
Retail Store
Workshop

16.11.2 PERMITTED ACCESSORY USES

Any use accessory to a permitted main use, including an *Automobile Repair Garage*

16.11.3 PROHIBITED USES

Car Wash Automatic
Car Wash Coin-operated
Outdoor Storage Yard

16.11.5 PROVISIONS

.1	Lot Frontage – minimum	15.0 m

.4 Building Height
a) For a *multiple dwelling* – minimum 14.0 m
b) For any non-residential *building* – minimum 9.0 m

.8 Landscaped Open Space Yard – minimum 30% of *lot area*

.17 Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited.

.20 Building Setback
a) For a *Multiple Dwelling* from a:
Front Lot Line - minimum 4.50 m
Side Lot Line - minimum 0.90 m
Rear Lot Line - minimum 5.40 m
b) For any non-residential *building* from a:
Front Lot Line - minimum 3.00 m
Side Lot Line - minimum 0.90 m
Rear Lot Line - minimum 1.90 m

.50 Section 20(1)278 shall not apply and the area forming the building setback from the *front lot line* shall be a *landscaped open space yard*.

.55 For a *Multiple Dwelling*, required parking shall be 1 parking space per d*welling unit* and Section 24.22.1 shall not apply.

.60 Notwithstanding Clause .1 in Table 25.5.20.1 in Section 25.5.20, the minimum separation of a *loading space*, *parking area*, or *parking space* from Huron Church Road shall be 3.0 m.

.65 Notwithstanding Clause .6 in Table 25.5.20.1 in Section 25.5.20, for a *Multiple Dwelling*, no separation is required between a *building* wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* and a *parking area*, *parking space* or *loading area*.

4. That, when Site Plan Control is applicable:

A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, those documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought.

B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan attached to an executed and registered site plan agreement:

i) Noise control measures identified in Tables 3, 4 and 5 in the Acoustic Assessment Report, prepared by Akoustik Engineering Limited, dated March 29, 2022, subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
ii) Requirements of the City of Windsor – Engineering and City of Windsor – Transportation Planning contained in Appendix G of Report S 124/2023, subject to the approval of the City Engineer.

C. The Site Plan Approval Officer **CONSIDER** all remaining comments contained in Appendix G of Report S 124/2023.

Carried.

Report Number: SCM 301/2023 & S 124/2023
Clerk's File: Z/14671 & Z/14672

8.26. Zoning By-law Amendment Application for the north part of the property known as 870 Wyandotte Street East; Applicant: Adiammu Real Estate Inc.; File No. Z-014-23, ZNG/7001; Ward 4

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR483/2023 DHSC 564

I. That Zoning By-law 8600 **BE AMENDED** for the northerly 1166.8m^2 portion of the lands located on the north side of Wyandotte Street East, west side of Parent Avenue, and south of Brant Street, described as Part of Lots 62 to 68 (incl.), Registered Plan 145, also designated as PART 2 on Reference Plan12R-18708, by adding a site specific zoning provision to permit "One *Multiple Dwelling* containing 11 or more *dwelling units"* as an additional permitted use, subject to additional regulations;

"491. WEST SIDE OF PARENT AVENUE, SOUTH OF BRANT STREET

For the northerly 1166.8m^2 portion of the lands comprising PART 2 on Reference Plan12R-18708, the following shall apply to a *Multiple Dwelling* containing 11 or more *dwelling units*:

1. The provisions in Section 11.2.5.4, save and except for section 11.2.5.4.2 and section 11.2.5.4.4

2. Lot Area – minimum 96.0 m^2 per dwelling unit

3. Main Building Height - maximum 10.0 m

4. The provisions set out in section 24.40.1.5 and section 25.5.20.1.6 of By-law 8600 shall be implemented as noted below,
   a) loading space – minimum 0.0 space

b) Parking Area separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – minimum 3.6 m

[ZDM 6; ZNG/7001]"

II. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the Site Plan Approval and the Site Plan Agreement for the proposed development on the subject land:

a) Alley Paving – The owner shall agree to obtain a Right-of-Way permit to drain and pave at the owner's entire expense, any alley abutting the subject lands which is to remain open. All work shall be to the satisfaction of the City Engineer.

b) Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures;

c) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;

d) Tree preservation for the site;

e) Enbridge Gas minimum separation requirements; and

f) Canada Post multi-unit policy.

Carried.

Report Number: SCM 302/2023 & S 136/2023
Clerk's File: Z/14601

8.28. Official Plan Amendment and Zoning By-law Amendment - City of Windsor - Airport Employment Lands - OPA 177 [OPA-7118] Z 027-23 [ZNG-7117] - Ward 9

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR485/2023 DHSC 565

1. That the portion of the Windsor International Airport lands subject of this report (hereafter referenced as the 'subject lands') **BE IDENTIFIED** as the lands defined in Figures 1-4 within

report # S115/2023 being located on the north side of County Road 42 between the 8th and 9th Concession Roads.

2. That Schedule D - Lands Use of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designations of the subject lands from 'Future Employment Area', 'Airport', and 'Open Space' to 'Industrial' and 'Business Park' as shown on Appendix D.

3. That Schedule B – Greenway System and Schedule J – Urban Structure Plan of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** as shown on Appendix D.

4. That Schedule 'A' of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating the subject lands as a Specific Policy Area;

5. That Chapter 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:

1.XX North Side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road

1.XX.1 The property located on the north side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road, which includes portions of 3200 County Road 42, 0 County Road 42, and 0 Jefferson Boulevard is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.

