



CITY OF WINDSOR MINUTES 10/30/2023

City Council Meeting

Date: Monday, October 30, 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

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1. ORDER OF BUSINESS

2. CALL TO ORDER - Playing of the National Anthem

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls the meeting to order at 4:00 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Fred Francis discloses an interest and abstains from voting on Item 8.1 being "United Way – ProsperUs Collective Impact Initiative – Primary Care Access," as the ProsperUs program relates to his employer.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held October 16, 2023

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

That the minutes of the Meeting of Council held October 16, 2024 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 283/2023

5. NOTICE OF PROCLAMATIONS

Proclamations

"Project Red Ribbon Day" – November 1, 2023

"World Town Planning Day" – November 8, 2023

Flag Raising Ceremony

"Lebanese Heritage Month Canada" – November 1, 2023 – November 10, 2023

Illumination

"Lebanese Heritage Month Canada" – November 1, 2023 – November 7, 2023

"Project Red Ribbon" – November 8, 2023 – November 12, 2023

"Remembrance Day" November 8, 2023 – November 13, 2023

"Annual Shine the Light Campaign" – November 14, 2023 – November 17, 2023

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6. COMMITTEE OF THE WHOLE

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

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 142-2023 through 145-2023 (inclusive)
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence - Monday, October 30, 2023

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

Decision Number: CR430/2023

That the following Communication Items 7.1.1 through 7.1.4 as set forth in the Council Agenda **BE REFERRED** as noted.

| No. | Sender | Subject |
|-------|--|---|
| 7.1.1 | Essex Region Conservation Authority (ERCA) – Board of Directors | ERCA Summary of Grant Funding Received 2021-2023. Commissioner, Community Services Commissioner, Infrastructure Services Commissioner, Corporate Services CFO/City Treasurer EI2023 Note & File |
| 7.1.2 | Dillon Consulting and Manager Environmental Quality | Response to Updated Notice of Intention to Apply Non-Potable Ground Water Conditions Standards – 75 Mill Street, Windsor, ON – Dillon Consulting Limited, File #21-2785 |

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| No. | Sender | Subject |
|-------|---|---|
| | | Commissioner, Infrastructure Services Manager, Environmental Quality EI/11165 Note & File |
| 7.1.3 | Enbridge Gas Inc. – Manager Regulatory Applications | Ontario Energy Board – 2024 Federal Carbon Pricing Program Application and Evidence Commissioner, Infrastructure Services Commissioner, Corporate Services CFO/City Treasurer MU2023 Note & File |
| 7.1.4 | Manager of Urban Design | Recent Site Plan Control Applications: <ul style="list-style-type: none">• Mikhail Holdings/JBM Capital Inc. (Joseph Mikhail), 2601 Lauzon Parkway, Ward 8, New town-homes – two and three bedroom units – 5 buildings• Mohammad Hanash, 841 Ouellette Avenue, Ward 3, Mixed use building to add two residential units• Rogers Communications Inc. (Jeff McKay), 2879 Riverside Drive East, Ward 5, Proposed telecommunications tower relocate• Joseph Ennett, 1106 Ouellette Avenue, Ward 3, Converting existing commercial building into 19 unit residential building Z 2023 Note & File |

Carried.

Report Number: CMC 14/2023

8. CONSENT AGENDA

8.1. ProsperUS Advocacy Letter - Primary Care Access

Moved by: Councillor Fabio Costante

Seconded by: Councillor Angelo Marignani

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Decision Number: CR431/2023 CSSC 207

That the letter dated August 2, 2023 provided by United Way – ProsperUs Collective Impact Initiative – Primary Care Access **BE RECEIVED** for information; and,

That administration **BE DIRECTED** to forward a letter to the Ontario Health Team requesting information regarding their current and future plans related to physician recruitment.

Carried.

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

Report Number: SCM 241/2023 & SCM 265/2023

Clerk's File: ACO2023

8.2. Response to Open Streets Petition - City Wide

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

Decision Number: CR432/2023 CSSC 206

That the report from the Manger, Culture and Events, dated August 21, 2023, entitled "Response to Open Streets Petition" **BE RECEIVED** for information; and further,

That beginning in 2024, City Council **APPROVE** Open Streets moving to an east-side route including the Olde Riverside, Pillette Village, Ford City, Ottawa and Erie Street Business Improvement Areas (BIAs); and further,

That in 2025 the route **RETURN** to the previously approved downtown/west-side route including the Walkerville, Wyandotte Town Centre, Downtown, and Sandwich Business Improvement Areas (BIAs); and further,

That in future years, the City **CONTINUE** to alternate between the newly proposed east-side route and the previously approved downtown/west-side route; and further,

That administration **BE REQUESTED** to provide information related to options regarding holding Open Streets events twice a year including feasibility and costs, one in the downtown/west-side route and one in the new east-side route.