1.XX.2 All development proposed within the airport employment lands shall consult with the Windsor International Airport and demonstrate compliance with the following requirements:

a) Building and structure height limits (to be derived from the Airport Zoning Regulations);
b) Transitional surface height restrictions;
c) Building and structure height limitations within the vicinity of existing solar panels;
d) Stormwater Management requirements for dry ponds; and
e) Requirements or limitations from Nav Canada to avoid or mitigate technological interference.

1.XX.3 Compliance with Ontario's D-6 Guidelines shall be required regarding minimum distance separation between industrial facilities and the Major Institutional land use designation shown in the County Road 42 Secondary Plan, to the satisfaction of the City Planner.

1.XX.4 Any outdoor storage area shall be located a minimum of 100 metres from County Road 42 and shall not be visible from County Road 42.

6. That Zoning By-law 85-18 **BE REPEALED** for the subject lands.

7. That Zoning By-law 8600 **BE AMENDED** by deleting S.20(1)321.

8. That Zoning By-law 8600 **BE AMENDED** by applying a Manufacturing District 2.2 (MD2.2), H-Manufacturing District 2.2 (HMD2.2), Manufacturing District 1.4 (MD1.4), and Green District 1.4 (GD1.4) to the subject lands as shown on Appendix E.

9. That the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding prefix and the following conditions are satisfied:

    a. Submission of an Environmental Evaluation Report to the satisfaction of the City Planner for any land within 120 m of any land with a Natural Heritage designation as shown on Schedule C: Development Constraints in the City of Windsor Official Plan.

Carried.

Report Number: SCM 304/2023 & S 115/2023
Clerk's File: Z/14649 & Z14650

8.31. Minutes of the International Relations Committee of its meeting held July 31, 2023

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR488/2023 DHSC 569
That the minutes of the International Relations Committee meeting held July 31, 2023 **BE RECEIVED** for information.
Carried.

Report Number: SCM 307/2023 & SCM 258/2023

11.2. 2024 Agency Grant Payments - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR492/2023
That Council **APPROVE** the funding for City Funded Agencies in 2024 up to a maximum of 50% of the 2023 approved grant amounts as outlined in this report.
Carried.

Report Number: C 160/2023
Clerk's File: AF/14372

11.4. Award of RFP#82-23 Regional Affordable Housing Strategy Consultant Proposal

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR494/2023
That City Council **AWARD** RFP 82-23, Regional Affordable Housing Strategy Consultant, to SHS Inc. for the provision of consulting services related to the development and delivery of a Regional Affordable Housing Strategy; and further,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute agreements necessary to retain SHS Inc. for the provision of services, to an upset limit of $166,568 (plus HST), satisfactory in legal form to the City Solicitor, in technical content to the Executive Director of Housing and Children's Services, and in financial content to the City Treasurer; and further,

That City Council **APPROVE** the transfer of up to a maximum of $83,284 (plus HST), which represents the City of Windsor's fifty percent share of $166,568 plus HST, from the City's Housing Reserve Fund 216; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a cost sharing agreement with the Corporation of the County of Essex, to equally share the cost of retaining SHS Inc., provided such agreement is in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and satisfactory in technical content to the Executive Director of Housing & Children's Services; and further,

That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer, and in technical content to the Executive Director of Housing and Children's Services; and further,

That the Commissioner, Human and Health Services **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required, including provisional items, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer, and in technical content to the Executive Director of Housing and Children's Services; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer; in legal form to the City Solicitor; and in technical content to the Executive Director of Housing and Children's Services.
Carried.

Report Number: C 148/2023
Clerk's File: GH/14692

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

8.1. Temporary Patios on Private Property – Application and Approval Process – City Wide

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Angelo Marignani

Decision Number: CR458/2023
That the report of the Executive Initiatives Coordinator, Office of the CAO dated October 5, 2023 entitled "Temporary Patios on Private Property – Application and Approval Process – City Wide" **BE DEFERRED** to the December 11, 2023 City Council meeting to allow for further discussion with Councillor Renaldo Agostino.
Carried.

Report Number: C 146/2023
Clerk's File: ACLB2023

8.7. ERCA Non-Mandatory Category Three Programs – Cost Apportioning Agreement – City Wide

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Mark McKenzie

That the report of the Executive Initiatives Coordinator, Office of the CAO dated November 7, 2023 entitled "ERCA Non-Mandatory Category Three Programs – Cost Apportioning Agreement – City Wide" BE DEFERRED to the to the 2024 Budget Deliberations meeting of Council.

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

Aye votes: Councillors Jo-Anne Gignac, Ed Sleiman, Fred Francis, Mark McKenzie and Mayor Drew Dilkens.
Nay votes: Councillors Angelo Marignani, Renaldo Agostino, Jim Morrison, Fabio Costante, Kieran McKenzie, and Gary Kashack.
Absent: None.
Abstain: None.

9.1. Closure of part of north half of Lillian Street right-of-way, between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: CR489/2023
That the report of the Planner II – Development Review dated August 22, 2023 entitled "Closure of part of north half of Lillian Street right-of-way between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629" **BE WITHDRAWN** due to a number of concerns being identified.
Carried.

Report Number: SCM 308/2023 & S 41/2023
Clerk's File: SAA2023

8.9. 2023 Third Quarter Operating Budget Variance - City Wide

Moved by: Councillor Fred Francis
Seconded by: Councillor Kieran McKenzie

Decision Number: CR466/2023
That the report of the Manager, Operating Budget Development & Control dated October 25, 2023 entitled "2023 Third Quarter Operating Budget Variance - City Wide" **BE DEFERRED** to the December 11, 2023 City Council meeting to allow for further discussion and information.
Carried.