Carried.

Report Number: SCM 239/2023 & S 107/2023

Clerk's File: SPL/12373

8.3. Response to CQ 20-2023 – Feasibility of Expanding Outreach Services and 311 Operating Hours– City Wide

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Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: CR433/2023 CSSC 208

That the report of the Manager, Homelessness and Housing Support in response to “CQ 20-2023 Feasibility of Expanding Outreach Services and 311 Operating Hours – City Wide” **BE RECEIVED** for information; and,

That City Council **ENDORSE** recent improvements made to the Homelessness Street Outreach team’s schedule and improved access to such services through the 311 Contact Centre as outlined in this report; and,

That City Council **DIRECT** Administration to report back to Council with more data and information about the impact of recent improvements to the Homelessness Street Outreach team’s schedule and after-hours homelessness response initiated through 311, before deciding if further expansion is needed; 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 REQUESTED** to report back to the Community Services Standing Committee, as to how the City will attempt to draw the various organizations together in an effort to collaborate and capitalize on the programs that they are prepared to offer.
Carried.

Report Number: SCM 274/2023 & S 118/2023
Clerk’s File: GM/7755

8.5. Draft Plan of Condominium with Exemption under Section 9(3) of the *Condominium Act* –CDM 008-23 [CDM-7134] Lankor Horizons Development Inc. 3290, 3320, 3340, 3370 STELLA CRESCENT Ward 7

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: CR435/2023 DHSC 560

That the application of Lankor Horizons Development Inc. for an exemption under Section 9(3) of the *Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a total of 199 dwelling units as shown on the attached Map No. CDM-008/23-1 and CDM-008/23-2 on a parcel legally described as; Part of Lot127, Concession 2, City of Windsor, Part 1 to 3 (inclusive), 12R-16010, located at 3290, 3320, 3340, 3370 STELLA CRESCENT **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: SCM 269/2023 & S 117/2023

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Clerk's File: Z/14663

8.6. Closure of north/south alley located between Joinville Avenue and Haig Avenue, and two intersecting east/west alleys located west of north/south alley, Ward 8, SAA-6822

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

Decision Number: CR436/2023 DHSC 561

- I. That the 4.27-metre-wide north/south alley located between Joinville Avenue and Haig Avenue, and shown on Drawing No. CC-1835 (*attached* hereto as Appendix "A"), and hereinafter referred to as "Alley A", **BE ASSUMED** for subsequent closure;
- II. That Alley A **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to accommodate existing aerial facilities and poles;
 - ii. ENWIN Utilities Ltd. to accommodate existing overhead and underground 120/240V hydro pole distribution, including guy wires and anchors; and
 - iii. MNSi. to accommodate existing aerial facilities.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner, save and except that portion abutting Lots 68 to 71 on Registered Plan 1167, in which case the middle of the alley shall be used.
- III. That the 4.27-metre-wide east/west alley located between Alley A and the west limit of the property known municipally as 5065 Joinville Avenue (legally described as Lot 114 & Part of Lot 113, Plan 1107), and shown on Drawing No. CC-1835 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "Alley B", **BE ASSUMED** for subsequent closure;
- IV. That Alley B **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner;
- V. That the 4.27-metre-wide east/west alley located between the Alley A and the west limit of the property known municipally as 5066 Haig Avenue (legally described as Lot 142 & Part of Lot 143, Plan 1107), and shown on Drawing No. CC-1835 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "Alley C", **BE ASSUMED** for subsequent closure;
- VI. That Alley C **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner;

- VII. That Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned RD1.4, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VIII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1835, *attached* hereto as Appendix “A”;
- IX. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- X. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor;
- XI. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 270/2023 & S 102/2023
Clerk’s File: SAA2023

8.7. Closure of north/south alley located between Taylor Avenue and 1124-1224 Campbell Avenue, Ward 2, SAA-6848

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

CR437/2023 AMENDED BY CR 528/2024 ADOPTED December 9, 2024

Decision Number: CR437/2023 DHSC 562

- I. That the 3.66-metre-wide north/south alley located between Taylor Avenue and the property known municipally as 1124-1224 Campbell Avenue (legally described as Part of Lot 1, Plan 64; Lots 27, 28, 45-58, Part of Closed Alley & McEwan, Plan 1367), and shown on Drawing No. CC-1837 (*attached* hereto as Appendix “A”), and hereinafter referred to as the “subject alley”, **BE ASSUMED** for subsequent closure.
- II. That the subject alley **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 1238 Campbell Avenue (legally described as Lots 1 & 2, Part of Lot 3, Plan 669) and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
 - i. Bell Canada to accommodate existing aerial infrastructure; and

- ii. ENWIN Utilities Ltd. to accommodate the poles and existing secondary overhead conductors.
 - b. Easement subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. The owner of the property known municipally as 1660 Taylor Avenue (legally described as Lots 33 to 34 & Part of Closed Alley, Plan 669) for access to repair and maintain the west face of the existing detached garage on the said property.
- III. That Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.3 or RD2.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1837, *attached* hereto as Appendix "A".
- V. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: SCM 271/2023 & S 109/2023
Clerk's File: SAA2023

8.8. Additional information regarding Public Communications

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: CR438/2023 DHSC 558

That the memo from the Commissioner, Economic Development & Innovation dated September 25, 2023 entitled "Additional Information Regarding Public Communications" **BE RECEIVED** for information.
Carried.

Report Number: SCM 272/2023 & SCM 266/2023

11.1. Gouin Drain Provisional By-Law for Repair and Improvement - Ward 9

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Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

Decision Number: CR443/2023

- I. That Council **ADOPT** the Engineer's Drainage Report completed by Dillon Consulting Ltd. dated September 14, 2023 (attached), for the Repair and Improvement to the Gouin Drain, and give Provisional By-law 144-2023 a first and second reading in accordance with Section 45(1) of the *Drainage Act*, R.S.O 1990;
- II. That Council **DIRECT** the Clerk to set a date for the first sitting of the Court of Revision and distribute the Provisional By-law and the Notice of the Court of Revision, in accordance with Sections 46(2) and 46(3) of the *Drainage Act*, R.S.O. 1990

Carried.

Report Number: C 151/2023

Clerk's File: APM/14378 & SPL/14449 & SW2023

11.3. Transit Windsor Pension Plan - Investment Plan and 2022 Actuarial Valuation and Audited Financial Statements - City Wide

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

Decision Number: CR445/2023 ETPS 966

That City Council:

- I. **RECEIVE** the Audited Financial Statements and Actuarial Valuation for the Contributory Pension Plan as approved by the Board; and further,
- II. **SUPPORT** the actions noted above with regards to the termination of the Contributory Pension Plan for Employees of Transit Windsor investment management agreement with OMERS; and further,
- III. 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), 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,
- IV. That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the recommendation noted above, 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.

Carried.

Report Number: SCM 282/2023 & C 153/2023
Clerk's File: AFB/14256 & MT2023

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

10.1. Windsor Firefighters – Sparky's 2023 Toy Drive

Cody Long, Windsor Firefighter, Joshua Easby, Windsor Firefighter & Sparky

Cody Long, Windsor Firefighter, Joshua Easby, Windsor Firefighter and Sparky appear before Council regarding "Windsor Firefighters – Sparky's 2023 Toy Drive", to express gratitude for the support of the municipality and its residents, provide a brief history of the purpose of the toy drive and highlight registration and collection date details.

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

Decision Number: CR440/2023

That the presentation from the Windsor Firefighters – Sparky's 2023 Toy Drive **BE RECEIVED** for information.

Carried.

Clerk's File: SF2023

10.2. Reverend Gene Lotz, Military Historian/Author – Book Presentation "Canadians in a Forgotten War to Mayor & members of Council"

Reverend Gene Lotz, Military Historian/Author

Reverend Gene Lotz, Military Historian/Author appears before City Council regarding his Book presentation "Canadians in a Forgotten War" and provides details related to the book including to commemorate the soldiers and nurses and local residents' contribution to the Boer War.

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Jim Morrison

Decision Number: CR441/2023

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That the presentation from Reverend Gene Lotz, Military Historian/Author of his book entitled "Canadians in a Forgotten War" **BE RECEIVED** for information.

Carried.

Clerk's File: APR2023

10.3. Tourism Windsor Essex Pelee Island – Presentation & Video

Gordon Orr, Chief Executive Officer, Jason Toner, Director of Marketing and Communications and Lynnette Bain, Vice President, Destination Development—Tourism Windsor-Essex Pelee Island

Gordon Orr, Chief Executive Officer, Jason Toner, Director of Marketing and Communications and Lynnette Bain, Vice President, Destination Development – Tourism Windsor-Essex Pelee Island appear before City Council to present Plans for 2024 and to Unveil a New Video Highlighting Marketing Brand and the growth of tourism in Windsor-Essex; and provide an overview of their Mission; Board Members; Recap of 2023; Best of Windsor Essex Awards; Local Events; Official Visitors Guide; US Digital Partnership Campaign; Radio Broadcast Campaign; Historical Guide; Ontario Tourism Awards of Excellence; Total Social Reach; Hotel Indicators; Website Traffic; Digital Referral Revenue; 2024 Destination Development & Marketing Plan; Rainbow Registered; Public Art Trail; Influencer Engagement; Holiday Social; New Location and to highlight the work of the 2023 year to date and to view the and the shop local holiday gift guide; and conclude by outlining plans to attract tourism for 2024.