Report Number: C 154/2023
Clerk's File: AF/14372

8.8. 2024 Schedule of Council and Standing Committee Meetings - City Wide

Moved by: Councillor Ed Sleiman
Seconded by: Councillor Mark McKenzie

Decision Number: CR465/2023
That the report of the City Clerk / Licence Commissioner dated October 11, 2023 entitled "2024 Schedule of Council and Standing Committee Meetings - City Wide" **BE DEFERRED** to the December 11, 2023 City Council meeting to allow for all members of Council to be in attendance when this item is being considered.
Carried.

Report Number: C 150/2023
Clerk's File: ACO2023

13. BY-LAWS 152-2023 through 155-2023

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

Decision Number: CR498/2023
That the following By-laws No. 152-2023 through 155-2023 **BE DEFERRED** to the December 11, 2023 City Council meeting to allow administration to provide further information and clarification to Councillor Morrison:

> **152-2023** A BY-LAW TO ASSUME CLEARY STREET FROM ROXBOROUGH BOULEVARD TO PARTINGTON AVENUE, BEING A STREET SHOWN ON PLAN OF SUBDIVISION 1196 KNOWN AS CLEARY STREET, IN THE CITY OF WINDSOR Authorized by M98-2012 dated February 21, 2012
>
> **153-2023** A BY-LAW TO ASSUME ST. PATRICK'S AVENUE FROM OJIBWAY STREET TO CLEARY STREET and ASKIN AVENUE FROM OJIBWAY STREET TO CLEARY STREET BEING STREETS SHOWN ON PLAN 12R-21561 KNOWN AS ST. PATRICK'S AVENUE and ASKIN AVENUE, IN THE CITY OF WINDSOR Authorized by M98-2012 dated February 21, 2012
>
> **154-2023** A BY-LAW TO ASSUME ROXBOROUGH BOULEVARD FROM OJIBWAY STREET TO CLEARY STREET, BEING A STREET SHOWN ON PLAN OF SUBDIVISION 12M-555 KNOWN AS ROXBOROUGH BOULEVARD, IN THE CITY OF WINDSOR Authorized by M98-2012 dated February 21, 2012
>
> **155-2023** A BY-LAW TO ASSUME OJIBWAY STREET FROM ROXBOROUGH BOULEVARD TO CALIFORNIA AVENUE, BEING A STREET SHOWN ON PLAN 1110, 1268, 973, 883 AND 989 KNOWN AS OJIBWAY STREET, IN THE CITY OF WINDSOR Authorized by M98-2012 dated February 21, 2012

Carried.

10. PRESENTATIONS AND DELEGATIONS

10.1. Annual Sponsor Windsor Recognition Award Presentation

Jason Moore, Senior Manager of Communications & Customer Service

Jason Moore, Senior Manager of Communications & Customer Service appears before Council, and, along with Mayor Dilkens, present "Annual Sponsor Windsor Recognition Awards" to recognize the following community partners for sponsorship of over $525,000 towards various events within our community:

1) CUPE Local 82 for commitment to Can Am Police Fire Games/Golf Series (Local 82 – BBQ Reception at Golf Tournament and Garden Tour during Games $17,500)
2) CUPE Local 543 for commitment to Can Am Police Fire Games/Golf Series (4 years at SWAT level - $14,000)
3) Second Chance CPR – Mike Mio & John Picco for commitment to Can Am Police Fire Games and Firefest - $14,000+ (4 years at SWAT level ($14,000) + Roseland Responder Golf Classic 2023-2026 - $10,000)

4) TWEPI – Gordon Orr – Firefest 2023 / Can Am Police Fire Games 2019-2022 / Roseland Responder Classic 2023-2026/ Bright Lights 2017-2023 – ($100,000+ over time)
5) Zehrs Markets – JP Doe, Store Manager – Malden – 10 year support of Fireworks Transit Program ($12,000 x 10 years / 50% = $50,000)
6) Rose City Ford – Scott Ohler – for commitment to Can Am Police Fire Games ($20,000) & 4 years Roseland Responder Classic (Title Sponsor at $7,000 x 4 years- $28,000).

Moved by: Councillor Fabio Costante
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR490/2023
That the Annual Sponsor Windsor Recognition Award presentation on November 27, 2023 by the Senior Manager of Communications & Customer Service **BE RECEIVED** for information.
Carried.

Clerk's File: APR2023

8.21. Response to CQ 19-2023 – Sandpoint Beach Concession - Ward 7

Borden Yewchyn, Big Daddy's Food Service

Borden Yewchyn, Big Daddy's Food Service, appears before Council regarding the administrative report entitled, "Response to CQ 19-2023 – Sandpoint Beach Concession – Ward 7" and is available for questions.

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Mark McKenzie

Decision Number: CR478/2023 CSSC 213

I. That the report of the Executive Director of Recreation and Culture dated October 13, 2023, entitled "Response to CQ 19-2023 – Sandpoint Beach Concession- Ward 7" **BE RECEIVED** for information; and further,

II. That Administration **BE DIRECTED** to proceed with Option 2, being a mobile vendor opportunity; and further,

III. That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Sandpoint Beach Concession project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to Commissioner, Corporate Services/Chief Financial Officer, in legal form to the Commissioner, Legal & Legislative Services; and in technical content to the Executive Director of Recreation & Culture; and,

IV. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted herein and sign any required

documentation for the Sandpoint Beach Concession project, satisfactory in financial content to Commissioner, Corporate Services/Chief Financial Officer, in legal form to the Commissioner, Legal & Legislative Services; and in technical content to the Executive Director of Recreation & Culture; and,

V. That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted herein, subject to all specification being satisfactory in financial content to Commissioner, Corporate Services/Chief Financial Officer, and in technical content to the Executive Director of Recreation & Culture; and further,

VI. That administration **BE DIRECTED** to permit Borden Yewchyn the opportunity to operate in accordance with the Sand Point Beach Concession project in the new space subject to obtaining a permit in accordance with Parks By-law 131-2019 and appropriate licencing in accordance with the Business Licensing By-law 395-2004.

Carried.

Report Number: SCM 296/2023 & S 130/2023
Clerk's File: SR2023

11.1. Municipal Support Resolutions - Independent Electricity System Operator (IESO) Long Term 1 (LT1) RFP - Wards 2 and 5

Chris Del Greco, Co-owner, John Cervini, Co-owner, Airport Power Inc., and Andre Belicka, Consultant, JM Energy

Chris Del Greco, Co-owner, John Cervini, Co-owner, Airport Power Inc., and Andre Belicka, Consultant, JM Energy appear before Council regarding the administrative report entitled "Municipal Support Resolutions – Independent Electricity System Operator (IESO) Long Term 1 (LT1) RFP – Wards 2 and 5" and provide details related to the importance of receiving a municipal support resolution for the proposed API project to provide capacity and reliability needs for the Ontario electrical system; and concludes by indicating their intention to bid on the project as well as to provide details of their plan to achieve the same.

Matt Lensink P.Eng., CEO, CEM Engineering

Matt Lensink P.Eng., CEO, CEM Engineering, appears before Council regarding the administrative report entitled, "Municipal Support Resolutions – Independent Electricity System Operator (IESO) Long Term 1 (LT1) RFP – Wards 2 and 5" and provides a brief history and success of projects completed by their organization as it relates to providing capacity and reliability for the Ontario electrical system; and concludes by indicating their intention to bid on the project as well as to provide details of their plan to achieve the same.

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Angelo Marignani

Decision Number: CR491/2023
That City Council **SUPPORT** the Administrative recommendation to not provide Municipal Support Resolutions at this time for non-storage installations as part of the IESO LT1 RFP submission; and

That Administration **BE DIRECTED** to report back to Council in the event that either of the two projects identified in this report receive an IESO contract award for further consideration for municipal support.
Carried.

Report Number: C 141/2023
Clerk's File: EI/10822

8.29. Official Plan & Zoning Bylaw Amendments Z 022-23 [ZNG-7067] & OPA 173 [OPA-7070] 1027458 Ontario Inc. Banwell & Leathorne (North A) Multiple Dwelling Development - Ward 7

Karl Tanner & Theresa O'Neill, agents, Dillon Consulting

Karl Tanner & Theresa O'Neill, agents, Dillon Consulting, appear before Council regarding the administrative report dated October 19, 2023 entitled, "Official Plan & Zoning Bylaw Amendments Z 022-23 [ZNG-7067] & OPA 173 [OPA-7070] 1027458 Ontario Inc. Banwell & Leathorne (North A) Multiple Dwelling Development - Ward 7" and are available for questions.

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Mark McKenzie

Decision Number: CR486/2023 DHSC 567
That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

1.#.1 The property described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:
a) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

That the hold prefix **BE APPLIED** to the existing CD2.7 zone at Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
b) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Part of Block 1, Plan 12M-425 by adding site specific regulations as follow:

4xx. **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

For the lands described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, the following shall be additional permitted uses:

i. multiple dwelling;

subject to the regulations in Section 12.2.5, and,
Building height within 30m of Banwell Road – Maximum –24 m
Landscaped Open Space – Minimum 24.5%

(ZDM 14; ZNG/7067)
Carried.
Councillor Angelo Marignani voting nay.

Report Number: SCM 305/2023 & S 137/2023
Clerk's File: Z/14652 & Z/14653

8.30. Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7

Karl Tanner & Theresa O'Neill, agents, Dillion Consulting

Karl Tanner & Theresa O'Neill, agents, Dillion Consulting, appear before Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7" and are available for questions.

Kate Benedet, Ward 7 resident

Kate Benedet, Ward 7 resident, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7" and concludes by providing details related to concerns with the proposed height of the building, the increase in traffic, flooding risk and how this development will negatively impact the residents quality of life.

Maureen Flannery, Ward 7 resident

Maureen Flannery, Ward 7 resident, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7" and concludes by suggesting some type of commercial development be included along with the proposed residential development in the Banwell corridor as the amenities would be appreciated by the residents.

Joan Ennis, Ward 7 resident

Joan Ennis, Ward 7 resident, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7" and concludes by providing details related to flooding issues in the area, parking issues, the height of the buildings and the potential increase in volume of traffic, should the proposed development be approved.

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: CR487/2023 DHSC 568
That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# **WEST SIDE BANWELL ROAD SOUTH OF LEATHORNE DRIVE**

1.#.1 The property described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

b) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

That the hold prefix **BE APPLIED** to the existing CD2.7 zone at Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

b) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
c) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425.

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 7, Plan 12M-425 by adding site specific regulations as follow:

4xx. **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**
For the lands described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the following shall be additional permitted uses:
ii. multiple dwelling;
subject to the regulations in Section 12.2.5, and,
Building height within 30m of Banwell Road – Maximum –24 m

(ZDM 14; ZNG/7068)
Carried.
Councillor Angelo Marignani voting nay.

Report Number: SCM 306/2023 & S 138/2023
Clerk's File: Z/14654 & Z/14655

8.16. Follow-up to CR172/2023 – Essex Terminal Railway Whistling Cessation – Ward 4

John West, Ward 4 resident

John West, Ward 4 resident, appears before Council regarding the administrative report entitled, "Follow-up to CR172/2023 – Essex Terminal Railway Whistling Cessation – Ward 4" and expresses concern with the decision of Essex Terminal Railway to withhold the report of the noise decibel study; and concludes by encouraging Council to consider legal methods to ensure that Essex Terminal Railway provides the report.