Moved by: Councillor Fabio Costante

Seconded by: Councillor Gary Kaschak

Decision Number: CR442/2023

That the presentation from Tourism Windsor Essex Pelee Island regarding plans for 2024 and to Unveil New Video Highlighting Marketing Brand **BE RECEIVED** for information.

Carried.

Clerk's File: APR2023

✓**CLERK'S CORRECTION****

8.4. Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7

Karl Tanner, Dillon Consulting

Karl Tanner, Dillon Consulting appears before City Council regarding the administrative report entitled "Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7" and requests that Council approve the Standing Committee recommendation and is available for questions.

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Jeff Benedet, area resident

Jeff Benedet, area resident, appears before City Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7" and concludes by detailing traffic congestion concerns as well as the proximity to the VIA Rail line.

Kate Benedet, area resident

Kate Benedet, area resident, appears before City Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7" and concludes by citing concerns with the proposed high density development for the area, the outstanding traffic study, the concern for flooding in the area and the lack of infrastructure to support the development.

Joan Ennis, area resident

Joan Ennis, area resident, appears before City Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7" and cites concerns with the size of the proposed development, lack of green space, high density, increased traffic and decreased quality of life.

Karen Cameron, area resident

Karen Cameron, area resident, appears before City Council and expresses concern regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7" and cites the lack of availability of residential parking, pedestrian crossings and increased traffic as it relates to public safety.

Russell Pearson and Gwen Pawlowski, area residents

Russell Pearson and Gwen Pawlowski, area residents, appear before City Council via electronic participation regarding the recommendation in the administrative report entitled, "Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7" and cite details related to concerns with the traffic and shadow studies that were completed and the current heavy volume of traffic as it impacts their daily lives.

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fabio Costante

Decision Number: CR434/2023 DHSC 559

That the City of Windsor Official Plan Volume II – East Riverside Secondary Plan Schedule ER-2 **BE AMENDED** by changing the land use designation of Block 8, Plan 12M-425, City of Windsor from Business Park to “Banwell Road Mixed Use Corridor”; and,

That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# SOUTH WEST CORNER OF BANWELL ROAD AND MCHUGH STREET

1.#.1 The property described as Block 8, Plan 12M-425, in the City of Windsor, known municipally as 0 McHugh Street, 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 shall be permitted on the subject property; and
- b) High Profile Residential Buildings shall be permitted within 30 metres of Banwell Road on the subject property; and,

That the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 8, Plan 12M-425 from ~~MD1.2~~ ~~MD1.4~~ to HCD2.7; and,

That the hold prefix **BE REMOVED** when the applicant/owner submits an application to remove the holding prefix and the following condition is satisfied:

- a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and,

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 8, Plan 12M-425 by adding site specific regulations as follow:

4xx. SOUTH WEST CORNER OF BANWELL ROAD AND MCHUGH STREET

For the lands described as Block 8, Plan 12M-425, the following shall be additional permitted uses:

- i. residential care facility;
- ii. multiple dwelling;

subject to the regulations in Section 12.2.5, and,
Building height – Maximum – within 30m of Banwell Road - 30m

Building height – Maximum – remainder of site - 26 m

~~A vehicle access area to Banwell Road is prohibited.~~ ~~√Delete√~~

That the site plan control officer **BE REQUESTED** to explore the possibility of a vehicle access area to Banwell Road.

(ZDM 15; ZNG/7069) and,

Carried.

Report Number: 268/2023 & S 121/2023
Clerk's File: Z/14648 & Z/14647

11.2. Update Regarding The Divestment of the East Riverside Shorewall; Furthering Report C77/2023 - Ward 7

Craig Kondruk, area resident

Craig Kondruk, area resident, appears before City Council regarding the administrative report entitled, "Update Regarding Council Decision B14/2019 and Proposed Local Improvement Policy Amendment for Shoreline Structures - City-Wide" and expresses concern with the recommendation and the imposition it places on the affected residents; and to encourage council members voting on the proposal to see the problem firsthand.