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Fred Francis

Decision Number: CR473/2023 ETPS 962
That the report of the Policy Analyst, Transportation Planning, dated October 6, 2023, entitled, "Follow-up to CR172/2023 - Essex Terminal Railway Whistling Cessation – Ward 4," **BE RECEIVED** for information; and further,

That Administration **BE REQUESTED** to continue discussions with Essex Terminal Railway in order to attempt to get the sound decibel levels report released; and,

That Administration **BE REQUESTED** to obtain an update from Member of Parliament Kusmierczyk related to his discussions with Federal Transportation Minister in regards to the status of the Rail Safety Grant Fund Program.
Carried.

Report Number: SCM 286/2023 & S 129/2023

11.3. Development and Implementation of a City Wide Vacant Home Tax Program

Caroline Taylor, Ward 2 resident

Caroline Taylor, Ward 2 resident, appears before Council in support of the administrative recommendation in the report entitled, "Development and Implementation of a City Wide Vacant Home Tax Program – City Wide"; and concludes by suggesting that administration take a pro-active approach to reporting vacant properties instead of a resident complaint initiation aspect.

Thadd Opiola, property owner

Thadd Opiola, property owner, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, "Development and Implementation of a City Wide Vacant Home Tax Program – City Wide," indicating the percentage amount is high and concludes by inquiring how the vacant home tax impacts homes currently under construction.

Moved by: Councillor Fabio Costante
Seconded by: Councillor Gary Kaschak

Decision Number: CR493/2023
That this report with regards to the Design and Implementation of a Vacant Home Tax BE **RECEIVED**; and further,

That City Council **ADOPT** a Municipal Vacant Home Tax (VHT) program pursuant to Part IX.1 of the *Municipal Act, 2001* (the Act); and,

That City Council **AUTHORIZE** Administration to submit an application to the Minister of Finance to be designated as a municipality that has the power to impose a tax on residential vacant units, per Part IX.1 section 338.1 of the Act; and further,

That subject to receiving Ministerial consent to becoming a designated municipality in the regulations under the Act that the City of Windsor's VHT program **BE EFFECTIVE** January 1, 2024; and further,

That City Council **ESTABLISH** the vacancy reference period to be the prior taxation year; and further,

That City Council **APPROVE** a tax rate of 3% to be applied to the prior year's assessment value as determined by the Municipal Property Assessment Corporation (MPAC) to calculate the amount of VHT to be charged; and further,

That City Council **APPROVE** the definition of "vacant" and the recommended exemptions listed in the Discussion section of this report, for the purposes of identifying properties that would be subject to the Vacant Home Tax; and further,

That City Council **SUPPORT** one new Property Tax Clerk position (L543 09) and one new Property Assessor position (L543 14) as permanent additions to the Assessment Division staff complement, which will be funded through revenue collected through the VHT program; and further,

That the CFO/City Treasurer **BE DIRECTED** to amend the 2024 staff complement to reflect the addition of the two (2) permanent staff required for the administration of the VHT program; and further,

That City Council **DIRECT** any resulting surplus in revenue, after all Administrative costs have been recovered, be transferred to the City's Housing Reserve (Fund 216) to be used for purposes of housing related programs, projects and initiatives; and further,

That City Council **ESTABLISH** a penalty of $3,500 to be imposed for declarations determined to be false or misleading; and further,

That where appropriate, any amounts which are considered due and payable to the municipality **BE ADDED** to property taxes and collected in the same manner as property taxes; and further,

That City Council **AUTHORIZE** Administration to take any and all action that is deemed necessary to enforce compliance and to undertake audits and inspections as necessary relative to the collection and remittance of the VHT as outlined in this report; and further,

That upon the City of Windsor receiving consent to be a designated municipality in the regulations under the Act, the City Solicitor **BE AUTHORIZED** to prepare the VHT By-law; and further,

That administration **BE REQUESTED** to report back to council after one year of the vacant home tax program being in place to provide information related to the effectiveness and/or opportunities for improvement, including the possibility of a repeat offender fee.
Carried.

Report Number: C 94/2023
Clerk's File: AF2023 & GP2023

8.18. Response to CQ 18-2022 – Jackson Park Bandshell Update – Ward 3

Lana Talbot, Ward 2 resident

Lana Talbot, Ward 2 resident, appears before Council regarding the administrative report entitled, "Response to CQ 18-2022 – Jackson Park Bandshell Update – Ward 3" and highlights the

importance and significance of the bandshell in Windsor history as it relates to black culture and to advocate for a feasibility study for its restoration.

Leslie McCurdy, Performing Artist, Playwright, Producer, and Chair of the Black Council of Windsor Essex

Leslie McCurdy, Performing Artist, Playwright, Producer, and Chair of the Black Council of Windsor Essex, appears before Council regarding the administrative report entitled, "Response to CQ 18-2022 – Jackson Park Bandshell Update – Ward 3" and highlights the importance and significance of the bandshell in Windsor history as it relates to black culture and to advocate for a feasibility study for its restoration and to be able to provide an affordable venue better suited to smaller performing arts groups.

Joi Hurst, Coalition for Justice Unity Equity

Joi Hurst, Coalition for Justice Unity Equity, appears before Council regarding the administrative report entitled, "Response to CQ 18-2022 – Jackson Park Bandshell Update – Ward 3" and highlights the importance and significance of the bandshell in Windsor history as it relates to black culture and to advocate for a feasibility study for its restoration to be able to provide a common location for a pre-approved monument to be placed nearby.