Jane Boyd, area resident

Jane Boyd, area resident, appears before City Council regarding the administrative report entitled, "Update Regarding Council Decision B14/2019 and Proposed Local Improvement Policy Amendment for Shoreline Structures - City-Wide" and expresses concern about the designation of ownership of the Shorewall as it relates to the resident owners and availability of access to the Local Improvement Plan.

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: CR444/2023 CR260/2023

- I. That City Council **RECEIVE** this report to supplement Council Report C77-2023 with respect to Council Decision B14/2019, the City-owned shorewall along Lake St. Clair; and,
- II. That **APPROVAL BE GIVEN** to divest the East Riverside shorewall of The Corporation of the City of Windsor (the "City") on the following terms:

1. **BUYERS:** Each of the owners of 10870 to 11906 Riverside Drive East, Windsor who do not currently own their portion of the subject lands (hereinafter the "Buyers", and each a "Buyer")
2. **PROPERTY:** A 1ft. wide section of land upon which the concrete shorewall is situated,

between the south shore of Lake St. Clair and the lots municipally known as 10870 to 11906 Riverside Drive East, Windsor to the south, as set out in Letters Patent registered as Instruments No. R6939 Riverside, to be further described on a Reference Plan to be registered (hereinafter the "Subject Lands")

3. SALE PRICE:

\$1, plus HST, if applicable. The City shall also be responsible for all legal fees and disbursements of the Buyers incurred in connection with the transfer of the Subject Lands; and, Item No. 11.2 City Council Agenda - Monday, October 30, 2023 Page 419 of 457 Page 2 of 6

- III. That the transaction identified in Recommendation II **BE COMPLETED** electronically, for the property where it is available, pursuant to By-Law 366-2003 and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete the transaction, as required, and that the City Solicitor **BE AUTHORIZED** to execute documents standard to the real estate transaction; and,
 - IV. That City Council **APPROVE** the addition of Section 4.6 Shoreline Structures to the existing Consolidated Local Improvement Policy (Appendix B).
 - V. That City Council **APPROVE** the transfer of \$350,146 from projects 7191024 (Wellesley Rehab – Terminal to Ypres \$240,000) and 7145005 (Enhanced Interim Financing Fund \$110,146) to project 7192007 (Riverside Breakwall Study) to bear the costs associated with the above-referenced transactions as described in Recommendation II; and,
 - VI. That Administration **BE REQUESTED** to implement a private Local Improvement Policy (LIP) option through Ontario regulation 586/06 to allow for those property owners who own their portion of the East Riverside shorewall along Riverside Drive to access the LIP process.
- Carried.

Report Number: C 149/2023& C 77/2023
Clerk's File: SL2023

8.9. Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5

Melanie Muir, agent

Melanie Muir, agent, appears before City Council regarding the administrative report entitled, “Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5” and provides a brief overview of the project including specific site line and set back information.

Wing On Li, applicant

Wing On Li, applicant, appears before City Council regarding the administrative report entitled, “Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5” and provides details related to the proposed development, including its initiative to go green to contribute to the overall reduction of greenhouse gases and to promote an energy efficient, affordable multi use residential development; and concludes by advocating for the continued development in the Windsor area in light of the demand for housing; and Riverside Horizons has contributed more than 700 condominium homes and 140 single-family homes to the Windsor area since 2019.

Stephen Ducharme, area resident

Stephen Ducharme, area resident, appears before City Council regarding the administrative report entitled, “Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5” and expresses concern with the misinformation presented in the proposed development application along with the shadow and traffic studies that were conducted and how this proposed development will negatively affect his quality of life.

Balraj Jhavar, area resident

Balraj Jhavar, area resident, appears before City Council regarding the administrative report entitled, “Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5” and expresses concern with the setback and the height of the proposed development and the compatibility of the aesthetics within the existing neighbourhood.

Mayor Drew Dilken leaves the meeting at 6:52 o'clock p.m. and Councillor Mark McKenzie assumes the chair.

Mayor Drew Dilken returns to the meeting at 6:56 o'clock p.m. and Councillor Mark McKenzie returns to his seat at the Council Table.

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Tara Rabie, area resident

Tara Rabie, area resident, appears before City Council regarding the administrative report entitled, "Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5" and expresses concern about the size of the proposed development in relation to the size of the parcel of land, the lack of available parking, the effect of construction on the foundation of the historic homes in the area and the overall negative effect on the quality of life from this project.

Dr. Robert Woodall, area resident

Dr. Robert Woodall, area resident, appears before City Council regarding the administrative report entitled, "Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5" and expresses concern with the requested zoning amendment of the proposed development; and concludes by citing concerns with the size and the proximity to the roadway, underground parking should be considered as a possibility that should be explored and encouraged in order to reduce the overall height of the proposed structure.