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Ed Sleiman

That the report of the Executive Initiatives Coordinator dated August 21, 2023 entitled "Response to CQ 18-2022 – Jackson Park Bandshell Update – Ward 3" BE DEFERRED to a future City Council meeting to allow for further information from the Greater Essex County District School Board to be provided on the possibility of disposing of the subject land.

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

Aye votes: Councillors Ed Sleiman, Jo-Anne Gignac, and Angelo Marignani and Mayor Drew Dilkens.
Nay votes: Councillors Fred Francis, Fabio Costane, Renaldo Agostino, Mark McKenzie, Gary Kaschak, Kieran McKenzie, and Kim Morrison.
Absent: None.
Abstain: None.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Fabio Costante

Decision Number: CR475/2023 CSSC 205
That the report of the Executive Initiatives Coordinator dated August 21, 2023, entitled "Response to CQ 18-2022 – Jackson Park Bandshell Update-Ward 3" **BE RECEIVED** for information; and further,

That administration **BE REQUESTED** to engage in a feasibility study (two Phases) including a Condition Study and a Vision and Rendering Phase along with public consultation with various community groups, including artist groups, the black community as well as the general public and other communitty stakeholders; and,

That the Community Consultation **INCLUDE** discussion with the public school board, to address property and land use challenges as it relates to the bandshell; and,

That the study **BE FUNDED** from the Budget Stabilization Revenue Fund (BSR).
Carried.

At the request of Councillor Fabio Costante, a recorded vote is taken on this matter.

Aye votes: Councillors Angelo Marignani, Jim Morrison, Fabio Costante, Kieran McKenzie, Fred Francis, and Gary Kashack.
Nay votes: Councillors Jo-Anne Gignac, Renaldo Agostino, Ed Sleiman, Mark McKenzie and Mayor Drew Dilkens.
Absent: None.
Abstain: None.

Report Number: SCM 238/2023 & S 106/2023
Clerk's File: SR2023

8.7. ERCA Non-Mandatory Category Three Programs – Cost Apportioning Agreement – City Wide

Tim Byrne, CAO/Secretary-Treasurer & Shelley McMullen, CFO/Director Finance & Corporate Services, Essex Region Conservation Authority (ERCA)

Tim Byrne, CAO/Secretary-Treasurer & Shelley McMullen, CFO/Director Finance & Corporate Services, Essex Region Conservation Authority (ERCA), appear before Council regarding the administrative report entitled, "ERCA Non-Mandatory Category Three Programs – Cost Apportioning Agreement – City Wide" and to provide an update on the compliance requirements as set forth in Bill 23; indicates that the City of Windsor is a major financial contributor to ERCA funding at 48.73% of total funding; ERCA has been successful in receiving provincial grants to provide programming within the community; provide details regarding the request for support from the municipality for additional funding for land acquisition for properties at risk and if not acted upon may possibly lose the opportunity to acquire remnant properties that could be considered for preservation and to receive grant funding in a timely fashion.

Moved by: Councillor Fred Francis
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR464/2023

That the report entitled “ERCA Non-Mandatory Category Three Programs – Cost Apportioning Agreement” **BE RECEIVED** for information; and further,

That City Council **ADOPT** the administrative recommendations as outlined in the report; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an updated cost apportioning agreement that aligns with administrative recommendations, to the satisfaction of the City Solicitor as to legal form, City Engineer as to technical content, and the City Treasurer as to financial implications; and further,

That the CFO/City Treasurer **BE DIRECTED** to establish a Reserve Fund (ERCA Land Acquisition) to be used for the purpose of providing funding to ERCA for future land acquisitions; and further,

That City Council **SUPPORT** an annual transfer of $133,000 to the ERCA Land Acquisition Reserve; and further,

That the CFO/City Treasurer **BE DIRECTED** to include the annual transfer to the ERCA Land Acquisition Reserve as part of the 2024 Operating budget development.
Carried.
Councillors Kieran McKenzie, Jim Morrison, Fabio Costante, and Angelo Marignani voting nay.

Report Number: C 161/2023
Clerk’s File: EI/14691

8.27. Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place

Tracey Pillon-Abbs, Principal Planner

Tracey Pillon-Abbs, Principal Planner, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, “Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place” and is available for questions.

Jack Federer, applicant

Jack Federer, applicant, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, “Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place” and is available for questions.

Mitch Gellman, area resident

Mitch Gellman, area resident, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, “Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place” and cites concerns with the possibility of increased traffic, storm-water management and existing municipal services.

Garfield Brush, area resident

Garfield Brush, area resident, appears before Council and expresses concern regarding the recommendation in the administrative report entitled, "Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place" and provides details related to the number of units, potential for increased foot and vehicular traffic, lack of available parking, decreased quality of life and a possible decline in overall property values.

York Zhu, area resident

York Zhu, area resident, appear before Council and expresses concern regarding the recommendation in the administrative report entitled, "Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place" and provides details related to the proposed number of units, potential for increased foot and vehicular traffic, lack of available parking, decreased privacy and quality of life and a possible decline in overall property values.

Mayor Drew Dilkens leaves the meeting at 8:35 o'clock p.m. and Councillor Fabio Costante assumes the chair.

Mayor Drew Dilkens returns to the meeting at 8:37 o'clock p.m. and Councillor Fabio Costante returns to his seat at the Council Table.