David Woodall, Ward 6 resident

David Woodall, Ward 6 resident, appears before City Council regarding the administrative report entitled, "Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5" and expresses concern with the proposed development; and concludes by suggesting that the developer consider underground parking in order to reduce the overall height of the proposed structure.

Dan Mazur, area resident

Dan Mazur, area resident, appears before City Council regarding the administrative report dated July 13, 2023 entitled, "Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5" and expresses concern with the proposed development as it relates to the size and proximity to the roadway.

Joel Gouin, area resident

Joel Gouin, area resident, appears before City Council regarding the administrative report entitled, "Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Bellevue Ave - Ward 5" and expresses concern with the proposed development as it relates to traffic and a lack of parking in the neighbourhood, the size and proximity to the roadway and the nuisance of ongoing construction noise for the elderly residents in the neighbourhood.

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Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Ed Sleiman

That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, BE AMENDED by adding site specific policies as follows:

1.# South Side of Riverside Drive, between Belleview Avenue and Pratt Street

1.#.1 The property described as of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 6.3.2.1 of the Official Plan, Volume I, a High Profile Residential Building shall be permitted on the subject property.

That an amendment to City of Windsor Zoning By-law 8600 BE APPROVED changing the zoning of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, from Commercial District CD1.7 and Residential District RD2.2 to Residential District (RD) 3.3; and,

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 BE AMENDED for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue by adding site specific regulations as follows:

483. South Side of Riverside Drive, between Belleview Avenue and Pratt Street

For the lands described as for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, the following regulations shall apply:

Building setback from an exterior lot line abutting Riverside Drive - 3m

Building setback from an exterior lot line abutting Riverside Drive or Pratt Place for that part of the building having a height of more than 12.5m - 7.5 m

Building setback from a lot line for that part of the building having a height of more than 12.5 m abutting any zone that permits single detached dwellings – 7.5 m

Parking spaces shall be prohibited on the first and second floor of any structure within 7.5 m of an exterior building wall adjacent to Riverside Drive;

Parking spaces shall be prohibited on the first floor of any structure within 7.5 m of an exterior building wall adjacent to Pratt Place

Amenity Area – Minimum - 420 m²;

Lot Area - Minimum - 3,500 m²;

Lot Coverage - Maximum - 66%;

Building Height – Maximum - 45.0m;

Landscaped Open Space - minimum - 20%;

Number of Dwelling units – maximum - 84

(ZDM 6; ZNG/6053)

That Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, BE CLASSIFIED as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning); and,

That the City Planner or their designate BE DIRECTED to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that incorporates noise mitigation measures to East Windsor Cogeneration Plant, Ford Motor Company Windsor Engine Plant, and Greco Aluminum Railings”; and,

That the Site Plan Approval Officer CONSIDER the following matters in an approved site plan and/or executed and registered site plan agreement:

Incorporating additional, or modify existing, mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 in any future Site Plan Control agreement; and,

That administration BE DIRECTED to work with the Developer to implement Underground Parking instead of above ground and reducing the overall building height.

THAT the developer BE REQUIRED to provide below grade parking and that the building be limited to 9 storeys.

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

Nay votes: Councillors Kieran McKenzie, Jim Morrison, Angelo Marignani, Fred Francis, Fabio Costante, and Renaldo Agostino.

Aye votes: Mayor Drew Dilken and Councillors Jo-Anne Gignac, Ed Sleiman, and Mark McKenzie.

Absent: Councillor Gary Kaschak.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: CR439/2023 DHSC 546

That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# South Side of Riverside Drive, between Belleview Avenue and Pratt Street

1.#.1 The property described as of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 6.3.2.1 of the Official Plan, Volume I, a High Profile Residential Building shall be permitted on the subject property.

That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, from Commercial District CD1.7 and Residential District RD2.2 to Residential District (RD) 3.3; and,

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue by adding site specific regulations as follows:

483. South Side of Riverside Drive, between Belleview Avenue and Pratt Street

For the lands described as for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, the following regulations shall apply:

Building setback from an exterior lot line abutting Riverside Drive - 3m

Building setback from an exterior lot line abutting Riverside Drive or Pratt Place for that part of the building having a height of more than 12.5m - 7.5 m

Building setback from a lot line for that part of the building having a height of more than 12.5 m abutting any zone that permits single detached dwellings – 7.5 m

Parking spaces shall be prohibited on the first and second floor of any structure within 7.5 m of an exterior building wall adjacent to Riverside Drive;

Parking spaces shall be prohibited on the first floor of any structure within 7.5 m of an exterior building wall adjacent to Pratt Place

Amenity Area – Minimum - 420 m²;

Lot Area - Minimum - 3,500 m²;

Lot Coverage - Maximum - 66%;

Building Height – Maximum - 45.0m;

Landscaped Open Space - minimum - 20%;

Number of Dwelling units – maximum - 84

(ZDM 6; ZNG/6053)

That Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning); and,

That the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that incorporates noise mitigation measures to East Windsor Cogeneration Plant, Ford Motor Company Windsor Engine Plant, and Greco Aluminum Railings”; and,

That the Site Plan Approval Officer **CONSIDER** the following matters in an approved site plan and/or executed and registered site plan agreement:

Incorporating additional, or modify existing, mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 in any future Site Plan Control agreement.

Carried.

Nay votes: Mayor Drew Dilkens and Councillors Jo-Anne Gignac, Ed Sleiman, and Mark McKenzie.
Aye votes: Councillors Kieran McKenzie, Jim Morrison, Angelo Marignani, Fred Francis, Fabio Costante, and Renaldo Agostino.
Absent: Councillor Gary Kaschak.

Report Number: SCM 245/2023 & S 93/2023
Clerk's File: Z/14347 & Z/14639

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None.

12. CONSIDERATION OF COMMITTEE REPORTS

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

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR446/2023

That the report of the Special In-Camera meeting held Monday, October 30, 2024 **BE ADOPTED** as presented.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

That the following By-laws No. 142-2023 through 145-2023 (inclusive) be introduced and read a first and second time:

142-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR423/2023 dated October 16, 2023.

143-2023 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW". Authorized by CR421/2023 dated October 16, 2023.

144-2023 A PROVISIONAL BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE GOUIN DRAIN. Authorized by CR478/2022 dated November 28, 2022.

145-2023 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 30th day of October, 2023.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Ed Sleiman

Seconded by: Councillor Renaldo Agostino

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 presented)

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

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

15. NOTICES OF MOTION

None presented.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

That the By-laws No. 142-2023, 143-2023, and 145-2023 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.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

17. PETITIONS

17.1. Petition for a Public Consultation, Regarding Transit Windsor Proposed Route 330, Spring 2024

Moved by: Councillor Fred Francis

Seconded by: Councillor Ed Sleiman

Decision Number: CR447/2023

That the petition presented by Councillor Fred Francis on behalf of concerned citizens requesting a public consultation regarding Transit Windsor Proposed Route 330 **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Executive Director of Transit Windsor for the purpose of an examination of the requested works or undertakings.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO/14466

18. QUESTION PERIOD

18.1 CQ 29-2023

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

Decision Number: CR448/2023

That the following Council Question by Councillor Fred Francis **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 29-2023:

Assigned to: Commissioner, Infrastructure Services

Asks that Administration report back to City Council about a policy regarding capital improvements at city gateways to provide options for further enhancements when budget allotments do not allow for them.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

18.2 CQ 30-2023

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

Decision Number: CR449/2023

That the following Council Question by Councillor Mark McKenzie **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 30-2023:

Assigned to: Commissioner, Economic Development & Innovation

Asks that Administration bring a report to council on how we can implement the tools at our disposal to push and/or entice developers to start construction of their approved projects in a timelier manner, including a time limit on CIP funding.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

18.3 CQ 31-2023

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

Decision Number: CR450/2023

That the following Council Question by Councillor Angelo Marignani **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 31-2023:

Assigned to: Windsor Police Services / Police Chief

Asks that Administration look into and report on a pilot project to install video police box. These safety tools will create confidence in our community and help our police force deter crime. I would like to see the pilot project at Optimist Park in Forest Glade or wherever administration sees fit.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

18.4 CQ 32-2023

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

Decision Number: CR451/2023

That the following Council Question by Councillor Jo-Anne Gignac **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 32-2023:

Assigned to: Commissioner, Infrastructure Services

Asks that Administration report back regarding what tools, if any, municipalities have to limit the amount of time freight trains can block traffic movement. If tools are available i.e. if time restrictions are in place who is responsible for oversight? Who can residents contact with complaints?