Moved by: Councillor Jim Morrison
Seconded by: Councillor Kieran McKenzie

Decision Number: CR484/2023 DHSC 566

I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich situated on the west side of Randolph Place, and known municipally as 185 Randolph Place by adding a site specific exception to Section 20(1) as follows:

X. **WEST SIDE OF RANDOLPH PLACE BETWEEN RIVERSIDE DRIVE EAST AND UNIVERSITY AVENUE**

For the 1173.0 m^2 lands comprising of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; a *multiple dwelling* with 11 or more units shall be an additional permitted use subject to the following provisions:

.1 Lot Area – minimum 97.0 m^2 per dwelling unit
.2 Lot Frontage – minimum – 27.0 m
.3 Lot Coverage – maximum – 45.0 %
.4 Main Building Height – maximum – 10.0 m
.5 Building Setback:
a) front yard depth - minimum 6.0m
b) rear yard depth - minimum 7.5 m

c) side yard width - minimum 2.0 m on one side, and 3.4 m on the other side

6. Parking:
   a) *Parking spaces* – minimum 7 spaces
   b) *Bicycle Parking Spaces* –minimum 15 spaces
   c) A *parking space* is prohibited in any required *front* yard
   d) *Parking aisle width* – as existing

7. Exterior walls shall be covered in facebrick on a minimum of 3.0 m from above grade on the North, East, and South elevations.

8. For the purpose of this provision any roof other than 4.5/12 is prohibited.

II. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the site plan approval and site plan agreement:

a) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix I attached.

Carried.

Report Number: SCM 303/2023 & S 135/2023
Clerk's File: Z/14670

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None.

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: CR496/2023
That the report of the Special In-Camera meeting held November 27, 2023 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2023

12.2. (ii) Report of the Striking Committee of its meeting held November 27, 2023

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: CR497/2023
That the report of the Striking Committee of its meeting held November 27, 2023 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACOS2023

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Jim Morrison
Seconded by: Councillor Ed Sleiman

That the following By-laws No. 146-2023 through 151-2023 and 156-2023 through 160-2023 be introduced and read a first and second time:

Clerk's Note: For By-laws 152-2023 through 155-2023 see deferral section.

146-2023 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS McROBBIE ROAD IN THE CITY OF WINDSOR Authorized by CR76/2011 dated February 28, 2011

147-2023 A BY-LAW TO AMEND BY-LAW NUMBER 139-2013, BEING A BY-LAW TO DELEGATE AUTHORITY TO THE CITY PLANNER TO APPROVE AND PROCESS CERTAIN APPLICATIONS UNDER THE *PLANNING ACT* AND PERMITS UNDER THE ONTARIO *HERITAGE ACT* Authorized by CR424/2023 dated October 16, 2023

148-2023 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 3.96 METRE NORTH/SOUTH ALLEY LOCATED NORTH OF REGINALD STREET, WEST OF ALBERT ROAD, SOUTH OF SEMINOLE STREET AND EAST OF ST. LUKE ROAD, CITY OF WINDSOR Authorized by CR498/2022 dated November 28, 2022

149-2023 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.96 METRE NORTH/SOUTH ALLEY LOCATED NORTH OF REGINALD STREET, WEST OF ALBERT ROAD, SOUTH OF SEMINOLE STREET AND EAST OF ST. LUKE ROAD, CITY OF WINDSOR Authorized by CR498/2022 dated November 28, 2022

150-2023 A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.58 METRE EAST/WEST ALLEY LOCATED EAST OF MEIGHEN ROAD, WEST OF MELDRUM ROAD AND SOUTH OF TECUMSEH ROAD EAST, CITY OF WINDSOR Authorized by CR 496/2022 dated November 28, 2022

151-2023 A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.58 METRE EAST/WEST ALLEY LOCATED EAST OF MEIGHEN ROAD, WEST OF MELDRUM ROAD AND SOUTH OF TECUMSEH ROAD EAST, CITY OF WINDSOR Authorized by CR 496/2022 dated November 28, 2022

156-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" Authorized by CR219/2023 dated May 29, 2023

157-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" Authorized by CR220/2023 dated May 29, 2023

158-2023 A BY-LAW TO APPOINT WIRA VENDRASCO AS ACTING CITY SOLICITOR AND TO RESCIND THE APPOINTMENT OF SHELBY ASKIN HAGER AS CITY SOLICITOR FOR THE CORPORATION OF THE CITY OF WINDSOR Authorized by MD 12-2023 and MD 13-2023 dated November 15, 2023

159-2023 A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS McROBBIE ROAD IN THE CITY OF WINDSOR Authorized by CR76/2011 dated February 28, 2011

160-2023 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 27th day of November, 2023
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Fabio Costante

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:
1) Communication Items (as amended)
2) Consent Agenda (as amended)
3) Items Deferred Items Referred
4) Consideration of the Balance of Business Items (as amended)
5) Committee Reports as presented
6) By-laws given first and second readings as amended
Carried.

15. NOTICES OF MOTION

None presented.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Fabio Costante
Seconded by: Councillor Jo-Anne Gignac

That the By-laws No. 146-2023 through 151-2023 and 156-2023 through 160-2023 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.
Clerk's Note: For By-laws 152-2023 through 155-2023 see deferral section.
Carried.

17. PETITIONS

17.1. Petition to Pave Parking Lot at Ypres Park bordering Somme Road between Francis Road and Arthur Road

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Ed Sleiman

Decision Number: CR495/2023
That the petition presented by Councillor Ed Sleiman on behalf of the residents of Ypres Park bordering Somme Road between Francis Road and Arthur Road requesting the parking lot be paved **BE RECEIVED** as part of the public record.
Carried.

Clerk's File: ACO/14466

21. ADJOURNMENT

Moved by: Councillor Fred Francis
Seconded by: Councillor Ed Sleiman

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

Accordingly, the meeting is adjourned at 8:55 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held November 27, 2023 (CR 496/2023)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
November 27, 2023

Meeting called to order at: 2:31 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, Infrastructure Services/City Engineer
Janice Guthrie, Commissioner, Corporate Services CFO/City Treasurer
Dana Paladino, Acting Commissioner, Corporate Services
James Chacko, Acting Commissioner, Community Services
Jelena Payne, Commissioner Economic Development and Innovation
Steve Vlachodimos, City Clerk
Wira Vendrasco, Acting City Solicitor
Abe Taqtaq, Mayor's Chief of Staff
Anna Ciacelli, Deputy Clerk
Norbert Wolf, Manager of Employee Relations (Item 1)
Tyson Cragg, Executive Director Transit Windsor (Item 1)
Anne-Marie Albidone, Manager of Environmental Services (Items 10)
Jim Leether, Administrator Waste Collection Contracts (Item 10)

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

11. Legal matter – advice subject to solicitor-client privilege - negotiations

Motion Carried.

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

Item No.	Subject & Section - Pursuant to *Municipal Act*, 2001, as amended
1	Personal matter – labour negotiations update – VERBAL REPORT, Section 239(2)(d)
2	Property matter – sale of land, Section 239(2)(c)
3	Property matter – sale of land, Section 239(2)(c)
4	Property matter – purchase of land, Section 239(2)(c)
5	Legal/property matter – expropriation settlement, Section 239(2)(e)

6	**Legal/property matter – expropriation settlement, Section 239(2)(e)**
7	**Legal/property matter – expropriation update/delegation of authority, Section 239(2)(e)**
8	**Property matter – licence agreement, Section 239(2)(c)**
9	**Technical/financial information – confirm and ratify e-mail poll, Section 239(2)(j)**

Item No.	Subject & Section - Pursuant to *Municipal Act*, 2001, as amended
10	Technical/financial information – update, Section 239(2)(j)
11	Legal matter – advice subject to solicitor-client privilege – negotiations, Section 239(2)(f)- ADDED

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business.

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

Moved by Councillor Ed Sleiman, seconded by Councillor Fabio Costante,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held November 27, 2023 directly to Council for consideration at the next Regular Meeting.

1. That the confidential verbal update from the Manager of Labour Relations and the Executive Director of Transit Windsor respecting a personal matter – labour negotiations **BE RECEIVED**.

2. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, Acting City Solicitor, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a property matter – sale of land **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Acting City Solicitor, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a property matter – sale of land **BE APPROVED**.

4. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, Acting City Solicitor, Acting Commissioner of Corporate Services, Acting Commissioner of Infrastructure Services/City Engineer and Commissioner of Finance and City Treasurer respecting a property matter –purchase of land **BE APPROVED**.

5. That the recommendation contained in the in-camera report from Senior Legal Counsel, Acting City Solicitor, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a legal/property matter – expropriation settlement **BE APPROVED**.

6. That the recommendation contained in the in-camera report from Senior Legal Counsel, Acting City Solicitor, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a legal/property matter – expropriation settlement **BE APPROVED**.

7. That the recommendation contained in the in-camera report from Senior Legal Counsel, Acting City Solicitor, Acting Commissioner of Corporate Services and Commissioner of Finance and City Treasurer respecting a legal/property matter – expropriation update/delegation of authority **BE APPROVED**.

8. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, Acting City Solicitor, Acting Commissioner of Corporate Services, Executive Director of Recreation and Culture, Executive Director of Parks and Facilities, Commissioner of Community Services and Commissioner of Finance and City Treasurer respecting a property matter – licence agreement **BE APPROVED**.

9. That the recommendation contained in the in-camera report from the City Clerk and Acting Commissioner of Corporate Services, respecting a technical/financial information – confirm and ratify e-mail poll **BE APPROVED**.

10. That the recommendation contained in the in-camera report from the Financial Planning Administrator – Public Works, Executive Director of Operations, Acting Commissioner of Infrastructure Service, Acting City Solicitor, Acting Commissioner of Corporate Services and

Commission of Finance and City Treasurer respecting a technical/financial matter – update **BE APPROVED**.

11. That the confidential verbal responses respecting a legal matter – solicitor-client privilege regarding negotiations **BE RECEIVED FOR INFORMATION**.

Motion Carried.

Moved by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,
That the special meeting of council held November 27, 2023 BE ADJOURNED.
(Time: 3:28 p.m.)

Motion Carried.

Adopted by Council at its meeting held November 27, 2023 (CR 497/2023)
SV/bm

STRIKING COMMITTEE – IN CAMERA
November 27, 2023

Meeting called to order at: 3:29 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, Infrastructure Services/City Engineer
Janice Guthrie, Commissioner, Corporate Services CFO/City Treasurer
Dana Paladino, Acting Commissioner, Corporate Services
James Chacko, Commissioner, Community Services
Jelena Payne, Commissioner Economic Development and Innovation
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 *Municipal Act*, 2001, as amended
1	Personal matter – about identifiable individual(s) – appointment of members to Active Transportation Panel/Age-Friendly Working Group/Community Public Art Working Group/Transit Windsor Working Group/Windsor Utilities Commission (1)

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Item 1)

Moved by Councillor Ed Sleiman, seconded by Councillor Renaldo Agostino,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Striking Committee Meeting held November 27, 2023 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 Active Transportation Expert Panel, Age-Friendly Windsor Working Group, Community Public Art Working Group, Transit Windsor Working Group and Windsor Utilities Commission **BE RECEIVED**, and further that appointments to the Working Groups and Commission **BE APPROVED** (see open report of the Striking Committee).

Motion Carried.

Moved by Councillor Mark McKenzie, seconded by Councillor Kieran McKenzie.
That the special Striking Committee meeting held November 27, 2023 BE ADJOURNED.

(Time: 3:51 p.m.)

Motion Carried.