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

18.5 CQ 33-2023

Moved by: Councillor Angelo Marignani

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Seconded by: Councillor Kieran McKenzie

Decision Number: CR452/2023

That the following Council Question by Councillor Jo-Anne Gignac **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 33-2023:

Assigned to: Commissioner, Economic Development & Innovation

Asks that Administration report back with tools that we, as a municipality, have to protect areas of our city that we have designated or identified, such as historic districts, historic neighbourhoods or even roadways, such as the Riverside Vista, as developments and intensification occurs in order to ensure that these developments compliment these identified areas.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

18.6 CQ 34-2023

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR453/2023

That the following Council Question by Councillor Renaldo Agostino **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 34-2023:

Assigned to: Commissioner, Economic Development & Innovation

Downtown businesses face many challenges. A major concern is our current street scaping plan. Many benches occupy space in front of abandoned businesses. These benches attract unwanted illegal public drinking and in some case use of illegal narcotics. These areas then get used as street bathrooms. This then becomes a burden on the businesses/their redevelopment and in some cases residential buildings ask the residents. Asks that Administration report back regarding the current street scaping plan to remove or relocate benches that exist around abandoned businesses.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

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18.7 CQ 35-2023

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR454/2023

That the following Council Question by Councillor Renaldo Agostino **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 35-2023:

Assigned to: Commissioner, Infrastructure Services

Recently I've had reports from concerned citizens in regards to the operations from out of town buses. I myself was almost involved in a car accident in-front of the police station where a bus just randomly stopped to drop off passengers. I've also had reports concerning seniors being left out in the cold waiting hours for a bus to pick them up with no shelter. Asks that Administration report back regarding out of town buses not utilizing our bus station and what steps can be taken to motivate them to do so.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

18.8 CQ 36-2023

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: CR455/2023

That the following Council Question by Councillor Renaldo Agostino **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 36-2023:

Assigned to: Commissioner, Infrastructure Services

Downtown residents are having a very tough time dealing with noise and loitering issues in lot 16. The problem is after hours partying and cars performing burnouts. It's my understanding that we have been losing this battle for at least a decade. Asks that Administration report back regarding options available for repurposing parking lot 16.

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Clerk's File: ACO2023

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21. ADJOURNMENT

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

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

Carried.

Councillor Gary Kaschak was absent from the meeting when the vote was taken on this matter.

Accordingly, the meeting is adjourned at 7:51 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held October 30, 2023 (CR 446/2023)
SV/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
October 30, 2023

Meeting called to order at: 3:15 p.m.

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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
Chris Nepsy, Commissioner, Infrastructure Services
Janice Guthrie, Commissioner, Corporate Services CFO/City Treasurer
Shelby Askin-Hager, Commissioner, Legal and Legislative Services
Ray Mensour, Commissioner, Community Services
Jelena Payne, Commissioner Economic Development and Innovation
Anna Ciacelli, Acting City Clerk
Abe Taqtaq, Mayor's Chief of Staff
Jessica Millar, Senior Legal Counsel (Item 4)

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

| Item No. | Subject & Section - Pursuant to <i>Municipal Act</i> , 2001, as amended |
|----------|--|
| 1 | Legal/property matter – amendment to expropriation settlement, Section 239(2)(e)(f) |
| 2 | Property matter – amendment to sale of land, Section 239(2)(c)(k) |
| 3 | Property matter – lease, Section 239(2)(c) DEFERRED ON SEPTEMBER 18, 2023 |
| 4 | Personal matter – labour negotiations, Section 239(2)(d) |
| 5 | Property/legal matter – advice subject to solicitor-client privilege, Section 239(2)(f)(k) |

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

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Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Fabio Costante,
to move back into public session.

Motion Carried.

Moved by Councillor Fabio Costante, 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 October 30, 2023 directly to Council for consideration at the next Regular Meeting.

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1. That the recommendation contained in the in-camera report from Senior Legal Counsel, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a legal/property matter – amendment to expropriation settlement **BE APPROVED**.
2. That the recommendation contained in the in-camera report from the Senior Economic Development Officer, Commissioner, Economic Development and Innovation, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – amendment to sale of land **BE APPROVED**.
3. That the recommendation contained in the in-camera report from the Acting CEO Windsor Public Library, Executive Director Recreation and Culture, Commissioner, Community Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter - lease **BE APPROVED**.
4. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, Manager Strategic Operating Budget Development and Control, Commissioner, Legal and Legislative Services, Commissioner, Community Services and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter – labour negotiations **BE APPROVED**.
5. That the recommendation contained in the in-camera report from the Executive Director Housing and Children's Services, Commissioner, Human and Health Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property/legal matter – advise subject to solicitor-client privilege **BE APPROVED**.

Motion Carried.

Moved by Councillor Kieran McKenzie, seconded by Councillor Fred Francis,

That the special meeting of council held October 30, 2023 BE ADJOURNED.

(Time: 3:44 p.m.)

Motion Carried.